

Ribble Valley Housing and Economic Development – Development Plan Document (HED DPD)



Regulation 19 (Publication) comments response Form

Before using this form to make any comments please ensure that you have read the Housing and Economic Development – Development Plan Document and the Guidance Notes, which can be found on Ribble Valley Borough Council's website - www.ribbonvalley.gov.uk and follow the HED DPD.

If after reading the Guidance Notes you should have any queries in completing the form please telephone 01200 425111.

This form has two parts: -

Part A - Personal Details (you need only complete one copy of Part A)

Part B - Your comment(s) (Please complete a separate Part B for each comment you wish to make.)

All completed comments forms must be received by the Council no later than 5:00pm on Friday 9th June 2017.

Please return paper copies marked 'HED DPD PUBLICATION CONSULTATION' to Council Offices, Church Walk, Clitheroe, BB7 2RA

Part A

Q1 Please can you provide the following information which will assist us in contacting you if we need to discuss any of your comments further.

- Name
- Name of Organisation (if you are responding on behalf of an organisation)
- Database Reference number (if you have one)
- Address
- Post Code
- Email Address
- Phone number

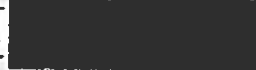
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Copies of all comments made in Part B of the form will be put in the public domain and are not confidential, apart from any personal information. All personal information within Parts A and B will only be used by the Council in connection with the Local Development Framework and not for any other purpose and will be held in accordance with the Data Protection Act 1998. The Council will summarise the comments and all representations will be made available to the Planning Inspectorate.

Part B

Please use a separate form for each individual comment.

Q2

Name / Name of Organisation (if you are responding on behalf of an organisation) []

Q3

To which part of the HED DPD does this comment relate?

Part of document e.g. Housing allocations, open space policy etc...

Paragraph No.

Q4

As a consequence do you consider the HED DPD is:

	Yes	No
i) Legally compliant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Sound *	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* The considerations in relation to the HED DPD being sound are explained in the Guidance Notes

Q5

If you consider the HED DPD is unsound, is this because it is not... (please tick the appropriate box)

Justified	<input checked="" type="checkbox"/>	Consistent with national policy	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>	Positively prepared	<input checked="" type="checkbox"/>

Q6

Please give details of why you consider that the HED DPD is not legally compliant or sound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the HED DPD, please also use this box to set out your comments. Please continue on a separate sheet if required.

Q9 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary. *(Please note that the Inspector will determine who participates.) Please continue on a separate sheet if required.*

In order to further detail the case

Q10 If you wish to be kept informed as the HED DPD progresses through to adoption, please indicate which of the following stages you wish to be informed of by ticking the box(es) below.

Submission of the HED DPD to the Secretary of State for independent Examination

The publication of the Inspector's report following the Examination

The formal adoption of the HED DPD

Q11 If you have any other comments to make on the HED DPD that have not been covered elsewhere, please use the box below. *Please continue on a separate sheet if required.*

See support statement

Q12 Date of completion: 01/06/2017

Q13 Signature

[Redacted signature box]

Thank you very much for taking the time to complete this comments form, your comments are very much appreciated.

If after reading the Guidance Notes you should have any queries in completing this form please telephone 01200 425111

Q7 Please set out what change(s) you consider necessary to make the HED DPD legally compliant or sound, having regard to the test you have identified at Q5 above where this relates to soundness.

You will need to say why this change will make the HED DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be precise as possible. *Please continue on a separate sheet if required.*

See support statement

Please note: your comment should cover succinctly all the information, evidence, and supporting information necessary to support/justify the comment and the suggested change, as there will not normally be another opportunity to make further comments based on the original comment made at the publication stage.

After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues he/she identifies for examination in the forthcoming Examination in Public. Please note also that the Inspector is not obliged to consider any previous comments that have been made in respect of the HED DPD. You are urged, therefore, to re-submit on this form any previously submitted comments that, in your view, remain valid and that you wish the Inspector to consider.

Q8 If your representation is seeking change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I do wish to participate at the oral examination



HED DPD Reg 19 Publication Consultation
Ribble Valley Borough Council
Council Offices
Church Walk
Clitheroe
BB7 2RA

1st June 2017

Dear Sir / Madam

**Housing and Economic Development DPD:
Preferred Option Consultation (Regulation 19)
Land at Chatburn Old Road, Chatburn**

I write on behalf of my client, Ronald Jackson, to formally suggest a modification to the settlement boundary at land at Chatburn Old Road, Chatburn for inclusion of additional land within the settlement boundary and exclusion from the Key Statement EN2 designation. Without such modification to the Plan it is my submission that the Plan would be unsound.

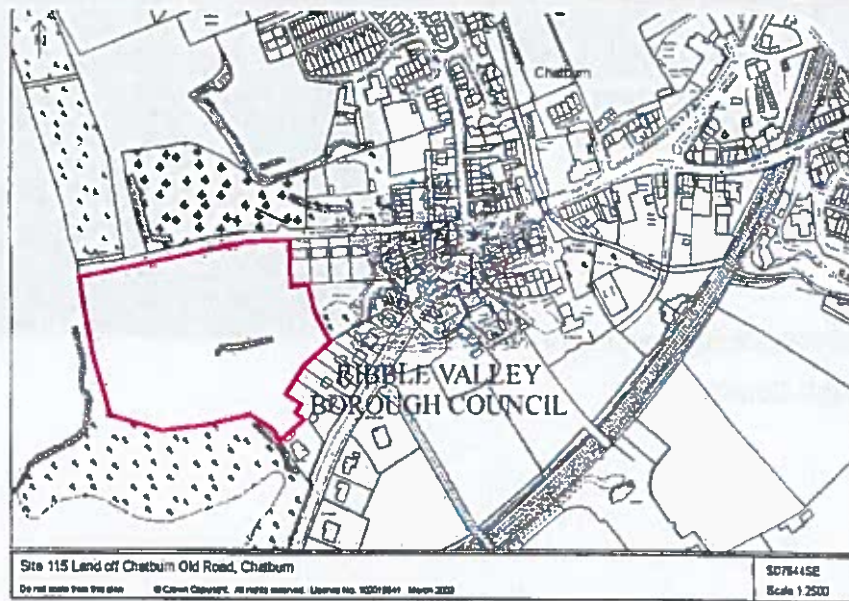
This submission should be read in conjunction with:

- my previous submission made on behalf of Ronald Jackson on 5 October 2016, and submitted herewith for ease of reference;
- a completed Comments / Response Form.

The Council is asked to take due consideration of this submission in its future work on its Housing and Economic Development DPD and to refer this and my previous submissions to the examination Inspector.

The Site

The extent of the site owned by my client is as identified by red outline on the plan below.



The site is located adjacent to the built-up area of Chatburn, approximately 200 metres to the west of its centre with its shops and other facilities.

The site extends to approximately 2.4 hectares. The site is bounded to the north by existing Chatburn Old Road, beyond which is an area of woodland; to the east by housing on Chatburn Old Road; to the south by housing on Crow Trees Brow; and to the west by Chatburn Quarry. The site is accessed via Chatburn Old Road.

The site slopes down in level towards the east and south. It is mainly down to grass with occasional bushes and trees. Construction work on the implementation of a planning permission (reference 3/2014/0618) for a development of ten dwellings on a northern portion (approximately 1.0ha) of the site commenced last year and is now well advanced.

Chatburn is a vibrant village having a mix of housing, with a wide range of local services and facilities, including a school (Chatburn Church of England Primary School), a post office and other shops, a community centre, churches, pubs, a take-away and restaurant and a number of other businesses. Bus services run through the village at frequent intervals during the day, providing connections to Clitheroe and other destinations. More extensive retail, community, and public transport facilities and employment opportunities are to be found in Clitheroe some 2km to the west.

Background

As mentioned above, representations were made regarding my client's site at the previous consultation stage. The representation was in two parts:

1. to seek allocation of land at Chatburn Old Road for housing development to assist in addressing the residual requirement for housing at Chatburn; and
2. to seek modification of the settlement boundary at Chatburn to follow a more logical and defensible boundary.

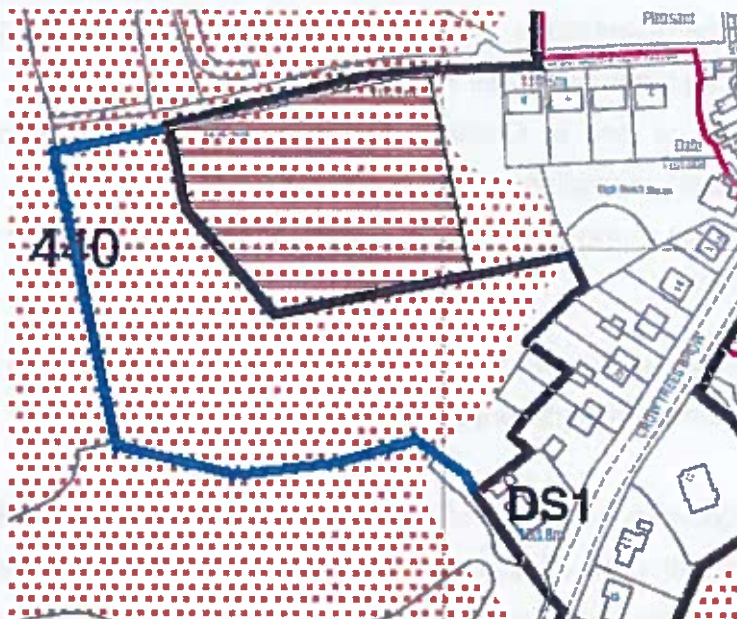
It is noted that neither representation has resulted in any change to the Plan at this consultation stage when compared to the previous consultation stage.

I have examined the Councils 'Summary of Representations' document published in December 2016 following the Regulation 18 consultation, the report to the Council's Special Planning and Development Committee held on 6 April 2017 and the Council's 'Approach to Plan Preparation' document, dated April 2017. The latter is described as providing additional explanatory information which has informed the draft Publication version of the Housing and Economic Development DPD. None of these documents provide any detail about my client's previous representations or an assessment thereof. The 'Approach to Plan Preparation' document provides the most information. It states that none of the Chatburn potential housing sites consulted upon at the Regulation 18 stage (or alternative sites submitted during the 'call for sites' exercise, such as that the subject of our previous representation) have been taken forward for allocation. The stated reason for this is '*due to the remaining housing requirement in Chatburn having now been effectively addressed such that no further allocations are deemed warranted*' (pages 24, 25 and 27). No further explanation or information is provided as to the change in circumstance between the Regulation 18 and 19 consultation stages. In view of the lack of explanation / information, I wish to reserve the right to make further representations to the Council / examination Inspector with regards to the allocation of my client's site for housing and would refer you to my previous submission.

With regards to settlement boundaries, the Council's 'Approach to Plan Preparation' document refers to the matter at page 29 / 30. There is no specific reference to my submission in relation the Chatburn settlement boundary. Rather, the document simply states that '*the Council has adjusted the settlement boundary where it is considered appropriate*'.

I wish to reaffirm my previous submission and seek a modification to the Chatburn settlement boundary as shown by blue line on the plan below (the base is an extract from the Council's Proposals Map) and deletion of the Core Strategy Key Statement EN2 designation relating to the

land between the blue line and the black line (the latter representing the settlement boundary as currently proposed by the Council).



National Planning Policy Framework

The National Planning Policy Framework (NPPF) clearly states *'that the purpose of the planning system is to contribute to the achievement of sustainable development'* (paragraph 6). Paragraph 14 states that a presumption in favour of sustainable development is at the heart of the NPPF. It goes on to say that *'for plan-making this means:*

- *local planning authorities should positively seek opportunities to meet the development needs of their area; and*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted'.*

The main body of the NPPF addresses the components of sustainable development.

At paragraph 157 the NPPF sets that it is crucial that Local Plans should do a number of things. These include:

- *'plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework;*
- *be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date;*

- *identify land where development would be inappropriate, for instance because of its environmental or historic significance.*

Core Strategy

The Ribble Valley Core Strategy was adopted by the Council on 16 December 2014 following receipt of the Inspector's examination report which found the Plan to be sound, subject to a number of modifications being made.

The following Core Strategy policies (as modified) are relevant.

Key Statement DS1 (Development Strategy) - seeks to direct the majority of new housing development to the strategic (Standen) site and the principal settlements of the Borough (Clitheroe, Longridge and Whalley). In addition, housing development is to be focused towards the Borough's Tier 1 villages (including Chatburn), which are the more sustainable of the other settlements in the Borough.

Key Statement DS2 (Presumption in Favour of Sustainable Development) – sets out a presumption in favour of sustainable development and reiterates the provisions of paragraph 14 of the NPPF.

Key Statement H1 (Housing Provision) – makes provision for 5,600 dwellings over the period 2008 to 2028 at a rate of 280 dwellings per year. The Key Statement goes on to state that the Council will identify *'sites for residential development that are deliverable over a five-year period'* and *'the Council will endeavour to ensure housing land is identified for the full 15 year period and beyond'*. The supporting text to the Key Statement confirms that *'these figures will be treated as a minimum target unless otherwise determined'*.

Key Statement EN2 (Landscape) - seeks to protect, conserve and enhance the landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty. The Key Statement goes on to state that *'the landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced'*.

Policy DMG2 (Strategic Considerations) – expects development to be in accordance with the Development Strategy and that development proposals in defined settlements should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.

Other policies and statements of the Core Strategy deal with more detailed considerations such as built and natural environment conservation, transport considerations, design, and affordable housing.

Settlement Definition Topic Paper

In March 2016 the Council produced a Settlement Definition Topic Paper. The Topic Paper appears to largely adopt the criteria for defining settlement boundaries as formulated in the early to mid-1990s for the former Districtwide Local Plan. It is noted that 'consolidation', 'rounding off' and 'expansion' of settlements may also have a bearing on the definition of settlement boundaries. A number of additional criteria are also referred to including taking account of necessary land-use allocations, but excluding any safeguarded land.

Assessment

Part of my client's site has the benefit of a planning permission for ten dwellings which is presently being implemented and is to be included within the modified Chatburn settlement boundary as proposed by the Council. The remainder of my client's site and to which this submission relates is excluded from the Chatburn settlement area and designated under Core Strategy Key Statement EN2.

This area of my client's site to which this submission relates is bounded to the north and east by the line of Chatburn Old Road, the housing development site presently under construction, and housing along Crow Trees Brow. To the west the site is bounded by the extensive Chatburn quarry and to the south by woodland.

The proximity of Chatburn and, more particularly, adjoining existing and developing housing, give this land an urban rather than rural character. In addition, the very distinct nature of the adjoining quarry and woodland areas are such that the outer boundary (as indicated by the blue line on the plan referred to above) would provide a logical, robust and defensible edge to the Chatburn settlement regardless of any consideration of its development potential.

That said, it should be recognised that the land has the potential for housing development as evidenced by my previous submission. National planning policy expects flexibility in plan-making and an ability of plans to adapt to changes in circumstances. The inclusion of my client's land within the settlement boundary would provide for a welcome degree of such flexibility, which otherwise appears to be lacking generally and, in particular, at Chatburn. In this regard, it should not be forgotten that Chatburn is a Core Strategy Tier 1 settlement regarded as one of the more sustainable locations for development within the Borough beyond the three main settlements and where some housing development is to be provided for.

Even if planning permission has been granted to meet the Core Strategy residual housing requirement for Chatburn, that does not provide a reasoned or robust basis for not making any modification to the settlement boundary at my client's site. Flexibility should be provided within the Plan.

To be aligned with national policy, regard should also be given to whether there the land has any special value or significance that might indicate that development would be inappropriate. The land is presently designated under Key Statement EN2 (Landscape), which seeks to protect, conserve and enhance the landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty. As such, that provides a starting point for consideration as to whether the site should be protected from development. The Key Statement states that *'the landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced'*. However, the land in question does not lie within the AONB. The nearest point of the AONB is some 750 metres to the east of the site, on the eastern side of the built up area of Chatburn and the main A59 road. Given the distance, the intervening development at Chatburn and the very different character of the site from the higher land of the AONB, there is no reason to consider that the land is required to be kept in its present condition / appearance in order to protect the character or appearance of the AONB. With regards to other factors the site is not subject to any local or national wildlife or nature conservation designations, is not within any flood risk area and is not subject to any local or national built heritage conservation designations, nor has the site any known archaeological value. In any event, the inclusion of the site within the settlement boundary does not pre-determine whether the site would, should or may be developed. That would be a matter for separate consideration in the context of the prevailing circumstances of the time. Rather, its inclusion provides for an appropriate defensible boundary and future flexibility.

Finally, the inclusion of my client's land within the Chatburn settlement boundary would provide for an appropriate consolidation of land identified as part of the settlement given the influences of development on the character of the site and the distinct character of land to the south and west and robust boundaries associated therewith. This would accord with local policy and the content of the Council's Settlement Definition Topic Paper.

Soundness

Turning to the tests of soundness requirements for a Local Plan, it is my submission that without the modification to the Chatburn settlement boundary, as previously described, and the continued inclusion of the land within that designated under Key Statement EN2 would result in the DPD being unsound under the following tests:

1. Positively prepared – the DPD would be positively prepared if it includes all of my client's land within the settlement area of Chatburn, thereby assisting in delivering the objectively assessed development needs for housing along with additional land to provide for flexibility and robustness;
2. Justified – no clear or appropriate justification has been advanced by the Council for not making the changes to the Plan as contained in my representations at the Regulation 18 consultation stage. Accordingly, the Plan would be unsound. On the basis of evidence available and the above site assessment it would be appropriate for the DPD to include my client's land within the settlement area of Chatburn;
3. Effective – it is apparent from the Council's stance that at the very minimum existing housing planning permission commitments (if delivered in full) would deliver the Core Strategy housing requirement for Chatburn. However, the Plan does not allow for any change in circumstance (eg non-delivery from a 'committed' site). The Plan should incorporate sufficient land for it to be effective in meeting at least objectively assessed housing needs and the distribution of development as proposed by the Core Strategy. The inclusion of my client's land within the settlement area of Chatburn would assist in providing flexibility and thereby helping the DPD to be effective in delivering housing development requirements; and
4. Consistent with national policy – the DPD would not be compliant with current national planning policy as the DPD fails to meet the requirements for flexibility and robustness in plan-making. The DPD would be assisted in that respect by modification of the settlement boundary and inclusion of all my client's land within the settlement area of Chatburn.

Conclusion

The draft Proposals Map shows part of my client's site to be allocated for housing development (reflecting the grant of planning permission for a housing development which is now under construction) and part of the site to be subject to Key Statement EN2 of the Core Strategy and to lie outside of the settlement boundary. To ensure soundness in the Plan's preparation and, in particular, to provide for flexibility and robustness a modification to the Chatburn settlement boundary is advocated.

For the reasons set out above, it is submitted on behalf of my client that the Plan is unsound in its present form. To remedy that the Chatburn settlement boundary should be modified to follow the

blue line on the plan referred to earlier and for the land between the blue land and the Council's proposal for the settlement boundary to be excluded from the Key Statement EN2 designation.

Please keep me informed of future consultations in relation to this matter.

Should you require any further information or clarification please feel free to contact me.

Yours sincerely,

A solid black rectangular box redacting the signature of the sender.



JUDITH DOUGLAS TOWN PLANNING LIMITED

Judith Douglas BSc (Hons), Dip TP, MRTPI



Issues and Options 2016 Consultation

Forward Planning Team

Ribble Valley Borough Council

Council Offices

Church Walk

Clitheroe

BB7 2RA

5th October 2016

Dear Sir / Madam

Housing and Economic Development DPD: Issues and Options Consultation (Regulation 18) and Call for Sites

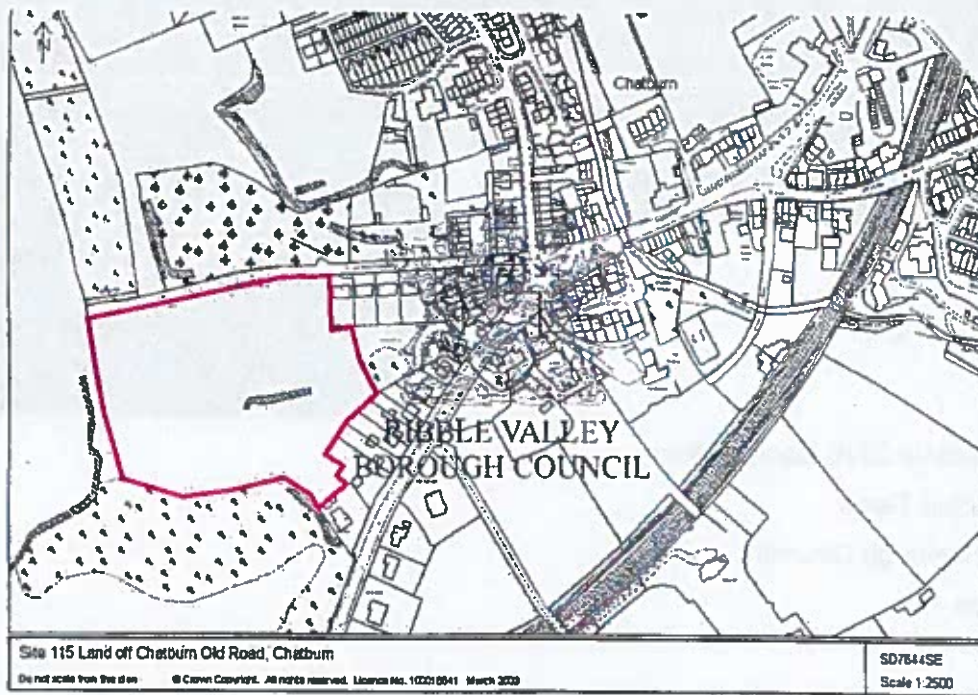
Land at Chatburn Old Road, Chatburn

I write on behalf of my client, Ronald Jackson, to formally suggest additional land at Chatburn Old Road, Chatburn for allocation as housing land, for its inclusion within a modified settlement boundary and exclusion from the Key Statement EN2 designation. This submission should be read in conjunction with the completed and attached 'Call for Sites' form. The Council is asked to take due consideration of this submission in its future work on its Housing and Economic Development DPD.

The Site

The site, as identified by red outline on the plan below, is located adjacent to the built-up area of Chatburn, approximately 200 metres to the west of its centre with its shops and other facilities.

The site extends to approximately 2.4 hectares. The site is bounded to the north by existing Chatburn Old Road, beyond which is an area of woodland; to the east by housing on Chatburn Old Road; to the south by housing on Crow Trees Brow; and to the west by Chatburn Quarry. The site is accessed via Chatburn Old Road.



The site slopes down in level towards the east and south. It is mainly down to grass with occasional bushes and trees. Construction work on the implementation of a planning permission (reference 3/2014/0618) for a development of ten dwellings on a northern portion (approximately 1.0ha) of the site has recently commenced.

Chatburn is a vibrant village having a mix of housing, with a wide range of local services and facilities, including a school (Chatburn Church of England Primary School), a post office and other shops, a community centre, churches, pubs, a take-away and restaurant and a number of other businesses. Bus services run through the village at frequent intervals during the day, providing connections to Clitheroe and other destinations. More extensive retail, community, and public transport facilities and employment opportunities are to be found in Clitheroe some 2km to the west.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) clearly states *'that the purpose of the planning system is to contribute to the achievement of sustainable development'* (paragraph 6). Paragraph 14 states that a presumption in favour of sustainable development is at the heart of the NPPF. It goes on to say that *'for plan-making this means:*

- *local planning authorities should positively seek opportunities to meet the development needs of their area; and*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted*'.

The main body of the NPPF addresses the components of sustainable development. The aspects of those components most relevant to this submission are:

- 'promoting sustainable transport' – states that *'in preparing Local Plans, local planning authorities should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport'* (paragraph 30). Furthermore, Local Plans should take account of a number of factors, including whether safe and suitable access to the site can be achieved for all people (paragraph 32);
- 'delivering a wide choice of high quality homes' – local planning authorities are expected to boost significantly the supply of housing (paragraph 47). In this regard, local planning authorities should *'use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for housing in the housing market area'* and to identify *'a supply of specific and deliverable sites sufficient to provide five years worth of housing against their housing requirements'* with additional buffers as appropriate (paragraph 47). Paragraph 48 goes on to state that *'relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'*;
- 'protecting green belt land' – the government attaches great importance to the protection of green belt land (paragraph 79);
- 'meeting the challenge of climate change, flooding and coastal change' – states that *'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk'* and *'Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property'* (paragraph 100); and
- 'conserving and enhancing the natural environment' – among other things, the planning system is expected to protect and enhance valued landscapes and minimise impacts on biodiversity (paragraph 109).

The NPPF sets out the tests of soundness for a Local Plan, namely – positively prepared, justified, effective and consistent with national policy.

Core Strategy

The Ribble Valley Core Strategy was adopted by the Council on 16 December 2014 following receipt of the Inspector's examination report which found the Plan to be sound, subject to a number of modifications being made.

The following Core Strategy policies (as modified) are relevant.

Key Statement DS1 (Development Strategy) - seeks to direct the majority of new housing development to the strategic (Standen) site and the principal settlements of the Borough (Clitheroe, Longridge and Whalley). In addition, housing development is to be focused towards the Borough's Tier 1 villages (including Chatburn), which are the more sustainable of the other settlements in the Borough. There is a requirement for 27 dwellings to be developed in Chatburn over the plan period. Allowing for commitments at March 2014, there was a residual requirement of 18 dwellings for the settlement.

Key Statement DS2 (Presumption in Favour of Sustainable Development) – sets out a presumption in favour of sustainable development and reiterates the provisions of paragraph 14 of the NPPF.

Key Statement H1 (Housing Provision) – makes provision for 5,600 dwellings over the period 2008 to 2028 at a rate of 280 dwellings per year. The Key Statement goes on to state that the Council will identify '*sites for residential development that are deliverable over a five-year period*' and '*the Council will endeavour to ensure housing land is identified for the full 15 year period and beyond*'. The supporting text to the Key Statement confirms that '*these figures will be treated as a minimum target unless otherwise determined*'.

Policy DMG2 (Strategic Considerations) – expects development to be in accordance with the Development Strategy and that development proposals in defined settlements should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.

Other policies and statements of the Core Strategy deal with more detailed considerations such as built and natural environment conservation, transport considerations, design, and affordable housing.

With the exception of the Standen site no housing site allocations are made by the Core Strategy.

Issues and Options Paper

The Issues and Options Paper confirms the matters being consulted upon, these include the draft settlement boundaries, housing site options and a call for housing sites for a number of settlements including Chatburn. The 'call for sites' exercise is limited to sites in the settlements where there is said to be an outstanding residual need for additional housing.

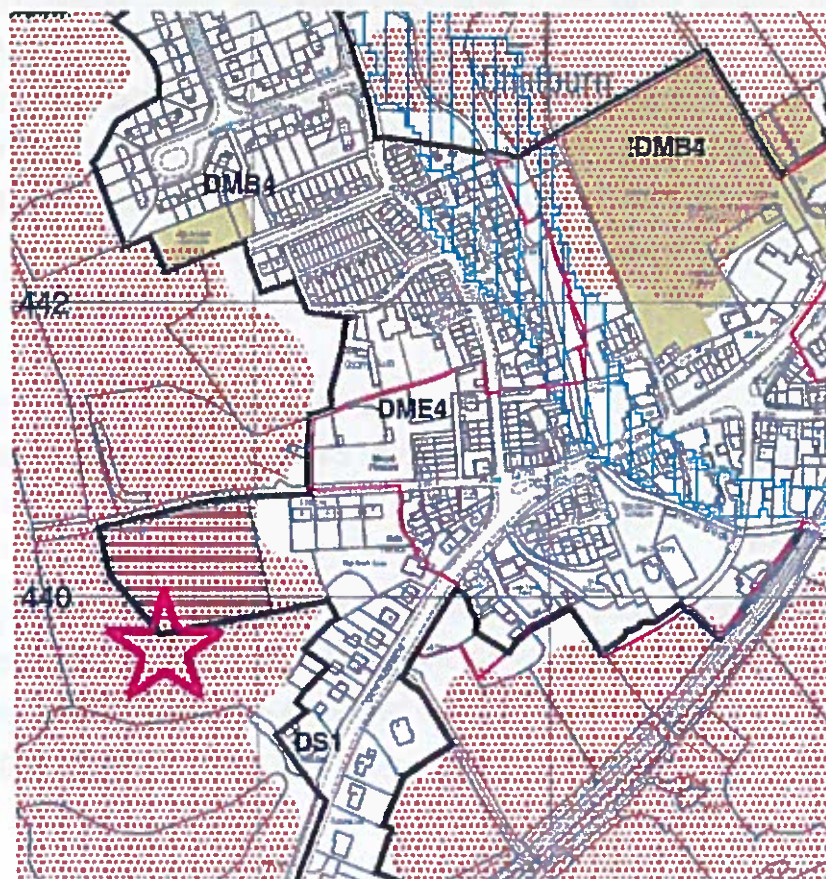
A Settlement Boundary Definition Topic Paper has been separately produced to show how the national planning policy and guidance has been considered along with how settlement boundaries relate to the various policies within the Core Strategy itself.

With regards to Chatburn, the Council's monitoring of dwellings constructed or with planning permission at 30 September 2015 shows a residual requirement of 18 dwellings. The impact of using the proposed / modified settlement boundary for Chatburn is a residual requirement for 8 dwellings. I have assumed, although it is not stated within the Paper, that the difference between the two numbers of 10 dwellings is made up by the numbers granted planning permission at the site off Chatburn Old Road. This site forms part of the land to which this submission relates.

Monitoring at 30 September 2015 shows that 1214 dwellings had been built since April 2008, ie the start of the plan period.

The Topic Paper confirms that the objectively assessed need for housing provision are not for review at the present time, ie the Core Strategy housing provision levels are to be planned for within the DPD.

An extract from the draft Proposals Map is shown below, with the general location of the site marked by a red star.



The draft Proposals Map shows part of the site to which this submission relates to be allocated for housing (reflecting the grant of planning permission 3/2014/0618 for ten dwellings) and falling within a revised settlement boundary. The remainder of the site is unallocated, adjacent to but outside of the settlement boundary and within an area designated under Key Statement EN2 (Landscape). Key Statement EN2 seeks to protect, conserve and enhance the landscape and

character of the Forest of Bowland Area of Outstanding Natural Beauty. The Key Statement goes on to state that *'the landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced'*. Furthermore, *'as a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials'*. The site does not lie within the AONB; the nearest point of the AONB is some 750 metres to the east of the site, on the eastern side of the built up area of Chatburn and the main A59 road.

Three potential housing sites have been identified in Chatburn – land off Downham Road identified as having an indicative capacity of 3.5 dwellings, land to the rear of 13 Ribble Lane identified as having an indicative capacity of 13.65 dwellings, and garage units off Ribblesdale View and Sawley Road identified as having an indicative capacity of 7.35 dwellings.

Settlement Definition Topic Paper

In March 2016 the Council produced a Settlement Definition Topic Paper. The Topic Paper appears to largely adopt the criteria for defining settlement boundaries as formulated in the early to mid-1990s for the former Districtwide Local Plan. It is noted that 'consolidation', 'rounding off' and 'expansion' of settlements may also have a bearing on the definition of settlement boundaries. A number of additional criteria are also referred to including taking account of necessary land-use allocations, but excluding any safeguarded land.

Call for Sites

As mentioned above the current consultation includes a 'call for sites' within a limited number of settlements, including Chatburn where the site to which this submission relates is located.

Housing Land Availability

The most recent housing land availability information for the Council's area was reported to the Planning and Development Committee on 30 June 2016 and related to the period to 31 March 2016. It showed that dwelling completions from the beginning of the plan period amounted to 1380. The Council's estimation for the supply of housing was 2723 dwellings amounting to a supply for 5.36 years.

Assessment

Part of the site to which this submission relates has the benefit of a planning permission for ten dwellings which is presently being implemented. The remainder of the site to which this submission relates also has potential for a housing development.

The site immediately adjoins the built-up area of Chatburn. The site is conveniently located for local services including:

- a primary school within 500 metres of the site;
- the centre of Chatburn with its various facilities, as described above, within 200 metres of the site;
- the bus stops at the centre of Chatburn are within 200 metres of the site, with services linking to the rail station at Clitheroe; and
- employment areas at Chatburn are within 500 metres of the site, and the main employment areas at Clitheroe within 1.5km of the site.

With regard to more specific site considerations, I can advise as follows:

- Vehicular access – a safe access could be provided from Chatburn Old Road, as with the current development site, which in turn is well connected to the primary road network. It should be noted that the site owner now has ownership of the dwelling at 1 Ribble Lane. This provides the opportunity to improve visibility at the Ribble Lane / Chatburn Old Road junction for the benefit of all road users;
- Drainage and Flood Risk – the entire site lies within flood risk area 1, ie at the lowest risk of flooding. Opportunities are available to drain the site of foul water to local sewers and to provide sustainable surface water drainage solutions;
- Natural Environment – the site is not subject to any local or national wildlife or nature conservation designations;
- Built Heritage - the site is not subject to any local or national built heritage conservation designations, nor has the site any known archaeological value;
- Green Belt – the site is not within an area designated as Green Belt; and
- Visual Impact – the site adjoins the existing built-up area of Chatburn. It is visually contained by existing development, local topography and vegetation to site boundaries. Development of the site for housing would be seen against the backdrop of the built-up area of Chatburn without any undue visual intrusion. The AONB lies some 750 km to the east of the site. Given the distance, the intervening development at Chatburn and the different character of the site from the higher land of the AONB, there is no reason to consider that the development of the site would have any harmful impact on the character or appearance of the AONB. Indeed, the visual impact of development any parts of the submission site beyond that with the benefit of planning permission would be no different from that consented and which was judged to have no harmful visual impact.

I have not identified, nor am I aware of, any undue constraints on the delivery of a housing development at the site or abnormal costs in preparing the site for a housing development. The proximity of the part of the site which now has a residential planning permission to Chatburn Quarry was an issue for consideration at earlier planning stages. Following an appeal, the Inspector concluded that there was an acceptable relationship to the working quarry and that there was no risk of mineral reserves at the quarry being sterilised by the housing development. The whole of my client's landholding to the eastern edge of Chatburn Quarry is the subject of this submission, there being no features to distinguish portions of the overall site on the ground. However, it is not envisaged that any dwellings would be sited closer to Chatburn Quarry than those which already have planning permission.

In short, the site is in a sustainable location, as apparent from part of the site already having the benefit of planning permission for a housing development. It has ready access to a wide range of services and facilities by foot, cycle and public transport, and is well related to the existing settlement. As such, the site is suitable for residential development, entirely in accord with the expectations of the NPPF, the general Core Strategy policies DS1, DS2, and DMG2 and the more specific national and local policies for development. It is, therefore, my submission that the site at Chatburn Old Road (which would have capacity for approximately 10 dwellings, additional to those already with planning permission) should be allocated for housing development within the DPD. The development of the site for housing is readily achievable as evidenced by the grant of planning permission and commencement of development on part of the site. Its allocation would assist in meeting the residual housing requirement for Chatburn, providing for future flexibility, additional opportunities for achieving the housing provision levels and make the delivery of the Local Plan more robust.

The draft Proposals Map shows the unallocated part of the site as subject to Key Statement EN2 of the Core Strategy and to lie outside of the settlement boundary. It is my submission that there is no reasonable or justifiable basis for part of the site's designation under Key Statement EN2. The part of the site within the EN2 designation has no features to distinguish it from the allocated portion. The site is at a distance from the AONB and the site's protection to conserve the character and setting of the AONB is unnecessary and unjustified. In short, the site does not contribute in any meaningful way to the character or appearance of the AONB. There is no public benefit derived from the protection provided by Key Statement EN2. By contrast, there is a need to identify land suitable for housing development in a sustainable location. As such, the part of the site subject to EN2 should be removed from the EN2 designation and the settlement boundary modified to include the site within the settlement.

It is noted that three other potential sites have been identified for housing development at Chatburn. None have the benefit of planning permission. Only part of one of the identified sites, at

Ribblesdale View, is subject to a current planning application for 4 dwellings (3/2016/0577). These sites have been identified through the Council's SHLAA for some long time without the land having been brought forward for development and appear to be subject to access and other constraints. Indeed, two of the sites are within the designated Chatburn Conservation Area and identified in the Council's Townscape Appraisal as having important trees on the sites. Given this background, there is no certainty that these sites are available, nor that a housing development at these sites would be achievable or deliverable.

By contrast, the part of the submission site beyond that already with the benefit of planning permission is available, achievable and deliverable.

It is clear from the Council's evidence on housing completions to date that the average annualised housing provision levels have not been achieved during the plan period from 2008 to date by a considerable margin. A considerable reliance is placed on delivery of housing from the Standen site. This site has yet to commence development and, at the present time, no reserved matters approvals have been granted. The prospect of delivering the whole of the site within the remaining plan period would appear remote. By the Council's latest estimation there is a 5.36 years supply of housing land, which is barely more than the 5 year requirement below which the Core Strategy policies for the supply of housing cannot be considered up-to-date. The stated figures for the 'excess' supply of housing for each of the main settlements ($78 + 65 - 24 = 119$) amounts to a relatively small figure (ie some 3.1%) in the context of the overall requirement for the main settlements ($1040 + 1280 + 520 + 960 = 3800$). There remains a residual housing requirement for a number of the Tier 1 settlements including Chatburn. Furthermore, the supporting text to Key Statement H1 confirms that the housing provision figures will be treated as a minimum target unless otherwise determined. No such determination has been made (as confirmed in the Issues and Options Paper), nor would any such determination be appropriate at present. The Government's policy is to boost significantly the supply of housing land. It is my submission that to accord with the Government's call for flexibility and positivity in plan-making, there is an indisputable need to make provision for additional housing generally and, specifically, at Chatburn. To that end, and on my client's behalf, I propose that the site at Chatburn Old Road identified by red outline on the plan at page one above should be allocated for housing.

Turning to the tests of soundness requirements for a Local Plan, it is my submission that the allocation of all of my client's land for housing, its inclusion within the settlement boundary and its exclusion from land designated under Key Statement EN2 would assist in making the DPD sound under the following tests:

1. Positively prepared – the DPD would be positively prepared if it allocates all of my client's land for housing and includes it within the settlement area of Chatburn, thereby assisting

in delivering the objectively assessed development needs for housing along with additional land to provide for flexibility and robustness;

2. Justified – it would be justified on the basis of evidence available and the above site assessment for the DPD to allocate all of my client's land for housing and include it within the settlement area of Chatburn;
3. Effective – it is apparent from the available evidence that, to meet objectively assessed needs, there is a need to allocate additional land for housing at Chatburn. The allocation of my client's land for housing and its inclusion within the settlement area of Chatburn would assist in ensuring that the DPD is effective in delivering housing development requirements; and
4. Consistent with national policy – the DPD would be compliant with current national planning policy if the DPD meets the requirements for flexibility and robustness in plan-making. The DPD would be assisted in that respect by providing sufficient land for housing through the allocation of my client's land for housing and its inclusion within the settlement area of Chatburn.

Conclusion

The draft Proposals Map shows part of the site the subject of this submission to be allocated for housing development (reflecting the grant of planning permission for a housing development which is now under construction) and part of the site to be subject to Key Statement EN2 of the Core Strategy and to lie outside of the settlement boundary. The Council has identified a residual housing requirement for Chatburn and I concur that there is a requirement to identify further land suitable land for housing development in a sustainable location at Chatburn. In addition, there is a general need to provide for flexibility and robustness in plan-making in which further allocations at Chatburn would assist.

For the reasons set out above, it is submitted on behalf of my client that the land at Chatburn Old Road, identified by red outline on the plan at page one of this submission, should be allocated for housing development and the site should be included within the settlement boundary and excluded from the Key Statement EN2 designation.

Please keep me informed of future consultations in relation to this matter.

Should you require any further information or clarification please feel free to contact me.

Yours sincerely,



