Ag 5.

Philip Dagnall

From: [redacted]
Sent: 01 June 2017 15:42
To: publicationreg19
Subject: FW: CRGS Highmoor Housing FAO Phil Dagnall
Attachments: RVBC representation Higher Moor Farm.docx; Reg 19 Housing response form.pdf

Dear Phil,
To be clear, the letter dated 5 October 2016 referred to in Q6 on the regulation 19 is the submission we made at the regulation 18 stage. We wish these regulation 18 comments to be considered at the regulation 19 stage as well.
Kind regards

[redacted]

From [redacted]
Sent: 1 June, 2017 10:42 AM
To: 'publicationreg19@ribblevalley.gov.uk' <publicationreg19@ribblevalley.gov.uk>
Subject: CRGS Highmoor Housing

Dear Sir/Madam,
I attached our regulation 19 response form.
Kind regards

[redacted]

ng5

For official use		Ref. No.
		Ack'd

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

Ribble Valley Borough Council

Regulation 19 (Publication) comments response Form

Before using this form to make any comments please ensure that you have read the Housing and Economic Development – Development Plan Document and the Guidance Notes, which can be found on Ribble Valley Borough Council's website - www.ribblevalley.gov.uk and follow the HED DPD.
If after reading the Guidance Notes you should have any queries in completing the form please telephone 01200 425111.

This form has two parts: -

Part A - Personal Details (you need only complete one copy of Part A)

Part B - Your comment(s) (Please complete a separate Part B for each comment you wish to make.)

All completed comments forms must be received by the Council no later than 5:00pm on Friday 9th June 2017.

Please return paper copies marked 'HED DPD PUBLICATION CONSULTATION' to Council Offices, Church Walk, Clitheroe, BB7 2RA

Part A

Q1 **Please can you provide the following information which will assist us in contacting you if we need to discuss any of your comments further.**

Name	[redacted]
Name of Organisation (if you are responding on behalf of an organisation)	
Database Reference number (if you have one)	
Address	
Post Code	[redacted]
Email Address	
Phone number	

Copies of all comments made in Part B of the form will be put in the public domain and are not confidential, apart from any personal information. All personal information within Parts A and B will only be used by the Council in connection with the Local Development Framework and not for any other purpose and will be held in accordance with the Data Protection Act 1998.
The Council will summarise the comments and all representations will be made available to the Planning Inspectorate.

Part B

Please use a separate form for each individual comment.

Q2

Name / Name of Organisation (if you are responding on behalf of an organisation): Trustees of the Clitheroe Royal Grammar School Foundation

Q3 **To which part of the HED DPD does this comment relate?**

Part of document e.g. Housing allocations, open space policy etc...: Housing

Paragraph No.:

Q4 **As a consequence do you consider the HED DPD is:**

	Yes	*No*
i) Legally compliant	☑	☐
ii) Sound *	☐	☑

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

Q5 **If you consider the HED DPD is unsound, is this because it is not...** *(please tick the appropriate box)*

Justified	☑	Consistent with national policy	☑
Effective	☑	Positively prepared	☑

Q6 Please give details of why you consider that the HED DPD is not legally compliant or sound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the HED DPD, please also use this box to set out your comments. *Please continue on a separate sheet if required.*

The Plan is not considered to be sound for the reasons set out in the attached letter dated 5 October 2016. It should be noted that the housing land supply position has worsened since that time, strengthening the case for greater flexibility in providing housing delivery and the allocation of the Highmoor Farm site. The latest calculation by the Council of its Housing supply at 1 October 2016 (as reported to the Special Planning and Development Committee on 6 April 2017) is 4.99 years.

Q7 Please set out what change(s) you consider necessary to make the HED DPD legally compliant or sound, having regard to the test you have identified at Q5 above where this relates to soundness.

You will need to say why this change will make the HED DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be precise as possible. *Please continue on a separate sheet if required.*

The Plan should provide greater flexibility in providing for housing delivery and the allocation of the Highmoor Farm site, as per the attached letter dated 5th October 2016

Please note: your comment should cover succinctly all the information, evidence, and supporting information necessary to support/justify the comment and the suggested change, as there will not normally be another opportunity to make further comments based on the original comment made at the publication stage.

After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues he/she identifies for examination in the forthcoming Examination in Public. Please note also that the Inspector is not obliged to consider any previous comments that have been made in respect of the HED DPD. You are urged, therefore, to re-submit on this form any previously submitted comments that, in your view, remain valid and that you wish the Inspector to consider.

Q8 **If your representation is seeking change, do you consider it necessary to participate at the oral part of the examination?**

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

Yes, I do wish to participate at the oral examination ☑

Q9 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary. *(Please note that the Inspector will determine who participates.) Please continue on a separate sheet if required.*

To advance the case as outlined in the attached 5 October 2016 letter

Q10 **If you wish to be kept informed as the HED DPD progresses through to adoption, please indicate which of the following stages you wish to be informed of by ticking the box(es) below.**

- Submission of the HED DPD to the Secretary of State for independent Examination ☑
- The publication of the Inspector's report following the Examination ☑
- The formal adoption of the HED DPD ☑

Q11 **If you have any other comments to make on the HED DPD that have not been covered elsewhere, please use the box below.** *Please continue on a separate sheet if required.*

Q12 **Date of completion:** 01/06/2017

Q13 **Signature**

[redacted]

Thank you very much for taking the time to complete this comments form, your comments are very much appreciated.

If after reading the Guidance Notes you should have any queries in completing this form please telephone 01200 425111

Hg 5

JUDITH DOUGLAS TOWN PLANNING LIMITED

Judith Douglas BSc (Hons), Dip TP, MRTPI

RTPI
Chartered Town Planner

[redacted]

Issues and Options 2016 Consultation
Forward Planning Team
Ribble Valley Borough Council
Council Offices
Church Walk
Clitheroe
BB7 2RA
5th October 2016

Dear Sir / Madam

Housing and Economic Development DPD: Issues and Options Consultation (Regulation 18) and Call for Sites

Land at Highmoor Farm, Highmoor Park, Clitheroe

I write on behalf of my client, Trustees of the Clitheroe Royal Grammar School, to formally suggest a site at Highmoor Farm, Highmoor Park, Clitheroe for allocation for housing, included within a modified settlement boundary and excluded from the Key Statement EN2 designation. This submission should be read in conjunction with the completed and attached 'Call for Sites' form. The Council is asked to take due consideration of this submission in its future work on its Housing and Economic Development DPD.

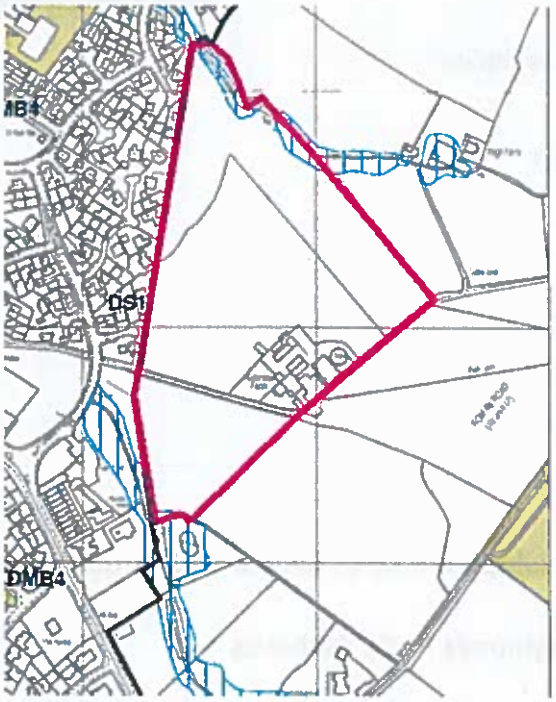
The Site

The site, as identified by red outline on the plan below, is located adjacent to the built-up area of Clitheroe, some 700 metres to the east of the town centre with its broad range of retail, commercial, public transport social and educational facilities. Clitheroe's main employment areas are located a similar distance to the north.

The site forms part of the Clitheroe Royal Grammar School landholding at Highmoor Farm. It extends to approximately 5 hectares including the existing farm buildings. The site is bounded to

Registered Office: 90 Pimlico Road, Clitheroe, Lancashire, BB7 2AH. Incorporated in England No. 09911421

the north west by existing housing at Highmoor Park, Abbot Walk and Roman Way; the north east boundary is marked by a hedge and row of trees which partly follow a small watercourse and beyond which is Page Farm; the south east boundary is marked in part by a track which leads to Page Farm and beyond which is open countryside; the west boundary is marked by a hedge beyond which is housing and a small grassed amenity area. The site is accessed via a track leading from Highmoor Park. The track crosses a small area of open land understood to be in the ownership of Ribble Valley Borough Council before entering my client's land.



The site is relatively flat. The only natural features of note within the site are some trees along part of the access track and two hedgerows running in a south west – north east and north west – south east direction within the northern portion of the site. There is a cluster of farm buildings around the Highmoor Farmhouse. The site is largely undeveloped and in agricultural use. The present tenant farmer is retiring and is soon to vacate the farm. The farm holding is to be let out to on a licence arrangement and farmed from elsewhere, with the existing farm buildings being becoming redundant. Public footpaths follow the length of the access track through the site and along the north east boundary of the site.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) clearly states '*that the purpose of the planning system is to contribute to the achievement of sustainable development*' (paragraph 6). Paragraph 14 states that a presumption in favour of sustainable development is at the heart of the NPPF. It goes on to say that '*for plan-making this means:*

- *local planning authorities should positively seek opportunities to meet the development needs of their area; and*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted'.*

The main body of the NPPF addresses the components of sustainable development. The aspects of those components most relevant to this submission are:

- 'promoting sustainable transport' – states that '*in preparing Local Plans, local planning authorities should .... support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport*' (paragraph 30). Furthermore, Local Plans should take account of a number of factors, including whether safe and suitable access to the site can be achieved for all people (paragraph 32);
- 'delivering a wide choice of high quality homes' – local planning authorities are expected to boost significantly the supply of housing (paragraph 47). In this regard, local planning authorities should '*use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for .... housing in the housing market area*' and to identify '*a supply of specific and deliverable sites sufficient to provide five years worth of housing against their housing requirements*' with additional buffers as appropriate (paragraph 47). Paragraph 48 goes on to state that '*relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*';
- 'protecting green belt land' – the government attaches great importance to the protection of green belt land (paragraph 79);
- 'meeting the challenge of climate change, flooding and coastal change' – states that '*inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk*' and '*Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property*' (paragraph 100); and
- 'conserving and enhancing the natural environment' – among other things, the planning system is expected to protect and enhance valued landscapes and minimise impacts on biodiversity (paragraph 109).

The NPPF sets out the tests of soundness for a Local Plan, namely – positively prepared, justified, effective and consistent with national policy.

Core Strategy

The Ribble Valley Core Strategy was adopted by the Council on 16 December 2014 following receipt of the Inspector's examination report which found the Plan to be sound, subject to a number of modifications being made.

The following Core Strategy policies (as modified) are relevant.

Key Statement DS1 (Development Strategy) - seeks to direct the majority of new housing development to the strategic (Standen) site and the principal settlements of the Borough (Clitheroe, Longridge and Whalley). A residual housing requirement of 240 dwellings (as at March 2014) is identified for Clitheroe.

Key Statement DS2 (Presumption in Favour of Sustainable Development) – sets out a presumption in favour of sustainable development and reiterates the provisions of paragraph 14 of the NPPF.

Key Statement H1 (Housing Provision) – makes provision for 5,600 dwellings over the period 2008 to 2028 at a rate of 280 dwellings per year. The Key Statement goes on to state that the Council will identify '*sites for residential development that are deliverable over a five-year period*' and '*the Council will endeavour to ensure housing land is identified for the full 15 year period and beyond*'. The supporting text to the Key Statement confirms that '*these figures will be treated as a minimum target unless otherwise determined*'.

Policy DMG2 (Strategic Considerations) – expects development to be in accordance with the Development Strategy and that development proposals in defined settlements should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.

Other policies and statements of the Core Strategy deal with more detailed considerations such as built and natural environment conservation, transport considerations, design, and affordable housing.

With the exception of the Standen site no site allocations are made by the Core Strategy. However, Clitheroe is shown as one of the three principal settlements in the Borough.

Issues and Options Paper

The Issues and Options Paper confirms the matters being consulted upon, these include the draft settlement boundaries and housing site options, although these (together with the 'call for sites') is for a limited number of settlements only and does not include Clitheroe. The 'call for sites' exercise

is limited to sites in the settlements where there is said to be an outstanding residual need for additional housing, and seen to be unnecessary for other settlements.

A Settlement Boundary Definition Topic Paper has been separately produced to show how the national planning policy and guidance has been considered along with how settlement boundaries relate to the various policies within the Core Strategy itself.

With regards to the main settlements of Clitheroe, Longridge and Whalley, the Council's monitoring of dwellings constructed or with planning permission at 30 September 2015 shows that:

- 1040 dwellings are to be delivered at the Standen Strategic site within the plan period;
- there are 78 dwellings with planning permission in Clitheroe in excess of the policy requirement for 1280 dwellings over the plan period;
- there are 65 dwellings with planning permission in Whalley in excess of the policy requirement for 520 dwellings over the plan period; and
- there is a residual requirement for 430 dwellings in Longridge in relation to the policy requirement for 960 dwellings over the plan period. However, 406 dwellings have since been granted planning permission in Longridge, reducing the residual requirement to 24 units.

In other settlements there is a residual requirement for 39 dwellings over the plan period.

Monitoring at 30 September 2015 shows that 1214 dwellings had been built since April 2008, ie the start of the plan period.

The Topic Paper confirms that the objectively assessed need for housing provision are not for review at the present time, ie the Core Strategy housing provision levels are to be planned for within the DPD.

There is no reference within the Issues and Options Paper to safeguarding land for future development.

The draft Proposals Map shows the site as unallocated, adjacent to but outside of the settlement boundary and within an area of Open Countryside (Key Statement EN2). Core Strategy Key Statement EN2 (Landscape) seeks to protect, conserve and enhance the landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty. The Key Statement goes on to state that '*the landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced*'. Furthermore, '*as a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials*'. The site does not lie within the AONB; the nearest point of the AONB is some 1.75 km from the site. Very small portions of the site alongside the

watercourses at the site's north east and west boundaries are identified as being within Flood Zone 2. An extract from the Proposals Map is shown below, with the general location of the site marked by a red star.

Settlement Definition Topic Paper

In March 2016 the Council produced a Settlement Definition Topic Paper. The Topic Paper appears to largely adopt the criteria for defining settlement boundaries as formulated in the early to mid-1990s for the former Districtwide Local Plan. It is noted that 'consolidation', 'rounding off' and 'expansion' of settlements may also have a bearing on the definition of settlement boundaries. A number of additional criteria are also referred to including taking account of necessary land-use allocations, but excluding any safeguarded land.

Call for Sites

As mentioned above the current consultation includes a 'call for sites' within a limited number of settlements, not including Clitheroe. The 'call for sites' exercise is limited to sites in the settlements where there is said to be an outstanding residual need for additional housing, and seen to be unnecessary for other settlements.

Housing Land Availability

The most recent housing land availability information for the Council's area was reported to the Planning and Development Committee on 30 June 2016 and related to the period to 31 March 2016. It showed that dwelling completions from the beginning of the plan period amounted to 1380.

The Council's estimation for the supply of housing was 2723 dwellings amounting to a supply for 5.36 years.

Assessment

It is evident from the Council's evidence on housing completions to date that the average annualised housing provision levels have not been achieved during the plan period from 2008 to date by a considerable margin. A considerable reliance is placed on delivery of housing from the Standen site. This site has yet to commence development and, at the present time, no reserved matters approvals have been granted. The prospect of delivering the whole of the site within the remaining plan period would appear remote. By the Council's latest estimation there is a 5.36 years supply of housing land, which is barely more than the 5 year requirement below which the Core Strategy policies for the supply of housing cannot be considered up-to-date. The stated figures for the 'excess' supply of housing for each of the main settlements (78 + 65 – 24 = 119) amounts to a relatively small figure (ie some 3.1%) in the context of the overall requirement for the main settlements (1040 + 1280 + 520 + 960 = 3800). Furthermore, the supporting text to Key Statement H1 confirms that the housing provision figures will be treated as a minimum target unless otherwise determined. No such determination has been made (as confirmed in the Issues and Options Paper), nor would any such determination be appropriate at present. Given the Government's policy to boost significantly the supply of housing land, there can be no logical or justifiable basis for the Council's stated position that it is only making a call for sites in selected Tier 1 settlements and not for the main settlements. It is my submission that to accord with the Government's call for flexibility and positivity in plan-making, there is an indisputable need to make provision for additional housing. The most obvious and sustainable location for such housing would be within the main settlements. To that end, and on my client's behalf, I propose that the site at Highmoor Farm identified by red outline on the plan above should be allocated for housing. The suitability of the site for housing is explained below.

The site immediately adjoins the built-up area of Clitheroe. The site is conveniently located for local services including:

- three primary and three secondary schools are within 1000 metres of the site;
- the town centre of Clitheroe is within 700 metres of the site, with its broad range of retail, commercial, and social facilities;
- the closest bus stops on Pendle road are within 200 metres of the site, and the bus and rail stations at Clitheroe town centre are within 1000 metres of the site; and
- employment areas at Clitheroe are within 700 metres of the site.

With regard to more specific site considerations, I can advise as follows:

- Vehicular access – a safe access could be provided onto Highmoor Park, which in turn is well connected to the primary road network via Pendle Road;
- Drainage and Flood Risk – virtually the entire site is outside of a flood risk area with only small margins of the site within flood risk zone 2. These areas could very easily be protected from development and retain any floodwater storage function they presently perform. Opportunities are available to drain the site of foul water to local sewers and to provide sustainable surface water drainage solutions within the site combined with suitably controlled / limited discharge to a local watercourse;
- Natural Environment – the site is not subject to any local or national wildlife or nature conservation designations, nor has the site any known wildlife value;
- Built Heritage - the site is not subject to any local or national built heritage conservation designations, nor has the site any known archaeological value; and
- Visual Impact – the site adjoins the existing built-up area of Clitheroe. Is visually contained by existing vegetation to site boundaries and the redundant farm buildings at Highmoor Farm. Development of the site for housing would be seen against the backdrop of the built-up area of Clitheroe without any undue visual intrusion. The AONB lies some 1.7 km to the south of the site. There is no reason to consider that the development of the site would have any harmful impact on the character or appearance of the AONB. Indeed, in this respect it should be noted that the much larger Standen development site extends closer to the AONB with a similar visual relationship.

I have not identified, nor am I aware of any constraints on the delivery or development of the site or abnormal costs in preparing the site for a housing development.

In short, the site is in a very sustainable location, with ready access to a wide range of services and facilities by foot, cycle and public transport, and well related to the existing settlement. As such, the site is suitable for residential development, entirely in accord with the expectations of the NPPF, the general Core Strategy policies DS1, DS2, and DMG2 and the more specific national and local policies for development. It is, therefore, my submission that the site at Highmoor Farm (which would have capacity for approximately 150 dwellings) should be allocated for housing development within the DPD. Its allocation would assist in providing flexibility, additional opportunities for achieving the minimum housing provision levels and make the delivery of the Local Plan more robust.

The draft Proposals Map shows the site is presently subject to Key Statement EN2 of the Core Strategy and to lie outside of the settlement boundary. It is my submission that there is no reasonable or justifiable basis for the site's designation under Key Statement EN2. The site is at a distance from the AONB and the site's protection to conserve the character and setting of the

AONB is unnecessary and unjustified. In short, the site does not contribute in any meaningful way to the character or appearance of the AONB. There is no public benefit derived from the protection provided by Key Statement EN2. By contrast, there is a need to identify land suitable for housing development in a sustainable location. As such, the site should be removed from the EN2 designation and the settlement boundary modified to include the site within the settlement.

Turning to the tests of soundness requirements for a Local Plan, it is evident from the above assessment that the designation of my client's land as under Key Statement EN2 and exclusion from the settlement boundary fails the following tests:

1. Positively prepared – the work to date on the DPD appears to indicate that it has not been positively prepared in that it will not deliver the objectively assessed development needs for housing;
2. Justified – neither the Topic Paper or the Issues and Options paper provide any justification or evidence for the designation of my client's land under Key Statement EN2 or its exclusion from the settlement area. Rather, it would appear that the designation and boundary have simply been brought forward from the former Districtwide Local Plan without any fresh assessment;
3. Effective – it is apparent from the available evidence that the Council is failing to deliver sufficient housing to meet its objectively assessed need and there is no evidence to suggest that the future will be any different. To that end, the Council needs to make further provision for housing, most sensibly within the main settlements; and
4. Consistent with national policy –it has been established that the Issues and Options Paper is failing to meet the requirements for flexibility and robustness in plan-making and to provide for sufficient housing, thus the DPD fails to comply with current national planning policy.

Conclusion

For the reasons set out above, it is submitted on behalf of my client that the land at Highmoor Farm, identified by red outline on the above plan, should be allocated for housing development and the site should be included within the settlement boundary and excluded from the Key Statement EN2 designation.

Please keep me informed of future consultations in relation to this matter.

Should you require any further information or clarification please feel free to contact me.

Yours sincerely,