

9th June 2017

HED DPD Reg 19 Public Consultation
Council Offices
Church Walk
Clitheroe
Lancashire
BB7 2RA

Dear Sir / Madam

**HOUSING AND ECONOMIC DEVELOPMENT DPD: REGULATION 19 CONSULTATION
REPRESENTATIONS ON BEHALF OF HALLAM LAND MANAGEMENT LIMITED**

On behalf of our client, Hallam Land Management Limited (HLM), we set out comments on the Regulation 19 consultation version of the Housing and Economic Development DPD (HED DPD).

HLM's Land Interests in Ribble Valley

HLM have an option on a 25.97 Ha landholding to the north of the railway line in Langho, as shown on the attached Capacity Plan at **Appendix 1** which was prepared and submitted to Ribble Valley Borough Council in September 2013, along with detailed representations to the Core Strategy Examination process, at the following stages:

- Repls to Core Strategy Modifications & 2013 SHLAA Update - September 2013;
- Hearing Statements & Appearance at Core Strategy Examination in Public - January 2014;
- Repls to Core Strategy Proposed Main Modifications- July 2014; and
- Repls to Issues and Options Housing and Economic Development DPD paper - June 2016.

Through this option, the land can be regarded as 100% available. With Hallam Land being one of the most longstanding and reputable strategic land companies within the UK, the site can also be regarded as being entirely deliverable.

This plan indicates that the whole of the site has the capacity to accommodate 460 residential dwellings over a phased development period together with a range of community uses including a park and ride facility, and children's play areas as was promoted at the EIP.

The whole of the site represents a suitable and sustainable site within Langho, and this was confirmed within the Ribble Valley SHLAA (2009), with the site assessment proforma (076) noting that the land is not at risk from flooding, is accessible and would make a suitable extension to the settlement.

The site is not within the green belt (which is significant in Langho as all the land south of the railway line is green belt), and the surrounding land is of relatively low agricultural, ecological and landscape value. Furthermore, it has direct access to the A59 and Langho train station, which lies at the southern boundary, and is within walking distance of all the shops and services within the village.

The easternmost part of the site, labelled as 'Phase 1' on the attached Capacity Plan, and measuring 5.4 Ha, has outline planning permission for 18 dwellings (Ref: 3/2015/0010), which was granted on

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9th July 2015, and the decision notice and red line plan for this scheme are attached at **Appendices 2 and 3**.

The site, referred to as 'Land off Longsight Road Langho', is being actively marketed for sale and has been included within the Council's Housing Land Availability Schedule on this basis, with delivery expected within 5 years. As such this site is fully 'deliverable' in the context of the NPPF and NPPG.

Allocation of Land off Longsight Road

In light of the above, we fully support the designation of Land off Longsight Road, Langho (Phase 1 of **Appendix 1**, and the land edged red on **Appendix 3**) as a '*Committed Housing Site*' and its inclusion within the Langho settlement boundary, under Core Strategy Policy DS1 and as set out on the Draft Proposals Map (Sheet 5 - Inset 15).

Draft Proposals Map

We assume the Council's intention is to include the Draft Proposals Map in addition to the 'Resultant Changes to the Proposals Map' as part of the overall Regulation 19 consultation given the two lists of designations set out on page 21. However, we note that the Draft Proposals Map does not feature on the Council's website link associated with the Regulation 19 consultation.

As noted on page 21 of the Regulation 19 document, the Council have not reproduced an updated version of the associated Draft Proposals Maps (as consulted on at the Issues and Options stage) due to cost and have instead produced a separate document setting out any changes.

For the avoidance of doubt, it should be made clear that the Draft Proposals Map does form part of the Regulation 19 consultation process. Indeed, it is this consultation period that is a statutory legal requirement whereas the Regulation 18 consultation is an optional requirement. We would also expect to see a composite / complete Proposal Map for the Submission Version of the HED DPD.

Scope for Additional Housing Allocations

In Section 2: Housing Allocations it is made clear that this DPD seeks to allocate land to meet the residual housing requirements in Mellor and Wilpshire only. Indeed, the HED DPD only promotes two additional housing allocations (one in each of the above settlements) under Policy HAL of the HED DPD.

It is important to remember that the housing requirements in the Core Strategy are set out as minimum requirements and there might be a position where some of the committed sites do not deliver over the entirety of the plan period. Indeed, Key Statement H1 of the Core Strategy sets out a requirement for 'at least' 5,600 dwellings. We note that the term 'at least' is missing from the justification under Policy HAL on page 7 of the HED DPD.

The Inspector's Report in relation to the Core Strategy addressed this particular point under paragraph 65 where he stated:

"the Council also proposes to delete from Key Statement H1 the reference to the housing target as being "at least" 5,600. But there is nothing in the evidence to justify this change. Indeed, it seems to me that treating the figures as a minimum target reflects the Government's broad aim of boosting significantly the supply of housing. As such, this revision is not needed to make the Plan sound."

The same terminology and the use of 'at least 5,600 dwellings' should also therefore feature in Part 2 of the Local Plan.



We previously set out an argument that guidance (LPEG) indicates that a 20% buffer should be built into plans in order for them to meet the test of being 'Effective'. This aligns with the Core Strategy paragraph 1.27 which confirms that for a plan to be sound it must be effective and therefore 'deliverable, flexible and able to be monitored'.

Based on the provision set out in the October 2016 Housing Land Availability Assessment (HLAS), and the allocations set out in the HED DPD, our calculations indicate that the buffer will only amount to 4%. Whilst we welcome this, it is not considered to be a sufficiently robust buffer and we maintain the position that a 20% buffer would be more appropriate (as advised by LPEG – See **Appendix 4**).

Moreover, Ribble Valley also has a history of under delivery against its housing targets, as whilst it has exceeded the requirement in the last 2 years, it has under-delivered substantially in the 6 years prior to that (2008-2014), with completions totalling just 1,549 dwellings, which generates a shortfall of 831 dwellings short of the requirement (based on 280 dwellings per annum).

Affordable housing completions have also amounted to 470 dwellings over the same period (30% of the overall dwellings built). Whilst this is proportionally aligned with the affordable housing target/requirement in Policy H3, it still represents a significant shortfall in relation to the affordable housing need in the District.

We note that the Council have responded to very similar points in Section 5 of the 'Summary of Representations' document (to regulation 18 consultation). In particular, the Council highlight that the above issues will be key but it is a matter which legislation states should be dealt with through the Core Strategy. This is plainly wrong and there is no legislation that stipulates this. Indeed, we are not suggesting the OAN figure should be altered, just a plan in place that incorporates planned flexibility to ensure deliverability.

The Council are promoting a DPD (including proposal maps for all the Principal Towns and Tier 1 and 2 villages). Irrespective of the fact that it forms Part 2 of the overall Development Plan, it will go through a full consultation and examination process. As such, it would be perfectly lawful for it to provide additional/updated policies over and above the Core Strategy that help support the delivery of the Core Strategy requirements. An increased housing buffer would support this objective.

Moreover, from a practical resourcing position/opportunity, would it not be prudent to build in more of a buffer as part of this HED DPD should committed sites in the Core Strategy fail to deliver, rather than have to go through an entire Core Strategy or Full Local Plan process again? Indeed, once this DPD is complete/adopted, the Development Plan for the area will be complete up to 2028. However, should some of the allocated sites not deliver and/or the Council fail to keep a 5-year supply of housing throughout the Local Plan period up to 2028, the housing policies in the Local Plan could be rendered out of date leaving the door open for unplanned development (potentially by appeal).

Notably, the Council's housing supply has very recently fallen below the NPPF 5-year requirement (see Council Memo from Colin Hirst (Planning Policy manager) dated 18th January 2017 (**Appendix 5**) and the officers report to Special Planning and Development Committee Meeting in relation to the publication of the HED DPD for consultation, dated 6th April 2017 (**Appendix 6**).

Both documents refer to the Council having a 4.99 year supply. Due to this position, a planning application for an additional 275 dwellings in Longridge (application ref: 3/2016/0974) was granted a resolution to approve at committee in February 2017. The same site was subject to an appeal for a scheme relating to 305 dwellings, which was subsequently dropped by the appellant on the approval of the revised scheme.

Ultimately, the Council confirmed through this process that policies in the Core Strategy could no longer be regarded as being up to date and therefore supported the grant of planning permission on 6th April 2017 for 275 dwellings on what is effectively a new windfall site on agricultural land.

Whilst this permission will restore the Council's 5-year land supply, it demonstrates that the Council might need to resort to further windfall/unplanned development over the course of the plan period if this pattern continues. The fact that the SHLAA includes a large number of sites that are considered to be suitable and deliverable (including HLM's land holdings at Langho), the reality is that the Council could simply approve more planning applications over the plan period should they fall below a 5-year supply again.

Clearly this risk exists as demonstrated by the case above, which can result in appeals being lodged. This is not a prudent use of resource. Moreover, the planning system should be plan-led. In light of this, we ask the Council to reconsider the option of identifying additional housing allocation or alternatively 'Reserve Housing Sites'.

Such sites would be formally defined in the Local Plan and on the Proposals Map, and could be released for development if the Council's supply of housing dropped below 5 years and/or it becomes evident that an allocated/committed site is not going to deliver the anticipated dwellings originally conceived. This would provide greater clarity and certainty for the Council, public and development industry.

This would be entirely consistent with the Inspector's report to the Core Strategy, where he stated the following at paragraph 86:

'A clear housing implementation plan will be an important tool for the Council over the coming years. This should be developed alongside the monitoring framework to ensure that a five-year supply of housing land is maintained. The Standen site will undoubtedly be a significant factor here and delivery should be particularly closely monitored. Over time actual delivery rates may alter what one can reasonably expect of its contribution to the five-year supply.'

Such a 'plan' could include reserve sites and policy within the DPD that acted as a 'tool' for release should current allocated/committed sites not deliver.

Housing White Paper

The key points we have raised above chime with messages set out in the Government's recent Housing White Paper. Chapter 1 - Planning the Right Homes in the Right Places - sets out a number of objectives including:

- *'make sure every part of the country has an up-to-date, sufficiently ambitious plan so that local communities decide where development should go;*
- *simplify plan-making and make it more transparent, so it's easier for communities to produce plans and easier for developers to follow them;*
- *ensure that plans start from an honest assessment of the need for new homes, and that local authorities work with their neighbours, so that difficult decisions are not ducked;*
- *clarify what land is available for new housing, through greater transparency over who owns land and the options held on it;*

- *make more land available for homes in the right places, by maximising the contribution from brownfield and surplus public land, regenerating estates, releasing more small and medium sized sites, allowing rural communities to grow and making it easier to build new settlements;*

Paragraph 1.1 then goes on to say:

'Up-to-date plans are essential because they provide clarity to communities and developers about where homes should be built and where not, so that development is planned rather than the result of speculative applications.'

This reinforces our position that additional reserve sites should be built in the plan so it is not rendered out of date upon the lack of a five-year supply, which will result in more speculative applications.

Paragraph 1.8 also states the government will expect to see more regular reviews of plans:

'We also want to strengthen expectations about keeping plans up-to-date. Plans should be reviewed regularly, and are likely to require updating in whole or in part at least every five years. The Neighbourhood Planning Bill proposes to allow the Secretary of State to require local planning authorities to review local plans and other local development documents at prescribed intervals. We will set out in regulations a requirement for these documents to be reviewed at least once every five years. An authority will need to update their plan if their existing housing target can no longer be justified against their objectively assessed housing requirement, unless they have agreed a departure from the standard methodology with the Planning Inspectorate.'

We accept it might be a little early at this stage to fully review the overall objectively assessed housing requirements for Ribble Valley given the Core Strategy was adopted relatively recently. However, the HED DPD provides a perfect opportunity to formally identify the best sites within the Borough that might be required should the Council not be able to demonstrate a 5-year supply or a forthcoming objectively assessed housing needs study confirms there is the need for additional homes. The HED DPD allows the Council to have a robust and flexible forward plan in place if it identifies additional allocations or Reserve Sites.

Suitability of HLM Site Phases 2-4, Langho

HLM's Phase 1 site is already identified within the Council's supply and is to be allocated for housing development on the Proposals Map through the HED DPD. As such, it currently forms part of the proposed plans housing delivery strategy.

Should the Council's overall current strategy begin to lapse and fail to deliver the necessary housing requirements, we consider Phases 2-4 of HLM's land interests at Langho (as illustrated on the Plan at Appendix 1) would represent suitable options for additional housing allocations or Reserve Housing sites.

We note that the Council have undertaken a Sustainability Assessment of the Phase 1 Site for 18 units and the entirety of HLM's land (Phases 1-4) for 400 units. The only other site assessed in Langho (and rejected) relates to Carr Hall albeit this has been assessed in the context of a mixed-use development. It should also be noted that the Carr Hall site is located within the Green Belt, which does not feature as an issue in the SA, yet is clearly a significant material planning consideration.

The Council's SA does not provide total scores for each site. Whilst we do not criticise this as an approach, we have added the scores up to provide a basic assessment / overview in the table below.



Of the 18 sustainability objectives assessed, the HLM Phase 1 site and committed proposal generated a residual score (i.e. with achievable mitigation) of 4 double positives, 3 positives, 10 neutrals, and 1 negative (+10 overall). By comparison, the larger site generates a residual score of 5 double positives, 12 neutrals and 1 negative (+9 overall).

Both are therefore very evenly matched and it demonstrates that the larger site offers many sustainability benefits (with mitigation) and therefore should be regarded as perfectly suitable housing site allocation / Reserve Site.

Summary of Sustainability Appraisal

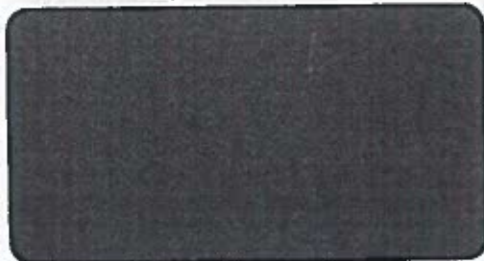
Sites in Langho	Sustainability Objective Residual Scores with Mitigation					Total
	++	+	0	-	--	
HLM Phase 1	4(8)	3	10	1	0	+10
HLM Phase 1-4	5(10)	0	12	1	0	+9

To conclude, we consider greater flexibility should be built into the HED DPD by identifying additional reserve sites that could be released for development should current allocated sites in the Local Plan not be forthcoming. This would align with the recommendations presented by the Local Plan Inceptor, in relation to the Core Strategy, LPEG guidance and the Housing White Paper. Moreover, it would be perfectly lawful, achievable and desirable objective for the HED DPD.

The additional land controlled by HLM at Langho is evidently considered to be a suitable and sustainable site to delivery housing and we therefore recommend that part or all of the site is included as a housing allocation / Reserve site.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely



Appendix 1 – Capacity Plan for Phases 1-4

Appendix 2 – Decision Notice for Phase 1

Appendix 3 – Red line Plan for Phase 1

Appendix 4 – LPEG Extract

Appendix 5 – Council Memo dated 18th Jan 2017

Appendix 6 – Minutes of Special Planning and Development Committee Meeting dated 6th April 2017

Memo

From: COLIN HIRST
To: JOHN MACHOLC
cc: STEPHEN KILMARTIN
Ref: CH/CMS
Ext: 4503
Date: 18 JANUARY 2017



Ribble Valley
Borough Council
www.ribblevalley.gov.uk

**Re: APPLICATION NO: 3/2016/0974/P
OUTLINE PROPOSAL: RESIDENTIAL DEVELOPMENT INCLUDING THE ERECTION OF
275 DWELLINGS, LOCAL NEIGHBOURHOOD CENTRE AND ASSOCIATED
LANDSCAPING/WILDLIFE INFRASTRUCTURE. GRIMBALDESTON FARM LONGRIDGE**

The application is a resubmission, with a reduced number of dwellings of application number 3/2015/0393/P. That application was refused on the 5.1.16.

In terms of the Development Strategy the Core Strategy directs development to main settlements, such as Longridge. As previously indicated on the earlier application, my advice is maintained that in locational terms the site in principle is capable of being considered a sustainable location in strategic terms. The principal policy consideration was the harm to the Core Strategy as a result of surplus housing measured against the Core Strategy requirements. At the time of determination of application 3/2015/0393 the Council could demonstrate a 5 year land supply position, giving primary weight to the core strategy provisions.

Circumstances have since changed. Work in relation to submissions made to the Council's Regulation 18 consultation on the Housing and Economic DPD, means that there needs to be an adjustment made to the Council's housing land calculation in relation to the application of the 20% buffer. Extensive research has been undertaken to review changes to best practice since early 2016, and in particular the approaches taken by Inspectors reporting on Local Plans as well as reviewing relevant appeals as part of that evidence search. This has given rise to a need to revise the application of the buffer which in my view the Council will need to recognise. This issue has been discussed with the Development Plan Working Group in some detail at the meeting held on 12 January where the need to make an adjustment to the methodology was supported.

The net effect of this is to generate a revised 5 year supply figure of 4.99 years when measured against our most recent monitoring information. The significance being that the Council cannot demonstrate a 5 year supply and the implications of paragraph 49 of NPPF must be taken into account in making any decisions on the application.

NPPF Paragraph 49 states that:

"Housing applications should be considered in the context of the presumption in favour of sustainable development. 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."

Where the council cannot demonstrate a 5 year supply the presumption is in favour of sustainable development.

The Council is required to deliver sustainable development and my view is that when looking at the implications of NPPF it is also important to have regard to the provisions of the Core Strategy which provides the Council's expression of sustainable development. As indicated, the location at Longridge is considered a sustainable location. Longridge is identified as a main settlement where housing is to be directed. The Core strategy recognises that the housing numbers are minimum requirements, but also seeks to manage the rate at which the settlements develop. The main issue is one of permitting a surplus against planned requirements and the impact this has upon controlling the underlying scale, delivery and phasing of growth. Notwithstanding that, the development would deliver additional housing which meets the Governments (and the Framework objective) of boosting housing supply, it would also deliver affordable housing both of which are significant benefits.

This application is for a reduced number of dwellings when compared to the previous application and if the identified residual is taken off, the relevant number of additional dwellings is in the order of some 250 dwellings. Taking into account the fact that this is an outline application and allowing for reserved matters and the sale of the site to be completed, delivery would be likely to be deferred following conventional practice, in my view, for up to 2 years. Assuming that a site of this nature would be developed by one developer on the basis of 30 units per annum, the total amount that would be added to our supply in the five year period (up to 2023) if this application was approved would be around 90 units. The immediate impact is therefore mitigated. Clearly if a second housebuilder was active on the site this mitigating effect would be less but the agent has indicated that a single developer will deliver the site.

Approving the site still generates a surplus. However taking account of the likely delivery the net impact of the units delivered in practice is reduced to a level where it would be difficult to demonstrate clearly that there is significant harm to the underlying Core Strategy.

The Core Strategy at Key Statement DS2 addresses the presumption in favour of sustainable development and in the circumstances where para 48 is applicable, the Core Strategy states; **"... Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise — taking into account whether:**

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

In the current circumstances I do not consider, in policy terms that there are any material considerations that would significantly or demonstrably outweigh the benefits of boosting housing supply in these circumstances or delivering affordable housing. In a position where the council cannot demonstrate a 5 year supply the Core Strategy directs towards the grant of permission. As a matter of policy principle the application is consistent with the Core Strategy.

In summary, the application has to be determined against the Council's ability to demonstrate a 5 year housing land supply, National Planning Policy and the consequent provisions of the Core Strategy. Having considered the relevant policy matters I raise no policy objections to the application.

Colin Hirst
Head of Regeneration & Housing.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No. 4

meeting date: THURSDAY, 6 APRIL 2017
title: HOUSING AND ECONOMIC DEVELOPMENT DPD - REGULATION 19
CONSULTATION STAGE
submitted by: CHIEF EXECUTIVE
principal author: COLIN HIRST, HEAD OF REGENERATION AND HOUSING

1 PURPOSE

1.1 To consider the proposed policies and allocations and agree consultation for the Regulation 19, Publication stage on the Housing and Economic Development - Development Plan Document (HED DPD) and on the draft proposals Map.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – The HED DPD is a key part of the Local Plan for Ribble Valley and will help in the delivery of housing employment and the protection and enhancement of the environment. The HED DPD is used to deliver the Development Strategy for the borough, as set out in the adopted Core Strategy, up to 2028.
- Corporate Priorities – The Core Strategy forms a central part of the Ribble Valley Local Plan and assist in the delivery of the overall vision and Development Strategy for the borough, ensuring Sustainable Development.
- Other Considerations – The Council has a duty to prepare spatial policy under the Local Development planning system and make consultation responses available for public viewing.

2 BACKGROUND

2.1 The current approach to Development Plans introduced by the Planning and Compulsory Purchase Act 2004 (as amended) requires the Council to produce a Local Plan. The Core Strategy, the central part of this plan, sets the overall spatial Development Strategy for the Ribble Valley. The HED DPD sits alongside the Core Strategy and will detail where development will be allocated and provides the opportunity to put in place an up to date Proposals Map that includes new allocations, commitments and policy designations.

2.2 Consultation on the Regulation 18 stage document took place between 26 August and 7 October 2016. This consultation represented the Issues and Options stage of the legislative regulations. The level of response to this consultation was encouraging with 114 responses submitted into the consultation process.

2.3 A 'Summary of Representations' document has been produced which was considered by this Committee at its meeting on the 15 December 2016, minute 426 refers. The document is available on the Council's web site and can be viewed using the following link:

[https://www.ribblevalley.gov.uk/download/meetings/id/5806/agenda_item_8 -
local_development_framework_-_housing_and_economic_development_dpd](https://www.ribblevalley.gov.uk/download/meetings/id/5806/agenda_item_8_-_local_development_framework_-_housing_and_economic_development_dpd)

This document provides an overview of the consultation outcomes and sets out the main issues raised. It also provides feedback on views received on the proposed potential housing and employment land allocations.

2. The overall aim of the Regulation 18 stage is to identify which, if any, of the potential housing and employment land allocations identified by the Council was seen as the preferred allocation sites to deliver the remaining requirement. It also provided an opportunity for alternative sites to be put forward. The Regulation 19 stage requires the preferred version of the plan to be developed from the information submitted in response to the issues and options stage and is subject to Sustainability testing as part of the plan making process. This Regulation 19 stage represents the Council's preferred option and is a statement of the form the plan is likely to be when it is submitted for Examination to the Secretary of State.
- 2.5 As Members will recall the Core Strategy establishes the principle planning policy for the area, this DPD was identified early in its process as providing an opportunity to update the proposals map to reflect the provisions of the Core Strategy and to be a vehicle with which to identify those locations where there was a need to identify land to meet the development proposed in the Core Strategy. It is not a fundamental review of the existing planning framework for the area. The role and nature of the DPD has been the subject of detailed discussions through the Development Plan Working Group which has steered the direction of the plan.
- 2.6 The Regulation 19 Publication version of the plan is a key stage in the statutory process. If agreed the draft plan is published for a 6 week period of statutory consultation, the responses from which form the basis of the representations to be considered by an Inspector appointed to Examine the plan once formally submitted to the Secretary of State.

3 ISSUES

- 3.1 The draft DPD is attached as Appendix 1 to this report. It represents the draft proposals intended to form the publication version and has been subject to an SA process. A separate supporting report entitled, "Approach to Plan Preparation February 2017" provides further information on the formulation of the plan proposals presented here. This document, together with the associated SA and HRA Non-Technical Summaries are available to view on the Council's website using the following link:

https://www.ribblevalley.gov.uk/info/200364/planning_policies/1674/housing_and_economic_development_dpd_hed_dpd
- 3.2 The DPD and the accompanying Proposals Map sets out the proposed allocations necessary to address the remaining identified housing requirements for Wilpshire and Mellor and identifies proposed employment land allocations to meet the proposals of the Core Strategy. The plan also sets out those areas where new or revised policy designations are required to reflect the planning policies set out in the Core Strategy, for example, Settlement Boundaries, Open Spaces, Main centre boundaries and proposals such as the site area of the Clitheroe Market Redevelopment Area.
- 3.3 The proposals map that accompanies the DPD (and Core Strategy) was published at the Reg 18 Issues and Options Stage. Where changes to that draft plan are identified these are shown in the accompanying document "Resultant changes to Draft Proposals Map - Feb 2017". A copy of the document has been provided to Members

of the Committee. This document is also available to view on the Council's website by using the following link:

https://www.ribblevalley.gov.uk/info/200364/planning_policies/1674/housing_and_economic_development_dpd_hed_dpd

- 3.4 As Members will recall a key issue that was identified through the Issues and Options stage by a number of respondents was the promotion of a range of sites to address a shortfall on housing delivery, providing additional sites to enable more housing to be delivered to boost housing supply and to deliver against the Council's Affordable Housing targets. This also included the concept of identifying both reserve sites and including an additional 20% buffer to the housing requirement to ensure that adequate housing land was being brought forward. The additional 20% buffer had formed part of the recommendations to government by the Local Plan Experts Group who were appointed to advise the government on the local plan process.
- 3.5 Whilst the group submitted and published its recommendations, the recommendation on the additional 20% buffer has not been carried through to the Government's Housing White paper. The Regulation 19 plan has been prepared to reflect the identified requirements of the Core Strategy and therefore does not seek to overprovide against the planned development. Reserve sites will be considered as part of a wider, whole review of the local plan when the wider implications can be comprehensively reviewed.
- 3.6 One issue that is important to address in the context of the representations made is the Council's approach to monitoring housing delivery and supply. The Council monitors housing land and publishes a report twice a year. This is a key part of understanding the Council's 5 year supply position and consequently the approach to determining planning applications. A review of the Council's methodology has been carried out following representations and has identified a need to amend the Council's methodology. This issue revolves around the calculation of the 5 year requirement and in particular the point at which the backlog of undersupply is added and the subsequent application of the existing NPPF buffer (in our case currently 20% of overall requirement brought forward from future years).
- 3.7 The Council's current approach is as follows:

Annual requirement + buffer + Backlog = Requirement to address.

The revised approach, which reflects accepted practice is to add the backlog in before the buffer namely:

Annual requirement + backlog +buffer = Requirement to address.

The Council's methodology was the approach applied to the Core Strategy and was accepted at that time (2014) by the Inspector without any query and has been applied subsequently in undertaking our monitoring. This has been researched further and it is clear from the review Officers have undertaken that practice has changed over the course of 2016. An initial view on best practice was expressed by the Planning Advisory Service (PAS) in March 2016. A review of plans that have been found sound in 2016 (28) of which 22 had gone on to Adoption found, that in all cases (apart from 2, one had no backlog and for the other, the issue wasn't relevant) either the Inspector in a statement or as put forward by the Council in their evidence, the approach was to add the backlog to the requirement and then apply the buffer. It is clear therefore that the Council needs to amend its approach to its methodology if it is to be consistent with accepted practice and avoid challenge.

- 3.8 Based on the Council's most recent monitoring information which gave the position as at 1 October 2016, the Council can demonstrate a 5.3 year supply. The revised calculation would take the Council just below the 5 year threshold at 4.99 when measured against the October supply information.
- 3.9 Since the October Housing Land Availability report the Council has resolved to approve additional land for housing. The most significant of which is the recent resolution to approve a site at Longridge of some 275 dwellings. As a consequence the Council will be in a position to demonstrate a five year supply. In its simplest form, the approval at Grimbaldeston (subject to the details of the full housing land review process) would be anticipated to add some 81 dwellings to the five year supply calculation.
- 3.10 Based upon the existing published data this would provide a supply position of at least 5.1 years. The key factor here is that the Council is in a position to demonstrate that it has a five year supply and in doing so the trigger of the presumption in favour of housing development is not enacted although the presumption in favour of sustainable development continues to be relevant.
- 3.11 Members will be familiar with the presumption in favour of housing development set out in Government Policy, Paragraph 49 of NPPF that is triggered where a five year supply cannot be demonstrated. Whilst this issue is critical for determining planning applications, it is also a critical threshold for the plan-making process. A plan that is submitted without a five year supply of land identified will not be capable of being found sound at Examination and this of course goes to the heart of some of the representations made by landowners and development interests in relation to our Regulation 18 Consultation.
- 3.12 Members are also alive to the fact that the five year supply position is dynamic and is influenced by the ability to demonstrate sites are delivering and that new permissions will add to the supply. The Council's basis on which to establish this is through its housing land availability monitoring and reporting.
- 3.13 This raises an important consideration for the plan making process and in particular the issues outlined in paragraphs 3.4 and 3.5 above, and whether the plan should address the position at this stage. In effect, is there a case for increasing supply by allocations to ensure a 5 year supply? The important consideration is that if through monitoring the Council cannot demonstrate a 5 year supply the provisions of The NPPF apply and there is a mechanism in place to enable the Council to address the position by bringing forward land for housing. This is reflected in the proposed text of the DPD in relation to housing allocations.
- 3.14 In considering proposals the Council will be able to measure any proposals against the provisions of the Core Strategy to determine if there is demonstrable harm that would outweigh the provisions of The NPPF. The next full monitoring report for housing land availability will update the position to the end of March 2017, this will enable the Council to consider the position again ahead of any Submission stage of the plan.
- 3.15 The Council has taken into account the representations made at the Regulation 18 stage which are reflected in the proposals being put forward for consideration. These include recommendations on site allocations, proposed amendments to detailed settlement boundaries and changes to some of the information shown on the proposals map.

3.16 As Members will note from the accompanying reports in addition to proposals seeking the allocation of housing and employment land, other specific representations seeking designation of sites has not been taken forward, for example the introduction of a specific designation at Stonyhurst College being sought to reflect the importance of the heritage asset and the economic contribution it makes to the area including extending the settlement boundary; the designation of the former Clitheroe Hospital site as a site for Health, Social Care and associated residential uses or the introduction of a landscape protection policy for land at Hammond Ground, Read.

3.17 In response to representations regarding Traveller sites and in order to meet national policy guidance a criteria based policy has been introduced in the plan to use in the determination of planning applications. The Council's evidence base has identified that it is not necessary to make specific land allocations for sites, therefore it is important to ensure the plan provides an approach to guide the determination of applications when submitted.

4 NEXT STEPS

4.1 Following agreement of the draft regulation 19 Publication version, it will be necessary to publish the plan for a six week period of consultation. The consultation arrangements will follow the provisions of the Council's Statement of Community Involvement (SCI) and will involve a wide range of publicity and promotion of the plan inviting representations. If Members endorse the proposals the subject of this report, the SA process reports will be published alongside the draft plan, together with the associated supporting documents.

4.2 The representations received will be reported to Members and taken into consideration in finalising a Submission version of the plan, which will need to be approved by Full Council before it can be formally submitted to the Secretary of State. A report on arrangements that will need to be made in relation to Public Examination of the plan will be submitted to Members for further consideration in due course having reviewed the detailed matters with the Development Plan Working Group as the consultation period makes progress.

5 RISK ASSESSMENT

5.1 The approval of this report may have the following implications:

- Resources - An approved budget is in place to undertake the work that arises as a consequence of this report. Consultancy resources have also been included within the budget to provide additional support.
- Technical, Environmental and Legal - Up to date, timely and relevant planning policies are important in maintaining and improving the environment of the borough, and a duty to put in place a comprehensive development plan for the borough.
- Political - There are no direct implications.
- Reputation - Matters dealt with in this report support the Council's aim to be a well-managed authority.
- Equality & Diversity - No issues identified in relation to this report.

6 RECOMMENDED THAT COMMITTEE

- 6.1 Agree the publication of the Regulation 19 Housing and Economic DPD for a 6 week period of consultation and authorise the Chief Executive to prepare the necessary publication materials, including undertaking any amendments necessary to ensure technical accuracy or to assist interpretation, subject to their being no change in the intent of policy proposals.
- 6.2 Note the change to the methodology of calculating the 5 year supply detailed in paragraph 3.6 to 3.9 of the report and agree to adopt the revised methodology for the purposes of monitoring, and that a detailed report reviewing housing land availability is brought back to this Committee following completion of the March survey.

COLIN HIRST
HEAD OF REGENERATION AND HOUSING

MARSHAL SCOTT
CHIEF EXECUTIVE

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

11 Implementation and delivery

11.1 In this section of the report we look at the implementation and delivery of local plans with a specific focus on housing land supply. We recognise that local plans have obligations across all land uses, but we heard views that the credibility of the plan-led system is at risk because local plans may not always be up to date and may not deliver a consistent and continuing supply of housing land, leading to shortages and planning by appeal.

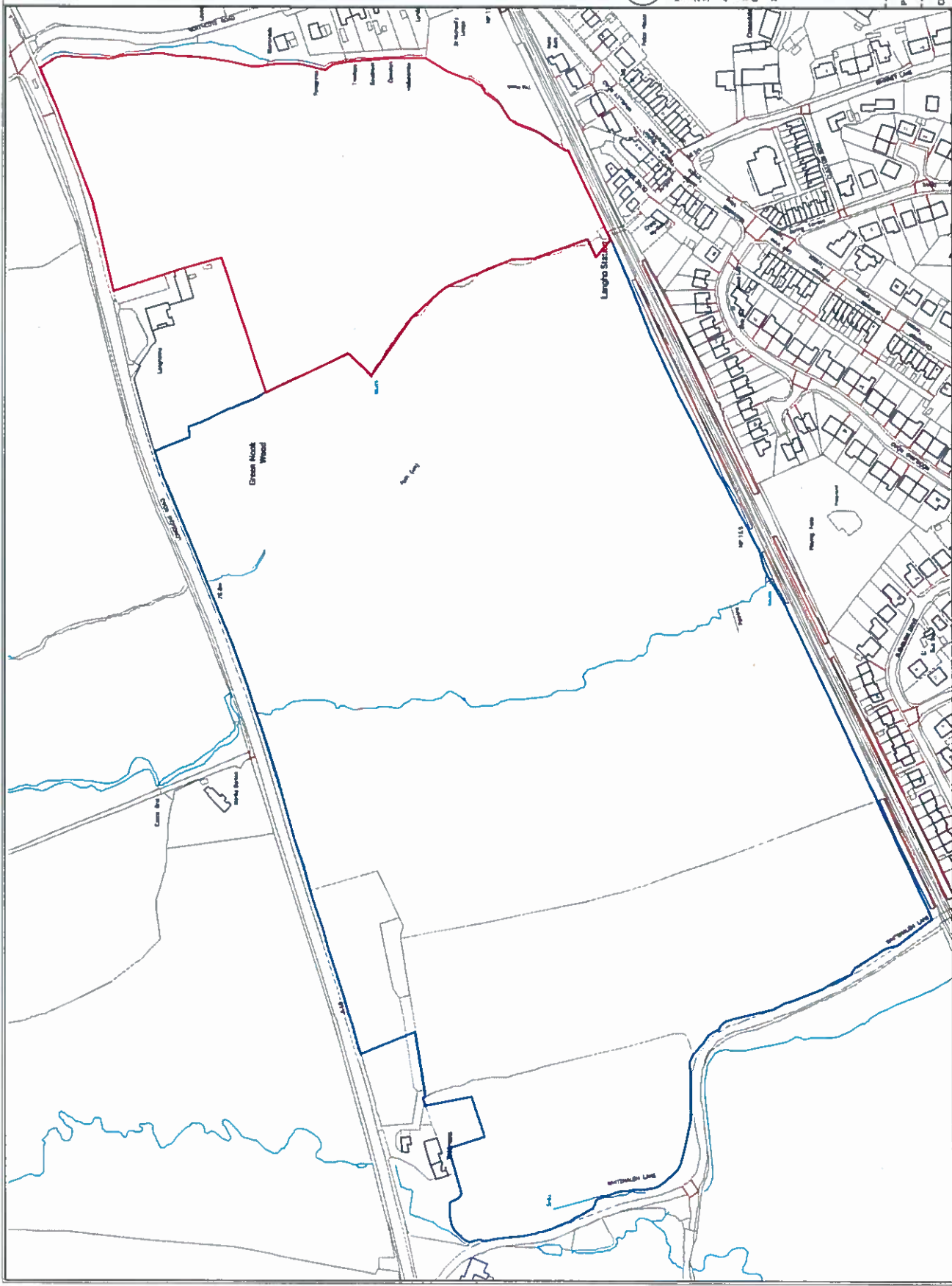
Maintaining Housing Land Supply

11.2 Particular problems currently occur with identifying and maintaining a five year supply of housing land, not least because:

- i. the factors affecting a five year land supply calculation are 'live', in the sense that matters such as build rates, site circumstances etc. change constantly so that, whatever a Local Plan Inspector finds as a result of the local plan examination will be out of date even before the local plan is adopted;
- ii. even though local plan examinations are often dominated by five year supply issues, they rarely have the time to address the full detail properly and there are several examples of appeals being won on the five year issue immediately after a local plan has been adopted because further scrutiny is possible through section 78 appeals;
- iii. even where a Local Plan has recently been found sound – with a housing requirement that meets OAN – the subsequent publication of new household projections or other data is being cited by developers and others as reason to argue that the plan is out of date;
- iv. because Plans tend only to allocate the minimum amount of land they consider necessary, once adopted, there is little that Local Plans can do to address any shortages that appear in the five year supply. Any shortages, therefore, trigger (slow) local plan reviews meaning that shortfalls tend to be addressed by application or appeal led solutions, rather than plan-led solutions; and
- v. the combination of short term focus, coupled with inevitable long term shortcomings, then encourages the concept of plans being found sound subject to early reviews, which undermines the credibility and sustainability of the plan-led system.

11.3 There needs to be a clearer and more effective mechanism for maintaining a five year land supply, at the same time as ensuring plans consider delivery over the whole plan period and incorporate sufficient flexibility to respond to rapid change. We also note the Government's proposed housing delivery test will increase the importance of having a proactive system to ensure the availability of a genuine supply of deliverable sites as well as a reservoir of potential development sites to address shortfalls in housing supply.

11.4 Accordingly, we recommend that the NPPF makes clear that local plans should be required not only to demonstrate a five year land supply but also focus on ensuring a more effective supply of developable land for the medium to long term (over the whole plan period), plus make provision for, and provide a mechanism for the release of, developable Reserve Sites equivalent to 20% of their housing requirement, as far as is consistent with the policies set out in the NPPF. Reserve Sites represent land that can be brought forward to respond to changes in circumstances.



Rev	Date	Status and Description	Drawn	Appr'd
1		Do not scale from this drawing		
2		All setting out, inverted dimensions to be signed as 1:50		
3		The dimensions of a structure shall include finished floor levels being to do it.		
4		Dimensions shall be based on the relevant face of column		
5		Order of construction and sequence to be signed on site		
6		This drawing is copyright protected and it is not to be reproduced in whole or part without the prior written consent of the author.		
7		All Dimensions are in metres unless otherwise stated		

PIE
Plant - IELLIP
 10 Bessing Green Lane London SE22 8NR
 020 7223 3478
 2 West Colston St, Bristol, Avon BA1 1 1DF
 U.K. 011 5051

Project Longlight Road
 Client Hallam Land
 Dwg title Site Location Plan
 Dwg no PL1352.M.011
 Scale 1:2500@A3 Date 2014.07.16 Drawn JS
 Status Rev Checked AR

**RIBBLE VALLEY BOROUGH COUNCIL
OUTLINE PLANNING PERMISSION**

APPLICATION NO: 3/2015/0010

DECISION DATE: 9 July 2015

19 The new estate road/ access hereby approved shall not be used to service future development on adjacent land to the west of the application site.

Reason: To protect the existing landscape in accordance with policies DMG 1 and DME3 of the Ribble Valley Core Strategy Adopted Version.

Note(s)

- 1 For rights of appeal in respect of any condition(s)/or reason(s) attached to the consent see the attached notes.
- 2 The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
- 3 The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780, or writing to Developer Support Section, Lancashire County Council, Environment Directorate, Burnley Highways Office, Widow Hill Road, Burnley BB10 2TJ or email lhscustomerservice@lancashire.gov.uk
- 4 This consent does not give approval to a connection being made to the County Council's highway drainage system.
- 5 The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. Public Right of Way 3-6-fp6a runs close/adjacent to the site.
- 6 This outline permission shall be read in conjunction with the Section 106 Agreement signed on 30 June 2015.


JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

**RIPPLE VALLEY BOROUGH COUNCIL
OUTLINE PLANNING PERMISSION**

APPLICATION NO: 3/2015/0010

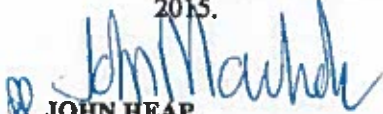
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JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

RIBBLE VALLEY BOROUGH COUNCIL

Development Department

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

Fax: 01200 414488

Planning Fax: 01200 414487

Town and Country Planning Act 1990

OUTLINE PLANNING PERMISSION

APPLICATION NO: 3/2015/0010

DECISION DATE: 9 July 2015

DATE RECEIVED: 23/12/2014

APPLICANT:

Hallam Land Management
C/o Agent

AGENT:

Mr Graham Lamb
Pegasus Group
Suite 4b
113 Portland Street
Manchester
M1 6DW

PARTICULARS OF DEVELOPMENT: Application for outline consent for 18 residential dwellings, including 5 affordable homes and associated access, landscaping and other necessary works.

AT: Land off Longsight Road Langho

Ribble Valley Borough Council hereby give notice in pursuance of provisions of the Town and Country Planning Act 1990 that **outline planning permission has been granted** for the carrying out of the development referred to above in accordance with the application and plans submitted subject to the following conditions:

- 1 Approval of the details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.
- 2 Plans and particulars of the reserved matters referred to in condition 1 above, shall be submitted in writing to the local planning authority and shall be carried out as approved.
- 3 Application for approval of the reserved matters shall be made to the local planning authority before the expiration of [three] years from the date of this permission.
- 4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 5 The submission of reserved matters in respect of layout, scale, appearance and landscaping shall be in general compliance with the Design and Access Statement, the 'illustrative master plan' (Drawing Number PL1352.AB-002 dated 19.02.15) and the Parameters Plan PL1352.AB-003-02

REASON: To define the scope of the permission.

P.T.O.

**RIBBLE VALLEY BOROUGH COUNCIL
OUTLINE PLANNING PERMISSION**

APPLICATION NO: 3/2015/0010

DECISION DATE: 9 July 2015

- 6 The development hereby permitted in outline relates to the erection of 18 dwellings including 5 "affordable" homes. The application for reserved matters shall not exceed 18 dwellings.

REASON: To define the scope of the permission.

- 7 Prior to the commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide details of:

- i) The parking of vehicles of site operatives and visitors;
- ii) Loading and unloading of plant and materials;
- iii) Storage of plant and materials used in the construction of the development;
- iv) The erection and maintenance of security fencing;
- v) Wheel washing facilities;
- vi) Measures to control the emission of dust and dirt during construction; and
- vii) A scheme for recycling/disposing of waste resulting from construction works.
- viii) Periods when plant and materials trips should not be made to and from the site
- ix) Routes to be used by vehicles carrying plant and materials to and from the site.
- x) Details of how existing habitat features, hedgerows/streams shall be retained and protected during the lifetime of the development from the adverse effects of development works by maintaining construction exclusion zones the details of which shall have first been submitted to and approved in writing by the Local Planning Authority prior to commencement of each phase of development.

The approved construction method statement shall be adhered to throughout the entire period of construction works.

REASON: In order to ensure safe working practices on or near the highway in the interests of safety and in the interests of the amenities of nearby residents in accordance with the requirements of Policy DMG1 of the Core Strategy (Adopted Version).

- 8 The development hereby permitted in outline shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and drainage strategy dated December 2014 and the following mitigation measures detailed within the FRA:

"Finished floor levels are set no lower than 300mm above existing ground level.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or any other period as may subsequently be agreed in writing by the Local Planning Authority.

REASON: To prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site in order to prevent a mitigate the risks of flooding on and off site and to comply with the requirements Policy DMG1 of the Core Strategy (Adopted Version) and the requirements of the National Planning Policy Framework.

P.T.O.

