



Ribble Valley Housing and Economic Development DPD

Proposed Main Modifications: Additional Housing
Allocations

for [REDACTED]

Emery Planning project number: 18-582

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Project : 18-406
Consultation : Proposed Main
Modifications: Additional
Housing Allocations
Client : Hallam Land
Management Limited
Date : 12 April 2019
Author : ██████████

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1. Introduction and executive summary

- 1.1 Emery Planning is instructed by [REDACTED] [REDACTED] to make representations to the consultation on the proposed main modifications to the Ribble Valley Housing and Economic Development DPD, which is being consulted on until 12th April 2019.
- 1.2 Our client's primary interest relates to land at Longsight Road in Langho. The site is shown as "Site 2" on page 30 of the Council's Housing Position Paper¹. An extract is provided below:



- 1.3 The eastern part of the site (shown on page 34 of the Housing Land Availability Schedule²) now has full planning permission for 42 dwellings (LPA ref: 3/2018/0844) and is to be developed by

¹ Post 2.30, 5th December 2018, page 30

Pringle Homes. The remaining phases of the site have been promoted by Pegasus Planning on behalf of Hallam Land Management at the various consultation stages of the HED DPD. This statement should be read alongside those representations.

- 1.4 The main modifications propose the allocation of five sites for residential development in addition to the two sites already proposed for residential development in the submission version of the HED DPD (in Mellor and Wilpshire). The five sites put forward are the same as those that the Council identified at the Special Planning and Development Committee meeting in July 2018³ to address the shortfall it claimed to have identified in its five year housing land supply at that time. The Council's latest Housing Land Availability Statement (base date 30th September 2018⁴) now claims that it can demonstrate a housing land supply in excess of 6 years. However, the consultation document states:

"the Council is mindful to ensure that there is sufficient flexibility in the plan to secure a stable and robust supply position which is capable of being delivered by the plan. This is achieved by flexible policies in the Core Strategy that enable development to be brought forward in a sustainable manner and by way of a reserve of allocated sites. Consequently the Council is proposing a number of additional sites are allocated to allow flexibility."

- 1.5 In other words, instead of being allocated to address the claimed shortfall in the five year housing land supply, the sites are now proposed to be allocated to ensure that there is "sufficient flexibility".
- 1.6 The Council's proposed main modifications therefore raise three main issues, which we have addressed in our representations:

1. Is the site selection process sound?

2. What level of flexibility is sufficient?

3. Is additional flexibility provided by the application of Core Strategy policies?

- 1.7 In summary, additional sites should be allocated for residential development to provide sufficient flexibility. The site selection methodology should be revisited on this basis and we request that our client's site is re-considered as part of that process.

² Post 2.27

³ Post 2.25

⁴ Post 2.26

2. Site selection

- 2.1 The Council's site selection process means that the HED DPD cannot be found sound within the context of paragraph 182 of the 2012 NPPF because it is not **justified**. The Council has not considered reasonable alternatives to the proposed allocations MM1 – MM5 for providing additional flexibility, including our client's site at Longsight Road in Langho.

Background

- 2.2 The Council's original justification for proposing additional housing allocations long after the HED DPD was submitted for examination (in August 2017) was due to the Council's conclusion that it could not demonstrate a five year housing land supply and its view that 165 additional dwellings would need to be allocated in order for it to do so. The consultation document for the main modifications in July 2018 stated:

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

- 2.3 The Chief Executive's report to the Planning and Development Committee⁵ for a Special Meeting on 17th July 2018 where members resolved to approve the need for further housing allocations stated the following:

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

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

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

⁵ Post 2.25

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

Site selection methodology

- 2.5 The site selection methodology was drafted on the basis that the Council needed to find 165 dwellings to address the claimed shortfall in the five year housing land supply and not to provide flexibility over the plan period, which the Council now claims is the case. As a result, once enough sites had been found to address the 165 dwelling shortfall, no further sites were identified.
- 2.6 The site selection methodology was attached as Appendix 1 of the report to the Special Planning and Development Committee report for the meeting on 17th July 2018⁶ and is summarised as follows:
- sites that were put to the Council in the regulation 18 and 19 consultations on the HED DPD were considered because the sites were put forward significantly more recently than the 2013 SHLAA;
 - the promoters of selected sites were contacted to ascertain whether the sites were still available;
 - sites in the principal towns of Clitheroe, Whalley and Longridge were considered as well as sites in the Tier 1 settlements (including Langho);
 - sites in Tier 2 settlements and in the open countryside not adjacent to a settlement boundary were discounted;
 - **sites that were too large to deliver within five years (based on 30 dwellings per hectare) were discounted;**
 - **sites that had a capacity of more than 100 dwellings were discounted;**
 - **sites with a capacity of more than 30 dwellings in Tier 1 villages (including Langho) were discounted;** and
 - site specific matters that affected individual sites were considered. For example, at that stage, the Hammond Ground site was discounted due to the Council's position at the then forthcoming appeal in relation to site specific issues.
- 2.7 The approach taken to identifying the five sites now put forward is therefore flawed for four reasons.

⁶ Post 2.25

- 2.8 Firstly, the Council did not assess the sites against all of the reasonable alternatives because a call for sites exercise did not take place. The Council undertook a call for sites process in February 2013. We also note that a call for sites exercise took place in August 2016 as part of the regulation 18 (Issues and Options) consultation. A call for sites process did not take place as part of the regulation 19 (Preferred Options) consultation, but some sites were put forward by those parties who wished to be engaged in the process. Therefore, a call for sites process has not taken place for over 2.5 years.
- 2.9 We consider that the Council should have:
- Undertaken a new “call for sites” as set out in paragraph 3-013 of the previous version of the PPG⁷;
 - Updated its SHLAA. As the Council itself recognises, the SHLAA is now 6 years old and should be updated in accordance with paragraph 159 of the 2012 NPPF and paragraph 3-045⁸ of the previous version of the PPG; and only then
 - Considered the sites in the revised SHLAA to determine which allocations would result in the most appropriate strategy when compared to all of the reasonable alternatives.
- 2.10 Secondly, the Council only identified sites to meet a requirement of 165 dwellings, based on the claimed shortfall in the five year supply. Therefore, further additional sites, which could provide flexibility over the plan period, have not been considered.
- 2.11 Thirdly, the size threshold applied to large sites was based on how many dwellings could be delivered in the five year period. Other sites were discounted on this basis. However, the criterion is no longer relevant because the justification for including additional sites is now to provide “sufficient flexibility” over the plan period. Therefore, the criterion is now that a site must deliver dwellings in the plan period to 2028 rather than in the five year period.
- 2.12 Fourthly, it is of note that the July 2018 consultation document stated that “*All representations must relate **only** to the additional sites being proposed*”. Therefore, there was not even an opportunity to promote alternative sites through that consultation.

⁷ Ref ID: 3-013-20140306: “*Should plan makers issue a call for potential sites and broad locations for development?*”

⁸ Ref ID: 3-045-20141006: “*Do local planning authorities have to meet in full housing needs identified in needs assessments?*”

2.13 In the absence of a call for sites and / or inviting other sites to be promoted through the consultation in July 2018, the plan cannot be found sound. It would not be justified as the Council cannot demonstrate that the plan is the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence, as it is required to do under paragraph 182 of the 2012 NPPF.

Land at Longsight Road, Langho

2.14 Our client's site at Longsight Road, Langho was put forward for consideration during the call for sites exercise that took place in August 2016 as part of the regulation 18 (Issues and Options) consultation. It was also put forward at the regulation 19 (preferred option) consultation in June 2017. However, the Council rejected it at these two stages as it only considered that additional sites were required in Mellor and Wilpshire to meet the residual requirement.

2.15 Because the site had been put forward at the regulation 18 and 19 stages, it was considered by the Council in July 2018 as the site selection methodology confirms that sites that were put forward at the regulation 18 and 19 stages were considered. Despite this, the site was not considered in the Sustainability Assessment and Habitats Regulations Update (Arcadis, July 2018⁹). For the avoidance of doubt, the site referred to as Longsight Road, Langho in that document is a different referred to as "Site 1" and shown on page 29 of the Council's Housing Position Paper¹⁰. Our client's site was not selected for allocation in July 2018. The Council has not published the reason for this.

2.16 Nevertheless, the site selection methodology described above confirms that sites in Tier 1 settlements (such as Langho) were discounted if they had a capacity of over 30 dwellings. We have therefore assumed that the site was discounted on this basis. This is despite a pre-application meeting at the time which proposed a 30 dwelling scheme on part of the site. However, as we have also explained above, the Council's rationale for allocating additional sites has now changed and therefore the site selection methodology needs to be revised.

2.17 The site has been considered on pages 328 to 330 of the appendix to the original Sustainability Appraisal (Arcadis, July 2017¹¹). This shows that the site has an original positive score in relation to health, housing, access and economic inclusion and a neutral score in relation to economy,

⁹ Post 2.22

¹⁰ Post 2.30

¹¹ Supp 1.29 and Supp 1.30

skills and training, cultural heritage and energy. The areas where the site originally has a negative score could be addressed by mitigation and in all cases apart from “Natural Resources” would result in a final score that is either positive or neutral. The fact that the site still has a negative score for Natural Resources is not a reason to discount the site because the SA results for MM3 – Highmoor Farm and MM5 – Whins lane, Read also have the same result. The SA result for MM1 – Chatburn Road, Clitheroe also has a negative final score (i.e. after mitigation) for Natural Resources and Climate Change and therefore our client's site has a better overall result than MM1. The highly sustainable location of the site in terms of accessibility is reflected in the SA.

2.18 In terms of Habitat Regulations, our client's site has not been considered in the original Assessment or the Update and therefore the Council has not considered the reasonable alternatives to the proposed allocations.

2.19 In summary, it is unclear why our client's site has been discounted from the site selection process. Now that sites have been selected for flexibility rather than to meet a shortfall in the five year supply, our client's site should be re-considered.

2.20 The Inspector is aware from the previous representations made by Pegasus Planning on behalf of Hallam Land on the particular benefits of allocating our client's site for residential development, including the following issues:

- Langho is included as 1 of 9 Tier 1 Villages, but ranked as the most sustainable of those in the Council's settlement hierarchy assessment (ranked 4th overall behind the 3 principal settlements, and only just behind Whalley). This document is now dated but level of services still consistent now.
- Even though there is great variation in sustainability of the 9 tier 1 villages, they are all treated the same in the CS, and Langho was given a residual number of just 18.
- Langho is one of only 4 settlements in Ribble Valley to have a train station (Clitheroe, Langho, Whalley and Wilpshire) which is a major benefit in context of revised NPPF.
- Our client's site at Longsight Road site has direct access to the station, and is only 1 of 33 considered through HED DPD with direct access to a train station (with others in other 3 settlements ranging from 600m – 1.6km).
- The phase 1 development (for 42 dwellings) has now moved settlement boundary north of railway line and has established principle of development here, wider landscape will become more urban in form.

- There is limited development potential to the south of Langho due to Green Belt constraints so expansion off Longsight Road is the next logical location

2.21 Our client's site should be preferred to the proposed main modification sites for the following reasons:

MM1 – Chatburn Road, Clitheroe (20 dwellings)

2.22 The capacity of this site has been reduced to just 20 dwellings as a result of the flood risk. As a result, only 6 affordable homes (30%) would be provided. As the Inspector is aware from our further hearing statement, we do not consider that the affordable housing target would be achieved. As we discussed at the examination hearing sessions, Castle Cement Ltd have legal rights through the site, which may prevent development, and also prove unattractive to the development industry as it could prove restrictive on the layout and also eventual plot purchasers. As above, our client's site has a better overall score in the SA compared to this site.

MM2 – Hawthorne Place, Clitheroe (40 dwellings)

2.23 As the consultation document explains, the site is located within the settlement boundary of Clitheroe. We therefore question whether an allocation is required on this site because residential development would be in accordance with the Core Strategy. Despite this, and without any legal agreement in place, we understand Persimmon is promoting the site. Irrespective of access and underground infrastructure uses, it has not come forward for development as an additional phase of development to that completed to the south.

MM3 – Highmoor Farm, Clitheroe (100 dwellings)

2.24 As the Inspector will recall, we discussed the access constraints of the site at the examination hearing sessions. In summary, access could only be achieved through the Council's land and would result in the loss of an area (or part of an area) of well used public open space. There is no mention that this issue has been resolved in the consultation document, and as the Council officers confirmed at the hearing sessions, there was no Council resolution to selling this land at this time, which unless the situation changes, will add delays and uncertainty. The reference to the planning permission (LPA ref: 3/2017/1221) is misleading. That permission is for the conversion of existing barns to 5 dwellings which due to the scale would use the existing farm track, which would be unsuitable for a larger development.

MM4 – Laycocks Farm, Langho (10 dwellings)

2.25 It is unclear how a proposed allocation of 10 dwellings would provide “sufficient flexibility” over the plan period. As we discussed at the hearing sessions, due to the size of the site, it is unclear as to whether this site would provide any affordable housing within the context of the revised NPPF. We question why this site should be allocated before other sites such as our client's, which would achieve affordable housing, and has a promoter in place with interest from numerous housebuilders. We would also add there is no legal agreement in place with an end user at the Laycocks Farm site.

MM5 – Whins Lane, Read (20 dwellings)

2.26 As was discussed at the examination hearing sessions, there is no intention from the site's owner to deliver this site in the short term (i.e. the 5 year supply period). We therefore question why this site was even selected in the first place given that the criterion at the time was to meet a shortfall in the five year housing land supply. Nevertheless, it should not be allocated before other sites, such as our client's site that could deliver much needed open market and affordable homes in the short term. We would also add there is no legal agreement in place with an end user in any event.

3. Providing sufficient flexibility

3.1 As set out in the consultation document, the proposed housing allocations are proposed to be allocated to provide: *“sufficient flexibility in the plan to secure a stable and robust supply position which is capable of being delivered by the plan”*.

3.2 The proposed allocations would – even if they were found sound and were delivered in the plan period – only provide an additional 190 no. dwellings in the plan period. This is in addition to:

- The completions from 1st April 2010 to 30th September 2018;
- The sites identified in the trajectory set out in table 2 of the Council’s Housing Position Paper (5th December 2018); and
- The two proposed allocations at Mellor and Wilpshire

3.3 Therefore, the Council’s position is summarised in the following table:

Source of supply	Number of dwellings
Completions 1 st April 2010 to 30 th September 2018	2,362
Sites identified in the trajectory set out in table 2 of the Council’s Housing Position Paper	3,289
Proposed allocations at Mellor and Wilpshire HAL1 and HAL 2	50
Proposed main modification sites MM1 – MM5	190
Total supply	5,891
Minimum requirement 2008-2028	5,600
Number of dwellings above requirement	291
Percentage of flexibility	5.2%

3.4 We consider that the flexibility proposed is insufficient for the following reasons.

3.5 Firstly, it assumes that all of the sites identified in the Council’s trajectory will deliver in the plan period as the Council has predicted they will. However, the Council’s trajectory is based on unrealistic build rates at the Standen Strategic Site in Clitheroe and the Chipping Lane site in Longridge and assumes that small sites will deliver at a rate not experienced in the earlier years of the plan period. As the Inspector is aware from our hearing statement¹², we consider that

¹² Post 3.24 – section 3 – pages 5-13

once realistic build rates have been applied, we consider that there is a shortfall of 301 dwellings, which will not be addressed by the proposed allocations.

- 3.6 Secondly, as the Council made clear at the hearing sessions the proposed allocation at Mellor (HAL 1 – 18 dwellings) is unlikely to deliver because the landowner has no intention of allowing residential development on the site.
- 3.7 Thirdly, as the Inspector is aware the Council has had difficulty in demonstrating and maintaining a five year housing land supply in the last few years, with Inspectors at appeals in 2018 in relation to land at Higher Lane, Longridge and Hammond Ground, Read concluding that a five year supply of deliverable housing land could not be demonstrated. Therefore, additional sites are required to assist the Council in maintaining and demonstrating a five year housing land supply.
- 3.8 Fourthly, at the time the Council submitted the HED DPD for examination, it claimed that 350 dwellings would be provided in addition to the 5,600 dwelling housing requirement. Therefore it is unclear why the Council is not seeking to achieve at least the amount of flexibility proposed in the submitted plan. To address the 301 shortfall we have identified, and provide additional flexibility of 350 dwellings, we consider that 651 dwellings should be allocated on additional sites, not 190. Within this context, we respectfully request that our client's site be re-considered for allocation to provide flexibility.

4. Is additional flexibility provided by the application of Core Strategy policies?

- 4.1 As above, the consultation document claims that sufficient flexibility will be provided by the proposed additional sites and *“flexible policies in the Core Strategy that enable development to be brought forward in a sustainable manner”*.
- 4.2 The Inspector will recall that at the examination hearing sessions, it was questioned whether the Council applied the Core Strategy policies flexibly and the Council's officers claimed that they are and would be. The Inspector has our response to the Council's list of sites where it claims the Core Strategy policies have been applied flexibly. We now update the position.

Core Strategy policy DMG2

- 4.3 We provide a brief description of the Core Strategy policy DMG2 that if applied properly could provide flexibility as follows.
- 4.4 Policy DMG2: “Strategic Considerations” starts by stating that development should be in accordance with the Core Strategy Development Strategy and should support the Spatial Vision.
- 4.5 Policy DMG2 then states:

“Development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 Villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.” (our emphasis)

- 4.6 It continues by stating:

“Within the Tier 2 Villages and outside the defined settlement areas” development must meet at least one of the following considerations:

- 1. The development should be essential to the local economy or social well being of the area.*
- 2. The development is needed for the purposes of forestry or agriculture.*
- 3. The development is for local needs housing which meets an identified need and is secured as such.*

4. The development is for small scale tourism or recreational developments appropriate to a rural area.
5. The development is for small scale uses appropriate to a rural area where a local need or benefit can be demonstrated.
6. The development is compatible with the enterprise zone designation".

4.7 The policy then states:

"Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build".

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

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

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

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

- 4.11 Expansion is defined as limited growth of a settlement at a scale and in keeping with the “existing urban area”. Again, it does not state that this must be on land within the settlement boundary.
- 4.12 Therefore, we consider that if applied properly policy DMG2 could provide flexibility. However, despite the claims made by the Council at the examination and again in the consultation document, this is not the case in practice.

Application of policy DMG2 by RVBC

- 4.13 The Inspector will recall that at the examination hearing sessions reference was made to an application made by Gladman Developments Ltd for 110 dwellings at land at Henthorn Road, Clitheroe (LPA ref: 3/2018/0688). The application was refused by members of the Council contrary to the recommendation of officers to apply the Core Strategy policies described above flexibly despite the claims made that the Council could demonstrate a five year supply. The reason for refusal refers to the same Core Strategy policies, which the Council's officers claimed at the examination hearing sessions will be applied flexibly. Gladman have appealed against the Council's refusal and a public inquiry will now take place in May 2019 to discuss the application of these Core Strategy policies. The Council's officers will not present the case for the Council. It will be an independent planning consultant.
- 4.14 Furthermore, just two weeks after the examination hearing sessions closed, the Council's Planning and Development Committee were minded to refuse an application for permission in principle for residential development at land to the south of Old Road, Chatburn (LPA ref: 3/2018/0943). Again this was contrary to the recommendation to approve permission in principle because the proposed development was in accordance with policy DMG2. This is recognised in the committee report for the application at paragraph 5.4.10, which states:

“The application site adjoins an existing residential development site which extends from the main settlement area of Chatburn. This adjacent development site, which is under construction, has been included within the draft settlement boundary for Chatburn in the emerging Proposals Map. The application site is not bounded by consolidated development along more than two thirds of its perimeter and as such it is not considered to be ‘rounding-off’ as defined in the glossary of the Core Strategy. However, the development is considered to comply with the definition of ‘expansion’, as expressed in the Core Strategy as ‘limited growth of a settlement which is in scale and keeping with the existing urban area’. The development site is particularly well-contained, being bordered by Lanehead Quarry to the west,

protected trees which skirt the site to the west and south and existing development to the east. As such, on balance, and taking into account the Inspector's comments at the EiP into the Housing and Economic Development DPD, the proposed development, on the edge of a Tier 1 settlement, is considered to be acceptable in principle. (our emphasis)

4.15 However, members voted to refuse permission and the following reason for refusal has been given:

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

4.16 An appeal has been made against the Council's decision to refuse to approve permission in principle at the site.

4.17 In summary, whilst the position presented by the Council officers at the examination hearing sessions was that the Core Strategy policies provide additional flexibility, this is not the case in practice and therefore further sites should be allocated in the HED DPD.

5. Summary and conclusions

5.1 The Council's proposed main modifications therefore raise three main issues, which we have addressed in our representations and summarise below:

1. Is the site selection process sound?

5.2 The methodology used to select the five proposed main modification sites has not been altered since July 2018 when the Council selected sites that it considered could assist in addressing a shortfall of 165 dwellings in its five year supply. Other sites, which scored as well as the selected sites in the Sustainability Assessment (including our client's site), were not selected because the 165 shortfall had been met. Now that the Council's rationale for allocating additional sites has changed to provide additional flexibility in the supply over the plan period, the sites which were discounted should be reconsidered for allocation. In the absence of this process, the HED DPD cannot be found sound because reasonable alternatives have not been properly considered within the same context.

2. What level of flexibility is sufficient?

5.3 The five proposed additional sites are to be allocated to provide flexibility but would only result in a flexibility of 5.2% of dwellings above the overall minimum housing requirement of 5,600 dwellings. We consider that this provides insufficient flexibility because it assumes that the Standen strategic site and the Chipping lane site will deliver as set out in the Council's trajectory¹³. As we discussed at the examination hearing sessions, the Council's trajectory assumes unrealistic build rates for single developers on these two very large sites and therefore there is a risk the requirement will not be met. Further sites should therefore be allocated to provide sufficient flexibility.

3. Is additional flexibility provided by the application of Core Strategy policies?

5.4 The Council suggests that additional flexibility will be provided through the flexible application of the Core Strategy policies. However, in practice that does not happen because the Council has refused planning permission / permission in principle on sites with reference to the same policy that it claims provides the flexibility.

¹³ Post 2.30 – Appendix 2

5.5 In summary, additional sites should be allocated for residential development to provide sufficient flexibility. The site selection methodology should be revisited on this basis and we request that our client's site is re-considered as part of that process.

For official use		Ref. No.
		Ack'd

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



Response Form

Regulation 22

Main Modifications Consultation

1st March 2019 – 12th April 2019

Before using this form to make any comments please ensure that you have read the Housing and Economic Development – Development Plan Document Main Modifications : Housing Allocations document and associated documents and the Response Form Guidance Notes, which can be found on Ribble Valley Borough Council's website - www.ribbonvalley.gov.uk and follow the HED DPD link. 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 5pm on Friday 12th April 2019.

Please return paper copies marked 'HED DPD Main Modifications consultation' to Forward Planning Team, Ribble Valley Borough Council, Council Offices, Church Walk, Clitheroe, BB7 2RA. Alternatively you can email them to: pmods22@ribbonvalley.gov.uk

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.

<p>Name</p> <p>Name of Organisation (if you are responding on behalf of an organisation)</p> <p>Database Reference number (if you have one)</p> <p>Address</p> <p>Post Code</p> <p>Email Address</p> <p>Phone number</p>	<div style="background-color: black; width: 100%; height: 100%; min-height: 150px;"></div>
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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 Main Modification to the HED DPD does this comment relate?

Modification number

MM1 - MMS

Paragraph No.

Page 3, Paragraph 5

Q4

Please indicate if the proposed change resolves any objection you have made at the previous Regulation 19 consultation stage of April – June 2017:

Yes

No

Not applicable

Q5

As a consequence do you consider the HED DPD is:

i) Legally compliant

Yes

ii) Sound *

No

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

Q6

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

Justified

Consistent with national policy

Effective

Positively prepared

Q7

Please give details of why you consider that the HED DPD is not legally compliant or sound. Please be as precise as possible and ensure that your comments only relate to a specific proposed change. You do not need to repeat comments made at the previous consultation stages as these have already been forwarded to the Inspector for consideration as part of the Examination.

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.

PLEASE SEE ENCLOSED STATEMENT

Q8 In relation to this proposed change, 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 Q6 above where this relates to soundness. Please restrict your answer to specific proposed changes.

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.*

PLEASE SEE ENCLOSED 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.

After this stage, further submissions will only be at the request of the Inspector, based on any matters and issues he identifies for Examination at any subsequent Examination in Public.

Q9 **Participation at Examination is at the discretion of the Inspector but please indicate below if you wish to participate at the oral part of the examination in connection with these representations if there are further hearing days**

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

Yes, I do wish to participate at the oral examination

Q10 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.*

PLEASE SEE ENCLOSED STATEMENT

Q11 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.

- The publication of the Inspector's report following the Examination
- The formal adoption of the HED DPD

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

Q12 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.*

PLEASE SEE ENCLOSED STATEMENT

Q13 Date of completion: 12/04/2019

Q14 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