DECISION

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO COUNCIL

Agenda Item No.

 meeting date:
 TUESDAY, 11 JULY 2017

 title:
 RIBBLE VALLEY HOUSING AND ECONOMIC DPD AND PROPOSALS MAP –

 SUBMISSION STAGE
 SUBMISSION STAGE

 submitted by:
 MARSHAL SCOTT – CHIEF EXECUTIVE

 principal author:
 COLIN HIRST – HEAD OF REGENERATION AND HOUSING

1 PURPOSE

- 1.1 To seek Council approval of the Housing and Economic DPD (HEDPD) and Proposals Map and their submission.
- 1.2 Relevance to the Council's ambitions and priorities:
 - Council Ambitions the HEDPD is the supporting allocations plan of the Local Development Framework (LDF). It will help in the delivery of housing, employment and the protection and enhancement of the environment, ultimately presenting the delivery strategy for implementing the vision for the Ribble Valley for the next 20 years.
 - Community Objectives these documents are a tool for delivering spatial policy, and help identify how a range of issues relating to the objectives of a sustainable economy, thriving market towns and housing provision will be addressed through the planning system.
 - Corporate Priorities the HEDPD compliments the adopted Core Strategy and completed the LDF and sets the overall vision and approach to future planning policy which will aid performance and consistency.
 - Other Considerations the Council has a duty to prepare spatial policy under the LDF system.

2 BACKGROUND

- 2.1 The Council is moving towards an important stage in the preparation of the HEDPD and now needs to confirm the proposed content and agree the formal submission to the Secretary of State in accord with the relevant regulations. At the Planning and Development Committee meeting held on 22 June 2017 it was outlined that the submission proposed would comprise the previously published Regulation 19 version of the document as amended by the schedule of changes discussed at the Planning and Development Committee. The combination of these two elements will generate the proposed submission version wherein the proposed amendments are recommended in order to produce a sound DPD. The proposed amendments set out in detail in the schedules include a number of changes derived in response to the Regulation 19 consultation and other changes to improve the clarity or consistency of the document. Members should note that other technical corrections and refinements may be undertaken where it will improve the quality of the document but only where this does not alter the policy intent of the DPD.
- 2.3 The report attached at Appendix 1 was considered by the Planning and Development Committee at its meeting held on the 22 June 2017 where it was resolved to:

- 1. note the matters raised in the Summary of Representations as circulated at the meeting and agree that the consideration of any resultant proposed amendments be delegated to the Chief Executive in consultation with the Chair and Vice-Chair of Planning and Development Committee and the Development Plan Working Group and that any proposed amendments be published for 6 weeks' public consultation;
- 2. agree that the submission HEDPD be comprised of the published Regulation 19 document as amended by the agreed changes and that a composite document be prepared as the submission HEDPD as soon as practicable;
- 3. that subject to confirmation by Full Council on 11 July 2017 and having prepared the necessary submission documents in accord with the relevant Regulations, the HEDPD as amended, be submitted to the Secretary of State for formal examination as soon as possible.
- 2.4 Members are asked to note the proposed changes to the HEDPD and proposals map as set out at Appendix 2. In accord with the resolution from Planning and Development Committee, these have been agreed by the Chief Executive in consultation with the Chair of Planning and Development Committee and the Development Plan Working Group. (See minutes at Appendix 3.)
- 2.5 Members are now asked to consider and confirm the proposed submission plans for the HEDPD and proposals map and that the resolution of Planning and Development Committee is endorsed.
- 3 RISK ASSESSMENT
- 3.1 The approval of this report may have the following implications:
 - Resources Members have agreed a budget to progress the HEDPD.
 - Technical, Environmental and Legal The Council has to follow the statutory regulations in preparing the LDF. The selected approach brings with it a series of risks that the Council may be challenged upon or that an Inspector may not be satisfied with which would have an impact on the process and costs incurred.
 - Political There is significant public interest in planning matters.
 - Reputation Decisions taken in connection with the Plan will help demonstrate the Council's obligations to fulfil its statutory duties and meet its objective of being a well-run Council.
 - Equality & Diversity No implications identified.

4 **RECOMMENDED THAT COUNCIL**

4.1 Considers the HEDPD and proposals map as amended in accord with Appendix 2 and confirms the resolutions from the Planning and Development Committee of the 22 June 2017, namely to submit the Housing and Economic DPD and the Proposals Map on the basis agreed by Planning and Development Committee to the Secretary of State.

COLIN HIRST HEAD OF REGENERATION & HOUSING

MARSHAL SCOTT CHIEF EXECUTIVE

BACKGROUND PAPERS

1 HEDPD files.

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

APPENDIX 1

DECISION

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 22 JUNE 2017 title: HOUSING AND ECONOMIC DEVELOPMENT PLAN DOCUMENT (DPD) – REGULATION 19 RESPONSE AND PROPOSED SUBMISSION Submitted by: CHIEF EXECUTIVE principal author: COLIN HIRST

1 PURPOSE

- 1.1 To receive information and consider issues arising from the regulation 19 consultation on the draft DPD, to confirm the approach to any changes arising and agree the submission of the DPD to the Secretary of State.
- 1.2 Relevance to the Council's ambitions and priorities:
 - Council Ambitions the HEDPD is part of the Local Development Framework (LDF) sitting together with the adopted Core Strategy. It will help in the delivery of housing, employment and the protection and enhancement of the environment, ultimately presenting the delivery strategy for implementing the vision for the Ribble Valley for the next 20 years.
 - Community Objectives as a tool for delivering spatial policy, the HEDPD identifies how a range of issues relating to the objectives of a sustainable economy, thriving market towns and housing provision will be addressed through the planning system.
 - Corporate Priorities the HEDPD is a key document of the LDF and will provide up to date planning policy tools which will aid performance and consistency.
 - Other Considerations the Council has a duty to prepare spatial policy under the LDF system.

2 BACKGROUND

- 2.1 The Council has recently completed the formal 'Regulation 19' consultation stage in preparing its HEDPD for the borough. Members have recently considered a report on taking the HEDPD forward and are now presented with information that summarises the issues raised in response to the consultation. The regulation 19, draft plan is available at the following link. Members may wish to have access to this at the meeting. <u>https://www.ribblevalley.gov.uk/download/downloads/id/11036/reg_19_publication_hed_dpd_april_2017pdf.pdf</u>
- 2.2 Members should be aware that at this stage, the information is intended to help an Inspector understand the range of issues that has emerged. At this stage, the Council does not present a full or detailed response to the representations as this will emerge through the Examination process. Copies of the full submissions are available for reference at the Council offices. As part of the submission process, the Council will

need to produce a regulatory statement that provides a summary of issues for the Inspector.

- 2.3 The consultation response has generated responses on a limited number of issues and at this stage in the process, it is not anticipated that substantive amendments are necessary. A number of points of technical accuracy have been identified and suggested refinements to wording to improve clarity and understanding. Members will be provided with more details at the meeting.
- 2.4 Having identified issues at this stage, any amendments that the Council considers are required will need to be highlighted and consulted upon.
- 2.5 For expediency it is proposed to submit the HEDPD incorporating any changes for Examination as per the approach accepted for the Core Strategy. This approach brings some risks as the changes will not have been tested nor will all parties have had opportunity to confirm if the proposals address the concerns raised before submission. Whilst it would be a more robust approach to build time into the process to undertake this work this will inevitably delay the programme to have an up to date plan in place.
- 2.6 The Council is moving towards the formal stage where the HEDPD is submitted to the Secretary of State for Examination. An Independent Inspector will be appointed to hold the Examination with the purpose of confirming that the plan is sound. The Council will need to be able to satisfy the Inspector that the plan has been prepared in accord with the duty to co-operate, legal and procedural requirements and whether it is fundamentally sound. (Paragraph 182 of the National Planning Policy Framework NPPF, refers). The NPPF sets out what constitutes a sound plan and consequently to be found sound the Council will need to demonstrate how it has addressed the NPPF tests. These tests are summarised as follows:
 - **Positively prepared** the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
 - **Justified** the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.
 - **Effective** the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
 - **Consistent with national policy** the plan should enable the delivery of sustainable development in accordance with the policies in the framework.

3 SUBMISSION STAGE

3.1 The Council is now moving towards submission stage in the plan-making process which triggers the start of the Examination stage. As Members are aware, the completion of the HEDP and its adoption will complete the policy coverage in the borough with the HEDP and the proposals map in particular bringing the Local Development Framework up to date. It is important to have this in place as soon as possible and an early

examination will enable this. Progress on the plan has been the subject of input throughout from the Development Plan Working Group who have identified the importance of progressing the plan to adoption. What is important to bear in mind is that the HEDP process is not a review of the Core Strategy. A number of the matters raised in the representations are considered matters for the future review of the Core Strategy which will be the subject of a further report to this Committee, as part of the Council's Annual Authority Monitoring Report (AMR).

- 3.2 In terms of response to many of the representations the response will be that the issues are matters for the review. In some instances where additional allocations are being sought particularly employment land, it is considered that should applications come forward, they can be accommodated within the existing policy framework provided by the Core Strategy. As Members are aware, given the current housing supply position, it is considered that any need to address flexibility in supply can also be addressed within the framework of the Core Strategy and consequently it is not intended to be seeking to promote additional housing sites to meet the Core Strategy requirements. Sites can be considered against the Core Strategy as necessary but also will be subject to consideration in due course as part of the review process.
- 3.3 On this basis the programme of key dates is as follows:

STAGE	TARGET DATE
Consideration of representations, the Council's response and proposed amendments, including resolution to formally submit	Planning and Development Committee 22 June
Ratification of submission	Full Council 5 July
Commence formal consultation on any proposed changes	w/c 31 July
Formally submit to the Secretary of State	w/c 31 July
Earliest likely hearing dates	October 2017

4 SUMMARY OF ISSUES

- 4.1 As indicated above, at this stage of the process the Council needs to identify, in general terms the range and extent of issues that have arisen from the publication of the HEDPD. This is not intended as a full and detailed response by the Council rather it will help inform the Inspector's deliberations. The summary schedule is attached at Appendix 1.
- 4.2 Broadly speaking there are a number of general topic areas that the issues can be broken down into namely:
 - General responses from consultative bodies/organisations
 - Responses to employment land in particular land at Higher College Farm, Longridge
 - Housing land allocations: Wilpshire
 - Housing land allocations: Mellor
 - General queries criticising lack of 5 year land supply, and flexibility in the plan
 - Promotion of specific sites by land owners/agents
 - A number of detailed points around open spaces and definition of settlement boundaries

- 4.3 Of the 138 responses made, some 20 individuals have indicated that they would wish to appear at a hearing. As Members will recall, significantly less than was the case with the Core Strategy.
- 4.4 Members will be provided with further information on any suggested amendments at the meeting due to the publication requirements for Committee papers and the close date of the consultation. As the number and nature of amendments are limited, it is proposed that where amendments are considered appropriate, a delegated approval process is put in place. The identified changes would be agreed by the Chair and Vice Chair of Planning and Development Committee, in consultation with the Chief Executive and the Development Plan Working Group. This will enable any proposed amendments to be considered and agreed for ratification by Full Council ahead of submission. If the submission is not ratified by Full Council on 15 July the next scheduled opportunity will be Council in October, which would not help deliver progress on the plan.
- 4.5 It is proposed that the HEDPD Regulation 19 draft as amended by any identified changes, is agreed to form the submission version of the HEDPD, from which a composite document will be prepared for reference. Submission of the HEDPD will also require the preparation of a number of supporting documents to meet the applicable regulations and these documents will be drawn up as part of the submission process.
- 4.6 Members' attention is drawn to the need to ensure that any amendments proposed in response to the Regulation 19 Consultation will need to be the subject of testing through the Sustainability Appraisal work. This will be undertaken by the Council's existing consultants, Acardis Consulting who have undertaken the appraisal work so far. This will be an additional cost to the core work already undertaken, the cost of which will be related of course to the extent of changes proposed. Members will recall that provision has been included in the HEDPD budget to meet such potential, additional consultancy needs.
- 5 NEXT STEPS
- 5.1 Subject to the consideration of any proposed changes the intention would be following ratification of this Committee's decision at Full Council to prepare the necessary documentation to enable the HEDPD to be formally submitted for Examination. In addition, in line with advice the changes would be published for consideration to enable the results to be available to the Inspector.
- 5.2 Upon submission the Council would be notified of the appointed Inspector and a date would be likely to be set for a pre-examination meeting, usually around 4 weeks after submission. That meeting would confirm the issues the Inspector considered pertinent to examine, raise any initial concerns identified by the Inspector and set the course for any hearing dates. The hearing dates would usually commence around 10 weeks from the pre-examination meeting depending on matters arising. PINS have indicated given the limited number of issues and people wishing to attend hearings that timeframes may be condensed.
- 6 RISK ASSESSMENT
- 6.1 The approval of this report may have the following implications:

- Resources Members have agreed a budget to progress the HEDPD.
- Technical, Environmental and Legal The Council has to follow the statutory regulations in preparing the HEDPD. The selected approach brings with it a series of risks that the Council may be challenged upon or that an Inspector may not be satisfied with which would have an impact on the process and costs incurred. As Members are aware the main evidence base is that of the Core Strategy. There is a risk that the Inspector may require some elements of this to be updated in order to progress the Examination.
- Political There is public interest in the HEDPD.
- Reputation Decisions taken in connection with the HEDPD will help demonstrate the Council's obligations to fulfil its statutory duties and meet its objective of being a well run Council.
- Equality & Diversity No implications identified.

7 **RECOMMENDED THAT COMMITTEE**

- 7.1 Note the matters raised in the summary of representations set out in appendix 1 to this report and agree that the consideration of any resultant proposed amendments be delegated to the Chair and Vice Chair of Planning and Development Committee, in consultation with the Chief Executive and the Development Plan Working Group, and that any proposed amendments be published for 6 weeks public consultation.
- 7.2 Agree that the submission HEDPD be comprised of the published Regulation 19 document as amended by the agreed changes and that a composite document be prepared as the Submission HEDPD as soon as practicable.
- 7.3 That subject to confirmation by Full Council and having prepared the necessary submission documents in accord with the relevant regulations, to submit the HEDPD as amended to the Secretary of State for formal Examination as soon as possible.

COLIN HIRST HEAD OF REGENERATION AND HOUSING

MARSHAL SCOTT CHIEF EXECUTIVE

BACKGROUND PAPERS

HEDPD files – various.

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

REF:CH/EL/16081203/P&D

APPENDIX 2

Ribble Valley Borough Council



A Local Plan for Ribble Valley 2008-2028

IDENTIFIED CHANGES

To the Regulation 19 Publication version of the

Housing and Economic Development – Development Plan Document

Schedule of changes necessary to deliver a sound plan

June 2017



Identified changes

Changes to be made to the HED DPD necessary to deliver a sound plan

This report sets out the changes that are considered necessary to the Housing and Economic Development DPD to ensure that a sound plan is submitted for Examination.

The table below sets out the changes. *Text in bold italics represents a proposed insertion* and Text with a strikethrough represents a proposed deletion.

Changes to the made to the HED DPD document

No.	Details of change
DOC1	Amend Justification to Housing Allocation Policy (Policy HAL) as follows:
	Justification
	Key Statement H1 of the Core Strategy sets out a requirement for 5600 dwellings in the plan period 2008 to 2028 which equates to an annual target of 280. The Development Strategy set out at Key Statement DS1 of the Core Strategy directs the majority of the new housing development to the strategic site south of Clitheroe (known as Standen) and the principal settlement so Clitheroe, Longridge and Whalley. In addition it directs a limited amount of new housing to the Tier 1 villages which are considered to be the more sustainable of the 32 defined settlements outside the principal settlements. In addition to DS1, Table 4.12 of the Core Strategy sets out clearly the spatial direction of new housing and the general quantum of growth in the principal and Tier 1 settlements.
	This DPD does not seek to reconsider the housing requirement or its spatial distribution but rather to make allocations to meet any outstanding requirements based on the provisions of the Core Strategy.
	The Council undertakes regular monitoring of housing land provision in terms of overall provision and its spatial distribution. Taking account of completions in the plan period to date, extant permissions (started and not started) the evidence base ¹ showed that there were only small residual requirements in the principal settlement of Longridge and the Tier One settlements of Mellor and Wilpshire. Up to date housing monitoring at 30 th September 2016 31 st March 2017 ² shows that the residual requirement in Longridge was 25 21 dwellings, Mellor 17 dwellings and in Wilpshire 34 32 dwellings.
	In the case of Longridge, since the evidence base was compiled the Council has resolved to grant permission, <i>subject to the completion of a Section 106 Agreement</i> for further dwellings in Longridge which would <i>more than</i> address any outstanding residual requirement in the plan period, <i>including a scheme for 275 dwellings on land to the West of Preston Road</i> . In addition, monitoring information shows that windfall developments, redevelopment sites within this principal settlement and conversions continue to come forward and are likely to meet outstanding needs in the plan period.

¹ A Local Plan for Ribble Valley: regulation 18 Issues and Options Consultation Housing and Economic Development DPD August 2016.

² Housing Land Availability Survey April 2017 available at: https://www.ribblevalley.gov.uk/downloads/download/7171/housing_land_availability_surveys_and_reports

	In the case of Mellor and Wilpshire, which are much smaller settlements, constrained at least in part by Green Belt, there are fewer opportunities for windfall development and specific sites which have been selected through the previous stages of plan making, are allocated specifically to meet the housing requirements in these settlements in the plan period.
	The following two sites are allocated to address housing requirements in Mellor and Wilpshire:
	(focussed change to reflect up to date evidence)
DOC2	Amend supporting text to Policy HAL2: Land at Wilpshire as follows:
	Land at Wilpshire
	This is a greenfield site which slopes upwards in a north easterly direction and comprises open field/grazing land. Electricity pylons and overhead lines cross the lower part of the site which may preclude construction on this part of the site but offer the opportunity for open space network. <i>The southern boundary of the site has been amended northwards following the Regulation 19 (Publication) stage to exclude the mature woodland and</i> In this respect, the southern boundary borders onto the steeply wooded clough of Knotts Brook <i>to the south of the site.</i> and tThe southern part of the site may offer the opportunity to increase the tree cover in the vicinity. In addition a high pressure pipeline runs in the vicinity of the southern boundary with an easement that will impact on development. A public footpath runs adjacent to the eastern boundary and the development of the site will provide the opportunity to enhance pedestrian links with the public footpath network. The southern boundary also forms part of the Ribble Valley Borough boundary lies in close proximity to the borough boundary with Blackburn with Darwen Council. It is envisaged that the site is accessed from Whalley Road via Salesbury View, not from Hollowhead Lane.
	In addition to the electricity line, the topography of the site presents issues in terms of visual impact and restrictions on capacity of the site. However, with careful consideration to design and scale the site is capable of meeting outstanding requirements for the settlement of Wilpshire. Careful regard will be given to any proposals on the site that seek to bring forward more than the planned requirement having regard to the overall development strategy of the Core Strategy and the relevant Development Management considerations. (focussed change to reflect the outcomes of Regulation 19 consultation)

DOC3	Amend Open Space (Policy OS1) as follows: Open Space (Policy OS1)
	This policy provides further detail relating to Policy DMB4 of the adopted Core Strategy
	Open Space Sites Outside Defined Settlements
	In conjunction with Policy DMB4: (Open Space Provision) the Borough Council will refuse development proposals which involve the loss of existing open space, as defined on the Proposals Map, throughout the Borough. This will include private playing fields which are <i>currently</i> in recreational <i>or</i> sporting use, <i>or were last used for sport or recreation.</i>
	As set out within DMB4, in exceptional circumstances and following a robust assessment, where the loss of a site is justifiable because of the social and economic benefits a proposed development would bring to the community, consent may be granted where suitable replacement facilities are provided <i>on like for like or better basis</i> , or where existing facilities elsewhere in the vicinity are substantially upgraded to the satisfaction of the Local Planning Authority. These must be readily accessible and convenient to users of the former open space areas.

Changes to the made to the Proposals Map

The changes outline below will be presented in a document titled '*Further changes to the Draft Proposals Map*' and sets out those additional changes considered necessary following the publication of the Reg 19 '*Resultant changes to the Proposals Map*' document.

No.	Details of change
PM1	Policy HAL2
	Amend boundary of allocation site to exclude woodland area. Plan (Map 1) showing revised boundary can be seen in appendix 1 of this report.
	(focussed change to reflect the outcomes of Regulation 19 consultation)
PM2	Settlement Boundary
	Amend boundary to include small site adjacent to Black Bull in Pimlico, Clitheroe to include permitted dwelling under construction. See Map 2 in Appendix 1 of this report.
PM3	Open Space
	Withdraw Open Space site in Newton east of Lowood)
	See Map 5 in appendix 1 of this report.
PM4	Open Space
	Withdraw small portion of open space site on western boundary of Brockhall settlement
	See Map 3 in appendix 1 of this report.
PM5	Open Space
	Withdraw Open Space site on western site of Barrow (included wholly with housing development west of Whalley Road, Barrow
	See Map 4 in appendix 1 of this report

Appendix 1









Location of proposed amendment

------ Proposed amendment to Settlement Boundary

----- Draft settlement Boundary (as shown in Reg 19)

Map 3: Land at rear of 28 Highwoods Park, Brockhall Village



Land withdrawn from DMB4 designation. Public access to the DMB4 site (North and South of this parcel) would be maintained.

Map 4: Land at Barrow



Land marked with X withdrawn from DMB4 designation.

Map 5: Land East of Lowood, Newton



Land marked with X withdrawn from DMB4 designation.

MINUTES OF THE DEVELOPMENT PLAN WORKING GROUP HELD ON MONDAY, 30 JUNE 2017 @ 2.00pm

PRESENT:

Councillor Alison Brown (Chair)	Colin Hirst
Councillor Ian Sayers	Phil Dagnall
Councillor Richard Sherras	Craig Matthews
	Diane Neville

APOLOGIES

Apologies were received on behalf of Councillor Noel Walsh

MINUTES

The minutes of the meeting held on 12 June 2017 were agreed as a correct record.

HOUSING AND ECONOMIC DPD

Colin reminded the group that Planning & Development committee had passed a resolution to delegate to the Chief Executive in consultation with the Chair of committee and this working group the approval of The Regulation 19 proposed changes to be ratified at Council on 11 July 2017.

Colin showed the group the sites submitted as alternatives at Regulation 19 stage that were to be discounted at this stage – as per the resolution at Planning & Development committee. There was an addition of an extra plan for Land off Higher Road, Longridge which was promoting a change to the settlement boundary as previously detailed to members but would also facilitate an alternative housing allocation.

The document outlining the Identified Changes was the same as had been approved at Planning & Development committee except for an updated reference to the housing monitoring information being dated 31 March 2017 which had a slight impact on the residual figures that had also been amended.

The working group approved the minor amendments that had been made since the approval at Planning & Development committee on 22 June 2017.

Colin would now prepare a report to Council on 11 July 2017 including the minor amendments to be ratified before being submitted to the Secretary of State by the end of July.

Colin informed the group that he would be submitting an Annual Monitoring report to Planning & Development committee on 27 July 2017.

DATE OF NEXT MEETING

To be arranged.

The meeting closed at 3.00pm.