

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

Form fields for Name, Organisation, Reference number, Address, Post Code, Email Address, and Phone number, with a large black redaction box covering the input area.

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.

Please use a separate form for each individual comment.

Q2

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

Trustees of the Clitheroe Royal Grammar School Foundation

Q3

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

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

See supporting statement dated 5<sup>th</sup> June 2017

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.

**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 supporting statement dated 5<sup>th</sup> June 2017

**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

**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 supporting statement date 5<sup>th</sup> June 2017*

**Q12** Date of completion: 05/06/2017

**Q13** Signature

[Redacted signature]

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



**JUDITH DOUGLAS TOWN PLANNING LIMITED**

Judith Douglas BSc (Hons), Dip TP, MRTPI



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

5th June 2017

Dear Sir / Madam

**Housing and Economic Development DPD:  
Preferred Option Consultation (Regulation 19)  
Land at Highmoor Farm, Highmoor Park, off Pendle Road, Clitheroe**

I write on behalf of my client, Trustees of the Royal Clitheroe Grammar School Foundation, to formally suggest a modification to the Plan in respect of land at Highmoor Farm, Highmoor Park, off Pendle Road, Clitheroe for allocation for employment purposes and its inclusion within a modified Clitheroe settlement boundary and its exclusion from the Key Statement EN2 and DMB4 designations. Without such modification to the Plan it is my submission that the Plan would be unsound.

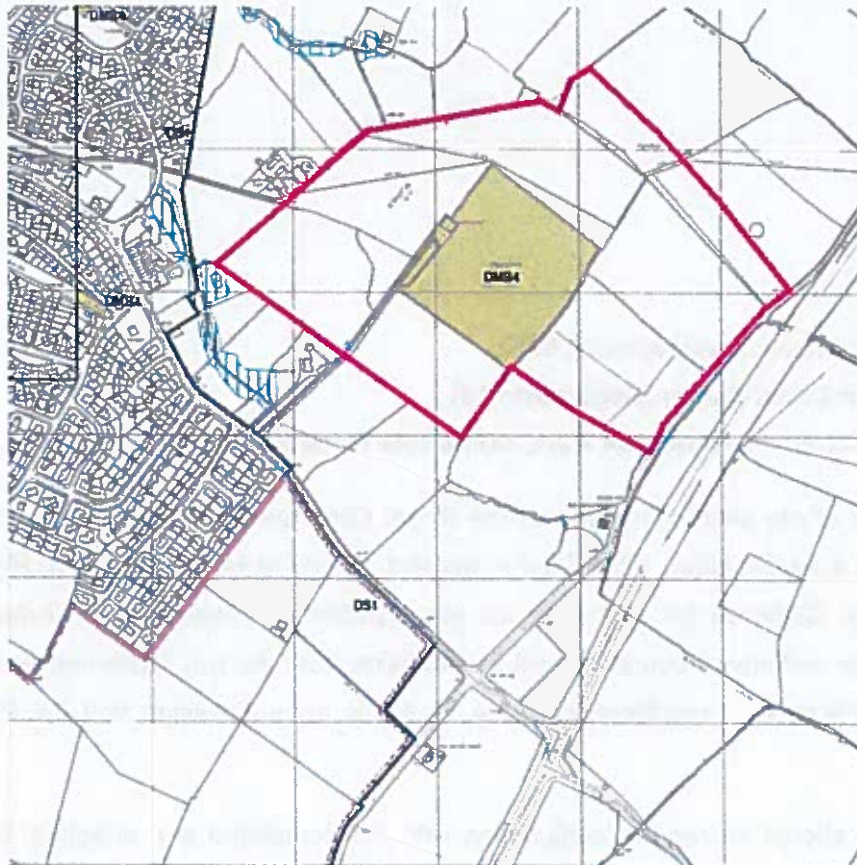
This submission should be read in conjunction with the completed and attached 'Regulation 19 Responses Form' and a separate submission regarding the allocation of adjoining land (lying between this site and the built up area of Clitheroe) for housing.

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 to the examination Inspector.

## The Site

The site, as identified by red outline on the plan below, is located close to the built-up area of Clitheroe, some 1km to the east of the town centre with its broad range of retail, commercial, public transport social and educational facilities and within easy and convenient travel distance from extensive areas of current and future housing.

The site forms part of the Clitheroe Royal Grammar School landholding at Highmoor Farm. It extends to approximately 24.5 hectares. The site is bounded to the north west by the existing farm buildings and land at Highmoor Park, which is the subject of a separate submission for a housing allocation; to the north and east by open countryside; to the south east boundary by the former A59 road, which connects to Pendle Road at Four Lane Ends; to the south west by an area of open countryside between the site and Pendle Road, beyond which lies the site of the extensive Standen development. The site is accessed via the former A59 road, leading from Pendle Road and, in turn, to the Pendle Road / A59 junction which is presently being upgraded to a roundabout.



The site comprises of mainly agricultural grazing land with a playing field to the centre of the site. The site is generally flat with levels dropping very gently in a north west direction. The only natural features of note at the site are some sporadic trees and hedgerows along the site boundaries and some internal field boundaries and a small copse to the west of the playing field. The present

tenant farmer is retiring and is soon to vacate the farm. The farm holding is to be let out to on a licence arrangement and farmed from elsewhere, with the existing farm buildings to the north west becoming redundant. The playing field is used by the Clitheroe Wolves as a training ground, matches being played in other locations. The Grammar School makes no use of the playing field, having sufficient facilities elsewhere.

### 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:

- 'building a strong, competitive economy' – emphasises that '*the Government is committed to securing economic growth in order to create jobs and prosperity*' (paragraph 18) and that '*the planning system does everything it can to support sustainable economic growth*' (paragraph 19) and states that '*local planning authorities should plan proactively to meet the development needs of businesses*' (paragraph 20).
- '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);
- '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) – defines the principal settlements of the Borough as Clitheroe, Longridge and Whalley.

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 EC1 (Business and Employment Development) – states that *'employment development will be directed towards the main settlement of Clitheroe, Whalley and Longridge as the preferred locations to accommodate employment growth'* together with other specified sites, including *'locations well related to the A59 corridor'*. The aim is to allocate an additional 8 hectares of land for employment purposes over the plan period *'in appropriate and sustainable locations'* and *'new sites will be identified in accord with the development strategy'*. The supporting text to the Key Statement confirms that *'employment development will generally be directed to the main areas of population growth linking to the underlying strategy of aligning jobs with homes in key areas'*. The text continues with reference to achieving a *'sustainable balance between land uses'* with the *'potential to reduce the levels of out-commuting and increase self containment'*.

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.

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 DMB4 (Open Space Provision) – seeks to prevent the loss of existing public open space, including private playing fields which are in recreational use. However, where a development would bring social and economic benefits to the community, it may proceed subject to replacement facilities being provided or existing facilities in the vicinity being substantially upgraded.

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

No site allocations for employment development are made by the Core Strategy. However, Clitheroe is shown as one of the three principal settlements in the Borough.

### Employment Land Review

The Employment Land Review carried out on behalf of the Council in 2013 confirmed a requirement for a further 8 hectares of employment land in the Borough. The Review noted that supply of employment land in Clitheroe is extremely limited and the Borough land supply is dominated by provision at Barrow Brook Business Park. The Review goes on to state that *'only at Barrow Brook Business Park is there land readily available for purchase by an incoming business, investor or developer'*. In its conclusions, the Review points to the need for *'a continuing forward supply to accommodate site development beyond the end of the Local Plan period'* and *'the fact the Borough is a net exporter of labour'*.

### Assessment

It is clear from the Council's evidence that there is a high level of out commuting from the Borough for employment. Indeed, the Core Strategy identifies the need to facilitate employment growth as a key theme in addressing sustainability in the Borough. This points to a requirement to not only identify suitable sites for employment development to meet immediate supply but to also satisfy a longer term need to address underlying sustainability issues. The case for allocation of a large scale employment site at Clitheroe is strengthened by the fact that Clitheroe is the largest town in the Borough, is one of the identified main settlements in the Borough and that it will continue to deliver very substantial numbers of new dwellings over the coming years, including the extensive 1040 dwelling Standen scheme. In addition, the site is well located in relation to the A59 corridor.

The stated Council employment land requirement should not be regarded as a 'maximum'. Rather, it is important to provide a degree of flexibility and choice for the market to deliver effectively and not be unduly restrained. Indeed, the earlier Issues and Options Paper posed an issue *'when allocating land for economic growth ... whether it is appropriate to allow a buffer of surplus allocated land to provide flexibility, choice and greater opportunity to generate jobs in the local*

area'. My submission is that the answer is an emphatic 'yes'. Such 'flexibility' also allows a balance against employment land that may unexpectedly come out of employment use, eg such as has recently occurred with Lodematic's premises at Primrose Works, Clitheroe. Of course, the NPPF (at paragraph 14) also refers to the need to have sufficient flexibility in Local Plans in order to be able to adapt to rapid change. However, no such flexibility has been provided for with only minimal allocations made to satisfy the estimated residual employment land requirement.

It is my submission, given the above evidence and to accord with the Government's call for flexibility / positivity in plan-making and support for economic growth, that there is an indisputable need to make provision for additional employment land. The most obvious and sustainable location for such employment land would be at the largest of the settlements, which coincidentally is shown to have an extremely limited supply, and in a location well-related to the A59 corridor. To that end, and on my client's behalf, I propose that the site at Highmoor Farm (as identified by red outline on the plan at page 2 of this submission) should be allocated for employment purposes. The site's location is well-related to the built-up area of Clitheroe, the extensive Standen development site and the A59, making it most suitable for employment purposes. With regards to site specific considerations, I can advise as follows:

- Public Transport – there are bus stops on Pendle Road within 250 metres of the site and further bus services will be provided along Pendle Road as part of the Standen development;
- Vehicular Access – the site has a long frontage to the former A59 road and a safe access could be provided to this and, in turn, to Pendle Road. Within 150 metres of the junction with Pendle Road a new roundabout junction is being formed where Pendle Road exits onto the A59 Clitheroe By-Pass. As such, there would be extremely good vehicular access onto the primary road network without the necessity for any routing of large commercial vehicles through any part of the built up area of Clitheroe, avoiding environmental or congestion problems;
- Drainage and Flood Risk – the entire site lies within flood risk zones 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 within the site and, if necessary, combined with suitably controlled / limited discharge to a local watercourse;
- Natural Environment – the site is not subject to any local or national wildlife or nature conservation designations, nor has the site any known wildlife value;
- Green Belt – the site is not within an area of designated Green Belt;
- Built Heritage - the site is not subject to any local or national built heritage conservation designations. The route of a Roman Road passes through the north western portion of the site. There is adequate space within the site to provide suitable protection for this archaeological feature;

- Visual Impact – the site lies between the built up areas of Clitheroe and the A59 By-Pass, ie a similar relationship to that of the nearby Standen development. The site does not abound any existing housing development and appropriate landscape buffers can be provided to any future housing that may take place on the remainder of the client's site. The site boundaries, with existing sporadic trees and hedgerows, can be strengthened to visually contain the development and blend it into the wider landscape. In short, development of the site for employment would be seen as well-related to the built-up area of Clitheroe without any undue visual intrusion. The site or its immediate environs are not subject to any landscape designations, eg AONB; and
- Open Space – it is acknowledged that an existing playing field, used only by the Clitheroe Wolves as a training ground, lies within the site and is designated under Key Statement DMB4. The development of the overall site would deliver significant employment opportunities to the Borough, thereby bringing social, economic and sustainability benefits to the wider community. This would provide adequate justification for the loss of the training ground. The recreational value of the training ground would be the subject of a further assessment in order to determine whether and where replacement facilities should be provided or existing facilities elsewhere upgraded, in order to meet the policy expectations.

To be aligned with national policy, regard should also be given to whether there the land has any other 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 1.25km to the south east of the site. Given the distance 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. Indeed, in this respect, impacts of development at the site on would be no different from that of the nearby Standen site.

I have not identified, nor am I aware of any constraints on the delivery of an employment development at the site or abnormal costs in preparing the site for an employment development. In short, the site is available, achievable and deliverable for employment development.

The site is in a sustainable location, with ready access by future employees and staff on foot, cycle and public transport, and is well related to the existing settlement of Clitheroe. As such, the site is

suitable for employment development, and is capable of 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 planning policies. It is, therefore, my submission that the site at Highmoor Farm should be allocated for employment development within the DPD. Its allocation would assist in providing an additional opportunity for meeting employment land requirements, and providing for future flexibility and long-term needs. Its allocation would also have the potential to make a significant contribution to the sustainability of the Borough through a reduction in the current need for workers to out commute for employment opportunities, which is substantially by private car and contributes adversely to congestion and carbon consumption.

The draft Proposals Map shows 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 a requirement to identify land suitable for employment development in a sustainable location. As such, the site should be allocated for employment purposes and removed from the EN2 and DMB4 designations and the settlement boundary modified to include the site within the settlement.

### Soundness

Turning to the tests of soundness requirements for a Local Plan, it is my submission that the allocation of my client's land for employment purposes, its inclusion within the settlement boundary and its exclusion from land designated under Key Statement EN2 and DMB4 would assist in making the DPD sound under the following tests:

1. Positively prepared – the DPD has not been positively prepared as it only provides for the minimum estimated requirements for employment land. The DPD would be positively prepared if it demonstrates appropriate support for economic growth and allocates my client's land for employment purposes and includes it within the settlement area of Clitheroe, thereby assisting in delivering an additional future opportunity for employment development and providing for flexibility and robustness in plan-making;
2. Justified – it would be justified on the basis of evidence available and the above site assessment for the DPD to allocate my client's land for employment purposes and include it within the settlement area of Clitheroe;
3. Effective – it is apparent from the available evidence that, to meet future employment needs, and to ensure a robust and effective delivery plan there is a need to allocate additional land for employment purposes. The allocation of my client's land for employment purposes and its inclusion within the settlement area of Clitheroe would assist in ensuring that the DPD is effective in delivering current and future employment development requirements; and
4. Consistent with national policy – the DPD would be not be compliant with current national planning policy as the DPD does not meet the requirements for flexibility and robustness in

plan-making nor provide appropriate support for economic development. The DPD would be assisted by providing additional land for employment development purposes through the allocation of my client's land for employment purposes and its inclusion within the settlement area of Clitheroe.

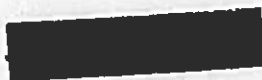
Conclusion

For the reasons set out above, it is submitted on behalf of my client that the Plan is unsound in its present form. To ensure soundness in the Plan's preparation (in particular, to provide for flexibility and robustness in plan-making and to support economic growth), it is submitted on behalf of my client that the land at Highmoor Farm, identified by red outline on the above plan, should be allocated for employment development and the site should be included within the settlement boundary and excluded from the Key Statement EN2 and DMB4 designations.

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

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

Yours sincerely,

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