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Forward Planning, Regeneration and Housing
Ribble Valley Borough Council
Council Offices
Church Walk
Clitheroe
Lancs.
BB7 2RA

5.9.18

Dear Sirs,

**Representations to Ribble Valley BC Housing and Employment Development
DPD (HED DPD) Main Modifications: additional housing sites consultation on
behalf of The Trustees of Hammond Ground**

We act on behalf of the Trustees of the Hammond Ground and have been instructed to make representations to this document. Our clients' can be contacted via ourselves as agent in this matter. Our contact details are as shown at the head of this letter. All correspondence on these representations should be addressed to us at Dickman Associates Ltd, FAO: J Dickman.

Our clients are the owners of Hammond Ground, Whalley Road, Read, which has been previously submitted for consideration to Ribble Valley BC (RVBC) as a SHLAA site for residential development as well as the subject of a planning application.

We have previously made representations during the earlier stage of this process and have now read the latest consultation documents and the accompanying background papers and set out representations below on behalf of our clients. This representation should be read jointly with comments and analysis of the 5-year HLS prepared by Emery Planning on behalf of our mutual client, enclosed with this letter.

Where our concerns and comments to the earlier stages have not been taken into account they are still maintained.

We have read the current consultation document and we have also read the Special Planning Committee reports and minutes and attended the meeting on the 17.7.18.

Policy context

RVBC HEDDPD

The development plan comprises the Ribble Valley Core Strategy 2008-28 (RVCS), which was adopted in December 2014. As part of that process the need for a site allocations document was a requirement to come forward within 5 years of the plan's adoption.

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The HEDDPD was formerly submitted to the Secretary of State over a year ago (July 2017) with the EiP originally scheduled for January 2018. This was postponed due to the Inspector being ill. The revised date for the EiP was then July 2018.

On 12.6.18 RVBC wrote to the inspector advising they were in the process of updating their HLAS which participants to the EiP might wish to see and they might not have 5 year HLS and thus may need to consider additional sites.

On 15.6.18 the RVBC website update showed they had requested a postponement of the EiP and on 19.6.18 this was confirmed with a new EiP date for the week commencing 19th November 2018.

Over that extended time period from July 2017 to date RVBC have updated their HLAS document a number of times and the new NPPF has been issued with further updates to the Planning Practice Guidance (PPG) imminently awaited.

New NPPF

The revised National Planning Policy Framework (NPPF), was published on 24th July 2018 and came into immediate effect. At para 214 in Annex 1 it sets out the transition criteria:

'The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned.'

So, for the HEDDPD the 'old' NPPF will apply.

Background Context

On 10.7.18 RVBC published their new Housing Land Availability Schedule (HLAS, base date 31st March 2018). This concludes that the supply is 5.3 years with a 5% buffer and 4.6 years with a 20% buffer. The HLAS itself does not conclude whether the 5% buffer or the 20% one should be used.

On 17.7.18 a special planning committee was held which comprised two main matters:

1. Housing Land availability
2. Additional housing allocations

We attended the committee. The policy officer presented his report on the HLAS which shows RVBC only have a 5.3 year supply if they apply the 5% buffer or a 4.6yr supply if they apply the 20% buffer. He added they need to ensure they have a 5 - year supply even with the 20% buffer so they need to ideally have a 5.5 - 6 year supply just to cope with any fluctuations in supply and delivery. Therefore, they need more sites to be allocations. They also have revised how they apply their 10% slippage allowance in the 5YHLS calculation and also their windfall allowance which they are proposing to increase. The policy officer admitted they are trying to protect

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themselves and ensure the HEDDPD is found to be 'sound'. The members agreed these recommendations on Housing Land Availability.

The additional housing allocations was a separate report to the committee. It proposed additional allocations to the HEDDPD as "Main Modifications" to the submitted plan. The policy officer explained they needed the additional allocations so the HEDDPD could be made 'sound' and they had calculated they need 165dpa minimum over the next 5 years but to achieve that they were not doing a full 'call for sites' just going through sites that had already been submitted at Reg 18 & 19 stages of the HEDDPD and they had contacted the landowners/agents for those parcels they felt met the 'Working Party' criteria. We have not seen the Working Party document which does not seem to be in the public domain. In general summary RVBC seem to be using NPPF (2012) to say they need to find sites of mid-range size so under 100 units but sites of over 0.5ha size and in or adjacent to the 3 main settlements or Tier 1 settlements. They had then added 3 additional sites 'Tranche 2' to come forward later.

Our clients' site gets special mention as to why it is not included:

'Also the Hammond Ground, Read site was discounted as the Council's position at the forthcoming appeal relating to this site is that, due to its scale and location, it would be injurious to the setting of the AONB and would cause harm to the visual amenity of the parkland landscape that contributes significantly to the character of the village of Read.'(sic)

However, the first thing the policy officer said was that 2 of the sites listed in the report that were in Clitheroe (the main settlement) were on LCC land and the County had replied saying their 2 sites (Sites 11 & 14 on the attached committee report) in Clitheroe which RVBC had identified for immediate development were not actually available and so needed to be deleted from the list. Thus 22 units were immediately lost off their minimum additional units thus the extra dwellings per annum dropped below the minimum identified to increase the numbers up to make the HEDDPD sound. The councillors then asked for the site at Ribblesdale View in Chatburn (Site 18 on attached committee report) to be excluded, nor did they seem to support the extra units (30) on the HAL2 Wilpshire site which is one of the only 2 original housing sites proposed in the HEDDPD, instead the councillors wanted Highmoor Farm, Pendle Road, Clitheroe (Site 13 - a 'Tranche 2' site for approx. 100 units) added which the officers then pointed out did not conform with the approach the Working Party had agreed. Nevertheless, the removal of the 2 LCC owned sites (Sites 11 & 14), the Chatburn site (Site 18) and the extra units on HAL2 and replace with Highmoor Farm (Site 13) was approved by the Committee and is the basis for the current consultation.

The policy officer also stated there will be a full Core Strategy review starting 2019. He also confirmed that on the basis new NPPF which came into force on 24.7.18 the HEDDPD will be considered at the EiP in November under the transitional arrangements in Annex 1 of NPPF 2018.

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Other comments

We note that the current consultation document states that:

*"All representations must relate **only** to the additional sites being proposed".*

We are concerned that the process is not sound. There has not been a full 'Call for Sites'.

Furthermore, the process for selecting the sites has erred from what had been the original intentions as set out in the officer's report of finding mid-size sites to ensure a regular supply of sites to keep the delivery of homes up to the requisite levels in line with NPPF.

We have further concerns that the Reg 22 Main Modifications Allocations document July 2018 now makes no mention of the Tranche 2 sites which seemed to be there as back up should there be a delay in bringing the selected sites forward.

Even at the RVCS EIP this need to provide a range of sites in various settlements was highlighted by landowners and housebuilders. Focusing everything on a strategic site or a couple of large sites will not easily address any shortfall or provide flexibility to address shortfalls due to lead in times, infrastructure costs and build out, build rates. A mix of site sizes and locations is fundamental. We are therefore concerned that adding another 100 unit plus site (MM3) may lead to a repeat of the issues RVBC currently face another 5 years down the line. It also means only the 0-5-year sites are being considered so the process will repeat if no allocations in the 6-10 or 11-15 time periods are made.

We assume the approach to site selection by RVBC has been properly and rigorously tested to identify OAN in respective settlements but are concerned that following the committee 30 units identified for Wilpshire were just transferred to the Clitheroe numbers instead without any justification.

These additional allocations might go some way to assisting RVBC's pursuit of achieving and maintaining the immediate 5 YHLS but they do nothing to cover the next 5-year period of the plan (2023-2028) which was presumably the rationale of the Council including 'Tranche 2' sites in their report to the Special planning committee.

We question whether the March 2018 HLS and thus whether the very marginal hovering around the 5-year mark is sufficient to ensure a 5-year supply going forward, especially given the Inspector's comments at paras 17 & 18 regarding the 'buffer' on the recent appeal decision at Higher Road, Longridge (PINS ref: APP/T2350/W/17/3186969).

The Emery statement attached to this letter analyses the issues with the 5year HLS calculations in detail and explain the failing and shortfalls.

We are concerned at the apparent lack of a rigorous and consistent approach means RVBC will always be 'fire fighting' when it comes to housing site allocations and delivery of homes in their area.

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The HEDDPD is merely a 'stop gap' to stem the persistent housing under delivery which has occurred and prevails still in Ribble Valley. As the policy officer also stated at the Special Planning Committee on 17.7.18 there will be a full Core Strategy review starting 2019. That new development plan must include a full and properly tested site allocations document for the borough to provide certainty going forward. There should be a full Call for Sites and the SHLAA should be updated

We are therefore concerned to the soundness of the process.

Please confirm receipt of these representations and we ask to be advised of the next stages of the policy consultation.

Yours faithfully

J Dickman

Encs: Emery Planning statement on 5-year HLS; Special planning committee report 17.7.18

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Ribble Valley HED DPD – Main Modifications – Additional Housing Sites

27th July to 7th September 2018

for The Trustees of Hammond Ground

Emery Planning project number: 17-282

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Project : 17-282
Site address : Hammond Ground,
Whalley Road, Read,
Lancashire, BB12 7RP
Client : The Trustees of
Hammond Ground
Date : 04 September 2018
Author : Ben Pycroft
Approved by : Stephen Harris

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1. Introduction and executive summary

- 1.1 Emery Planning is instructed by the Trustees of the Hammond Ground to submit this statement in relation to the Ribble Valley Borough Council HED DPD – Main Modifications – Additional Housing Sites. It should be read alongside the previous representations made on behalf of the Trustees of Hammond Ground by Dickman Associates Ltd.
- 1.2 As the Council and the Local Plan Inspector are aware, our client has appealed against the Council's decision to refuse to grant outline planning permission for up to 50 no. dwellings at their land at Hammond Ground, Whalley Road, Read (LPA ref: 3/2016/1192). The appeal will be heard at a public inquiry, which opens on 9th October 2018. The appellant does not agree that the Council can demonstrate a deliverable five year supply of housing land as it is required to by paragraph 73 of the NPPF and therefore considers the tilted balance set out in paragraph 11d of the NPPF applies. Emery Planning will be presenting the evidence in relation to housing land supply at the inquiry. We have also been instructed to provide this statement and attend the housing session at the examination into the HED DPD on behalf of the Trustees of the Hammond Ground, which we understand will take place in late November 2018.
- 1.3 In determining the appeal, the Inspector will consider whether or not the Council can demonstrate a deliverable five year housing land supply within the context of the current National Planning Policy Framework (NPPF), which was published in July 2018. Under the transitional arrangements set out in Annex 1 of the NPPF, the HED DPD will be examined under the policies set out in the previous NPPF, published in March 2012. Consequently, we refer to the previous versions of the NPPF and Planning Practice Guidance (PPG) in this statement.
- 1.4 In summary, the HED DPD is not sound because it is not:
- **Positively prepared** – the objectively assessed need will not be met even if all of the additional proposed allocations are adopted in the HED DPD. The site at Higher Standen will not deliver in full in the plan period and therefore additional sites are needed;
 - **Justified** – the Council has not undertaken a call for sites, updated its SHLAA or invited additional sites to be put forward through the consultation. Therefore, the Council cannot demonstrate that the plan is the most appropriate strategy, when considered against reasonable alternatives, based on proportionate evidence; or

- **Consistent with national policy** - the Local Plan will not meet the full, objectively assessed need for market and affordable housing in the market area or demonstrate a five year housing land supply.

1.5 The changes required are for the Council to:

- Undertake a "call for sites" as set out in paragraph 3-013 of the PPG;
- Update the evidence base, including the SHLAA;
- Consider the sites in the revised SHLAA to determine which allocations would result in the most appropriate strategy when compared to the reasonable alternatives; and
- Allocate sufficient land to ensure that the full, objectively assessed need set out in the Core Strategy will be achieved, including flexibility.

2. Section One: Introduction, Background and Context

2.1 From the outset, the Council's justification for proposing additional housing allocations long after the HED DPD was submitted for examination in August 2017 is due to the Council's conclusion that it cannot 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 itself states that:

"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".

2.2 The Chief Executive's report to the Planning and Development Committee in advance of 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".

2.3 The report to the Planning and Development Committee also explains 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 states:

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

2.4 However, it is unclear how the 5 proposed additional allocations would assist the Council to achieve a deliverable five year supply because:

- Firstly, the Council has not provided any robust, up to date evidence to support the deliverability of these sites as required by paragraph 3-031 of the PPG. The only information that the Council appears to have obtained is that the respective landowners are content for their sites to be allocated for housing. None of the sites

have planning permission or even a planning application pending determination so it is unclear whether any site specific issues can be overcome;

- Secondly, it is unclear how the assumed yield for each site has been informed and therefore whether these sites are capable of delivering even the 165 dwellings the Council considers are required in the five year period; and
- Thirdly, our view is that the shortfall in the five year housing land supply is greater than 165 dwellings and therefore further deliverable sites would be required.

- 2.5 Notwithstanding this, regardless as to whether or not allocating new sites would assist the Council in achieving a five year supply of housing land, we agree that additional sites should be allocated through the HED DPD to ensure that the housing requirement over the plan period to 2028 is met.
- 2.6 The Core Strategy sets out a minimum housing requirement of 5,600 dwellings to be delivered between 2008 and 2028. In the first 10 years of the plan period however, only 2,170 dwellings were delivered against a requirement over the same period of 2,880 dwellings. This leaves a minimum of 3,430 dwellings to be delivered in the remaining 10 years of the plan period (i.e. an annual average of 343 dwellings in each and every one of the monitoring years to 2028).
- 2.7 The table on page 12 of the latest published Housing Land Availability Survey (HLAS) show that at 31st March 2018 there were planning permissions for 3,882 dwellings. This would mean a flexibility of around 13% above the residual minimum requirement of 3,430 dwellings. However, not all of these 3,882 dwellings will be delivered in the plan period for the following reasons.
- 2.8 Firstly, not all of the sites with planning permission where construction has not started will be delivered in the plan period. Indeed, the HLAS applies a 10% slippage rate to these sites.
- 2.9 Secondly, the Standen strategic site will plainly not deliver in full in the plan period. The Standen strategic site is allocated for 1,040 dwellings in the plan period 2008 to 2028. According to the Core Strategy (pages 178 and 179), it was due to start delivering dwellings in 2016/17 at a rate of 100 dwellings per year. That did not happen. At 31st March 2018, it had still not delivered any dwellings but was reported as being "under construction". Taylor Wimpey is in the process of constructing the first phase of the development called "Half Penny Meadows". The first completions will therefore be in 2018/19.
- 2.10 Each time the HLAS has been published since April 2014, the Council has claimed between 165 and 300 dwellings would be delivered in the respective five year period at the Standen site.

That position is pushed back in every HLAS as the site has not delivered any dwellings to date. This is shown in the following table:

Table 2.1 – Deliverability assumptions of Higher Standen set out in each HLAS

HLAS	End of five year period	Status	No. of dwellings HLAS considered deliverable
April 2014	30 th March 2019	Awaiting S106	300
July 2014	30 th June 2019	Awaiting S106	300
January 2015	31 st December 2019	Outline pp	300
April 2015	31 st March 2020	Outline pp	300
October 2015	30 th September 2020	Outline pp	300
April 2016	31 st March 2021	Outline pp – RM pending	165
October 2016	30 th September 2021	Outline pp – RM pending	180
April 2017	31 st March 2022	RM phase 1 approved	268
October 2017	30 th September 2022	RM phase 1 approved	200

- 2.11 The current HLAS considers that this site will deliver 190 dwellings in the five year period from 1st April 2018 to 31st March 2023 at a build rate of 30 dwellings in 2018/19 and then 40 dwellings per annum in the following years to 2022/23. We consider that this is optimistic as the average build rate in Ribble Valley is 30 dwellings p.a. However, even if the Council were correct, it would leave the remaining 850 dwellings to be delivered over the remaining 5 years of the plan period. This would mean a completely unrealistic build rate of 170 dwellings per annum, far in excess of even the 100 dwellings per annum suggested in the Core Strategy. There is no firm evidence that there would be more than one developer at the site.
- 2.12 Furthermore, there is no evidence at all that the Standen site will deliver 100 dwellings per annum. In particular, we have seen no market evidence at all to substantiate this unevidenced and implausible delivery rate. Applying the Council's build rate of 40 dwellings per year, the site would take 26 years to complete and would only deliver 400 dwellings in the plan period. This would leave 640 dwellings to be completed beyond the plan period.
- 2.13 As a result, further land should be allocated in the HED DPD to accommodate 640 dwellings, not 165 dwellings.
- 2.14 The plan has not been positively prepared because it will not meet the objectively assessed need and therefore it cannot be found sound as set out in paragraph 182 of the NPPF.

Site selection

2.15 In terms of the site selection process, the consultation document cross refers to Appendix 1 of the report to the Planning Committee meeting on 17th July 2018, which 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;
- the sites were considered in the Tier 1 settlements and those 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 were discounted; and
- site specific matters that affected individual sites were considered. At this stage, the Hammond Ground site was discounted due to the Council's position at the forthcoming appeal in relation to site specific issues.

2.16 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 we are aware that 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 years.

2.17 The SA confirms that only 16 sites have been considered by the Council.

2.18 We consider that the Council should have:

- Firstly, undertaken a new "call for sites" as set out in paragraph 3-013 of the PPG;
- Secondly, updated its SHLAA. As the Council itself recognises, the SHLAA is now 5 years old and should be updated in accordance with paragraph 159 of the previous NPPF and paragraph 3-045 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.

2.19 It is also of note that the current consultation document states that "*All representations must relate only to the additional sites being proposed*". Therefore, there is not even an opportunity to promote alternative sites through the current consultation.

2.20 In the absence of a call for sites and / or inviting other sites to be promoted through the current consultation, 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 NPPF.

Sustainability Appraisal (SA)

2.21 Alongside the consultation document, the Council has published updates to the Sustainability Appraisal and Habitats Regulations Assessment. However, we note that the Council's website states: "please note that the SA is not for consultation response".

2.22 Our client requests the opportunity to comment on the SA and has sought confirmation from the Council as to when this will be allowed. In the absence of an opportunity to comment on the updated SA, we will bring this to the Inspector's attention.

3. Section Two: Housing Allocations

MM3 – Site 13 – Highmoor Farm, Clitheroe

- 3.1 The site is approximately 3 ha in area. It is located to the east of Clitheroe and is controlled by the Trustees of the Clitheroe Royal Grammar School Foundation.
- 3.2 The Council will need to ensure that the following issues can be addressed:
- **Access** to the site would need to be carefully considered. The Council has recently granted planning permission at the site for the conversion of the existing farm buildings to five dwellings (LPA ref: 3/2017/1221). The transport statement for that application explains that the existing access road serving Highmoor Farm is only 2.7 to 3m wide and has no footway on either side. It joins Highmoor Park to the west. The proposals were to widen the track at the access point and provide passing bays. This would clearly be unacceptable for a large scale development. The Council therefore needs to demonstrate how a suitable access could be achieved for this site.
 - **Landscape and townscape** – The SA confirms that there is the potential for a “major adverse effect” on landscape and townscape views and this would need to be carefully considered. The SA states that a significant amount of green infrastructure will be required to offset potential adverse effects.
 - **Biodiversity** – The SA notes that priority or protected species may be affected, but the extent of this is not known. Further detail is required.
 - **Flood risk** – existing watercourses run along the northern and southern boundaries of the site and the surrounding land falls in flood zones 2 and 3
 - **PROW diversion** – there is a Public Right of Way (PROW) that passes through the site, which the SA confirms would be “adversely affected”. The Council will need to demonstrate how this would be achieved.
- 3.3 The Council proposes to allocate the site for 100 dwellings. However, the timescales of when the site could come forward should be set out and the Council should set out a trajectory for this. It will need to clearly set out the Trustees’ disposal programme and assumed lead-in times and build rates with regard to the above site specific issues.

Section 104 - Transfer of Property

Section 105 - Transfer of Property

Section 106 - Transfer of Property

Section 107 - Transfer of Property

Section 108 - Transfer of Property

Section 109 - Transfer of Property

Section 110 - Transfer of Property

Section 111 - Transfer of Property

Section 112 - Transfer of Property

Section 113 - Transfer of Property

Section 114 - Transfer of Property

Section 115 - Transfer of Property

Section 116 - Transfer of Property

**RIBBLE VALLEY BOROUGH COUNCIL
REPORT TO PLANNING AND DEVELOPMENT COMMITTEE**

Agenda Item No.

meeting date: 17 JULY 2018
title: PROPOSED ADDITIONAL HOUSING LAND ALLOCATIONS TO BE INCLUDED
WITHIN HOUSING AND EMPLOYMENT LAND DEVELOPMENT PLAN
DOCUMENT
submitted by: CHIEF EXECUTIVE
principal author: PHILIP DAGNALL, ASSISTANT PLANNING OFFICER

1 PURPOSE

1.1 To outline the background to the selection of a series of proposed additional housing allocations to the Submitted Housing and Economic Development DPD (HED DPD) and set out maps of those sites proposed for selection.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – The matters covered in this report will contribute to sustainable development in the area.
- Corporate Priorities – The document that is the subject of this report relates to Council ambitions of making people's lives safer and healthier and also helping to protect the environment by directing future development into appropriate and sustainable locations.

2. BACKGROUND

2.1 The HED DPD was submitted for Examination in Public (EIP) by the Planning Inspectorate in August 2017. Within it were housing land allocations in Wilpshire and Mellor, the only settlements at that time requiring allocations, given that the Core Strategy's housing overall Borough-wide requirement and its specific distribution to individual settlements as set out in Core Strategy Key Statement DS1 had already been met by the Standen Strategic Site and a variety of granted planning permissions, and at the time of the submission of the HED DPD the Council had demonstrated that it had a five year supply.

2.2 Unforeseen and lengthy delays caused by the illness of the Inspector led to the postponement of the document's formal Examination in Public (EIP). During this time the overall Council's housing requirement position has changed as sites have not completed as expected, fewer new permissions have come forward and the recent appeal decision at Higher Road, Longridge has raised the issue of the applicable NPPF buffer to apply for the purposes of calculating a five year housing land position. All this is also against the background of emerging new NPPF provision and potential changes in underlying housing requirements that will alter the basis of land assessment, which the Council will have to consider in due course.

- 2.3 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. To allow the time necessary to select and consult on these additional site allocations as set out below the Examination has been postponed to November 2018. The sites and selection criteria outlined in this report have also been recently discussed in detail by members at the Development Plan Working Group meeting of 27 June.
- 2.4 Updated boroughwide housing figures, taking into account matters discussed in recent appeals and set out in the Housing Land Availability report (see Para 6.6) that is also being taken to this Committee meeting indicate that additional allocations totalling at least 165 units are needed. Should sites be selected they will be need to be publicly consulted on as proposed Main Modifications to the Submitted HED DPD of 2017 through a six week consultation and also be screened through a Sustainability Appraisal process before being brought to the EIP.

3 SITE SELECTION

- 3.1 The detailed criteria used to select the attached sites are set out in Appendix 1. Briefly a series of tests are applied to an initial of sites that were put to the Council in the Regulation 18 and 19 consultations on the HED DPD but were at the time considered inappropriate as they did not relate to the then specific requirements for sites only in Mellor and Wilpshire. The tests include the application of adopted Core Strategy strategic policies such as those relating to Principal and Tier 1 settlements; pragmatic assessments of the likely yield of dwellings and the particular sizes of individual sites given the need to allocate sites that would be built out in five years; specific issues regarding sites that the Council were already aware of from discussions relating to previous planning applications; Sustainability Appraisal feedback; updated indications from the individual site proposers given that the sites were put to the Council nearly a year ago and the potential of sites already allocated in the Submitted version of 2017 to accept additional units.

4 PROPOSED SITES FOR ALLOCATION SELECTION

- 4.1 The above process has led to the selection of the sites mapped in Appendix 2. Briefly they and their initial approximate yield of dwellings are set out below. Where approximations of dwellings are quoted they relate to an average theoretical yield of 30 dwellings per hectare.

4.2 Principal Settlement Sites.

Site 11	Site of Pendleton Brook Day Centre, Clitheroe	(11)
Site 14	Site of Clitheroe Joint Divisional Office, Clitheroe	(11)
Site 15	Chatburn Road, Clitheroe (NE portion only)	(c. 40)
Site Devpr3	Land off Hawthorne Place, Clitheroe	(c. 40)
Sub Total		c. 102 units

There were no suitable sites that fulfilled the selection criteria put forward in the other Principal Settlements of Whalley and Longridge.

Tier 1 Sites

Langho Site 1 South of Laycocks Farm, Langho	(c. 10)
Site 18 North of Ribblesdale View, Chatburn	(18)
Site 24 Haugh Head, Whins Lane, Read and Simonstone	(c. 20)
Site HAL2 Wilpshire (additional allocation to that already proposed)	(c.30)
Sub Total	c. 78 units
<u>Total</u>	<u>180 units</u>

4.3 Tranche 2 Sites

Members may wish to consider whether it would also be prudent to guard against unanticipated circumstances resulting in an under delivery on the above sites. To allow for this possibility it is suggested that a secondary tranche of three sites be selected from which any shortfall can be covered. It is emphasised that these sites are only to be considered in the eventuality of those in the Principal and Tier 1 settlements above failing to deliver to the anticipated scale in the anticipated time and may need to be revisited in the light of consultation. The three sites are:

Site 6 Mellor Lane, Mellor	(c. 50 units)
Site 13 Highmoor Farm, Clitheroe	(c. 100 units)
Site 25 South east of Main Road ,Gisburn	(c. 50 units)

4.4 At this stage to ensure an adequate buffer of identified land there is considered to be a need to identify additional land to deliver approximately 165 dwellings. It is recommended that this be achieved by way of additional allocation of the sites listed above.

5 RISK ASSESSMENT

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

- Resources – No direct in house staff and other in house resources will be required at this stage.
- Technical, Environmental and Legal – None
- Political – No direct political implications

- Reputation – That development plan documents be completed and adopted in a timely and efficient manner.
- Equality & Diversity – No implications identified

6 RECOMMENDED THAT COMMITTEE

- 6.1 Approve the need for further housing allocations to be made on the basis outlined in paragraph 4.2 of this report and that they be consulted on and submitted to the Examination as proposed Main Modifications to the submitted HED DPD,

PHILIP DAGNALL
ASSISTANT PLANNING OFFICER

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

None

For further information please ask for Philip Dagnall, extension 4570

Proposed Additional HED DPD Allocation Site Selection Criteria**1. Borough Wide Need.**

The initial Submitted HED DPD allocations in 2017 were directed solely towards Mellor and Wilpshire to address specific Core Strategy residual housing requirements in those two settlements. However the additional requirements that have now emerged and are referred to in the accompanying report are a Borough-wide matter and therefore a wider variety of sites in other settlements can in principle also now be considered.

2. Regulation 18 and 19 Sites as Starting Point

To address the above need all sites that were put to the Council during the Regulation 18 and 19 consultations that led to the Submission of the HED DPD in August 2017 were re-considered. These sites were originally discounted as they did not relate to Mellor or Wilpshire but they can now be considered in relation to the newly emerged additional Borough-wide need. While the Council does also have a series of sites within its 2013 SHLAA document that could be considered in the absence of other sites, the fact that the Regulation 18 and 19 sites were positively put forward by promoters significantly more recently is taken as more concrete evidence that they could be delivered within the required HED DPD timescales. In addition the promoters of the selected sites below have been contacted within the last month to ascertain whether the sites were still positively available and they have informed us that they all remain so. The SHLAA sites remain as a fall back option to be considered should no suitable sites emerge from this particular selection process.

3. Adopted Core Strategy Strategic Locational Policies

The next step was to consider the above sites in the light of the Council's adopted Core Strategy policies in considering particular locations for the additional allocations. Following the Development Strategy set out in the Core Strategy (Key Statement DS1) development is guided towards the Borough's most sustainable settlements ie the Principal Settlements of Clitheroe, Longridge and Whalley. In addition sites could be considered in the Tier 1 settlements, the more sustainable of the Borough's smaller settlements. This the logical approach as it rests on adopted policy. This also means discounting sites that are in the Tier 2 settlements or in the Open Countryside not adjacent to a settlement boundary (see below).

Applying policy further, sites, ideally brownfield sites, that are located within the current settlement boundaries were preferred as they should be considered in principle as more sustainable, followed by those that are immediately adjacent to the settlement boundaries.

4. Scale of Site and Likely Deliverability

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 an 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 above test is one that would deliver 100 units. Therefore sites that were above this level were also discounted.

Taking the matter of site size further, whilst sites of a maximum of 100 units could be considered theoretically appropriate in relation to the larger Principal Settlements of Clitheroe, Longridge and Whalley they were considered too large for the smaller Tier 1 settlements. In terms of their populations and built scale a maximum of 30 units was considered to be more appropriate here. Therefore sites above 30 units in Tier 1 settlements were discounted. This process also involved the re-consideration of the two sites that were already allocated in the Submitted HED DPD and it was considered that the Wilpshire site (HAL2) could accommodate additional units above its original allocation (which itself related to the specific Core Strategy residual requirement there). The Mellor site (HAL1) was considered to be unable to host additional units.

5. Individual Site Specific Matters.

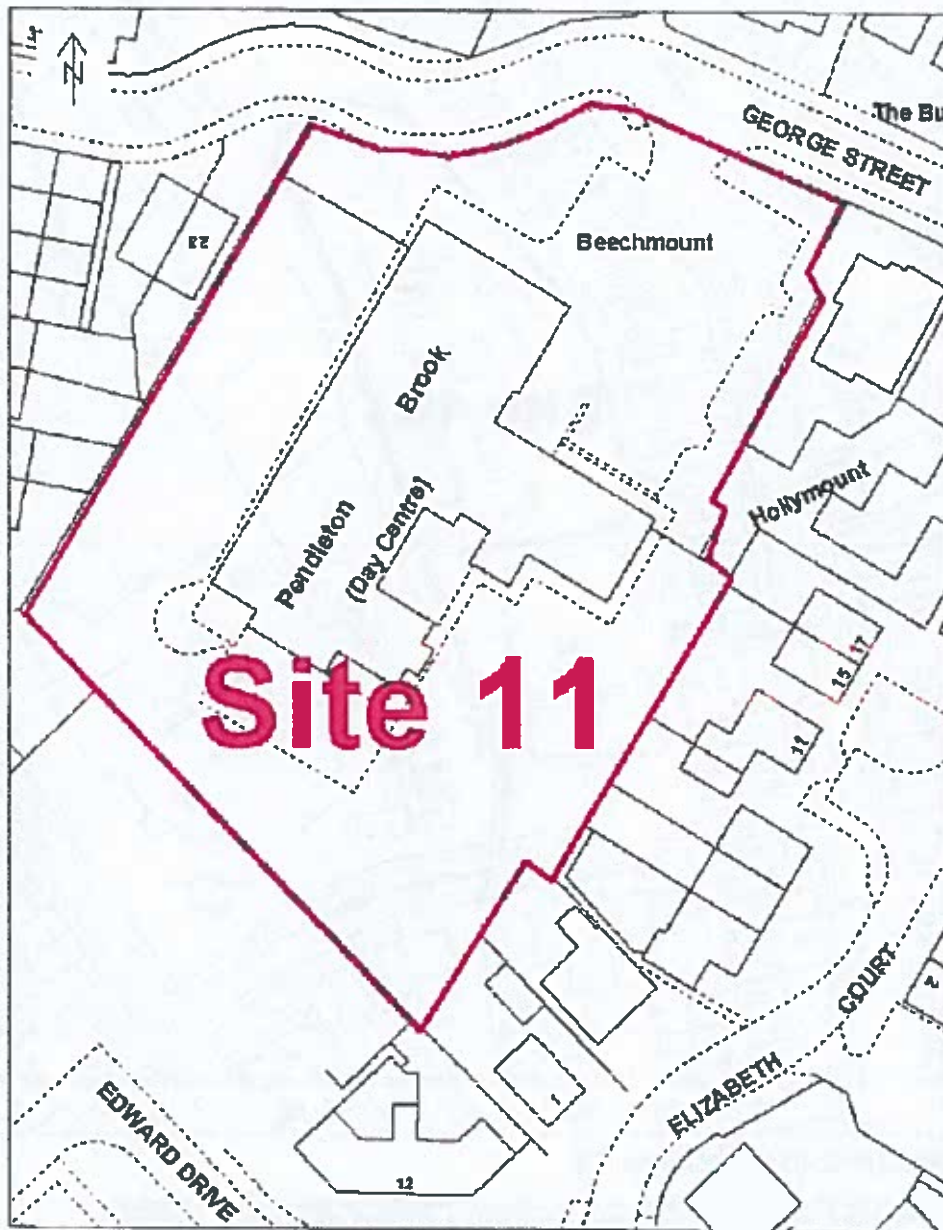
In addition to the above general tests the Council are aware, through a variety of routes including recent applications and on-going appeals, and the general application of professional judgement, of some site specific matters that affected individual sites. These have also collectively fed into the selection process.

An example of the application of this knowledge and experience is the restriction of likely development of Site 15 in Clitheroe to exclude the "tail" of land extending south west adjacent to the railway line as being practically too difficult to develop and therefore only that portion of the site to the north east adjacent to Chatburn Road being considered as allocatable.

Also the Hammond Ground, Read site was discounted as the Council's position at the forthcoming appeal relating to this site is that, due to its scale and location, it would be injurious to the setting of the AONB and would cause harm to the visual amenity of the parkland landscape that contributes significantly to the character of the village of Read.

Selected Proposed Allocation Site Maps

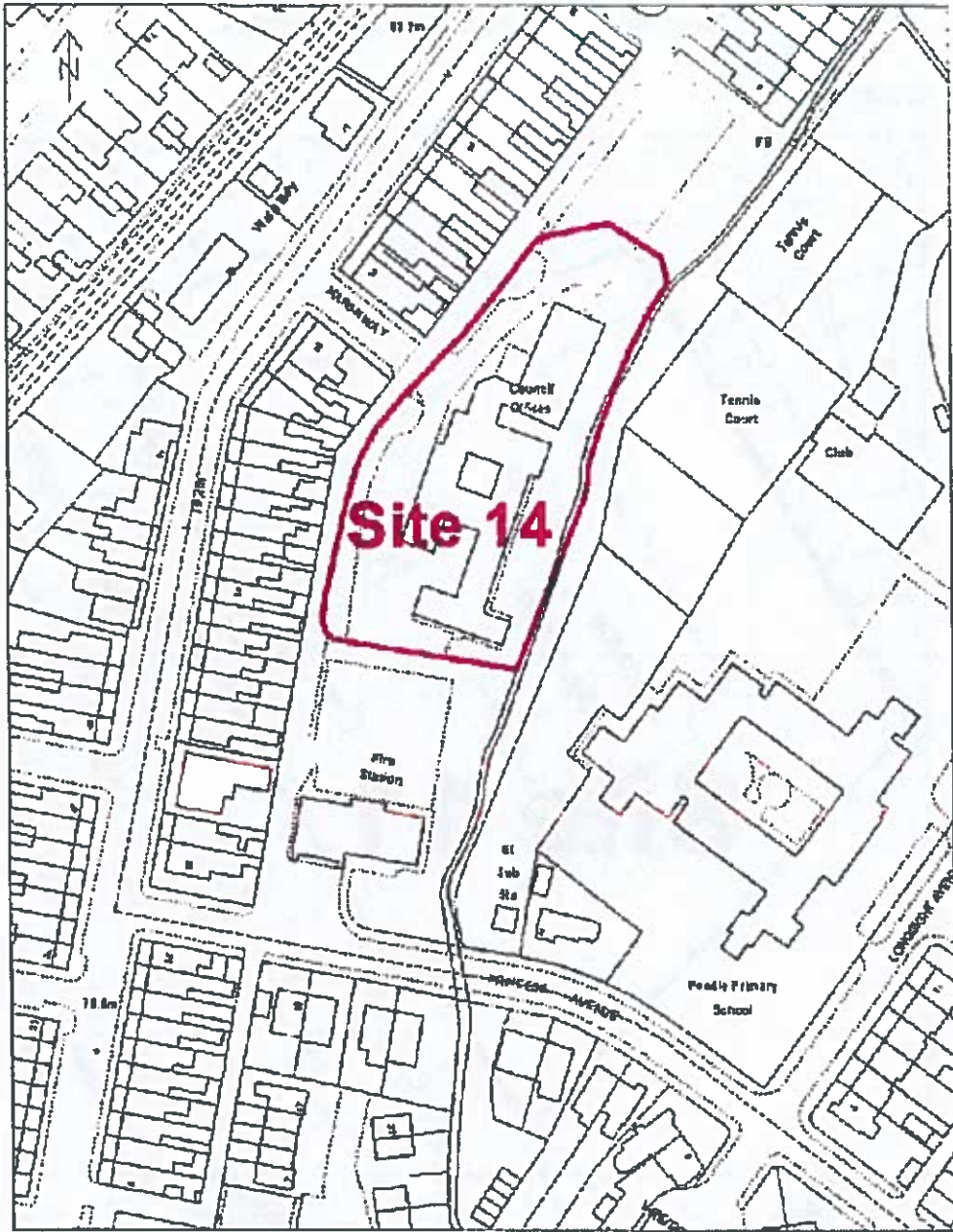
Principal Settlements



Site 11: Pendleton Brook D Cntr

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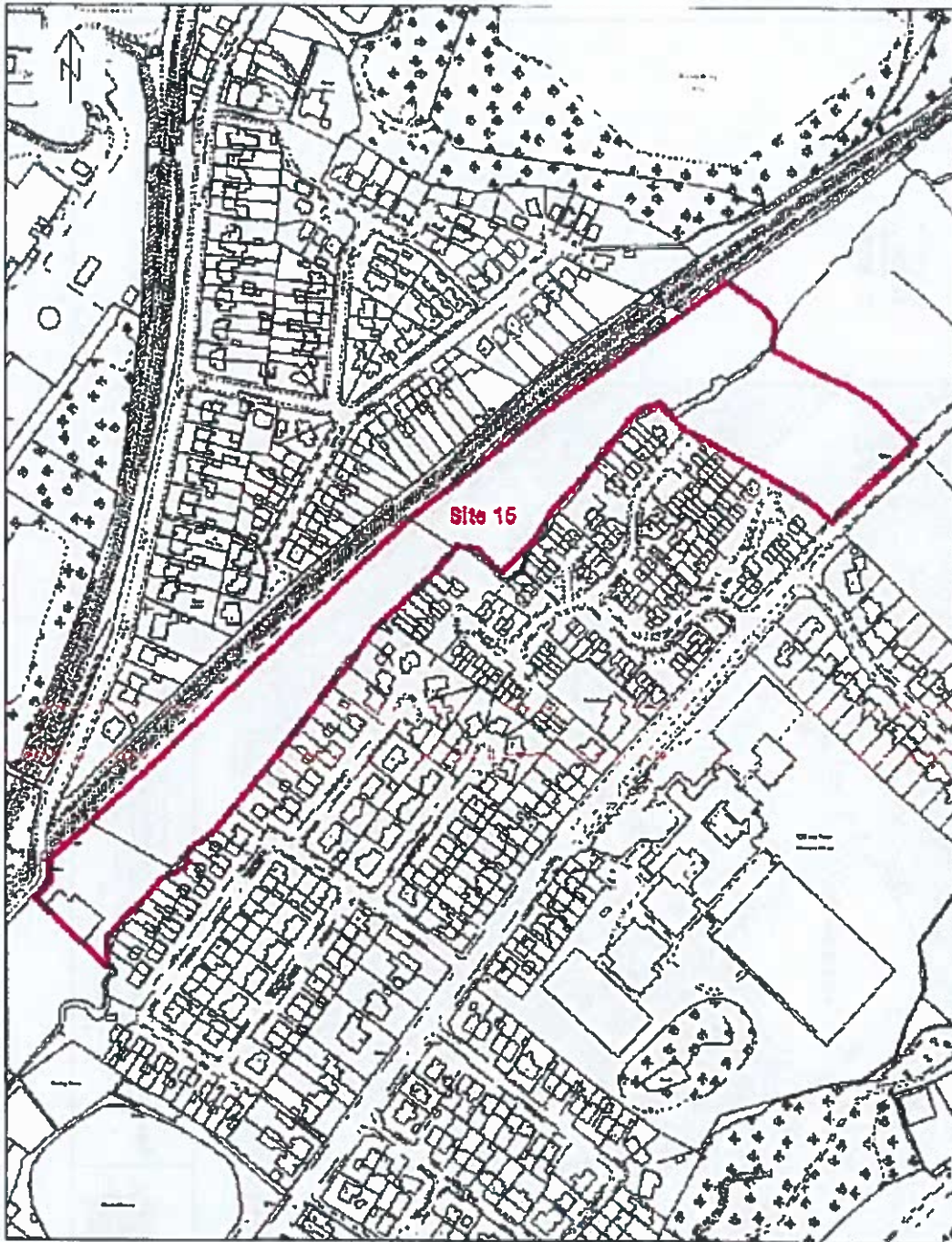
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Site 14: C Joint Divisonal Off

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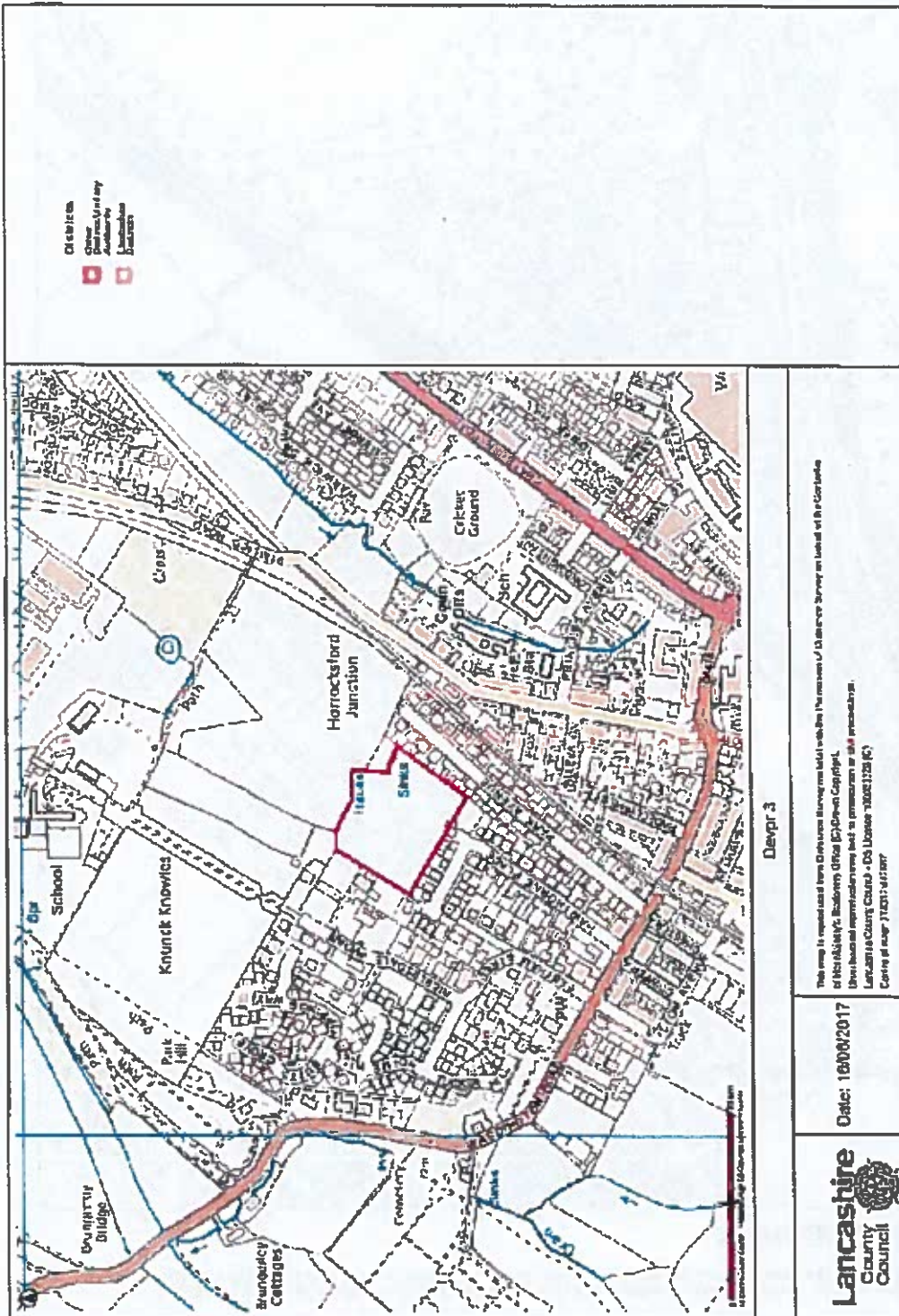
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Site 15: Chatburn Rd

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- Districts**
- Other areas of key importance
 - Lancashire
 - Boundary

Depr 3

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 Contact us on 01524 441007

Date: 18/08/2017



Tier 1 Sites

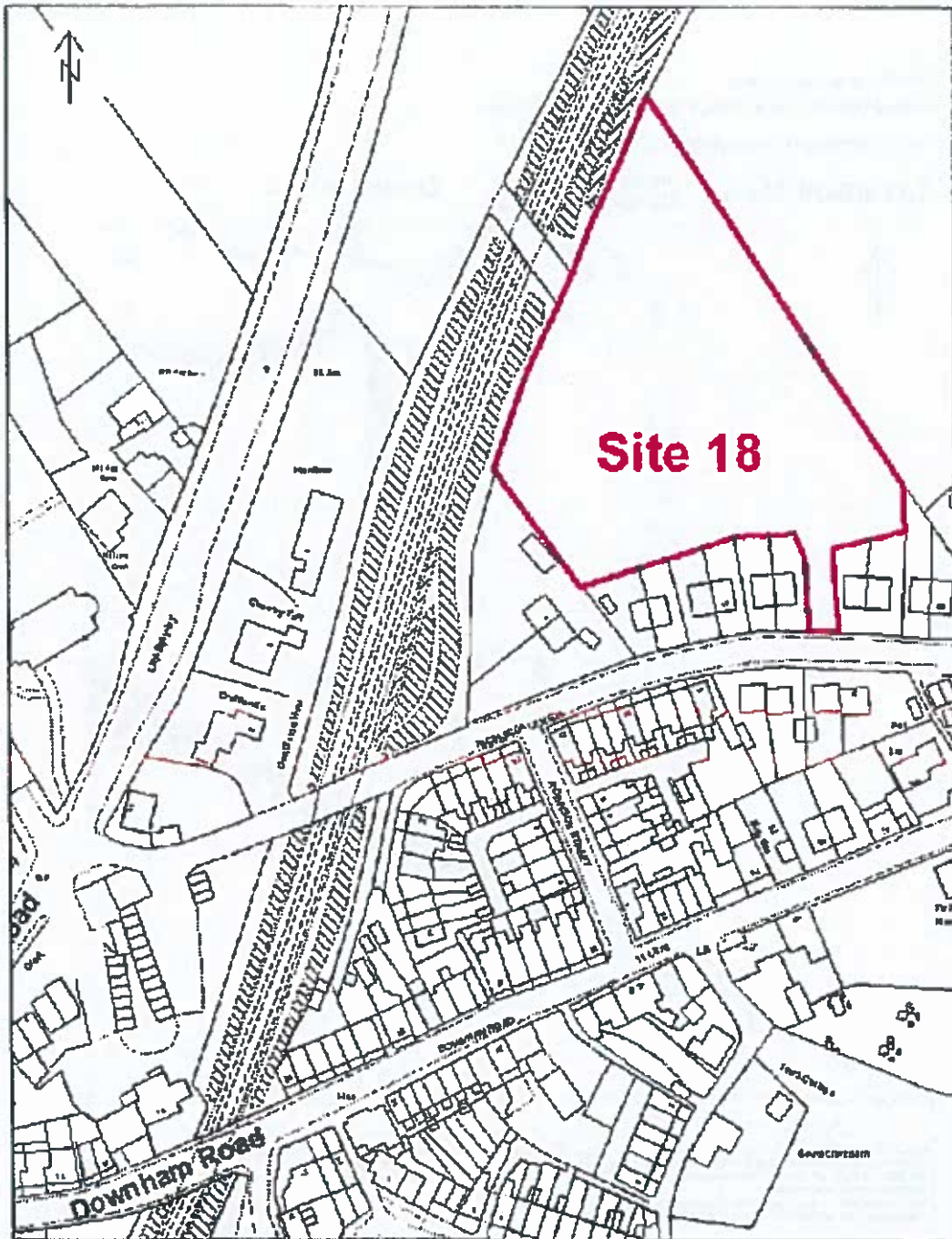
Development Department
Council Offices, Church Walk, Clitheroe, Lancs., BB7 2RA
Tel: (01200) 425111 Fax: (01200) 414487

Location Plan Map Ref: SD7034NE Scale: 1:2500 **LANGHO SITE 1**



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RECEIPT NO.
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Site 18: N. of Ribblesdale View

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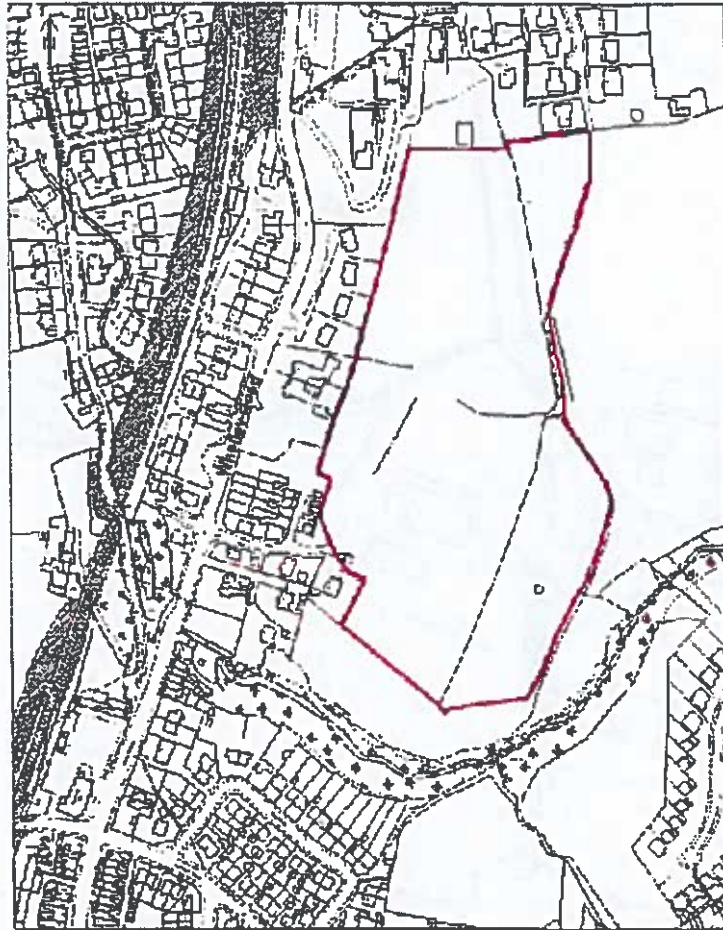
Site 24: Adi Haugh Head Whinsl.

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Appendix 1

Map 1: revised allocation boundary of Policy HAL2

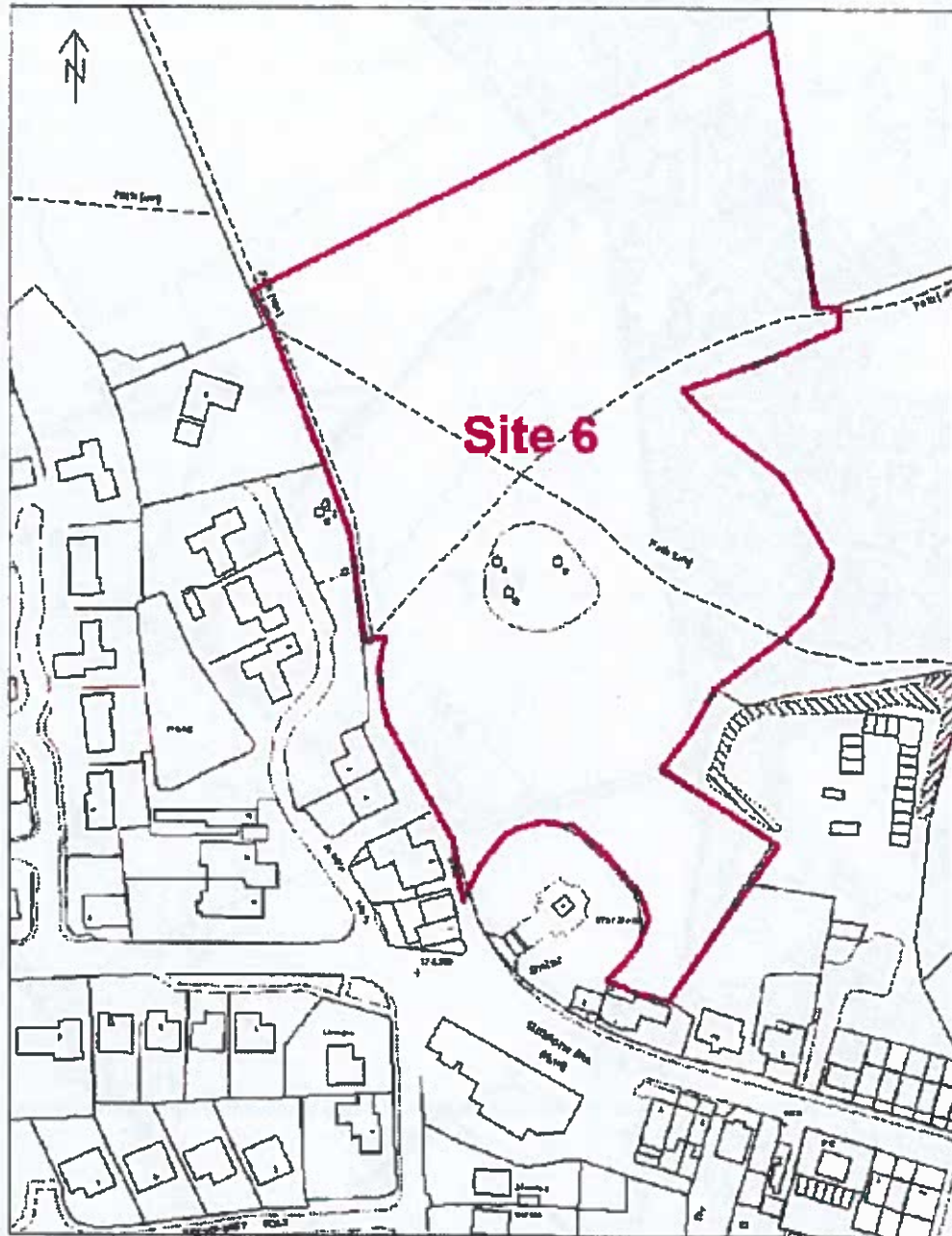


Policy HAL2 Land at Wipshire

Scale 1:2500

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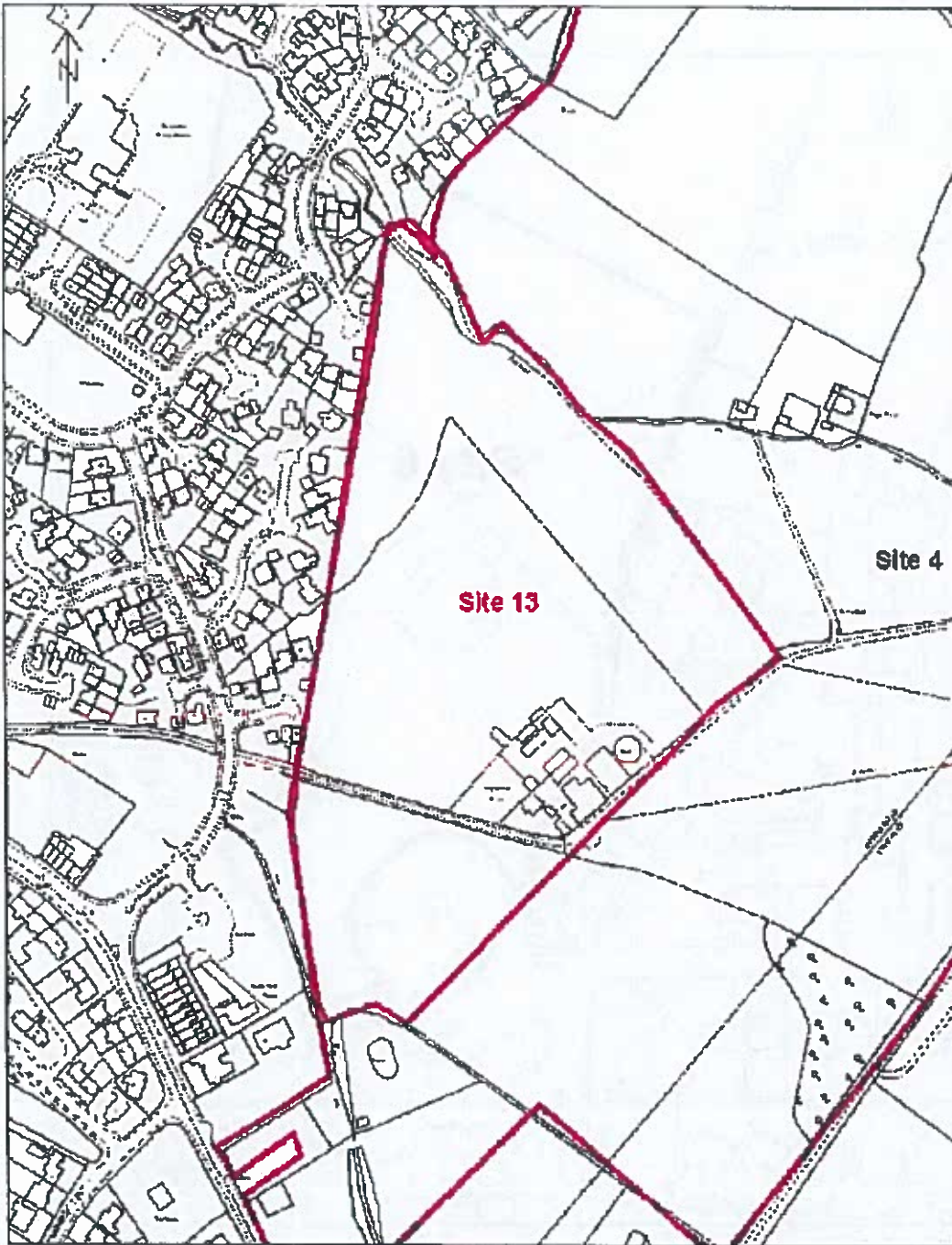
Tranche 2 Sites



Site 6: Mellor Lane, Mellor

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Site 13: Highmoor Farm

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Map of the District
Prepared by the District Officer, District of ...
Date: ...

**RIBBLE VALLEY BOROUGH COUNCIL
REPORT TO PLANNING & DEVELOPMENT COMMITTEE**

Agenda Item No.

meeting date: THURSDAY, 17 JULY 2018
 title: HOUSING LAND AVAILABILITY
 submitted by: CHIEF EXECUTIVE
 principal author: RACHEL HORTON, SENIOR PLANNING OFFICER

1 PURPOSE

- 1.1 To provide Members with key information that has informed the calculation of the most recent Housing Land Availability Survey, which has a base date of 31 March 2018.
- 1.2 To inform Members of the current housing land supply position with a 5% and 20% buffer
- 1.3 To provide Members with key information to illustrate the reasons why the Council needs to consider the allocation of additional sites as a main modification to the Housing and Economic DPD.
- 1.4 Relevance to the Council's ambitions and priorities
 - Community Objectives – The information in this report relates to the delivery of housing which is a key theme of the adopted Core Strategy.
 - Corporate Priorities - This information is relevant to the adopted Core Strategy which is a spatial expression of corporate priorities.
 - Other Considerations – Councils have a duty to update housing supply annually.

2 BACKGROUND

- 2.1 The Council has a duty to ensure a 5 year supply of deliverable housing land (NPPF paragraph 47). Local Government expects that Local Planning Authorities should have an identified five-year housing supply at all points during the plan period. The issue of five year supply continues to be a key matter in the determination of planning applications and appeals.
- 2.2 Housing land surveys are conducted on a six monthly basis. The latest survey has a base date of 31 March 2018 and updates the previous October 2017 position. It provides an assessment of housing land supply against the requirements in the Ribble Valley Core Strategy (adopted December 2014) and also assesses the 5-year housing land supply position. The resulting full Housing Land Availability Schedule (HLAS) can be viewed on the Councils website and a copy has been placed in the Members' Room for reference. Interim updates may be produced to inform major appeals.
- 2.3 The HLAS provides information on: dwelling completions, and sites with planning permission and their development status. It enables the Council to create a picture of local construction trends and activity rates together with base line evidence on the

amount of land that is available to be brought forward from which the latest housing land supply position in relation to the current strategic requirement is calculated.

2.4 Practice guidance considers that Local Planning Authorities should aim to deal with any under-supply within the first five years of the plan period where possible. The 'Sedgefield' approach is to front load provision of this backlog within the first five years of the plan. This method is currently endorsed by the Council on the basis of it being agreed as the most appropriate by the Inspector in the Examination of the Core Strategy.

2.5 The supply position is made up of the following net additions:

- Sites approved but subject to Section 106 Agreements
- Units with full planning permission – not started
- Units with outline planning permission – not started
- Conversions – not started
- Conversions – under construction
- Affordable Units
- Sites whereby development has commenced, but part of the site has not started
- Sites whereby development has commenced and dwellings are under construction
- Sites allocated in Reg. 19 HED DPD
- Windfall Allowance

The following is then taken out of the supply:

- Less number of dwellings deliverable **beyond** the 5 year period on large sites which have not started
- Less 10% slippage
- Less sites not currently active and unlikely to complete in the next 5 years
- Less number of dwellings deliverable **beyond** 5 year period on large sites which have started

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

2.7 Outputs from the HLAS survey show that 2170 dwellings have been constructed since April 2008 (i.e. a 10 year period). In the monitoring year 1 April 2017 – 31 March 2018 400 dwellings were built (refer to pg. 9 of the HLAS)

3 10% Slippage Calculation

3.1 As outlined above the supply position includes a 10% slippage calculation to take into account possible changes to current applications that are within the housing supply. For example some applications may lapse in the course of the next assessment, and at Reserved Matters stage the number of dwellings may drop from that which was submitted at Outline.

3.2 For previous Housing Land Availability Schedules the 10% was taken off the subtotal of the number of dwellings (on small and large sites) on sites not started, and the number

of dwellings considered only deliverable beyond the 5 year period. This was applied as the Council did not undertake detailed sense testing to large sites. As the Council's methodology has refined to reflect up to date practice, detailed reviews of deliverability on large sites is undertaken and the methodology for discounting needs to be revised to reflect this.

- 3.3 The deliverability of large sites not started is outlined within Appendix A of the HLAS. This includes the expected delivery within the 5 year period and the number of dwellings only considered deliverable beyond the 5 year period.
- 3.4 As the large sites have already been assessed, and consider expected delivery beyond the 5 year period, the Authority consider it prudent to only apply the 10% buffer to all those sites not started which are not listed within Appendix A to the HLAS.
- 3.5 The resultant calculation results in a 10% slippage of -78 (compared to -135 units under the original methodology) and the full method of calculation can be found on pages 3 and 4 of the HLAS.

4 Windfall Calculation

- 4.1 The Authority has monitored a ten year period (2008 – 2018) which confirms that a total of 259 dwellings were built or under construction which met criteria as outlined within the NPPF para. 48 definition of windfall and those outlined on page 7 of the HLAS. This amounts to an average of 26 per year. A five year requirement would be 130.
- 4.2 A windfall allowance is included in line with the NPPF to reflect that contribution that windfall approvals will be expected to bring forward. Windfalls are sites that are expected to come forward as a matter of trend and provide a reliable source of planning permissions for dwellings. The 31 March base date HLAS includes an uplift of 15 dwellings per year to the windfall allowance.
- 4.3 A windfall allowance of 130 dwellings per annum is included to reflect the likely future supply of housing land. Previously the windfall allowance was calculated as 115 based upon a six year period of monitoring.
- 4.4 The windfall calculation will continue to be monitored, to show if it needs to be modified in the light of up to date trends.

5 Application of a Buffer

- 5.1 In accordance with the NPPF each local planning authority should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their objectively assessed needs, with an additional buffer of 5% or 20% (moved forward from later in the plan period) where there has been a record of persistent under-delivery of housing to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.
- 5.2 During the course of assessing the HLAS an application on Land at Higher Road, Longridge for the residential development of up to 123 houses has been allowed at Appeal (Appeal Ref: APP/T2350/W/17/3186969).

- 5.3 The Inspectors report details his position on the Housing Land Supply with a base date of October 2017. The report includes analysis of delivery on individual sites, the current windfall allowance and sites allocated in Reg. 19 HED DPD.
- 5.4 The Inspector accepted that the Core Strategy has had an influence upon the recent increase in housing delivery rates/completion rates per year. However he considers that there remains a considerable shortfall (page 9 of the April HLAS provides a full list of completions per year since the adoption of the Core Strategy);
- 5.5 Furthermore, the Inspector analysed the delivery of a number of large key sites within the Borough. When taking into account both the Councils and appellants case for each site he finalised what he considered to be deliverable within the 5 year period at that time.
- 5.6 When having regard to all the Inspectors key findings with respect to the large key sites and the backlog he found;
- 'on the basis of the evidence before me the deliverable housing land supply demonstrated is approximately 4.5 years, including the application of a 20% buffer' (para. 30 of the Appeal Decision)'.
- 5.7 This decision is considered to be a material consideration when calculating the current HLAS and when making any subsequent planning decision. On this basis, the Authority has taken into account the Inspectors findings in respect to the large key sites, whilst also bearing in mind just short of nine months has elapsed since the base date of the Inspectors decision which was October 2017.
- 5.8 With this in mind, the current HLAS has provided a calculation based on both a 5% and 20% buffer in order to make explicit the 5 year supply for each circumstance. The annualised requirement when applying a 5% buffer is 426 dwellings and with a 20% buffer is 487 dwellings (refer to Appendix A of this report). With a 5% buffer the Council can demonstrate a 5.3 Year Supply. With a 20% buffer the Council can demonstrate a 4.6 Year Supply (refer to Appendix B of this report).

6 IMPLICATIONS OF SUPPLY OUTTURN

- 6.1 As Members will note the 5 year land supply position is critically influenced by the relevant NPPF derived buffer (5% or 20%). This is important because at the point the Council is unable to demonstrate a 5 year supply position what is referred to as "tilted balance" is triggered. This introduces the presumption in favour of sustainable development and the need to determine residential planning applications in the positive. The key to this in terms of residential development is the provisions of NPPF paragraph 49 wherein relevant policies of the development plan fall to be considered out of date (if the Council is unable to demonstrate a 5 year supply) and there is the established presumption then in favour of residential development through the provisions of paragraph 14 of NPPF. For decision making this means that where the relevant policies are out of date (as per paragraph 49) granting permission unless material considerations indicates otherwise is the approach that must be taken.
- 6.2 As Members are aware, the recent Inspector's decision in relation to the appeal at Higher Road, Longridge, found that the Council was premature in relying upon policy

provisions that were still subject to consultation. The Inspector took the view that the Council had a record of persistent under delivery which therefore triggered the application in his view of a 20% buffer and on his analysis there was not a 5 year supply of land. The analysis in the latest housing land supply document sets out that with the application of a 20% buffer the Council is unable to demonstrate a 5 year supply. In his decision letter the Inspector has made reference that the Council's reliance on the housing delivery test and the direction of travel set out in the Government's supporting documents, however there are a number of other factors that contribute to the assessment of housing delivery overall and the view is maintained that these are still relevant.

- 6.3 The relevant factors are that the Council can demonstrate that it has been achieving increasing delivery since the adoption of its plan. The Council in adopting the plan has made positive steps, within its control, to drive delivery up and this has been demonstrated through completions on the ground. The analysis indicates an increase in delivery beyond its planned requirements over the proceeding 4 years. It is anticipated that this trend will continue and that the mid-term monitoring in October 2018 is expected to show the continued achievement of housing delivery. This supports the position that the Council is doing all it can within its power to help deliver housing.
- 6.4 It is also relevant that the requirement against which planned requirements are being measured was only known in 2014 as the Core Strategy was adopted. The critical point here is that it would have been somewhat difficult for the Council to have achieved that requirement without knowing what it actually was. It has to be acknowledged however that even when measured against preceding lower requirements, during the period of moratorium and strategic policy change, the Council was not attaining the identified requirement but was not having to accommodate such a significant backlog.
- 6.5 These factors contribute to forming the Council's position that it has taken relevant and applicable steps to boost the supply of housing and the situation is that against these conditions the Council has continued to deliver planning permissions which is essentially what the Council is able to do. Nevertheless there is a risk of the Housing and Economic DPD being found unsound at Examination as the Council at 20% cannot identify a 5 year supply. If the presumption that a 20% buffer is applicable and is upheld, then on current information the Council would not be able to identify a 5 year supply.
- 6.6 Planning on the basis of the 5% buffer assumption, not only brings with it the risk of unsounding the plan, but also a potential risk of costs against appealed planning decisions should it be shown that the Council should have adopted the 20% buffer on the evidence available. To protect the Council from this position, it is sensible to consider a buffer of additional identified sites to safeguard against this risk. Whilst the Council can continue to approve planning applications (and therefore the stock of supply will grow through that part of the process) the means by which it can demonstrate that it is ensuring that a 5 year supply can be maintained, on whatever buffer is applied is to make modest additional allocations thereby providing a safety net to guard against the inevitable fluctuations that have occurred in the supply figure going forward.
- 6.7 As our analysis shows, with the most recent survey data, even applying a 5% buffer leaves the Council vulnerable to fluctuations in supply. Whilst the Council can demonstrate a 5.3 year supply on the 5% model, this is considered to be marginal and vulnerable to fluctuations, which may not iron out in the course of a year. Again the key

matter would be that on a 5% model any assessment placing the Council unable to demonstrate a 5 year supply, would lead to the application of the tilted balance and the Council having much less control over the location of development going forward. In making future decisions the Core Strategy policies in terms of its Development Strategy and the ability to move to adoption with the allocations document to establish up to date settlement boundaries would provide the Council with much stronger controls which don't exist at present. To protect from this the Council should ideally have a 5 year supply that falls into the range of 5.5 to 6 years. This will ensure greater stability mitigating the risk of challenge and support the Council's position EIP.

- 6.8 To protect the integrity of the plan and the Council's ability to direct development it is suggested that the impact of a 20% buffer is adjusted to deliver at least the same year's supply as at 5% that is 5.3 years. This way the Council's ability to demonstrate a 5 year supply against either assumption is strengthened and risks are mitigated. There is a need therefor to look at how the buffer can be made up. As Members are aware whilst the survey date provides a baseline, development applications continue to be approved. For the purposes of preparing this report we have examined planning applications between 1 April and the end of June a 3 month period which mirrors the quarterly monitoring periods reflected in the Core Strategy. In this period there has been identified a further 136 units (including the outcome of the appeal at High Road) granted planning permission. In terms of the gap this is a significant contribution.
- 6.9 Given that the buffer to close the gap identified is some 300 dwellings and that 136 are identified in the April to June quarter, the residual buffer to identify to provide a robust supply for strategic purposes is in the order of 165 dwellings.
- 6.10 In addition to the units already approved a number of applications remain to be determined and once approved will contribute to supply. At present however the outcome of the determination process cannot be pre-determined and any approvals will need to be collated at the next survey date. As Members will be aware the housing requirements set out in the plan are not a ceiling and development will continue to be determined with the presumption in favour of sustainable development and the provisions of policies set out in the adopted Core Strategy. It is inevitable therefore that additional sites will come forward. It must also be stressed that the ability to demonstrate a 5 year supply in itself cannot be used a result to refuse planning applications where otherwise they accord with policy provisions.
- 6.11 The identified buffer residual should be met by way of additional allocations which will be put forward as part of the Examination process as proposed Main Modifications for considerations by the Inspector. By identifying additional allocations the Council will be able to demonstrate to the Inspector that the Council can identify a deliverable supply of sites, that is robust and addresses the requirements of the NPPF. This will place the Council in a far stronger position to apply controls to development going forward.
- 6.12 The proposed allocations will, if agreed, be submitted to the Inspector as Main Modifications. They will be subject to a statutory 6 week period of consultation, the outcome of which will be presented to the Inspector to help inform his deliberations. A separate report on this Committee's agenda deals with the proposals for specific additional allocations considered suitable to put forward to provide the deliverability buffer.

- 6.13 It is also possible that other sites will be promoted through the consultation and indeed to date sites have been put forward to the Council for consideration where applicants are considering bringing these sites forward. It is suggested that in terms of the process to be pursued that these are considered in response to the consultation and may in themselves give rise to additional sources of supply. Members should also be aware that applicants may also have identified sites that they wish to promote through the public hearings for the Examination which will enable the Inspector to bear these in mind in forming his judgments.
- 7 Examination of the Housing and Economic Development, Development Plan Document (HEDDPD) and 5 Year Supply Position
- 7.1 As Members are aware the Examination will take place of the Housing and Economic Development, Development Plan Document (HEDDPD) in November of this year.
- 7.2 The allocations as set out in the above document (amounting to 50 in total) are already included within our housing land position, and an approach that was supported by the Inspector at the Higher Road appeal.
- 7.3 The table below outlines applications that have been approved since the 31 March and up to the 30 June. 136 dwellings will contribute to the next HLAS in October of this year.

IDENTIFIED SUPPLY THAT WILL CONTRIBUTE TO THE OCTOBER 2018 HLAS		
Address	Application No.	Impact Upon Supply
44-46 King Street, Clitheroe	3/2017/1002	+ 10
Clayton Hey, 141 Ribchester Road, Clayton-le-Dale	3/2018/0192	+1
3 King Street, Clitheroe	3/2018/0191	+3
Highmoor Farm, Clitheroe	3/2017/1221	+ 5
Stanley House, Clitheroe	3/2018/0147 & 0149 (LBC)	+1 (two previously approved and in figures only one addition)
68-70 Whalley Road	3/2018/0063	+ 3
1A New Market Street	3/2018/0093	+3
20 Abbey Fields, Whalley	3/2018/0119	+1
Land West of Preston Road, Longridge for 256 dwellings	3/2018/0105	-19 (Outline was for 275)
Land at Higher Road, Longridge	3/2016/1082	+122 (as one existing dwelling to be demolished to create access)
Outbuildings adj. Hammond Drive, Read	3/2018/0024	+1
Land rear of Rocklea and Standridge, Whalley Road, Billington	3/2018/0296	+3
Broach Laithe, Paa Lane, Paythorne	3/2018/0359 – Class Q A and B	+1
Slated Laithe, Paa Lane, Paythorne	3/2018/0357 – Class Q A and B	+1
NET GAIN		136
NB. No discounting has been applied to this figure		

- 7.5 The current supply is 2275 dwellings. An additional 300 dwellings to the supply would result in the Authority having just over a 5 year supply with a 20% buffer (2575 + 487) = 5.3 Year Supply
- 7.6 The net addition of 136 dwellings would help to contribute to the Authorities housing supply. However there remains a 'shortfall' of 164 dwellings.
- 7.7 It must be stressed that the supply position is an ever moving situation and can increase as well as decrease at any point in time which has an impact upon the calculation of the subsequent 6 monthly HLAS. Whilst at any point an application with large housing numbers can be submitted to the Authority other impacts can result in a reduction to the supply at any point in time. For example lapsed permissions, reduction in housing numbers on a large site and slower than expected completion rates.
- 7.8 It is considered important to address these fluctuations to secure a more robust position at Examination as well as managing planning decisions. It is proposed to make a number of site allocations as part of a main modification to the HEDDPD. A separate agenda item is included on this Committee's agenda relating to this matter.

8 RISK ASSESSMENT

- 8.1 The approval of this report may have the following implications:
- Resources – No additional staff or resources will be required.
 - Technical, Environmental and Legal – None
 - Political – No direct political implications.
 - Reputation – That development plan documents be completed and adopted in a timely and efficient manner.
 - Equality & Diversity – No implications identified.

9 RECOMMENDED THAT COMMITTEE

- 9.1 Endorse the revised method of calculation used to apply the 10% slippage and the uplift of the windfall allowance of 115 to 130 dwellings as set out in sections 3 and 4 of this report
- 9.2 Note the implications of the survey in relation to five year supply.

RACHEL HORTON
SENIOR PLANNING OFFICER

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

Housing Land Availability Schedule As at 31 March 2018
Appeal Decision – Land at Higher Road, Longridge (Appeal Ref: APP/T2350/W/17/3186969)

APPENDIX A

Annualised Requirement with a 5% buffer		
A	Planned Provision 2008-2028	5600
B	Annual Equivalent	280
C	Five year requirement (Bx5)	1400
D	Completions in the plan period 1 st April 2008 – 31 st March 2018	2170
E	Shortfall ($\lfloor 10 \text{ years} \times 280 \rfloor - 2170$)	630
F	Plus 5% Buffer (5% of C + E)	102
G	Total 5 Year Requirement (C+E+F)	2132
H	Annualised Requirement (G ÷ 5)	426

Annualised Requirement with a 20% buffer		
A	Planned Provision 2008-2028	5600
B	Annual Equivalent	280
C	Five year requirement (Bx5)	1400
D	Completions in the plan period 1 st April 2008 – 31 st March 2018	2170
E	Shortfall ($\lfloor 10 \text{ years} \times 280 \rfloor - 2170$)	630
F	Plus 20% Buffer (20% of C + E)	406
G	Total 5 Year Requirement (C+E+F)	2436
H	Annualised Requirement (G ÷ 5)	487

APPENDIX B

5 YEAR SUPPLY AS OF 31ST March 2018 WITH A 5% BUFFER:

ALL SITES NOT STARTED	No. of Units
Sites approved but subject to Section 106 Agreements ¹	63
Sites with Planning Permission:	
Full Permission (market units only)	536
Outline Permission (market units only)	1240
Conversions – Not Started (market units only)	65
Affordable Units	696
SUBTOTAL	2600²
10% SLIPPAGE CALCULATION	No. of Units
Less total number of dwellings (large sites not started) ³	-1824
SUBTOTAL	776
Less 10% slippage	-78
Plus total number of dwellings deliverable in 5 years ³	+ 362
TOTAL	1060 A

ALL SITES UNDER CONSTRUCTION	No. of Units
Sites whereby development has commenced, but part of the site has not started	840
Sites whereby development has commenced and dwellings are under construction	413
Conversions – Development Commenced	92
SUBTOTAL	1345²
Less sites not currently active and unlikely to complete in the next 5 years ⁴	-11
Less number of dwellings deliverable beyond 5 year period on large sites which have started ⁵	-299
SUBTOTAL	1035 B

ADDITIONAL CONTRIBUTIONS	
Sites Allocated in Reg. 19 HED DPD	50 C
Windfall Allowance ⁶	130 D
TOTAL SUPPLY (A+B+C+D)	2275

FIVE YEAR POSITION	
Total Supply ÷ Annualised Requirement ⁷ (2275 ÷ 426)	5.3 Year Supply with a 5% Buffer

5 YEAR SUPPLY AS OF 31ST March 2018 WITH A 20% BUFFER:

ALL SITES NOT STARTED	No. of Units	
Sites approved but subject to Section 106 Agreements ¹	63	
Sites with Planning Permission:		
Full Permission (market units only)	536	
Outline Permission (market units only)	1240	
Conversions – Not Started (market units only)	65	
Affordable Units	696	
SUBTOTAL	2600²	
10% SLIPPAGE CALCULATION		
Less total number of dwellings (large sites not started) ³	-1824	
SUBTOTAL	776	
Less 10% slippage	-78	
Plus total number of dwellings deliverable in 5 years ³	+362	
TOTAL	1060	A

ALL SITES UNDER CONSTRUCTION	No. of Units	
Sites whereby development has commenced, but part of the site has not started	840	
Sites whereby development has commenced and dwellings are under construction	413	
Conversions – Development Commenced	92	
SUBTOTAL	1345²	
Less sites not currently active and unlikely to complete in the next 5 years ⁴	-11	
Less number of dwellings deliverable beyond 5 year period on large sites which have started ⁵	-299	
SUBTOTAL	1035	B

ADDITIONAL CONTRIBUTIONS		
Sites Allocated in Reg. 19 HED DPD	50	C
Windfall Allowance ⁶	130	D
TOTAL SUPPLY (A+B+C+D)	2275	

FIVE YEAR POSITION	
Total Supply ÷ Annualised Requirement ⁷ (2275 ÷ 487)	4.6 Year Supply with a 20% Buffer

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Minutes of Special Planning and Development Committee

Meeting Date: Tuesday, 17 July 2018 starting at 6.30pm
Present: Councillor A Brown (Chairman)

Councillors:

S Atkinson	S Hind
R Bennett	J Rogerson
I Brown	R Sherras
S Brunskill	R Swarbrick
M French	N Walsh

In attendance: Director of Community Services, Head of Regeneration and Housing, Head of Planning Services.

Also in attendance: Councillors L Graves, M Fenton, B Hilton, K Hind, S Hirst, M Robinson, G Scott and D Taylor.

166 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors P Dowson, P Elms G Geldard and S Knox.

167 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST

Councillor N Walsh declared an interest in Agenda item 5 and left the meeting.

Councillor S Atkinson declared an interest in Agenda item 5, in particular Highmoor Park included in the tranche 2 sites.

168 PUBLIC PARTICIPATION

Mrs Douglas spoke on item 5 – Proposed Additional Housing Land Allocations to be included within Housing and Employment Land development plan document and made particular reference to a site not included in the suggested allocations in Chatburn as an alternative to the suggested site.

Mr Honeywell spoke on agenda item 5 – Proposed Additional Housing Land Allocations to be included within Housing and Employment Land development plan document with particular reference to Highmoor Park, Clitheroe which was included in the tranche 2 sites.

169 HOUSING LAND AVAILABILITY

The Chief Executive submitted a report providing Members with key information that had informed the calculation of the most recent housing land availability survey which had a base date of 31 March 2018. The report also informed Members of the current housing land supply position with a 5% and 20% buffer and key information to illustrate the reasons why the Council needed to consider the allocation of additional sites as a main modification to the Housing and

Economic DPD. The report detailed the background to the Council's duty to ensure a five year supply of deliverable housing land and went on to make particular reference to the 10% slippage calculation and the windfall calculation, and the ways in which these two calculations affect the five year land supply figure.

In accordance with the NPPF each Local Planning Authority should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their objectively assessed needs with an additional buffer of 5% or 20% where there has been a record of persistent under-delivery of housing to provide a realistic prospect of achieving the plan supply and to ensure choice and competition in the market for land.

Reference was made to a recent appeal decision where the Inspector had concluded that there was a shortfall in the housing land availability. With this in mind the current housing land availability survey had provided a calculation based on both a 5% and 20% buffer in order to make explicit the five year supply for each circumstance. The annualised requirement when applying a 5% buffer is 426 dwellings and with a 20% buffer is 487 dwellings. With a 5% buffer the Council can demonstrate a 5.3 year supply and with a 20% buffer the Council can demonstrate a 4.6 year supply.

The report went on to explain the implications of supply outturn. Planning on the basis of the 5% buffer assumption not only brings with it the risk of unsounding the plan but also a potential risk of costs against appealed planning decisions, should it be shown that the Council should have adopted the 20% buffer on the evidence available. To protect the Council from this position, it was felt sensible to consider a buffer of additional identified sites to safeguard against that risk.

To protect the integrity of the plan and the Council's ability to direct development, it is suggested that the impact of a 20% buffer is adjusted to deliver at least the same years supply as at 5% that is 5.3 years. This way the Council's ability to demonstrate a five year supply against either assumption is strengthened and risks are mitigated. Given that the buffer is to close the gap identified is some 300 dwellings and that 136 are identified in the April to June quarter, the residual buffer to identify to provide a robust supply for strategic purposes is in the order of 165 dwellings. In addition to the units already approved a number of applications remain to be determined and once approved will contribute to supply.

The Head of Regeneration and Housing reminded Members that the housing requirements set out in the plan are not a ceiling and development will continue to be determined with the presumption in favour of sustainable development and the provision of policies set out in the adopted Core Strategy. It was inevitable therefore that additional sites would come forward and he also stressed that the ability to demonstrate a five year supply in itself could not be used to refuse planning applications where otherwise they accord with policy provisions.

The identified buffer residual should be met by way of additional allocations which would be put forward as part of the Examination process as proposed main modifications for considerations by the Inspector. If agreed these would be subject to a statutory six week period of consultation, the outcome of which

would be presented to the Inspector to help inform his deliberations at the Examination in November.

Members considered the report and although there was some concern about infrastructure in parts of the borough, it was felt that in order to cover ourselves the Council had no option.

RESOLVED: That Committee

1. endorse the revised method of calculation used to apply the 10% slippage and the uplift of the windfall allowance of 115 to 130 dwellings as set out in the report; and
2. note the implications of the survey in relation to five year supply.

170

PROPOSED ADDITIONAL HOUSING LAND ALLOCATIONS TO BE INCLUDED WITHIN HOUSING AND EMPLOYMENT LAND DEVELOPMENT PLAN DOCUMENT

The Chief Executive submitted a report outlining the background to the selection of a series of proposed additional housing allocations to the submitted Housing and Economic Development DPD and setting out maps of those sites proposed for selection.

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 would need to be considered. To allow the time necessary to select and consult on these additional site allocations, the Examination had been postponed to November 2018. The detailed criteria used to select the proposed sites were set out for Committee's information. A series of tests had been applied to an initial group of sites that were put to the Council in Regulation 18 and 19 consultations on the Housing and Economic Development DPD, but were at the time considered inappropriate as they did not relate to the then specific requirements for sites only in Mellor and Wilpshire. These sites were now put forward as Principal Settlement sites, Tier 1 sites and Tranche 2 sites which were not included in the recommendation to be put forward at this stage but as part of the plan review. With regard to the Principal Settlement sites, the Head of Regeneration and Housing informed Committee that the Lancashire County Council had indicated that the sites at Pendleton Brook Day Centre, Clitheroe and Clitheroe Joint Divisional Office, Clitheroe were not deliverable within the five year period and should therefore be discounted at this stage. The other two sites in the Principal Settlements were site 15, Chatburn Road, Clitheroe (NE portion only) and site DEVPR3, land off Hawthorne Place, Clitheroe. These both had approximately 40 units each. There had been no other suitable sites that fulfilled the collection criteria put forward in the other Principal Settlements of Whalley or Longridge.

The Tier 1 sites included south of Laycocks Farm, Langho; north of Ribblesdale View, Chatburn; Hough Head, Whins Lane, Simonstone; and an additional allocation to that already proposed in Wilpshire.

Tranche 2 sites also suggested to be included as part of the future plan review were Mellor Lane, Mellor; Highmoor Farm, Clitheroe; and south east of Main Road, Gisburn.

Councillor Gary Scott was given permission to speak on this item and referred to the land at Ribblesdale View, Chatburn being included, as this was outside the settlement boundary in a rural village, where the residual requirement had already been met.

(Councillor Stephen Atkinson left the meeting at this point)

Councillor Mary Robinson was given permission to speak on this item and made a plea that when new houses were built, that 30% affordable be maintained in order for young people to be able to afford to remain in the Ribble Valley.

Councillor Stuart Hirst was given permission to speak on this item and referred to the additional allocation proposed in Wilpshire. He thought it would make more sense to bring forward the site at Highmoor Farm, Clitheroe.

Members discussed the merits of the various sites and asked officers to comment upon the flexibility of bringing Tranche 2 sites forward instead of using Tier 1 sites. The problem highlighted was one of deliverability within a five year period which was more likely with a site of 100 units as opposed to a smaller number.

RESOLVED: That Committee approve the need for further housing allocations to be made on the basis outlined in the report; acknowledge the deletion of sites 11 and 14 (Lancashire County Council); that site 13 Highmoor Farm, Clitheroe be exchanged for site 18 north of Ribblesdale View, Chatburn and the additional allocation at Wilpshire site HAL2 and that they be consulted on and submitted to the Examination as proposed main modifications to the submitted Housing and Economic Development DPD.

171 APPEALS

3/2017/0593 – Erection of fence to the front of the property with a pedestrian access at Ivy Cottage, Chapel Lane, West Bradford – appeal dismissed.

The meeting closed at 7.30pm.

If you have any queries on these minutes please contact John Heap (414461).