



Ribble Valley
Borough Council

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TOWN & COUNTRY PLANNING ACT 1990: Section 78

TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURE)
(ENGLAND) RULES 2000

TOWN AND COUNTRY PLANNING (HEARINGS AND INQUIRIES PROCEDURE)
(ENGLAND)(AMENDMENT AND REVOCATION) RULES 2015

Planning Inspectorate Reference:	6002485
LPA Application Reference:	3/2025/0196

Appeal by Hallam Land Management Ltd

Against the Refusal of Ribble Valley Borough Council to grant outline planning permission for up to 300 residential dwellings associated access, rail station car park, green infrastructure and sustainable drainage systems (all matters reserved except for access)

Land off Longsight Road, Langho bounded by the railway, Northcote Park and Wildmans Farm

STATEMENT OF CASE ON BEHALF OF RIBBLE VALLEY BOROUGH COUNCIL

1 Introduction

- 1.1 The appeal is against the refusal by Ribble Valley Borough Council for an outline application for the erection of up to 300 residential dwellings with associated access, rail station car park, green infrastructure and sustainable drainage systems (all matters reserved except for access) at land off Longsight Road, Langho (bounded by the railway, Northcote Park and Wildman's Farm).
- 1.2 The application was taken to the local authority's Planning and Development Committee on 27th June 2025 with a recommendation to refuse planning permission. The Committee resolved to agree with the officer recommendation and the application was refused for the following reasons:
1. The proposed development would result in a large-scale residential development, outside of a defined settlement, which fails to meet any of the exception criteria for allow development in such as location contrary to Key Statements DS1 and H2 and Policies DMG2 and DMH3 of the Ribble Valley Core Strategy.
 2. The proposed development, by virtue of the quantum of development, would result in a large-scale development in a rural location resulting in future users being reliant on a private motor vehicle contrary to Key Statement DMI2 and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy and the National Planning Policy Framework which supports sustainable patterns of development.
 3. The proposed development, by virtue of its overall scale and footprint, would result in the introduction of an incongruous, unsympathetic, and discordant form of development, particularly when viewed from public vantage points along Longsight Road (A59) approaching the site from both the western and eastern directions, Public Footpath FP0606a which crosses the site and residential properties to the north of Langho Village afforded direct views of the site. This would result in adverse, long terms and permanent visual and landscape harm. The resultant impact fails to respond positively to the inherent visual and landscape character of the area contrary to Policies DMG1, DMG2, DME1 and DME2 of the Ribble Valley Core Strategy and the National Planning Policy Framework.

4. The application fails to carry out appropriate assessments to fully assess the impacts of the development upon habitats within and adjacent to the site including whether appropriate protection and enhancement can be provided for protected species and their habitat. This is contrary to Key Statement EN4 and Policy DME3 of the Ribble Valley Core Strategy and the National Planning Policy Framework.
 5. The proposed development would result in the loss of existing habitat, hedgerow and watercourse units, with insufficient details being submitted to demonstrate an appropriate strategy for achieving the statutory requirement for Biodiversity Net Gain contrary to Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).
- 1.2 It is noted that since the application was determined the Appellant has submitted amended plans in the form of the Illustrative Masterplan and Landscape Masterplan. These amended plans do not change the scope of the proposed development but do provide additional landscaping to the northern boundary with Longsight Road (A59) and the northeastern corner of the site in the relation to the protected woodland and indicative built form of residential development. These plans do not fundamentally lead to any change in position from the LPA in terms of the reasons for refusal as set out in this Statement.

2 Appeal Site and Surrounding Context

- 2.1 The appeal site is 20.1 Hectares in size being located outside the defined settlement boundary of Langho, as such the site is located on land that benefits from an open countryside designation.
- 2.2 The site is bounded to the north by Longsight Road (A59), to the east by Northcote Park (a residential development approved in 2018) to the south by the railway line and to the west by Whitehalgh Lane.
- 2.3 The appeal site is greenfield, agricultural land and slopes from south to the north. The land includes a protected ancient woodland, Green Nook Wood, which lies to the northeast of the site and supports veteran trees as well as other mature trees within the site. There is also an existing watercourse which runs north to south through the centre of the site.

- 2.4 Vehicular access to the site is to be provided via a new vehicular access off Longsight Road (A59). An existing Public Right of Way (PROW) 3-6-FP6 runs across the site (north to south) from the A59 to the railway station and is to be retained. A new pedestrian/cycleway access is proposed to be provided off Whitehalgh Lane towards the southwest extents of the site.

3 Planning Policy & Guidance

- 3.1 The planning policy context for the appeal site is set out at a national level by the National Planning Policy Framework (NPPF) (Published December 2024) and at a local level by the Ribble Valley Core Strategy (RVCS) (Adopted 16th December 2014) and the Housing and Economic Development, Development Plan Document (HED DPD) (Adopted 15th October 2019). The RVCS and the HED DPD form the relevant development plan for determining this appeal while the NPPF and NPPG are material considerations.

National Policy Context

- 3.2 The NPPF paragraph 2 reaffirms that the planning system is plan-led and that Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 3.3 Paragraph 8 refers to the three overarching objectives to sustainable development: economic, social and environmental. The economic and social roles include ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, and providing the supply of housing required to meet the needs of present and future generations. The environmental role includes contributing to the protection and enhancement of the natural, built and historic environment. Paragraph 8 makes clear that these roles are interdependent and need to be pursued in mutually supportive ways, taking local circumstances into account, to reflect the character, needs and opportunities of each area.
- 3.4 Paragraph 11 sets out the presumption in favour of sustainable development. Specifically for decision taking this means:
- c) approving development proposals that accord with an up-to-date plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii. 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

3.5 Paragraph 61 states that local planning authorities should support the Government's objective of significantly boosting the supply of homes, with sufficient amount and variety of land to come forward where needed, meeting the needs of groups with specific housing requirements and land with permission developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including an appropriate mix of housing types for the local community.

3.6 Paragraph 78 of the NPPF requires strategic policies to include identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where the strategic policies are more than five years old.

3.7 Paragraph 135 states that planning policies and decisions should ensure that development function well and add to the overall quality of the area, are visually attractive with appropriate layouts and appropriate and effective landscaping, sympathetic to the local character and landscape setting.

3.8 Paragraph 136 states that trees make an important contribution to the character and quality of with existing trees retained where possible.

3.9 Paragraph 187 states that states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils, recognising the intrinsic character and beauty of the countryside, and of trees and woodland [and] minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks.

3.10 Paragraph 193 sets out the principles to be applied in terms of a) significant harm to biodiversity; c) loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) and d) opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable gains for biodiversity or enhance public access to nature where this is appropriate.

3.11 The National Planning Practice Guidance (NPPG) provides advice on Government policy. Within the NPPG, the following sections are of most relevance:

Biodiversity Net Gain

Design: Process and Tools

Flood risk and coastal change

Healthy and safe communities

Housing supply and delivery

Land affected by contamination

Natural environment

Open space, sports and recreation facilities, public rights of way and local green space

Planning obligations

Travel plans, transport assessments and statements

Local Policy Context

3.12 The formal adoption of the Ribble Valley Core Strategy was considered and adopted at a Meeting of Full Council on Tuesday 16th December 2014.

3.13 It is the Council's case that the policies of relevance to this appeal are as follows:-

Key Statement DS1: Development Strategy
Key Statement DS2: Sustainable Development
Key Statement EN3: Sustainable development
Key Statement EN4: Biodiversity and Geodiversity
Key Statement H1: Housing Provision
Key Statement H2: Housing Balance
Key Statement H3: Affordable Housing
Key Statement DMI1: Planning Obligations
Key Statement DMI2: Transport Considerations

Policy DMG1: General Considerations
Policy DMG2: Strategic Considerations
Policy DMG3: Transport & Mobility
Policy DME1: Protecting Trees and Woodlands
Policy DME3: Site and Species Protection and Conservation
Policy DME6: Water Management
Policy DMH1: Affordable Housing Criteria
Policy DMB4: Open Space Provision
Policy DMB5: Footpaths and Bridleways

3.14 The authority formally adopted the Housing and Economic Development, Development Plan Document (HED DPD) on 15th October, 2019. This outlined detailed policy coverage in relation to matters of housing and economic development and amongst other things allocated land for residential development to meet housing requirements for the duration of the plan period (2008 – 2028). There are no policies of relevance within this DPD to this appeal.

4. Council's Case

Matters Relating to Housing Supply and Refusal Reason 1

4.1 The LPA has published annual statements on housing land supply (HLS), with the most recent being March 2025 which stated that Ribble Valley Borough Council had a 6.25-year HLS. This

figure had not been contested at appeal at the time the planning application was determined and the LPA determined the application on the basis that it was able to demonstrate a 5-year housing supply.

- 4.2 Since this application was determined and shortly after the appeal had been lodged, the Council received an appeal decision (dated 7th January, 2026) at Land to the South of Chatburn Old Road, Chatburn (APP/T2350/W/25/3372635) whereby the Planning Inspector determined the Council's HLS position to be 3.45 years. A copy of this appeal decision was provided to the Planning Inspectorate and the appellant by email on 12th January, 2026.
- 4.3 It is therefore acknowledged that, for the purposes of determining this appeal, the Council's position is that as it cannot demonstrate a five-year supply, that the relevant strategic policies are not considered to be up-to-date and therefore the Council's position is that paragraph 11(d) of the NPPF is engaged.
- 4.4 As the proposed development would fail to meet an identified local housing need and would fail to meet any of the Core Strategy exception criteria for justifying the release of land for development within the open countryside, the Council's case and indeed refusal reason 1 is that the proposal would conflict with Core Strategy strategic policies DMG2 and DMH3 and key statements DS1 .
- 4.5 However, as these policies are now considered out of date (following the appeal decision on 5YHLS) in so far as their restrictive approach to allowing new development in the countryside, the Council has reviewed its case in relation to this Appeal and has determined that it is no longer in a position to pursue refusal reason 1.

Flat or Tiled Balance

- 4.6 Sub section i) of Paragraph 11d) requires the LPA to consider whether the development would be in conflict with any of the NPPF policies which protect areas or assets of particular importance (as identified at footnote 7 of the NPPF). These are identified as habitats sites and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, or a

National Landscape, irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest...); and areas at risk of flooding or coastal change.

- 4.7 The Council's case is that sub section i) does not apply to this development. As such the Council's case is that sub-section ii) of Paragraph 11d) is engaged which requires the LPA to consider whether the adverse impacts (of granting planning permission) would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination (as listed at footnote 9 of the NPPF).
- 4.8 The Council's case is that even applying the tilted balance, there is no justification for granting planning permission because of the significant and demonstrable harm identified in refusal reasons 2 – 5.

Refusal Reason 2

- 4.9 In terms of whether the site is in a sustainable location (referred to at Paragraph 11d ii) above), the site will be separated from the village by the railway line with little scope for the development to integrate with the village as future residents of the site would need to utilise the existing footpath, through the railway tunnel. There is limited food shop provision with the village of Langho which comprises of a small Spar shop/post office, and other services and amenities are limited to a pharmacy, hairdressers and beauticians together with St. Mary's Church and primary school. There are no supermarkets, leisure facilities high school or functioning restaurants/public houses within the settlement of Langho itself.
- 4.10 Whilst there are regular main line bus services to Burnley, Clitheroe, Preston, Skipton and Blackburn and the train station at Langho is sited close to the southwest corner of the site, the Council's position is that the site would need to be able to demonstrate that it has (or would have) good access and connectivity by foot and cycle links to these public transport connections and existing local amenities and services, most of which are outside of Langho, which due to the segregation by the railway line and topography of the site and adjacent land has not been proven.
- 4.11 Based on the above, it is the Council's position that, on balance, the site is not in a sustainable location by virtue of the lack of effective connections to local services and facilities including

pedestrian and cyclist links, bus stops and the railway station and as such residents would be reliant on car borne travel to access their day-to-day needs such as work, medical, shopping and leisure facilities.

4.12 As such the Council's position is that proposed development does not accord with Key Statement DM12 and Policy DMG3 of the Ribble Valley Core Strategy or satisfy the requirements of Chapter 9 of the NPPF in particular paragraphs 110, 115 and 117.

Refusal Reason 3

4.13 The application site lies within the defined open countryside being located outside of the defined settlement of Langho, as such and given the application seeks consent for new residential development, Policies DMH3 and DMG2 part II are fully engaged in so far as their requirement for development within the open countryside to be in keeping with the character of the landscape and acknowledge the special character of the area by virtue of its size, design, use of materials, landscaping and siting. Having regard to national policy, development proposals should contribute to a sense of place and make a positive contribution to local identity and character, protect and enhance the natural environment and meet high standards of design.

4.14 Although the appeal relates to an outline application and the layout is for illustrative purposes only, the Council's case is that the proposal would result in an incongruous and discordant form of development within the open countryside that fails to respond positively to the inherent character of the area. The quantum of development would greatly increase the perceived scale of the development, particularly when seen in longer distance views of this prominent site.

4.15 The Council's case is that the development would not integrate well into the natural environment in this highly prominent site along site Longsight Road (A59). Located on raising ground the site has high visibility from neighbouring public vantage points including public rights of way and public highways.

4.16 The Council's case is that the proposal fails to accord with paragraph 135 of the NPPF insofar that the proposed development is considered to represent poor design and would not function well or be visually attractive or sympathetic to the local character of the area. The proposal also fails to accord with Paragraphs 187 with regard to trees and woodland, ancient woodland and veteran trees, which recognises the intrinsic character and beauty of the countryside and the

wider benefits of trees, and Paragraph 193 which specifically relates to significant harm to biodiversity and irreplaceable habitats such as ancient woodland and ancient or veteran trees. Additionally, the proposal fails to accord with RVCS Policies DMH3 and DMG2 part II (in respect of the requirement to ensure that development within the open countryside is in keeping with the character of the landscape and acknowledges the special qualities of the area).

Refusal Reason 4

4.17 The Council's case is that the appellant had failed to carry out appropriate assessments to fully assess impacts on habitats. Further surveys and assessments have been undertaken since the application was determined and it is accepted that no further surveys are now required. Since the application was determined the adjacent woodland Green Nook has been designated as Ancient Woodland due to the updated Ancient Woodland Inventory (AWI), and this change in status has been acknowledged by the appellant. The Lancashire Local Nature Recovery Strategy (LNRS) has also been published on the 16th January, 2026. Both of these have implications for the proposed development in terms of the ancient woodland and priority habitats.

4.18 Harm to ancient woodland can be direct or indirect. Whilst the proposed changes to the illustrative layout made by the appellant at the appeal stage would establish a buffer between built form and the woodland, together with restrictive access and positive management, the woodland would have no space for possible expansion or to create new landscape corridors with existing constraints to the north (A59), housing development to the east and settlement to the south. Part of the site has now been identified as priority habitat lowland meadow, however the quantum of development proposed has not been reduced or the layout significantly amended to avoid losses to the lowland meadow. Instead, it is proposed to translocate this habitat to another part of the site. The Council's position is that this should be a last resort and that a more acceptable solution would be to avoid the losses altogether by refusing the proposal or reducing the quantum of development to allow for habitat retention.

4.19 The Council's case is that the proposal fails to accord with Paragraph 187 of the NPPF with regard to trees and woodland, ancient woodland and veteran trees, which recognises the intrinsic character and beauty of the countryside and the wider benefits of trees, and Paragraph 193 of the NPPF which specifically relates to significant harm to biodiversity and irreplaceable habitats

such as ancient woodland and ancient or veteran trees. Additionally, the proposal fails to accord with RVCS Key Statement EN4 and Policy DME3.

Refusal Reason 5

4.20 The Council's case is that the proposal fails to demonstrate that the proposed development would not result in the loss of existing habitats and fails to provide an adequate strategy to demonstrate how the development will meet the statutory BNG provision. Off-site habitat creation will be required to meet the biodiversity deficit and to provide the necessary gains to biodiversity. As such the proposal fails to accord with Paragraph 193 which specifically relates to significant harm to biodiversity and irreplaceable habitats such as ancient woodland and ancient or veteran trees and Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).

5. Response to the appellants grounds

5.1 The appellant has gone through each of the Council's refusal reasons and cited why they disagree with the Council's position.

5.2 The appellant does make a comment about consultee responses not being available at the application stage, but all external responses were uploaded onto RVBC's website as soon as possible after receipt and on dates prior to the 9th June as evidenced by the website. Internal responses are not uploaded but can be provided on request.

5.3 The Council disagrees with the appellant that the proposed changes they have made, described by the appellant as minor modifications, sufficiently address the Council's concerns over the impact that the proposed development would have, particularly on visual impact, protected habitat and the ancient woodland as well as mitigation for the loss of priority habitat.

5.4 The Statement of Common Ground is expected to set out matters of housing supply agreement / disagreement including undersupply and site delivery.

6. Concluding Remarks

- 6.1 Para 11d) (ii) requires the LPA to consider whether the adverse impacts (of granting planning permission) would significantly and demonstrably outweigh the benefits.
- 6.2 The benefits of the development have been considered, namely the delivery of housing and affordable housing to help meet the Borough's housing needs which carries significant weight in the context of the Council not being able to demonstrate a 5YHLS, as well as consumer expenditure in the area, construction jobs and supporting the building industry supply chain. The Council's case is that other benefits cited by the appellant should be attributed less weight, including the train station car park given its location and uncertainty over delivery and future management, as well as the provision of BNG where it is unclear how much is off-site.
- 6.3 However, the adverse impacts identified in refusal reasons 2-5 would significantly and demonstrably outweigh the benefits. The disbenefits of the scheme would have an unacceptable impact. It is considered that these impacts are significant and therefore whilst the tilted balance would apply, the Council's case is that in this instance it would not justify the granting of planning permission.
- 6.4 For the reasons set out above, the Council will produce evidence to substantiate reasons for refusal 2-5 and to demonstrate that the appeal should be dismissed.