

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 8 DECEMBER 2011
title: LOCAL DEVELOPMENT FRAMEWORK EVIDENCE BASE –
REVIEW OF POLICY G6
submitted by: CHIEF EXECUTIVE
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1 PURPOSE

1.1 To consider matters raised from the consultation on the review paper.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions – The report relates to the ambition to protect and enhance the existing environmental quality of the area.
- Community Objectives – Delivery of LDF supports the objective of attaining a sustainable economy, thriving market towns and safeguarding the environment through the planning system.
- Corporate Priorities – The Essential Open Space Audit will inform future policy and will aid performance and consistency.
- Other Considerations – None.

2 BACKGROUND

2.1 The approach to Development Plans introduced by the Planning and Compulsory Purchase Act 2004 requires the Council to develop a new suite of documents known as The Local Development Framework (LDF) that will replace the adopted Districtwide Local Plan. The Policies within the LDF should be informed by a strong and robust baseline.

2.2 Members will be aware of Policy G6: Essential Open Space within the Districtwide Local Plan which identifies the sites that have significant amenity value either visually or through their recreational value, which protects them from unnecessary development in order to preserve the characteristics of the plan area. Due to the fact that these sites were identified in the previous plan making process it was necessary to consider whether the designation remained relevant and to identify issues where circumstances had changed or other considerations needed to be taken into account.

2.3 The Policy in the Districtwide Local Plan is as follows:

“Development will not be permitted on land which is designated as essential open space on the proposals map unless it does not compromise the visual quality of the value of general openness or the recreational value of the site or unless warranted by overriding material considerations in the public interest”.

- 2.4 In carrying out a strategic review of the designation, the Council used a list of criteria which consisted of an evaluation of the visual quality of the site, an assessment of the contribution the site makes to the townscape of the area, or enhancement of the setting of important buildings and its importance as an area of recreational open space. The G6 designated sites were visited where accessible or viewed within their locational context. The same assessment criteria were used; each site was given a reference number to enable the site to be mapped electronically; mapping and aerial photography was also used to supplement the site work
- 2.5 Members will recall that it was previously resolved by the Committee to undertake consultation on the findings of the review and if no issues of concern were raised, to adopt the review in consultation with the Chairman as part of the LDF Evidence Base and to treat the review as a material consideration when determining planning applications. The consultation raised a number of issues warranting further consideration and consequently the findings of the original audit are not adopted.

3 CONSULTATION & ISSUES

- 3.1 The review was the subject of public consultation which included neighbour notices being sent to properties adjacent to the boundaries of identified sites, press releases and direct mailing to people on the LDF database.
- 3.2 In all the Council received over 350 responses, the majority of which focussed around a limited number of sites. Some of the responses received were derived from standardised letters as well as a petition in relation to developments at Longridge. (114 signatories were contained on that petition.) Many of the responses were individual letters of objection from a range of sites across the borough. The responses included a small number that supported the review process and the proposal to give less weight to the designation. Three sites not identified within the initial review were promoted as sites where the existing designation was no longer viewed as appropriate; all representations were made available to view in redacted form as part of the process and are still available to view as part of the background information.
- 3.3 Members will be aware that the initial review was the subject of criticism by a number of parties who did not wish to see the designation removed or given less consideration in deciding planning applications. It is however important to bear in mind that the purpose of the review was to undertake a broad based review of the existing designation to establish some baseline information to support the LDF work. The audit so far has identified many of the existing G6 sites that can readily be justified for inclusion such as those relating to public open spaces, playing fields and so on, which were not proposed as part of the review list. Indeed some 140 of the original 178 sites came within that category and no change was proposed.
- 3.4 The review work has also highlighted that some areas of public open space or playing fields were not included within the original designation either because they did not exist or were not developed sufficiently enough to be included in the original Local Plan. These will need to be addressed in future policy work for consistency. Similarly sites that had not been identified within the review were highlighted, such as Site 35 Littlemoor, Clitheroe, for example. This site falls within the overall extent of a designated area including playing fields, however in itself the designated area includes a large area of land whilst undeveloped it is not part of the sports provision. In the context of the original designation it would be a site to be excluded from development to prevent an oversupply of housing sites coming forward, however within the current context of

meeting housing requirements may not be a site for which an absolute exclusion from considering development would be maintained. The site would warrant further detailed consideration.

- 3.5 Many of the responses identified information that would justify the continuation of the existing designation. Examples include representations relating to land that whilst not formal public open space, provided maintained recreational land capable of public access or informal use. Sites such as that identified at Hayhurst Road, Whalley or Church Close, Waddington, and the existing allotments at Clitheroe Road, Sabden are examples of such sites. These sites are more straightforward in their consideration and more readily defensible due to the nature of their use and public benefit and should continue to be safeguarded in the light of the consultation.
- 3.6 By far the more difficult sites to appraise are those that tend to seek to control development within the settlement boundary often comprising existing residential curtilages. Some may have been designated because of a contribution to the Conservation Area or setting of listed building. From the information held by the Council, in many cases, some sites appear simply to have been designated in order to prevent additional development that could arise as a result of settlement policies and the approach to defining settlement boundaries taken at that time. Without a more detailed fundamental review, it is difficult to determine the extent to which sites could or should come forward. A number of the sites fell into this category.
- 3.7 In some instances development is capable of control by individuals due to their existing landownership patterns in other cases there are clearly differing options to develop parts of the site. This would be a matter to look at more closely as the Local Development Framework is progressed beyond the Core Strategy when settlement boundaries will be reviewed and if necessary specific allocations are considered through the preparation of the Housing and Economic Development Plan document. Given that the Council is currently focussing on the preparation of its Core Strategy whose Development Strategy is set as a strategic overview, at this stage no further work is proposed as part of the current Core Strategy programme beyond identifying areas of formal/informal public open space.
- 3.8 In terms of dealing with planning applications there are some important considerations that the original review would have fed into and was part of the recommendation of the previous report. This situation has changed. The Districtwide Plan and Saved Policies form the Statutory Development Plan for the Borough and is the starting point from which to consider applications. The issue that then has to be determined is the degree of weight that is attached to the Saved Policies given the datedness and context of the Plans formulation when measured against the considerations of recent policy. The principal material consideration being that of the Council's position relative to the housing land supply and the test contained in Planning Policy Guidance Note 3 – Housing. Once the position is attained where a clear 5-year supply exists then the basis of decision taking is different and greater regard can be given to the relevance of the Saved Policies. In effect we have situation for the time being where each case will be looked at upon its merits and the G6 Policy designation will be one of a number of considerations going forward. What is clear from the outcome of the consultation is that the considerations in individual cases can be very complex and need detailed appraisal relevant to the proposal under scrutiny.

4 CONCLUSIONS

- 4.1 The consultation has raised a number of considerations, strong support for most of the designations and a general concern about how the identified areas would lead to areas being developed for housing which was seen by most respondents as undesirable. Ongoing work will now be focused upon the confirmation of the areas that contribute towards public open space provision either formal or informal and will be part of the supporting work to underpin the open space policies proposed in the Core Strategy that will supersede the policies of the Local Plan. Members will recall that a working group to look at open space policy in terms of provision and management has been established under the auspices of the Council's Community Committee, the work of which will be drawn upon to inform the LDF. In the longer term a view may need to be taken on whether a specific policy document is prepared in the future as part of the LDF.
- 4.2 Individual applications will continue to be looked at on a case-by-case basis dependent upon circumstances and relevant materials considerations. No further detailed work will be progressed on the audit pending work commencing on the housing and Economic DPD whilst resources focus upon the Core Strategy. It is also important to clarify that the review in itself does not remove the designation as this still exists within the Saved Local Plan Policies; what will become the issue is how those Saved Local Plan Policies are considered in terms of their weight relative to other material considerations.

5 RISK ASSESSMENT

- 5.1 The approval of this report may have the following implications:
- Resources – None, resource requirements will be contained within the existing LDF budget provisions.
 - Technical, Environmental and Legal – None.
 - Political – No direct political implications.
 - Reputation – The consultation generated widespread public interest.

6 **RECOMMENDED THAT COMMITTEE**

- 6.1 Note the issues raised and agree the approach set out in paragraph 4.1 and 4.2 of this report.
- 6.2 Confirm that the audit will not be considered as a material consideration for the purposes of determining planning applications.

CHIEF EXECUTIVE

BACKGROUND PAPERS

1 G6 Audit Files

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