

PROOF OF EVIDENCE OF MARK SAUNDERS

MA(HONS) MRTPI

LAND SOUTH OF LONGSIGHT ROAD, LANGHO

PINS REF: 6002485

HALLAM LAND MANAGEMENT LIMITED

MARCH 2026

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1. Qualification and Experience

- 1.1 I am Mark Saunders, a Chartered Town Planner with 21 years' experience in private practice having previously worked in Local Government. I am a Director of NJL Consulting ("NJL") operating from offices in Manchester and Leeds. I hold a degree and a Masters in Town Planning and am a Member of the Royal Town Planning Institute.
- 1.2 I have significant experience in representing clients across the North West in relation to residential development working on behalf of housebuilders, affordable housing providers, developer and landowners/promoters.
- 1.3 I have been instructed by the Appellant to provide planning advice since 2023 in relation to this Appeal Site. I am therefore very familiar with the Appeal Site and surrounding area and have visited on multiple occasions since that time.
- 1.4 I understand my duty to the inquiry and have complied, and will continue to comply, with that duty. In accordance with the guidance of my professional institution, I can confirm that the evidence which I have prepared and provide to this appeal is true to the best of my knowledge and belief and identifies all matters which I regard as being relevant to the opinion that I have expressed.

2. Introduction and Scope of Evidence

The Appellant

- 2.1 This Proof of Evidence has been prepared on behalf of Hallam Land Management Limited (hereafter referred to as 'the Appellant') in respect of an appeal pursuant to Section 78 of the Town and Country Planning Act 1990 against Ribble Valley Borough Council's (hereafter referred to as 'RVBC' or 'the Council') refusal of an Outline Planning Application ('OPA') for a residential development at the site known as Land South of Longsight Road, Langho ('the site').
- 2.2 The Appellant – Hallam Land Management Ltd (Hallam) – is a subsidiary of Henry Boot group, who have been at the forefront of construction and civil engineering in the UK for over 138 years. Today, the Group is established as one of the leading land, development, property investment and construction-based companies in the country.
- 2.3 Hallam was established over 35 years ago as the land promotion business of the wider Henry Boot group and have very significant experience in promoting and delivering strategic land across the UK. The company has now become one of the country's leading land promoters with established offices in Glasgow, Leeds, Northampton, London and Bristol. Hallam's North Midlands region and head office are located at the Isaacs building in Sheffield City Centre.
- 2.4 Working on behalf of a wide range of landowners, HLM have established an outstanding track record of master planning sites to deliver sustainable and attractive housing developments where people want to live. HLM have also promoted land for a number of other uses, including offices, employment, retail, motorway service areas and renewable energy production.
- 2.5 HLM is dedicated to bringing forward this scheme alongside its development partners in affordable and older people's housing who have demonstrated a strong interest in the scheme.

Appeal Background

2.6 Figure 1 of the Statement of Case¹ illustrates the Appeal Site's location and context within Langho. A detailed description, designations and planning history of the Appeal Site is set out in the Statement of Case² and Planning Statement³.

2.7 The OPA (Ref. 3/2025/0196) was submitted on behalf of the Appellant on 20th March 2025. The assigned description of development was as follows:

"Outline planning application for up to 300 residential dwellings, associated access, rail station car park, green infrastructure and sustainable drainage systems (all matters reserved except for access)."

2.8 The OPA was refused in accordance with Officer's recommendation on 27th June 2025. There were five Reasons for Refusal ('RfR') cited within the decision notice⁴ issued by RVBC. They are as follows:

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 allowing development in such 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 DM12 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 term and permanent visual and landscape harm. The resultant impact fails to respond positively to the inherent*

¹ CD4.9 – Statement of Case – Page 3

² CD4.9 – Statement of Case

³ CD1.3 – Planning Statement

⁴ CD3.3 – Application Decision Notice

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 including paragraph 135.

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).*

Scope of Evidence

2.9 It is worth highlighting at the outset that there is a reasonable degree of common ground between the Appellant and the Council on a number of matters. To avoid duplication with the content of the Planning Statement of Common Ground⁵ ('SoCG'), and other evidence submitted to this inquiry, including my Statement of Case and Planning Statement, I do not outline these matters in full in my evidence.

2.10 Further topic-based SoCGs have been agreed in respect of:

- Five Year Housing Land Supply⁶
- Landscape⁷
- Ecology and Biodiversity Net Gain⁸
- Highways and Sustainability (note that separate statements have been prepared between the Appellant and LCC⁹ and a further statement with RVBC¹⁰)

2.11 My evidence relates to planning matters relevant to the determination of the appeal proposals in respect of the cited reasons for refusal. This considers statutory

⁵ CD4.15 – Statement of Common Ground

⁶ CD4.22 – Five Year Housing Land Supply Statement of Common Ground

⁷ CD4.19 – Landscape Statement of Common Ground

⁸ CD4.20 – Ecology Statement of Common Ground

⁹ CD4.21 – Highways Statement of Common Ground (Appellant and LCC)

¹⁰ CD4.18 – Highways Statement of Common Ground (Appellant and RVBC)

development plan policies and other relevant planning policy and material considerations in undertaking an overall planning balance for the appeal proposals.

2.12 The Council's Statement of Case confirmed that for the purposes of determining this appeal, the Council's position is that ... it cannot demonstrate a five-year supply [of deliverable housing land]" (para 4.3) and that the Council "is no longer in a position to pursue refusal reason 1" (para 4.5).

2.13 Against this background, my evidence focuses on the Main Issues as identified by the Inspector in the Post-CMC Summary Note¹¹ which are as follows:

- *The proposed development's effect on the character and appearance of the area;*
- *Its effect on sustainable modes and patterns of transport;*
- *Its effects on biodiversity, including in terms of Biodiversity Net Gain; and*
- *Whether any harm that might result from the development would be outweighed by other considerations, including housing land supply.*

2.14 In preparing my evidence, I have drawn from evidence that has been prepared in support of the appeal to address the reasons for refusal. This is as follows:

- Proof of Evidence on Landscape¹²
- Proof of Evidence on Highways and Transport¹³
- Proof of Evidence on Ecology¹⁴
- Proof of Evidence on Affordable Housing¹⁵
- Age Exclusive (Over 55s) Assessment prepared by Tetlow King

2.15 This is to assist in assessing the appeal proposals against relevant policies and determining whether there are any conflicts with individual policies and how that weighs in favour or against the appeal proposals in the planning balance.

¹¹ CD8.2 – Inspector's Post- Case Management Conference Note

¹² CD9.2 – Mr Cook Proof of Evidence on Landscape

¹³ CD9.3 – Mr Blair Proof of Evidence on Highways and Transport

¹⁴ CD9.4 – Mr Goodman Proof of Evidence on Ecology

¹⁵ CD4.14 – Mr Stacey Proof of Evidence on Affordable Housing

3. Appeal Context

Appeal Site and Surroundings

- 3.1 The Appeal Site and surrounding area is described in full in Section 2 of my Statement of Case¹⁶ and the Planning SoCG¹⁷. It is common ground with the Council that Langho is one of the most sustainable settlements within the Borough and common ground with LCC Highways that the Appeal Site is situated within a sustainable location¹⁸.

Appeal Scheme

- 3.2 Outline Planning Permission is sought, with only the details of the primary means of access into the Site for approval, all other matters reserved, for the development of the site to deliver up to 300 residential homes (Use Class C3) and associated access, a publicly available surface level car park, green infrastructure and sustainable drainage systems.
- 3.3 The appeal proposal is described in full in Section 3 of my Statement of Case, and so I do not seek to repeat those details here. In sum, the proposed development comprises:
- 1) 300 new homes to include a variety of house types and tenures;
 - 2) 30% affordable housing – 90 homes;
 - 3) 15% older persons housing – 45 homes (Over 55's retirement) including 50% affordable provision;
 - 4) The formation of a vehicular access off Longsight Road (A49);
 - 5) A landscape-led masterplan promoting key vistas with enhanced green infrastructure including new landscaping, habitat creation and open space;
 - 6) The creation of 8.82ha of publicly accessible, enhanced public open space for existing and future residents' use;
 - 7) Increased and improved pedestrian and cycle routes;
 - 8) A biodiversity net gain of approximately 12.5%;
 - 9) A new publicly accessible surface level car park for 43 car parking spaces and 5 accessible bays in close proximity to Langho station;
 - 10) A comprehensive package of sustainable transport improvement measures;

¹⁶ CD4.9 – Statement of Case

¹⁷ CD4.15 – Statement of Common Ground

¹⁸ CD4.21 – Highways Statement of Common Ground (Appellant and LCC) – Part 4

11) Land safeguarded (0.01ha) for possible future improvement works to Langho railway station access; and

12) Sustainable drainage infrastructure.

3.4 It is proposed that the maximum number of homes determined with the appeal is fixed via planning condition. Parameter plans accompany the application and are proposed to be approved plans to govern specific development constraints and how they inform the future layout of a proposed development which would be subject of reserved matters planning application(s).

3.5 The supporting parameter plans will provide suitable control in ensuring the established design principles and ethos for the site¹⁹, ensuring the appeal scheme could represent a well-integrated addition to the settlement of the highest quality.

Application and Decision

3.6 The OPA submission was submitted via the Planning Portal and received by RVBC on 10th March 2025 and registered by RVBC on 31st March 2025 under reference: 3/2025/0196.

"Outline planning application for up to 300 residential dwellings, associated access, rail station car park, green infrastructure and sustainable drainage systems (all matters reserved except for access)."

3.7 The statutory consultation period ran from 31st March 2025 to 21st April 2025.

3.8 On 9th June RVBC for the first time provided the full range of consultee responses received to the applicant via email²⁰ as well as confirming that the application was to be taken to the 26th June 2025 Planning and Development Committee for determination. It is not known why consultation responses were not uploaded once they had been received.

3.9 That email confirmed that all consultee responses had been received with exception of BNG/Ecology and Trees. No response on that issue was uploaded to the Council's portal nor was it subsequently added into the Officer's report²¹.

3.10 However, Section 5.5 of that report outlined 'Trees/Ecology and BNG as a particular section which refers to a GMEU response in the assessment and confirms that

¹⁹ CD1.4 – Design and Access Statement

²⁰ CD2.1 – CD2.13 - Statutory Consultee Responses to Application Ref. 2/2025/0196

²¹ CD3.1 - Committee Report (26th June 2025)

insufficient information has been provided with the application and therefore would fail to accord with Key Statement EN4 and Policy DME3 of the Core Strategy ultimately translating into RfRs 4 and 5.

3.11 The full list of consultee responses and whether they constitute an objection to development are listed in a Table at paragraph 2.3 of my Statement of Case, noting that the only objection was from GMEU which had unreasonably not been provided to the Applicant prior to determination.

3.12 The OPA was refused in accordance with Officer's recommendation on 27th June 2025. And despite GMEU's reported request that the Applicant should revisit certain matters – no opportunity to enable that to be done was afforded to the Applicant's advisors. I consider the authority's conduct further with respect to this appeal, noting the emergence of additional consultee responses and ongoing delays with respect to GMEU's objection.

Planning Appeal

3.13 The Appellant lodged an appeal against this refusal on 11th December 2025.

3.14 Subsequent to the scheme being determined, the Appellant has proposed some very minor modifications to the indicative green infrastructure proposed as follows:

- The existing public footpath that runs through the site would pass through a proposed residential area. The configuration of the hard landscaping of this area, including access road and driveways, has been slightly adjusted to create a wider landscape corridor in order to accommodate the existing footpath alignment.
- The northern boundary of the site would accommodate a tree belt running along its northern boundaries so as to provide a greater degree of physical and visual containment leaving the balancing pond areas in broadly the same locations.
- Increased stand off between proposed development and designated Ancient Woodland.

3.15 The changes affect the following plans:

| Superseded Plan Reference | Updated Plan Reference |
|---|---|
| P24-2318_EN_07_A – Landscape Masterplan ²² | P24-2318_EN_07_B – Landscape Masterplan ²³ |
| 0101 – Illustrative Masterplan ²⁴ | 0101 Rev F – Illustrative Masterplan ²⁵ |

3.16 The changes do not result in any changes to parameter plans which are proposed to be conditioned should planning permission be granted. The changes do not change the extent of the appeal site, overall maximum number of dwellings proposed or substantially change the outline application.

3.17 There is no prejudicial or procedural unfairness to the Council, consultees or third parties. At the CMC the Council confirmed that it would have no objection to the appeal being considered and determined on the basis of the revised versions of the plans: Landscape Masterplan and Illustrative Masterplan and subsequently agreed by the Inspector.

²² CD1.22 – Landscape Masterplan

²³ CD4.2 – Landscape Masterplan (P24-2318_07B)

²⁴ CD1.18 – Illustrative Masterplan

²⁵ CD4.1 - Illustrative Masterplan (Ref. 333101612_MR_MP_VW0101F)

4. Planning Policy Context

Statutory Development Plan

- 4.1 The Development Plan for the purposes of determining planning applications under Section 38(6) of the Planning and Compulsory Purchase Act 2004 comprises:
- Core Strategy 2008-2028 (adopted 2014); and
 - Housing and Economic Development Plan (adopted 2019)
- 4.2 Both of these documents are more than 5 years old and have not been reviewed or updated as required by paragraph 34 of the NPPF (2024) and as is a legal requirement of Regulation 10A of the Town and Country Planning (Local Planning)(England) Regulations 2012).

Core Strategy (adopted 2014)

- 4.3 The Core Strategy²⁶ sets out the overarching strategy, policies and long-term vision for Ribble Valley, with the Key Statements providing the strategic framework for development within the borough. They guide the delivery of sustainable growth, housing provision, environmental protection and infrastructure improvement.
- 4.4 A full list of development plan policies relevant to the determination of the Appeal Scheme is set out paragraph 5.2 of the Planning SOCG²⁷.
- 4.5 It has subsequently been agreed with Council that they refused planning permission due to perceived conflicts with Policies DMG2, DMH3, DMI2, DMG3, DME3 and EN4 which form the basis of Reasons for Refusal 2 - 5.
- 4.6 Policies most relevant to the appeal proposals in relation to housing, notably Key Statement H1, are also agreed to being out of date²⁸ including those listed in RfR1 which seek to constrain development within now out of date settlement boundaries (Policies DMG2 and DMH3). Section 5 of my Proof sets out why any perceived conflict with those policies are accordingly afforded limited weight in decision making. I also consider the outdatedness (or not) of DS1 in Section 6.

²⁶ CD5.1 - Ribble Valley Core Strategy (2008-2028)

²⁷ CD4.15 – Statement of Common Ground – Para 5.2

²⁸ CD4.15 – Statement of Common Ground – Para 6.1

Housing and Economic Development DPD

- 4.7 The Housing and Economic Development Plan Document (DPD)²⁹ sets out the key housing and economic issues including housing and economic land allocations, town centre policies and settlement boundaries. It reaffirms Langho is a Tier 1 village and allocates 0.4 hectares of land for residential development across one individual site (HAL6 – South of Laycocks Farm) for an estimated capacity of 10 dwellings.
- 4.8 Despite the Core Strategy setting out the requirement for a review to be undertaken within 5 years of adoption³⁰, and the Examination Inspector setting out this statutory duty in their report³¹, such a review was not undertaken which logically would have fell in parallel with the preparation and adoption of the Housing & Economic DPD.

Council Documentation and Local Plan Evidence Base

- 4.9 A list of relevant evidence base documents has been listed within the Core Documents (Section CD5) which I cross refer to in evidence in my assessment of the appeal proposals – this includes:

- Ribble Valley Settlement Audit prepared by RVBC in 2006
- SHMA prepared by RVBC 2006 and 2013
- Ribble Valley Settlement Hierarchy prepared by RVBC December 2008
- Defining the more sustainable settlements and patterns of housing development prepared by RVBC 2014
- SHLAA prepared by RVBC 2009 and 2013
- Annual Monitoring Reports
- Public Transport Position Paper prepared by RVBC November 2021
- Strategic Housing and Economic Needs prepared by Turley April 2020
- Affordable Housing Needs Assessment prepared by JG Consulting May 2025
- Working Draft Settlement Study prepared by RVBC September 2025
- Working Draft Settlement Profiles prepared by RVBC September 2025

²⁹ CD5.7 - Ribble Valley Housing and Economic Development Development Plan Document (15th October 2019)

³⁰ CD5.1 – Ribble Valley Core Strategy (2008-2028 - RVCS Key Statement H1

³¹ CD5.20 – Report on the Examination into the Ribble Valley Core Strategy (November 2014) – Para 67

Emerging RVBC Local Plan

- 4.10 RVBC resolved to prepare a new Local Plan in November 2019.
- 4.11 In the seven years since then the Council has been engaged in the process of preparing a new Local Plan to replace the Core Strategy, with updated policies to address future housing needs, environmental sustainability and other aspects in line with local priorities and national planning reforms. The Plan will encompass policies within the existing Core Strategy and provisions sets out in the Housing and Economic Development DPD to create a singular document, which will guide the development of Ribble Valley to 2038.
- 4.12 As part of the plan review, the Council launched a 'Call for Sites' in both 2021 and 2025³² to allow possible sites to be brought forward for consideration for housing, employment, commercial, open space development, as well as sites for nature conservation.
- 4.13 The Appeal Site was submitted as part of this 'Call for Sites' process on both occasions and in 2022 representations to the Strategic Matters Consultation (Regulation 18) were submitted on behalf of the Appellants³³.
- 4.14 No further consultation has taken place on the emerging Local Plan therefore in over 3 years. The LDS has recently been updated as of 27th November 2025³⁴ which acknowledged slippage in the timetable due to the 'scale of updates required to the evidence base'³⁵.
- 4.15 The latest timetable³⁶ presented by RVBC in response to the Government's announcement on regulations for New Style Plan-Making shows that (at best) a new Plan won't be adopted until the end of 2028. Given the consistent and egregious delays in plan-making so far, the following timescales should be taken with caution:
- Publish Notice to Commence – April 2026
 - Scoping Consultation (6 weeks) – June/July 2026
 - Gateway 1 – August 2026
 - Plan Content and Evidence Consultation (6 weeks) – January/February 2027

³² CD11.2 – Call for Sites Submission

³³ CD11.4 - Representations to the Strategic Matters Consultation (Regulation 18)

³⁴ CD5.12 - Ribble Valley Local Plan Local Development Scheme (November 2025)

³⁵ CD5.22 – Report to Planning and Development Committee (12th March 2026) – Local Plan Update Para 3.2

³⁶ CD5.22 – Report to Planning and Development Committee (12th March 2026) – Local Plan Update Appendix 3

- Gateway 2 – April/May 2027
- Draft Plan Consultation (8 weeks) – October/November 2027
- Gateway 3 – February 2028
- Submission – March 2028
- Examination – April 2028
- Adoption – November 2028

Other Material Considerations

National Planning Policy Framework (NPPF – 2024)

- 4.16 The National Planning Policy Framework (NPPF) was first introduced in 2012 and was intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. A revised Framework was published in December 2024 which, amongst other radical reforms, seeks to focus firmly on growth and increasing housing delivery across the country to achieve the Labour Manifesto commitment of building 1.5 million new homes over the next five years – I consider these further in Section 5.
- 4.17 It is common ground³⁷ that the NPPF represents an important material consideration in the determination of the appeal which should be given significant weight, and while I do not seek to repeat in detail those sections of the Framework which have been identified as being of relevance in the Planning SOCG³⁸, and my own Statement of Case³⁹, I wish to draw particular attention to the following:
- **Presumption in favour of sustainable development:** The presumption remains at ‘the heart’ of the Framework (Paragraph 10) with Paragraph 11 setting out the decision-making process for how this is to be applied. My case is that the appeal accords with the Development Plan (Paragraph 11c) however, should a different judgement be reached my evidence shows there are wide ranging benefits and material considerations which aren’t significantly and demonstrably outweighed by any adverse impacts of the development. The presumption in favour of sustainable development does not alter my assessment of the statutory status of the development plan as the starting point for decision-making (Paragraph 12).

³⁷ CD4.15 – Statement of Common Ground – Para 5.4

³⁸ CD4.15 – Statement of Common Ground – Para 5.4

³⁹ CD4.9 – Statement of Case

- **Delivering a sufficient supply of homes:** To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward 'where it is needed, **that the needs of groups with specific housing requirements are addressed** and that land with permission is developed without unnecessary delay' (Paragraph 61). The Framework reinstates the requirement for authorities to demonstrate, as a minimum, a five-year housing supply (Paragraph 78).
- **Mixed Tenure Sites:** Aside from boosting housing supply generally, Paragraph 63 identifies the range of demographics which should be planned for, including but limited to, those who require **affordable housing, families with children, older people (including those who require retirement housing), people with disabilities and people who rent their homes**, among others. Paragraph 71 states the importance of mixed tenure sites in providing a range of benefits, including creating diverse communities and supporting timely build out rates, and local planning authorities should support their development through their policies and decisions.
- **Older Persons Housing:** Paragraph 63 distinguishes the different spectrum of need within older persons housing, representing a **significant** step in reinforcing the signal of Government support for further innovative development in the retirement housing, housing-with-care and care home sectors and making it incumbent upon authorities to ensure these are being properly planned for.
- **Contribution of Large Sites and Rural Housing:** Paragraph 77 advocates that the supply of large numbers of new homes can often be best achieved through measures such as significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). The benefits of '**rural housing**' through sustainable, housing development are acknowledged by Paragraph 83 in enhancing the vitality of rural communities.
- **Promoting sustainable transport:** Paragraph 110 states that the planning system should actively manage sustainable patterns of growth, focusing on locations which are or can be made sustainable where these can offer a genuine choice of transport modes. Importantly to this appeal and the site's context within Langho and the rural nature of Ribble Valley, Paragraph 110 acknowledges that pragmatism will be required given that '**opportunities to maximise sustainable transport solutions will vary between urban and rural areas**'.

Prioritisation is to be given to sustainable travel, including safe pedestrian and cycle movements (Paragraph 115-117), including supporting those people with reduced mobility needs (Paragraph 117b).

- **Making Effective Use of Land:** Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (Paragraph 124). Support will be provided where proposals are shown to secure well-designed places (Paragraphs 129 and 131). Development that is not well designed should be refused (Paragraph 134).
- **Conserving and Enhancing the Natural Environment:** The need to contribute and enhance to the natural and local environment is made clear by Section 15. Paragraph 187 sets out several instances where planning policies and decisions should contribute to and enhance the natural and local environment, including net gains to biodiversity and the character of the open countryside. Paragraph 193 outline the approach to applications to protect and enhance biodiversity and geodiversity and approach to mitigation and compensation.

4.18 I identify firm policy support under the Framework, so far as the appeal proposal delivers on the national priority of significantly boosting housing supply, and the benefits attributed to securing a genuine mix of tenure and typology, including older persons accommodation, within a logical extension to a rural settlement and the contribution this will in turn bring to the area's vitality.

4.19 My evidence also considers the appeal proposal's compliance with relevant provisions of national planning policy, as identified above, with regards to technical matters identified within the main issues identified by the Inspector and putative reasons for refusal put forward by RVBC.

Planning Practice Guidance

4.20 National Planning Practice Guidance (PPG) accompanies the NPPF to provide further guidance for developments across England. While I do not seek to repeat at length all extracts which are material to this case, I note the importance placed within PPG on achieving good design with reference to the National Design Guide (Paragraph Paragraph: 001 Reference ID: 26-001-20191001), the 'very wide' scope of what can constitute as a material consideration (Paragraph 008 ID: 21b-008-20140306), which I deduce does not include the protection of purely private interests, and the approach for decision-makers in determining the weight to be given to each material

consideration as being one of individual planning judgement (Paragraph 009 ID: 21b-009-20140306).

- 4.21 Paragraph 013 (ID: 21b-013-20150327) sets out that a local planning authority may depart from development plan policy where material considerations indicate that the plan should not be followed.
- 4.22 Paragraph 001 (ID: 67-001-20190722) states that whilst the standard method for assessing local housing need identifies the overall minimum average annual housing need figure, it does not break this down into the housing need of individual groups. It encourages plan-making authorities to identify and plan for the housing needs of particular groups of people.
- 4.23 In this context, the 'critical' need for planning for older persons housing is an acute issue, noting the rapid demographic changes being experienced nationally⁴⁰ and the spectrum of needs arising, and associated challenges this brings across social care and health systems, as identified in Paragraph: 001 (ID: 63-001-20190626). Indeed, it is telling that there is no other reference to '**critical**' housing needs (or similar terminology) in PPG or the NPPF save in relation to the need for older persons housing.
- 4.24 Given the acknowledgement of a 'critical' need, it is for the planning system to deliver it unless there is very good reason why it should not. The emphasis being placed on this issue by Government demonstrates a very clear direction of travel in policy, thereby making it incumbent upon LPAs to ensure that plan-making and decision-taking properly takes into account the diverse range of housing requirements that flow from the over 55 age group.

⁴⁰ In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million (Paragraph: 001 Reference ID: 63-001-20190626)

5. The Need for Housing

5.1 Whilst I acknowledge that the Council have conceded that they cannot demonstrate a five-year housing supply, the Council and appellant do not agree to the weight to be attached to the benefit of provision of housing.

5.2 I believe it is important to contextualise the need for housing both in recognition of the evolved national policy position but also considering Ribble Valley's background to historic delivery and impetus to embrace delivery of large scale, sustainable developments such as the appeal proposals.

National Policy Priority: 'Building the homes we need'

5.3 In their first speech as Chancellor⁴¹, and a matter of days of the new Labour Government assuming office on 5th July 2024, Rachel Reeves MP set out in so uncertain terms the Government's policy priority over the next parliament:

*'Growth... it is now our national mission. **There is no time to waste.**' (NJL Emphasis)*

5.4 Within three weeks, the Government consulted upon proposed reforms to the National Planning Policy Framework (NPPF), as one of the three pillars to underpin sustained economic growth and improved living standards – stability, investment and reform. The tone of the consultation document escalates the importance of such reform in resolving the national housing crisis, expressly stating that 'nowhere is decisive reform needed more urgently than in our planning system'⁴².

5.5 Central to delivering the Labour Manifesto commitment of building out 1.5 million new homes over the next five years are a series of sweeping and radical policy reforms – those being:

- A revised standard methodology for calculating housing needs based on a housing stock-based approach and shift away from household projections;

⁴¹ HM Treasury. Chancellor Rachel Reeves is taking immediate action to fix the foundations of our economy. 8 July 2024. Available at: <https://www.gov.uk/government/speeches/chancellor-rachel-reeves-is-taking-immediate-action-to-fix-the-foundations-of-our-economy>

⁴² Ministry of Housing, Communities & Local Government (MHCLG). *Consultation outcome- Proposed reforms to the National Planning Policy Framework and other changes to the planning system*. Updated 27 February 2025. Chapter 1, para 2. Available at: <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

- The reinstatement of mandatory housing targets as a starting point for local planning authorities to plan towards;
- The reinstatement of the requirement to demonstrate a minimum five-years of deliverable housing land supply (and buffers for any underperforming local planning authorities);
- The introduction of the 'Grey Belt' policy concept and the 'Golden Rules';
- A policy emphasis on boosting the supply of social and affordable housing; and
- Support for cross-boundary strategic planning.

5.6 On 12th December 2024 the Minister of State for Housing, Matthew Pennycook MP, published a Written Ministerial Statement ('Building the homes we need') – which recognised the implications of a revised Standard Method in addressing the 'acute and entrenched housing crisis'⁴³, adding that 'a mandatory method is insufficient if the method itself is not adequate to meet housing need'⁴⁴.

5.7 The Government's formal response⁴⁵ to the consultation anticipates that new policy directed by NPPF 2024 will result in many housing sites coming forward across the country outside of the plan-led system:

*'The plan-led approach is, and must remain, the cornerstone of the planning system. **The imperative of rapidly driving up planning consents in the context of a system with inadequate local plan coverage will increase the number of permissions secured outside of plan allocations**' (NJL Emphasis)*

5.8 Housing policy within the new NPPF maintains the Government's objective of significantly boosting the supply of homes⁴⁶ by ensuring that sufficient choice and mix is made available to meet local identified housing needs.

⁴³ Matthew Pennycook MP, *Written Ministerial Statement: Building the Homes we Need*. 12 December 2024. Available at: <https://questions-statements.parliament.uk/written-statements/detail/2024-12-12/hcws308#:~:text=We%20are%20therefore%20restoring%20mandatory,adequate%20to%20meet%20housing%20need.>

⁴⁴ See footnote 2.

⁴⁵ MHCLG. *Consultation outcome- Government response to the proposed reforms to the National Planning Policy Framework and other changes to the planning system consultation*. Updated 27th February 2025. Paragraph 3. Available at: <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

⁴⁶ MHCLG and Department for Levelling Up, Housing and Communities. *National Planning Policy Framework, 2024*. Section 5.

5.9 It follows that the NPPF imperative to boost significantly the need for housing remains as important as ever. The implications for Ribble Valley are considered in further detail below.

Meeting Local Housing Needs

5.10 Set against this national policy context, which is clearly seeking to facilitate a step change in housing delivery and supply, I summarise below my key findings on the outdatedness of RVBC's strategic housing policies and its effectiveness in meeting local housing needs, I conclude that:

1. The strategic housing policy for RVBC, Key Statement H1, which sets out a minimum target of delivering at least 5,600 dwellings over the Plan period is now out of date. I conclude on the outdatedness of this policy by virtue of:

- The absence of a five-year housing land supply in Ribble Valley;
- The underlying evidence base⁴⁷ now being 15 years old and based on 2011-based CLG household projections which is woefully out of date;
- Its inconsistency with national policy, following revisions to the NPPF 2024 and the Standard Methodology, which represent a significant change in circumstances through which the development needs for the Borough have transformed and new previously unidentified housing needs have emerged. The local housing need for Ribble Valley has increased from 113 dpa to 311 dpa, and;
- The fact Key Statement H1 is now more than five years old without being reviewed, NPPF Footnote 39⁴⁸ requires that RVBC now apply the LHN figure.

2. Tetlow King's evidence identifies further housing challenges within Ribble Valley, aside from issues related to supply, noting the worsening affordability of the Borough over the Plan period, with affordable housing needs dramatically increasing since 2014 from 84dpa, a level of need described as 'pressing' at the time by the Examination Inspector, to as high as 230dpa in 2025.

⁴⁷ CD5.19 – Ribble Valley Defining a Local Housing Requirement Update 2013

⁴⁸ CD6.1 – National Planning Policy Framework - Footnote 39 of Paragraph 78

3. In parallel, I identify the pipeline of affordable housing is also diminishing as evidenced by the rate at which this has fallen by 58% in the last five years from 647 affordable homes in 2020 to just 272 dwellings in 2025. Brownfield windfall site completions are also falling yearly, from a peak of 144 dwellings in 2011/12 to just 24 dwellings in the last monitoring year (2024/25)⁴⁹. This is unsurprising given the RVCS Housing Trajectory⁵⁰ forecasts housing delivery to plummet at this late stage of the current Plan period to below 200 dpa. Unless new sites come forward to boost supply, the issue of affordability will only worsen.
4. Both the Tetlow King Age Exclusive (55+) Needs Assessment⁵¹ and RVBCs Affordable Housing Needs Assessment⁵² highlight the unique demographic challenges facing Ribble Valley owing to its ageing cohort when compared regionally and nationally. This trend is projected to exacerbate in the medium to long term which will in turn place further pressures on this authority to ensure it is delivering sufficient accommodation to meet the spectrum of older person housing needs.
5. Against the backdrop of these local housing challenges, I find RVBCs response has been the very antithesis to what the National Government is seeking to achieve at a time of an '*acute and entrenched housing crisis*'⁵³:
 - In direct response to the publication of NPPF 2024 and the revised LHN figure, RVBCs introduction of an entirely new approach to their 5YHLS calculation by offsetting an 'oversupply' of previous years of housing completions against their forward-looking requirement (artificially reducing the housing requirement by 35% to 214dpa) was (rightly) found by the Inspector in the Chatburn⁵⁴ appeal decision to be at odds with the national policy imperative of significantly boosting housing supply; and
 - In terms of plan-making there remains ongoing delays and no prospects of a new Local Plan being readily adopted⁵⁵ despite the Core Strategy expiring in 2

⁴⁹ CD5.18 – Ribble Valley Housing Land Availability Survey (HLAS) May 2025

⁵⁰ CD5.1 – Ribble Valley Core Strategy – Appendix 2

⁵¹ See Appendix 2

⁵² CD5.14 – Ribble Valley Affordable Housing Needs Assessment – [Page 34](#)

⁵³ Matthew Pennycook MP, *Written Ministerial Statement: Building the Homes we Need*. 12 December 2024. Available at: <https://questions-statements.parliament.uk/written-statements/detail/2024-12-12/hcws308#:~:text=We%20are%20therefore%20restoring%20mandatory,adequate%20to%20meet%20housing%20need.>

⁵⁴ CD7.1 - Appeal Decision. Chatburn Old Road, Chatburn (Appeal Ref. APP/T2350/W/25/3372635) – para 14

⁵⁵ CD 5.22 - Report to Planning and Development Committee (12th March 2026) – Local Plan Update

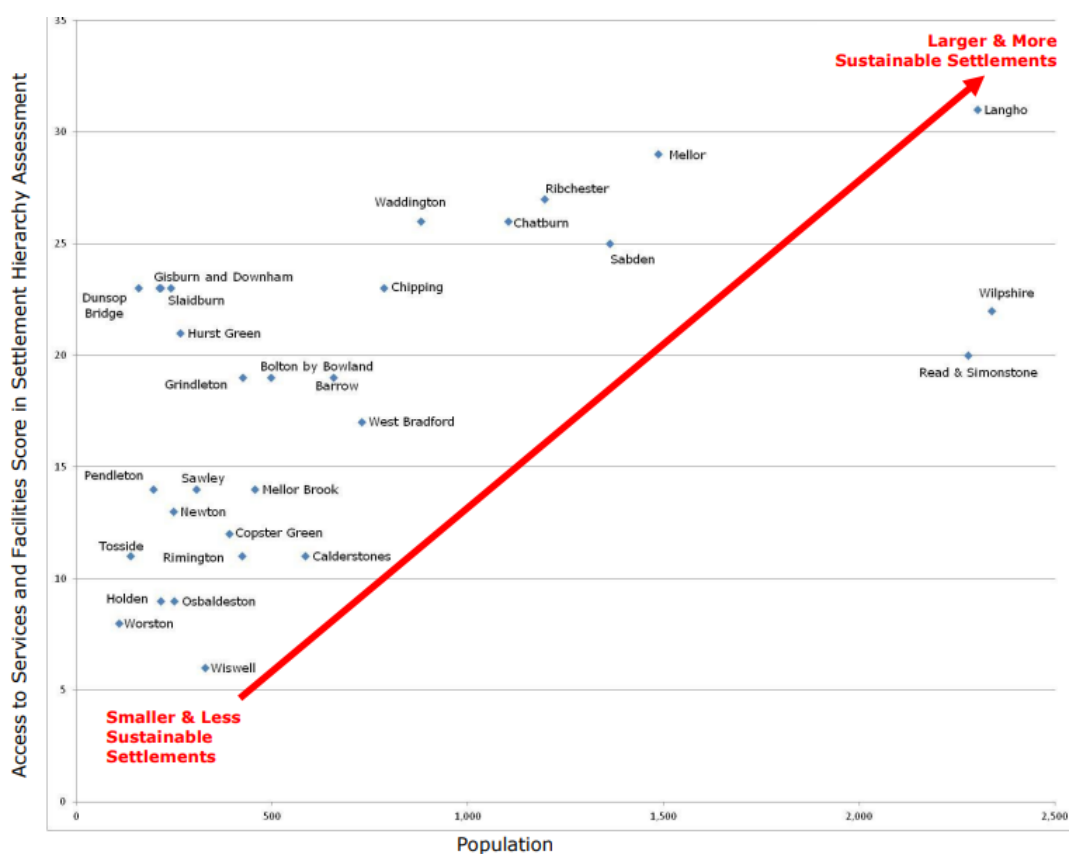
years. The emerging Plan will in no way address the urgent need for housing in the area for the foreseeable future. As such, I see no immediate remedy to the very significant shortfall in housing save for the grant of consent on sustainable sites.

6. The circumstances now facing RVBC are not new. I draw many parallels with this appeal and the appeal decision⁵⁶ at Whalley Road, Barrow which was allowed in February 2014 for a far larger scheme of up to 504 dwellings – those being:
 - Both appeals proposed development of a large-scale nature on non-allocated sites located outside of and adjoining Tier 1 village settlement boundaries.
 - An absence of a demonstrable five-year housing land supply, which at the time of determination of the Barrow Appeal equated to 4.25 years; and
 - RVBC also found themselves in a policy vacuum following the revocation of RSS and the delays in adopting a new Local Plan.
7. Section 7 of my proof provides further analysis on this appeal decision having regard for the enhanced sustainability credentials of Langho (when compared to Barrow) and the reduced scale of development subject of this appeal. Rather than prejudicing the (now adopted) Core Strategy, it is apparent that the grant of planning permission at Barrow provided greater certainty to that Plan at a time when there was a void in policy and a lack of housing supply. The same is directly applicable to the circumstances of this appeal.
8. Finally, I also find the relative lack of housing delivery at Langho to be highly material. Despite being consistently assessed as one of the larger and higher performing settlements in terms of sustainability and accessibility terms, Langho has only seen 76 completions over the Plan period. Figure 1 draws upon the Council's evidence base used to inform the Core Strategy⁵⁷ which makes the distinction between Langho and other settlements, underscoring the apparently low levels of housing growth over the Plan period.

⁵⁶ CD7.2 - Appeal Decision. Land to the south-west of Barrow and west of Whalley Road, Barrow (Appeal Ref. APP/T2350/A/13/2190088)

⁵⁷ CD5.4 - Ribble Valley Settlement Hierarchy (December 2008)

Figure 1 Comparison of 'other settlements' in the Settlement Hierarchy Assessment 2008



9. Figure 1 draws upon the Council's evidence base used to inform the Core Strategy⁵⁸ which makes the distinction between Langho and other settlements, underscoring the apparently low levels of housing growth over the Plan period.

Conclusion

- 5.11 There is a reinforced governmental commitment to addressing the housing crisis as evidenced by published statements and the fundamental changes to both the NPPF and introduction of the standard method.
- 5.12 Ribble Valley finds itself entering and completing the final stage of its published housing trajectory as contained within the adopted Core Strategy at the very time of the of this renewed impetus on delivery, with no sign the Council are intending to address the issue head on.
- 5.13 Whilst the Core Strategy has delivered on its minimum housing requirement as contained within Policy H1, there is an increased need to accelerate market housing,

⁵⁸ CD5.4 - Ribble Valley Settlement Hierarchy (December 2008)

remedy worsening affordability issues and address the Borough's aging population. The latter a point the Council in their own words has failed to address and has no plan in place to do so.

- 5.14 For reasons that I have set out, chiefly the absence of a 5YHLS, it is my firm belief that the most important policies for the determination of this appeal are out of date, so far as these relate to housing (H1) and settlement boundaries which act to constrain delivery and remedy these unmet housing needs (DMG2 and DMH3).
- 5.15 In such cases, as per the terms of the NPPF it follows that the tilted balance is engaged under NPPF Paragraph 11d ii). However, I am mindful in the first instance that just because those policies in relation to housing are agreed as out of date, that does not necessarily lead to other policies of the development plan to be out of date and if the proposals accord with the development plan as a whole.
- 5.16 I now turn to consider the overall compliance of the appeal proposals with the Development Plan in Section 6.

6. Compliance with the Development Plan

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Accordance with Development Plan as a whole

6.2 It is agreed with the Council within the Planning SoCG⁵⁹ that policies in relation to housing and most relevant to the appeal proposals are out of date for the purposes of the appeal and that the Council are no longer pursuing RfR1 which alleged conflicts with these policies.

6.3 My position in relation to those policies remains consistent with my Statement of Case⁶⁰ in that these policies are out of date and afforded limited weight which I set out in Section 10 of this proof of evidence.

6.4 Other than the out of date policies of **Key Statement H1 and Policies DMG2 and DMH3**, all other relevant policies are considered up to date and capable of being afforded weight.

6.5 It is agreed with the Council as set out within the Planning SoCG⁶¹ that the scheme fully complies with a majority of relevant policies within the development plan.

6.6 It is also agreed that the list of policies to which the proposals accord now includes a number of policies which the Council previously cited at the time of refusing planning permission such as **Policies H2 and DMB5**.

6.7 For completeness, a full review of the appeal proposals against development plan policies is included at **Appendix 1**.

6.8 With regards the remaining RfR's the Council allege harm from the appeal proposals which in their opinion leads to conflicts with development plan policies and those contained within the NPPF. Taking the agreed Main Issues list from Inspector's CMC Note:

⁵⁹ CD4.15 – Statement of Common Ground – Para 6.6

⁶⁰ CD4.9 – Statement of Case

⁶¹ CD4.15 – Statement of Common Ground – Para 6.7

- (RfR2) - Its effect on sustainable modes and patterns of transport; – alleged conflicts with Key Statement DMI2 and Policy DMG 3 of the RVCS and paragraphs 110, 115 and 117 of the NPPF
- (RfR3) - The proposed development's effect on the character and appearance of the area; - alleged conflicts with Policies DMH3 and DMG2 of the RVCS and paras 135 and 187 of the NPPF
- (RfR4&5) - Its effects on biodiversity, including in terms of Biodiversity Net Gain; - alleged conflicts with Key Statement EN4 and Policy DME3 of the RVCS and paragraphs 187 and 193 of the NPPF

- 6.9 With regards RfR2 relevant policies, I do not find a conflict with **Policies DMI2** or **DMG3**. The site is located so as to minimise the need for travel in the context of the Ribble Valley Borough as well as incorporating good access by foot and cycle and have convenient links to public transport. The proposals accord with **Key Statement DS1** as in the first instance and considerable weight should be attributed to the location of the site and the resultant benefits provided. I fully assess this in Section 7.
- 6.10 In relation to RfR3, the Council allege no conflict with **Key Statement EN2** as the strategic policy for landscape matters. I agree. I accept conflict with **DMH3** and **DMG2** but for reasons explained that conflict is limited and does not prohibit a view that the proposals accord with the development plan as a whole.
- 6.11 In addition, although the Council do not allege conflict with KSEN2, the Council allege conflict with DMG1 (design point 2) which I disagree, with the reliance on supporting evidence and the design and landscaping which is to be conditioned at the outline stage. I fully assess this in Section 8.
- 6.12 With regards RfR 4&5, **Policy DME1** seeks to protect trees and woodland. The proposals accord, with the appeal proposals not leading to loss or damage to ancient woodland or veteran tree. There is no 'significant' harm to landscape features and so the proposals accord with **Policy DME2**.
- 6.13 **Key Statement EN4** is the strategic policy relating to biodiversity matters. The proposals will conserve and enhance (on site and off site) the area's biodiversity. The policy specifically allow mitigation and compensation to be incorporated into proposals in the eventuality of perceived harms. The appellant has developed a strategy according with the approach of the policy including off site conservation credits.

- 6.14 The proposals will not have an 'adverse effect' on the identified protected sites or species identified within **Policy DME3**. If it is considered there would be in relation to a priority habitat, mitigation measures are allowable to mitigate that harm as well as the weight of benefit of proposals to weigh against that impact in any event. In which case I find the proposals accord with the policy when read in full. I fully assess this in Section 9.
- 6.15 The Council suggest conflicts with policies whereby a matter or technical issue a single limb in a wider policy. For example, in relation to **Policy DMG1** which as a 'General Considerations' policy, covers 6 themes. It is agreed between the parties that only specific parts of the policy that relate appeal proposals are in dispute. The appeal proposals are therefore agreed to accord with the remaining provisions of the policy.
- 6.16 Additionally, the appeal proposals not only accord with policies in the development plan but owing to the scale, composition and location of the appeal proposals should attract additional weight in their favour beyond the binary consideration of whether a proposals accords or conflicts with policy.
- 6.17 I believe this particularly to be the case in relation to sustainability/accessibility and ecological matters and as a consequence in the case of **Policies DME1, DME2, DMG1 and DMG3**.
- 6.18 Before moving on to consider these issues and corresponding policies in more detail and the introduction of evidence, it is necessary to reconfirm my position in relation to Key Statement DS1 as a most important policy to the appeal and Key Statement DS2 which is relevant to the process for decision making depending on the status of Key Statement DS1.

Key Statement DS1 - Development Strategy

- 6.19 Whilst policies which relate to the supply of housing or provide restrictions to delivery of housing in relation to an out-of-date housing requirement are out of date, I do not consider the locational strategy within Key Statement DS1 is necessarily out of date.
- 6.20 Key Statement DS1 sets out a spatial strategy and the basis to deliver on the plan's objectives to focus growth and investment in specific locations and settlements in the most sustainable way.
- 6.21 The RVCS Plan period is 2008 – 2028 and we are now over 18 years into the period with less than 2 years remaining. Therefore, in setting tiers of growth priorities, it is an

important factor to consider whether the Plan has been successful in its policy aims of meeting its targets.

6.22 In its own words, 'the majority of new housing development will be concentrated within an identified strategic site and the principal settlements'. Table 1 draws upon housing completions and permissions over the Plan period showing that nearly 70% have been directed to the principal settlements across the plan period to date.

Table 1. Total Completions and Extant Permissions⁶²

| Location | Number Completions and Permissions | % |
|--|------------------------------------|-----|
| Clitheroe (including Standen Strategic Site) | 2864 | 41% |
| Longridge | 1299 | 19% |
| Whalley | 598 | 9% |
| Other Parishes | 2138 | 31% |

6.23 Therefore, over the plan period, the spatial strategy has achieved its core objective in directing the majority of its growth towards higher order settlements and to specific locations.

6.24 The Appeal proposals do not individually or cumulatively affect the success or outcome of the focus and direction of the policy across the plan period. The temporal nature of any perceived harm will continue to lessen the closer to the end of the plan period and accordingly harm associated with this perceived policy conflict offered less weight.

6.25 Also part of the development strategy is that 'development will be **focused** towards the Tier 1 villages which are the most sustainable of the 32 defined settlements'.

6.26 Key Statement DS1 does **not** prescribe any targets or impose a ceiling on development in Tier 1 settlements, such as Langho. It is acknowledged that there is a plan-wide **minimum** housing target and a requirement of RVBC to meet this. Whilst there is supporting text around the desired location for growth (in line with the settlement hierarchy), there is **no** commitment or **limit** to the actual development numbers that should be achieved/not breached in each specific settlement.

6.27 This is not surprising as the RVCS Examining Inspector Berkeley made clear that the requirement was a minimum in his Report. Paragraph 65 of the Examination Inspector's

⁶² CD5.18 - Ribble Valley Housing Land Availability Survey (HLAS) May 2025 – Para 6

Report⁶³ explicitly reinforced this point, ensuring that the wording of Key Statement H1 to deliver 'at least' 5,600 dwellings was retained in policy and treating this requirement as a minimum target reflective of the Government's broad agenda of significantly boosting the supply of housing.

6.28 As noted in Section 5 of my proof, at the time of the adoption of the Core Strategy this authority found itself in a similar situation with a lack of a demonstrable five-year supply of housing land and a failure to adopt the updated plan.

6.29 Of the total 5,600 homes planned in the Core Strategy, the distribution sets out that 1,022 were required in the Tier 1 villages, which equated to 18% of the total requirement. Following approval of the Barrow scheme, the distribution in the Core Strategy set out that the majority of dwellings would be in Barrow, with 710 dwellings equating to almost 70% of the Tier 1 requirement. By contrast the distribution for Langho was only 21 dwellings, which was just 2% of the Tier 1 requirement.

6.30 In relation to the Tier 1 Villages, the Inspector found that although the proposals in Barrow were above the level of spatial distribution identified in the then draft policy for this settlement, these were not to be treated as upper limits:

*"the emerging CS does not preclude housing development at Barrow, as this is defined as an 'other settlement' destined for some new housing. Although the appeal scheme is clearly well above the minimum level in the draft policy, there is no upper limit. There would be no policy objection to housing development in other locations if this proposal went ahead."*⁶⁴

6.31 The Inspector also noted the constraints to development across Ribble Valley, and found that the scale of development could therefore take pressure from other locations;

*"Given the amount of the Borough which is affected by designations which might restrict potential development, the appeal scheme could take pressure from other locations where housing delivery could prove problematic. In any event, there is no evidence that the scale of the proposal in relation to the effect on 'other settlements' would be harmful."*⁶⁵

⁶³ CD5.20 - Report on the Examination into the Ribble Valley Core Strategy (PINS/T2350/429/1) (November 2014) – Para 65

⁶⁴ CD7.2 - Land to the south-west of Barrow and west of Whalley Road, Barrow (Appeal Ref. APP/T2350/A/13/2190088) – Para 191

⁶⁵ CD7.2 - Land to the south-west of Barrow and west of Whalley Road, Barrow (Appeal Ref. APP/T2350/A/13/2190088) – Para 192

- 6.32 Barrow and Langho are both within the same tier of the settlement hierarchy being Tier 1 villages. The Tier 1 villages were assessed in the 2008 Settlement Hierarchy, where Langho was considered to perform best with a score of 31. By contrast, Barrow was assessed to have a score of only 19, which of the nine Tier 1 villages assessed, was the second lowest total score.
- 6.33 In addition, a comparison across all of the assessment criteria, Langho was assessed to have a higher score, with the exception of employment where both are given a score of 3. The total score of 31 is not too dissimilar to the total score of 38 for Whalley, a principal settlement, and which only scores a 4 for employment.
- 6.34 The most recent assessment, the Working Draft Settlement Study⁶⁶ concludes that Langho is still the sixth most sustainable settlement of the 32 defined settlements, and the ranking includes the three principal settlements of Clitheroe, Longridge, and Whalley. Therefore, it is maintained as one of the better performing settlements and one of the few in the Borough with direct access around a train station.
- 6.35 In contrast therefore to the development of Barrow as a village settlement, the appeal proposals at Langho are for nearly half of the number of dwellings within a high performing Tier 1 settlement in sustainability terms, according to the Council's own evidence base.
- 6.36 The scale of development being proposed for Langho is significantly less than has been allowed at Barrow, and Langho performs better in sustainability terms than any of the other Tier 1 villages including Barrow, however Langho has not received a reflective amount of development over the plan period, and therefore it is appropriate that development comes forward in this location.
- 6.37 Key Statement DS1 permits development where this is shown to be 'in general the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to provide facilities to serve the development and the extent to which development can be accommodated within the local area'. Langho performs well in each regard, noting it has the 5th largest settlement population⁶⁷ in the Borough, with the appeal proposal commensurate in scale to the existing settlement. Moreover, the settlement has consistently been found to perform highly in terms of its sustainability, with a good range of access to services and amenities, and with no

⁶⁶ CD5.15 - Ribble Valley Working Draft Settlement Study (September 2025)

⁶⁷ CD5.15 - Ribble Valley Working Draft Settlement Study (September 2025) - Appendix 1

adverse impacts upon local infrastructure being identified by consultees that can't otherwise be suitably mitigated.

6.38 Drawing the above analysis together with the specific policy wording of Key Statement DS1, I disagree with the Council's assessment that the appeal proposal conflicts with DS1 for the following reasons:

- The analysis shows⁶⁸ that the Council have delivered on their spatial vision for the Borough, in directing the majority of housing growth to the three principal settlements of Clitheroe, Longridge, and Whalley.
- The scale of development being proposed at the appeal would clearly not result in such an imbalance in the spatial distribution of housing within the Borough that it would undermine the Council's efforts in continuing to deliver on this spatial vision.
- The appeal proposal accords with the next limb of Key Statement DS1 which sequentially directs housing development to the next higher order tier of settlements including the strategic site at Standen and the Tier 1 villages.
- Owing to the site's location within a Tier 1 village, and unlike residential development in Tier 2 village settlements, there is no requirement to demonstrate a proven local need or regeneration benefits.
- The scale of housing proposed in this location is wholly commensurate with the population size and excellent sustainability credentials of Langho which have long been acknowledged by the Council in their evidence base as one of the highest performing locations in the Borough beyond the principal settlements. Drawing upon the evidence of Mr Blair and the signed SOCG with the Highways Authority (LCC), I set out the positive case on sustainability and accessibility in Section 7 of my proof.
- So far as they are applicable to the appeal proposal, there is no conflict with the remaining criterion of Key Statement DS1. The appeal proposal is an opportunity for sustainable development to come forward and create wider economic, social and environmental benefits.

⁶⁸ CD5.18 - Ribble Valley Housing Land Availability Survey (HLAS) May 2025 – Para 6

Key Statement DS2 - Sustainable Development

6.39 **Key Statement DS2** remains consistent with NPPF paragraph 11 and is up to date. As it is an adopted development plan policy it sets out the approach to determining planning applications:

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- specific policies in that Framework indicate that development should be restricted.*

6.40 As an up to date development plan policy it provides guidance on decision making with the intention of the policy to be applied in much the same way as paragraph 11. This being that if the Inspector decides that Key Statement DS1 is also out of date and as a result, the extent of most relevant policies as a whole are out of date, then Key Statement DS2 is engaged and the need for a balancing exercise is required.

6.41 However, in my view, should it be determined that on balance the adverse impacts would not significantly and demonstrably outweigh the benefits of the proposals, Key Statement DS2 requires that planning permission should be granted.

6.42 This would be as a result of the proposals being in accordance with the development plan as a whole.

Conclusions

6.43 Overall, the appeal proposals are shown to accord with the development plan as a whole. Conflicts with most relevant policies in relation to housing are afforded limited weight against the proposals, by virtue of their outdatedness in being tied to an out of date housing policy.

6.44 I do not believe Key Statement DS1 is out of date, despite the absence of a 5YHLS, as I find it still appropriate and consistent with the NPPF to direct growth to the most sustainable locations in the Borough. My analysis has shown the appeal to be fully compliant with DS1 in any event. Further, whilst the site is sustainably located I also find

policies in relation to sustainability and accessibility pull in favour of the appeal proposals.

- 6.45 It is agreed that all other relevant policies are up to date and afforded full weight in decision making. I do not consider the harms to landscape features, character or from local or wider views to be of significant magnitude to conflict with the relevant policies and their individual provisions. In respect of ecological and tree matters, the proposals respond positively to adopted policies through their on site details and management measures or approach to mitigation.
- 6.46 Importantly adopted development plan policies in considering issues of impact, permit consideration of mitigation or developmental benefits in favour of development proposals in decision making.
- 6.47 Equally, should the Inspector determine that the proposals fall to be determined in accordance with Key Statement DS2 and NPPF paragraph 11d), then it falls to those benefits and mitigation measures to be considered in the planning balance to determine whether 'any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits'. I provide an assessment of the proposals on that basis in Section 10 and 11. In taking this approach, I have had regard to *Basingstoke and Deane Borough Council v Secretary of State for Levelling Up, Housing and Communities & Anor [2024] EWHC 1916 (Admin) (25 July 2024)*⁶⁹.
- 6.48 In advance, I now consider the other main issue of alleged policy conflict in relation to sustainability and accessibility of the site and proposed development to assess whether there is conflict with relevant highways policies before turning to landscape and ecology matters.

⁶⁹ CD7.8 - Basingstoke and Deane Borough Council v Secretary of State for Levelling Up, Housing and Communities & Anor [2024] EWHC 1916 (Admin)

7. A Sustainable Development in an Accessible Location (Putative RfR 2)

7.1 The relevant policies for determining the appeal proposal and its effects on accessibility, sustainable modes and patterns of transport, are:

- **Key Statement DMI2 (Transport Considerations)**
- **Policy DMG3 (Transport and Mobility)**

7.2 These policies are up to date and consistent with **NPPF paras. 110, 115 and 117** and so in considering how the proposals accord with development management policies, these are also considered to be addressed.

7.3 As observed in the Council's Statement of Case⁷⁰, the key points which have been raised against the appeal proposals, through which RVBC allege there to be conflict with Key Statement DMI2 and Policy DMG3, are that the site is inadequately accessible and would subsequently place a reliance on private car usage from future residents. The proposals would therefore be contrary to policy which supports sustainable patterns of development.

7.4 Key Statement DMI2 (and NPPF para 110) seeks to direct new development to locations which minimises the need to travel – in particular where there is a reliance placed on non-sustainable modes of transport. Schemes offering opportunities for more sustainable means of transport and sustainable travel improvements will also be supported.

7.5 I consider the appeal proposal's degree of compliance with each aspect of these policies, drawing primarily upon the evidence of Mr Blair⁷¹ to cover off the following:

- I. The sustainability of Langho as a settlement within the Borough;
- II. The accessibility of the Appeal Site to local facilities within Langho and the local areas; and
- III. My overall assessment on policy compliance.

⁷⁰ CD10.1 – Ribble Valley Borough Council Statement of Case

⁷¹ CD9.3 – Proof of Evidence on Highways and Transport

7.6 Lancashire County Council⁷² (LCC) did not object to the proposed development and concluded that the impact of the proposed development traffic can be sufficiently mitigated on the surrounding highway network, in fact they support the proposals considering the location and the mitigation measure proposed:

*'The guidance for walking and cycling distances between the centre of the site and the nearest bus stops (400m), education, local facilities and employment centres (800m walking/5km cycling) are considered suitable measures to assist the judgment of accessibility. Measures of mitigation to enhance the routes between the site and these centres are sought to be secured by the Highway Authority to support residents to travel safely by sustainable modes, without the reliance on the private car. **Subject to the mitigation measures identified above being implemented we consider that residents have the option to travel sustainably between the site, local facilities and employment centres**' (NJL Emphasis)*

7.7 The Appellant and LCC, as Highways Authority, have signed a joint statement of common ground⁷³ which establishes and verifies the specific statements in relation to the Highways Authority's view as to why the location is sustainable:

- The proposals will promote rail, bus, walking, cycling, and sustainable travel, through providing infrastructure, funding and implementing a Travel Plan in order to prioritise the use of sustainable modes for all users.
- In terms of walking, the three pedestrian routes between the site and the town, together with the proposed pedestrian infrastructure suitably integrate the proposals with the village.
- The proposed cycle infrastructure, speed limit reductions and traffic calming will provide for and encourage cycling.
- The existing bus services provide an adequate level of accessibility by public transport to a range of towns and villages within a 30-minute journey. The enhancements to public transport arising from the proposals will enhance that level of accessibility further.

⁷² CD2.7 - Highways and Transport (Lancashire County Council) (9th May 2025)

⁷³ CD4.21 – Highways Statement of Common Ground (Appellant and LCC) – Section 4

- In addition to the usual travel mode choices of walking, cycling, private car, bus and taxi, most residents of the proposed development will also have the option to travel by rail as a realistic travel choice.
- The site location adjacent to the A59 and a railway line, is such that most residents of the proposed development will have the option to travel sustainably to other nearby towns, local facilities and employment centres. It is noted that access for all users is not currently available due to steps to the platforms restricting access for wheelchair and certain mobility impaired users.
- In travel terms, the site could not be regarded as being isolated or locationally unsustainable from an access or social perspective.
- Sustainable travel options, together with ever-increasing on-line accessibility options, combine to ensure that residents will not be “reliant” on an unsustainable private motor vehicle.
- That the sustainable travel and accessibility tests in the NPPF are satisfied by the proposals.

7.8 In contrast, RVBC have not accepted any of these statements within the signed statement of common ground with the Planning Authority⁷⁴.

7.9 It is clear therefore that Mr Blair’s evidence aligns with LCC’s continued view on the sustainability credentials of the site and appeal proposals. The statement from LCC transcends both a consideration of the settlement’s locational credentials but also how the Appeal Site can access facilities both within Langho and in the local area.

7.10 My evidence is that not only does the location of the Appeal Site and the package of measures supporting their development meet development plan and national planning policy requirements, but there is also a strong measure of support for the proposals afforded within the planning balance.

Langho as a Sustainable Settlement

7.11 Upon review of the Council’s own evidence base, the settlement has consistently ranked as one of the most sustainable within the Borough to locate development. Whilst Langho is one of 9 Tier 1 villages, the settlement is shown to outperform higher order settlements in relation to specific categories. Here I review that evidence.

⁷⁴ CD4.18 – Highways Statement of Common Ground (Appellant and RVBC)

- 7.12 As Mr Blair highlights⁷⁵ the NPPF clarifies that in rural areas planning decisions should recognise that developments are likely to exhibit fewer opportunities for sustainable accessibility. The Council in assessing the site and proposals do not correctly acknowledge this notwithstanding the site and settlement, as evidenced, represent one of the most sustainable locations within the Borough to locate development.
- 7.13 This issue is often considered in the determination of planning appeals for housing development.
- 7.14 At Littlebourne⁷⁶, the Inspector found that the site was within very close proximity to bus stops and within 2km of the amenities and facilities of Littlebourne, and was therefore satisfied that the distance of 2km meant that the site was capable of being accessible by walking, cycling and transport to a suitable range of day to day local facilities and services. Set in comparison to the Appeal Site, the services and facilities in Langho are much closer than the 2km distance the Inspector at Littlebourne was satisfied with as an appropriate distance to accessing services and facilities.
- 7.15 The Inspector at Chalgrove⁷⁷ considered that most of the services and facilities were generally further away from the proposed development site than the distances suggested by the Chartered Institution of Highways and Transportation (CIHT) to be desirable being under or a little over the maximum walk distances. And that it was inevitable that there would be a significant degree of car use, but overall the Inspector attributed limited harm to conflict with policies as there would be a degree of accessibility to services, facilities, and transport, and the bus service would be more attractive with the proposed improvements.
- 7.16 These decisions highlight the pragmatic approach to determining transport solutions within more rural authorities (NPPF Paragraph 110), such as Ribble Valley, especially where there are opportunities for wider connectivity and accessibility to higher order settlements to meet everyday needs.

Settlement Studies

- 7.17 The settlement was first assessed in evidence underpinning the Local Development Framework in 2008⁷⁸. The Settlement Hierarchy Paper prepared by the Council in December 2008 provides a full review of 34 settlements within the Borough assessing

⁷⁵ CD9.4 – Proof of Evidence on Highways and Transport - para 3.4.6

⁷⁶ CD7.11 - Land at The Hill, Littlebourne (Appeal Ref. APP/J2210/W/25/3373183) – Paras. 43-45

⁷⁷ CD7.15 – Land off the B480, Chalgrove OX49 5BA (Appeal Ref. APP/Q3115/W/25/3370273) – Paras. 20 and 24

⁷⁸ CD5.4 – Ribble Valley Settlement Hierarchy (December 2008)

each settlement's services provision as well as general accessibility to facilities and services within the wider area.

- 7.18 Overall, the 2008 study concluded that Clitheroe stood out as most significant settlement within the Borough followed by Whalley and Longridge. The settlement that then performed the next best being Langho in **4th place** scoring 31 points out of a possible 42.
- 7.19 Now 17 years on, the Council's Planning Policy Team have prepared a 2025 Working Draft Settlement Study, which provides an up-to-date consideration of the overall settlement hierarchy and individual profiles of services and facilities available within each settlement.
- 7.20 Of the 32 defined settlements, Core Strategy Key Statement DS1 list 9 Tier 1 settlements. Table 2 below provides a comparison of the total scores of each of the Tier 1 settlements across both assessments. While there are subtle differences in methodologies and key indicators, both studies assess the core indicators one would expect to appraise settlement sustainability, ranging from access to transport, services and facilities to meet everyday needs, employment, and population size (in the case of the more recent 2025 Study), providing a reasonable comparison as to how settlements such as Langho continue to perform within the Borough.

Table 2. Tier 1 Settlement Ranking Comparisons 2008 - 2025

| Tier 1 Settlement | 2008 Settlement Hierarchy Final Rank | 2025 Draft Settlement Study Final Rank |
|--------------------------|---|---|
| Barrow | 19 | 4 |
| Billington | 10 | 8 |
| Chatburn | 7 | 9 |
| Gisburn | 14 | 15 |
| Langho | 4 | 6 |
| Mellor | 5 | 11 |
| Mellor Brook | 23 | 20 |
| Read & Simonstone | 18 | 5 |
| Wilpshire | 16 | 3 |

- 7.21 The most recent scores in relation to the assessment criteria and a final settlement ranking are included at Appendices 1-5 of the 2025 study, and summarised in Table 3 below:

Table 3. Langho Assessment Score

| Assessment Criteria | Langho |
|------------------------------|----------|
| Population Rank | 5 |
| Services and Facilities Rank | 9 |
| Employment Rank | 12 |
| Transport Rank | 3 |
| Total | 29 |
| Final Rank | 6 |

- 7.22 The settlement's lower ranking against the employment indicator is a primary reason for Langho not ranking even higher within the Borough. The employment indicator incorporates two elements, 1) a measurement of distance to a principal settlement and 2) the number of businesses available in the settlement. Langho ranks low in this aspect, due to the relative lack of businesses having premises within the settlement, and similarly, compared to lower order Tier 2 villages such as Calderstones, where the 2025 Study suggests that this settlement performs better than Langho simply because it is physically closer to Clitheroe as a principal settlement.
- 7.23 However, using an arbitrary measurement of distance to a principal settlement is flawed in that it fails to consider public transport options which may otherwise provide faster and far-reaching connectivity to not just principal settlements but sub-regional centres where there are enhanced employment opportunities. Langho performs uniquely, as one of four settlements with a train station, which provides direct connectivity to Preston, Blackburn, and beyond to Manchester city centre.
- 7.24 With regards to Langho, the following can therefore be deduced:
- Langho has consistently demonstrated outperformed a majority of the defined settlements by a significant margin against the Council's scoring criteria and is rightly regarded as one of the most sustainable settlements within the Borough.
 - In terms of access to public transport Langho remains one of the best provided settlements.
 - Langho is one of the larger settlements which was generally best served across the range of services and facilities.
 - Langho fell into a relatively high commuting group 'presumably because of its good and quick transport facilities'.
 - Despite the latest working draft evidence base suggesting otherwise, the settlement is uniquely placed with regards to access to employment locations.

7.25 The Council's own evidence clearly concludes that Langho is a sustainable settlement. Furthermore, it is agreed in the Statement of Common Ground⁷⁹ that as a Tier 1 Village, Langho is one of the more sustainable defined settlements in the development plan, and that the site is accessible. It therefore follows that if the site is accessible, it must be sustainable.

2021 Public Transport Position Paper

7.26 One of Langho's best credentials in sustainability terms, is its excellent public transport access.

7.27 This assertion is corroborated in not only the Council's settlement studies, but the Public Transport Position Paper⁸⁰ published in November 2021 which formed part of the evidence base to support the preparation of the emerging Ribble Valley Local Plan.

7.28 With regards bus travel in relation to opportunities for access to major destinations, it is telling that Langho scored the same as Clitheroe and better than Longridge as Principal Settlements (see Figure 4).

Figure 2. Public Transport Position Paper - Bus Network (Extract of Public Transport Position Paper from CD5.10)

| | | NUMBER OF ACCESSIBLE MAJOR DESTINATIONS USING THE BUS NETWORK | | | | | |
|-----------|---------------------|---|----------|----------|----------|----------|-------|
| Category | Origin Settlement | Up to 15 | 15 to 30 | 30 to 45 | 45 to 60 | 60 to 75 | TOTAL |
| Tier 1 | Wilpshire | | 3 | 1 | | 3 | 7 |
| Principal | Whalley | 1 | 1 | 1 | 3 | | 6 |
| Tier 1 | Barrow | 2 | | 1 | 2 | | 5 |
| Tier 2 | Ribchester | 1 | 2 | 1 | 1 | | 5 |
| Principal | Clitheroe | 1 | 1 | | 3 | | 5 |
| Tier 2 | Calderstones | 1 | 1 | 1 | 1 | 1 | 5 |
| Tier 1 | Billington | 1 | 1 | 1 | | 2 | 5 |
| Tier 1 | Read and Simonstone | | 2 | 1 | 2 | | 5 |
| Tier 1 | Mellor | | 1 | 2 | 2 | | 5 |
| Tier 1 | Langho | | 2 | 1 | | 2 | 5 |
| Tier 1 | Mellor Brook | | 1 | 3 | | 1 | 5 |
| Tier 2 | Osbaldeston | | 1 | 3 | | 1 | 5 |
| Tier 2 | Copster Green | | 1 | 2 | 1 | 1 | 5 |
| Principal | Longridge | 1 | | 2 | 1 | | 4 |
| Tier 2 | Sabden | | 2 | 1 | | 1 | 4 |
| Tier 2 | Chipping | | 1 | | 1 | 2 | 4 |

7.29 With regards rail travel, Figure 5 shows Langho is one of just four locations with a train station within Ribble Valley (Ramsgreave and Wilpshire, Langho, Whalley and Clitheroe), with the paper identifying the village as **the** most accessible settlement in

⁷⁹ CD4.15 – Statement of Common Ground – Para 6.11

⁸⁰ CD5.10 - Ribble Valley Public Transport Position Paper 2021

the Borough for rail access to accessible major destinations performing better than all three Principal Settlements within the Borough.

Figure 3. Public Transport Position Paper - Rail Network (Extract of Figure 8 from CD5.10)

| Category | Origin Settlement | NUMBER OF ACCESSIBLE MAJOR DESTINATIONS USING THE RAIL NETWORK | | | | | TOTAL |
|-----------|--------------------------|--|----------|----------|----------|----------|-------|
| | | Up to 15 | 15 to 30 | 30 to 45 | 45 to 60 | 60 to 75 | |
| Tier 1 | Langho | 3 | 1 | 1 | | | 5 |
| Tier 1 | Ramsgreave (& Wilpshire) | 2 | 1 | 2 | | | 5 |
| Principal | Whalley | 1 | 1 | 1 | 1 | | 4 |
| Principal | Clitheroe | 1 | 1 | | 2 | | 4 |

7.30 The paper⁸¹ confirms that Langho is '**best placed to take advantage of the benefits of the rail network**, benefitting from a location which allows passengers to access Whalley and Clitheroe to the east, as well as the wider regional network by connecting at Blackburn'.

7.31 Paragraph 7.2 concludes:

*Clitheroe, Longridge and Whalley continue to act as main hubs of transport access, but this assessment has found that additional settlements including Langho, Wilpshire and Barrow **are also locations of high accessibility**. More generally, a large majority of the borough have walkable access to public transport services, providing the choice of an alternative mode of transport to the private vehicle which is more sustainable and contributes to the borough's efforts to tackle Climate Change. **Despite this, there are opportunities to make the use of public transport more attractive, and the Council will work with relevant bodies to ensure this where possible.***⁸²

7.32 Taking the direct accessibility to services, facilities and choices of transport modes, it is evident that as a highly accessible location, Langho is well located to benefit from the current Public Transport Network. It performs well within the higher order of the settlement hierarchy in comparison to other Tier 1 locations and is specifically recognised as a settlement of 'high accessibility' and is within part of the Borough where residents have walkable access to public transport to provide an alternative mode of transport choice.

⁸¹ CD5.10 - Ribble Valley Public Transport Position Paper 2021 – Para 5.2.9

⁸² CD5.10 - Ribble Valley Public Transport Position Paper 2021 – Para 7.2

- 7.33 The study discusses barriers to public transport usage and identifies that a lack of parking to support Langho train station has been identified as a major constraint to using the station locally, with the Council acknowledging that *'without improvements to these facilities across all four stations, it is difficult to improve the attractiveness of this mode of transport for those who would require parking within the vicinity of a train station'*.
- 7.34 This is specifically addressed by the appeal proposal which will provide a dedicated surface level car park which will provide strategic infrastructure to improve accessibility to rail travel for the Borough as a wider scheme benefit which is supported by both RVCS policy as well as the NPPF.

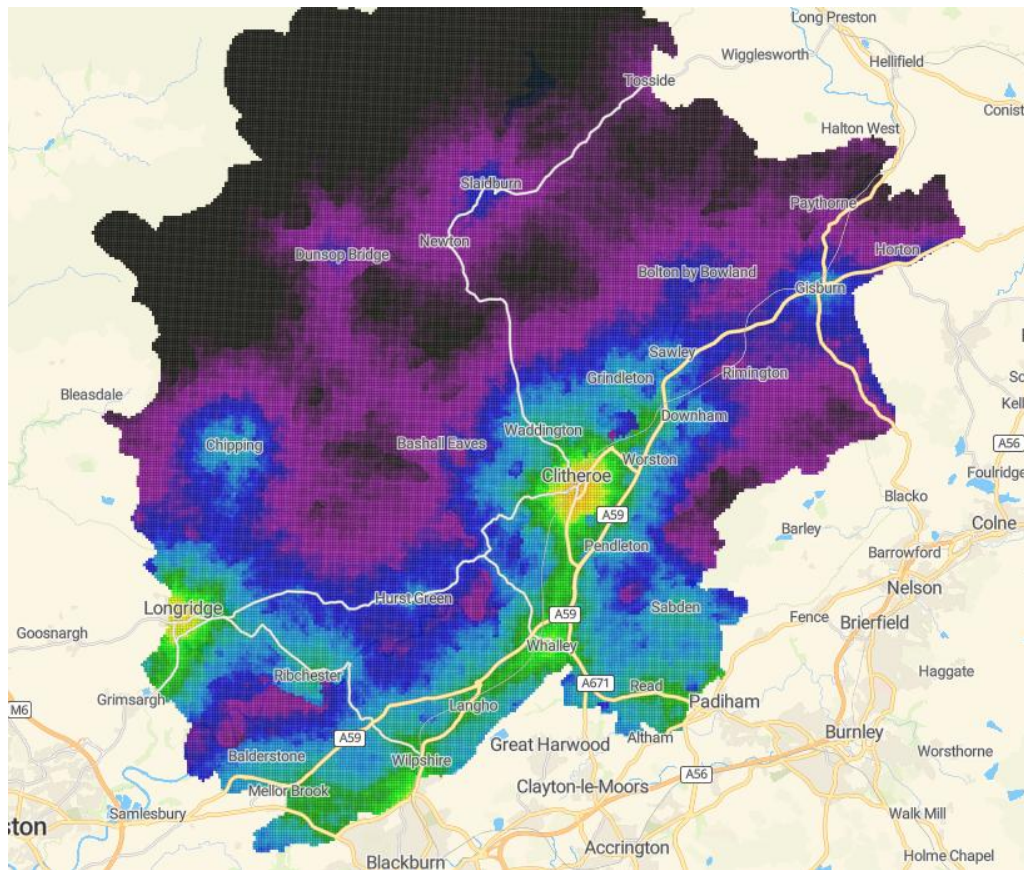
Wider Connectivity

- 7.35 The above analysis shows how the RVBC evidence base confirms Langho as a sustainable and accessible location. I also draw upon the DfT Connectivity Tool (CT) which has been prepared by DfT to establish a shared framework and standardised metric for appraising connectivity across locations on a like-for-like basis.
- 7.36 The draft NPPF is clear that connectivity is an important consideration. I find the fact that emerging national policy states the CT should be used to inform in plan-making and decision-making, is highly material as a basis for assessing the sustainability of sites for development⁸³ and connectivity of locations proposed for development⁸⁴.
- 7.37 The DfT Connectivity Tool (extract in Figure 4 below) highlights this context within Ribble Valley, illustrating how large swathes of the Borough are fundamentally inaccessible (shaded purple/ black), notably to the north where there are significant National Landscape designations. These areas lack the strategic connectivity of settlements such as Langho (shaded green) which benefit from their prime positioning along a strategic transport corridor. The figure extract shows this east-west connectivity between the principal settlements of Clitheroe, Whalley and Longridge and how these relate very well to Langho.

⁸³ CD6.14 - National Planning Policy Framework- Draft text for consultation (December 2025)– Policy TR1

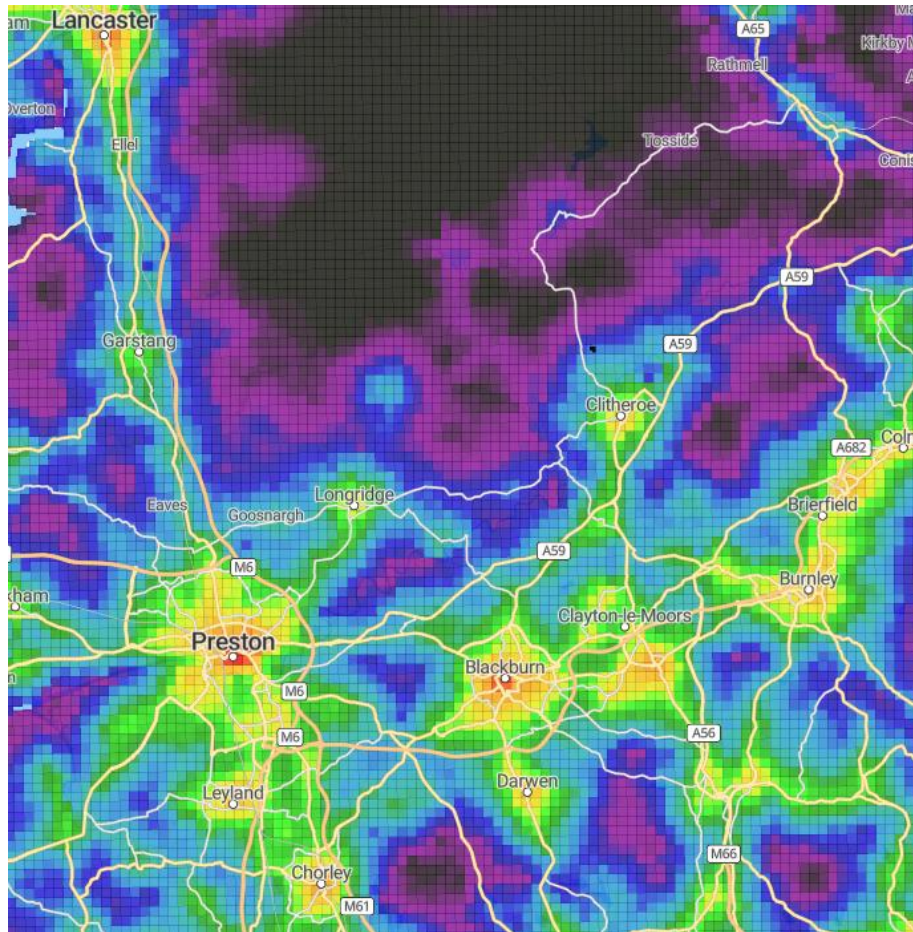
⁸⁴ CD6.14 – National Planning Policy Framework- Draft text for consultation (December 2025)– Policy TR3

Figure 4. DfT Connectivity Tool extract



- 7.38 Looking at the wider area within which Ribble Valley sits, Figure 4 shows how population centres are located along arterial transport corridors, such as the A49 and railway line, with Langho positioned lower in the valley, closer to the wider area and sub regional centres.
- 7.39 Figure 5 shows this wider context more fully and highlights Langho's beneficial location with close proximity to Preston, Blackburn, Accrington and Burnley.

Figure 5. DfT Connectivity Tool extract – Wider area



An Accessible Site

- 7.40 I default to the evidence of Mr Blair on the main conclusions on the site's accessibility, not just in terms of public transport and active travel, but the wide range of local amenities and facilities on offer within Langho, and within a short distance within other settlements should this be necessary. I fully concur with these conclusions and seek to supplement this evidence in highlighting the Council's contradictory approach to determining other planning applications.
- 7.41 Firstly, I am drawn to the approval of other residential development local to Langho, including the Pringle Homes development on the adjacent site at Northcote Park (application ref: 3/2018/0844) and Great Places Housing scheme (application ref: 3/2019/0661) at Petre Wood Crescent. I illustrate the relationship of both sites to Langho in Figure 6.

Figure 6. Appeal Site and approved developments in relation to Langho



- 7.42 In both cases, no technical objections or reasons for refusal were substantiated on the grounds of poor accessibility to public transport connections or the amenities and services. That is despite, in the case of the Northcote Park development being located immediately east of the Appeal Site in the precise context to which RVBC allege there are fundamental constraints, in the form of the area's topography and the segregation of the site with the settlement of Langho as a result of the railway line⁸⁵. Accessibility was deemed sufficient in that case provided that a footpath route was made available to the railway station for future residents.
- 7.43 In the case of the development at Petre Wood Crescent, that is located to the rear of St Leonards C of E School on Whalley Road and outside of the settlement limits of Langho. Figure 6 shows that to access the train station or any facilities within the Langho settlement would represent a longer distance for residents than the Appeal Site. Key Statement DM12 and Policy DMG3 were listed as relevant policies in determining that application and the application was deemed to accord with those policies.

⁸⁵ CD10.1 – Ribble Valley Borough Council Statement of Case – Para 4.10

7.44 In the case of the Northcote Park development adjoining the Appeal Site, the site has been the subject of multiple planning applications, with officers consistently reporting that the site is sustainable and accessed by way of an underpass to Langho.

7.45 Planning application ref 3/2014/0687/P for 132 dwellings was refused in 2014 at that site. The view of the Council⁸⁶ in relation to whether the site was sustainable was unequivocal:

*'Paragraph 55 of the National Planning Policy Framework (NPPF) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. This site is not considered to be overly isolated and is not remote from other built form. **The site is close to a variety of services within Langho and, in that regard, could be considered to be a sustainable location in principle for development. The sustainability of Langho is therefore not disputed.** However, the amount of housing to be provided must be proportionate to the objectively assessed housing need and in accordance with the Development Strategy.'* **(NJL emphasis)**

7.46 The officer correctly applies para 55 NPPF in the contextualisation of their assessment on sustainability. Both the settlement and the site in relation to its access to facilities in Langho were considered sustainable. The crucial concern appeared to have related to the scale of development (against the relevant policy context at that time) and not the site's intrinsic accessibility merits.

7.47 In 2015 application ref 3/2015/0010 for 18 dwellings was then approved at the site. In its recommendation to members, officers similarly reported⁸⁷:

*'Paragraph 55 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. **As previously indicated, this is not an isolated site but it is close to a variety of services within the Tier 1 Settlement of Langho and is therefore considered to be a sustainable location in principle for development.***

*In conclusion, it was considered that, even in relation to the previous application for up to 132 dwellings, **the site represented a sustainable location for residential development.**'* **(NJL emphasis)**

⁸⁶ CD11.5 – Application Ref. 3/2014/0687 Committee Report – Page 21

⁸⁷ CD11.6 - Application Ref. 3/2015/0010 Committee Report – Page 17

7.48 At the time of considering application ref 3/2018/0844 for 42 dwellings on the site it was subject of a draft allocation as a result of the long held view by the Council that the site was sustainable and officers⁸⁸ confirmed that *'Being located within the draft Settlement Boundary this site is therefore considered to be a sustainable location and the broad principle of residential development on this site has already been established and is considered to be acceptable'*.

7.49 With regards accessibility to public transport⁸⁹:

*'A number of objectors have commented on a lack of public transport facilities however the application site is located adjacent to Langho train station and bus routes on both Longsight Road and from the main road through Langho. **As such the application site is considered to be a sustainable location in respect of access to public transport'***

7.50 The officer's recommendation at Paragraph 6.1 reaffirmed *'the application site is considered to be a sustainable location'* and ultimately planning permission approved.

7.51 In the recent Appeal Decision at Chatburn⁹⁰, it is material that RVBC did not allege any policy conflict on the grounds of accessibility despite the proposed development being in a more peripheral location to the nearest settlement.

7.52 The Inspector's conclusions identify similar considerations to those raised by the Council in this case (see NJL emphasis) and highlights the appropriateness of relying upon public transport connectivity to other settlements to meet day-to-day needs when residing within a rural authority such as Ribble Valley:

*'Notwithstanding the **gradients of the surrounding land**, it has good **pedestrian and cyclist access to the facilities and services** it contains along the quiet Chatburn Old Road. Furthermore, the **nearest bus stop is within a reasonable walking distance** of the site which, according to the evidence before me, **provides frequent bus services to and from the principal settlement of Clitheroe, as well as Skipton and Preston.***

The future occupiers of the proposed development would not, therefore, be wholly reliant on the use of a private vehicle. As such, it would be in an accessible location.'

(NJL emphasis)

⁸⁸ CD11.7 - Application Ref. 3/2018/0844 Committee Report – Para 5.13

⁸⁹ CD11.7 – Application Ref. 3/2018/0844 Committee Report – Para 5.1.7

⁹⁰ CD7.1 - Appeal Decision. Chatburn Old Road, Chatburn (Appeal Ref. APP/T2350/W/25/3372635)

7.53 Whilst relating to a smaller scale of residential development than proposed under this appeal, consideration of scale is immaterial to whether or not a site is accessible.

7.54 In the case of an application for 37 affordable dwellings on land at Crow Trees Farm, Chatburn (application ref: 3/2022/0966)⁹¹ the officer's report also noted public transport connectivity to other settlements, and the services accessible elsewhere in the Borough, as an appropriate justification given the rural context of the authority:

'The site is located on the edge of the settlement boundary with good accessibility and connectivity to services and facilities within Chatburn. There is also good access to bus services allowing sustainable access to services and facilities further afield. The site is therefore considered to be a sustainable location to support a new residential development of this scale'.

7.55 In that case, the nearest bus stop was located approx. 185m (from centre of the site) for services to Clitheroe and approx. 200m for services to Skipton and Nelson. This is broadly similar in distance to the Appeal Site with the introduction of new bus stops on Longsight Road being available to Clitheroe as well as Blackburn and Preston with further services available from Whalley Road expanding the frequency of offer.

7.56 Overall, therefore the appeal proposal offers better access to bus services to access services and facilities 'further afield', than any of the above schemes which were not challenged by RVBC on their sustainability or accessibility credentials.

Sustainable Travel Improvements

7.57 It is common ground with LCC that the site is an accessible and sustainable location⁹². The supporting Transport Assessment⁹³ and Travel Plan⁹⁴ identifies a total of 18 sustainable travel improvements and 16 sustainable travel measures / funding. These are summarised in matrix form at **Appendix 7** of the Highways, Transport and Accessibility Proof⁹⁵ but for completeness I list these below to demonstrate the scale of sustainable travel improvements being put forward by the appeal proposal.

⁹¹ CD11.3 – Application Ref. 3/2022/0966 Committee Report – Para 5.1.5

⁹² CD4.21 – Highways Statement of Common Ground (Appellant and LCC) – Para 4.1

⁹³ CD1.9 – Transport Assessment

⁹⁴ CD1.10 – Framework Travel Plan

⁹⁵ CD9.3 – Proof of Evidence on Highways and Transport – Appendix 7

7.58 Without seeking to repeat these wide-ranging measures, these can be referred to in **Appendix 7** of Mr Blair's evidence with LCC's approval to these interventions confirmed in the SOCG⁹⁶.

7.59 These wide-ranging interventions which are facilitated directly by the appeal proposal, will deliver a generous package of benefits to promote the use of alternative modes of travel including the provision of a new car park to support the increased rail use of benefit to the wider Borough, itself a strategic aim of the Council and in alignment with national policy. This is important given the 'considerable weight' afforded by DMG3 to development proposals that improve opportunities for sustainable travel.

Transport & Accessibility Policies - Assessment of Compliance

7.60 It is highly material that LCC in their role as statutory consultee and the Highways Authority have provided no objection to the appeal proposals and support the proposals for their sustainability credentials.

7.61 Key Statement DMI2 seeks to direct new development to locations which minimises the need to travel – in particular where there is a reliance placed on non-sustainable modes of transport. Schemes offering opportunities for more sustainable means of transport and sustainable travel improvements will also be supported.

7.62 As noted in the evidence of Mr Blair, the Council's case under RfR2 misapplies the concept and definition of 'reliance', in this case on private car travel within a supposed rural location. The assertion that residents will be reliant upon private car, infers dependency on this mode of travel, which is plainly not the case in this appeal from an active travel and sustainable travel perspective. To the contrary, the site has been evidenced to be within a highly accessible and sustainable location – indeed, it has long been one of the best performing settlements in the Borough in this regard. The proposed sustainable transport improvements will further ensure that there are a full range of sustainable travel modes available to future residents to ensure everyday needs can be met.

7.63 As required by policy, the planning application was accompanied by a comprehensive travel plan, which includes 16 sustainable travel measures/ funding in direct response to the requirements of DMI2 for schemes to improve modal options to avoid their being a reliance upon travel by private car.

⁹⁶ CD4.21 – Highways Statement of Common Ground (Appellant and LCC) – see Sections 2, 3, and 5

- 7.64 I conclude, the appeal proposals are in full compliance in this regard and similarly should be viewed positively against DM12 given the '*opportunities for more sustainable means of transport and sustainable travel improvements*'. This is best exemplified by the provision of a car parking facility to promote use of Langho railway station, which in this rural fringe context of Ribble Valley is evidently of wider benefit to the area.
- 7.65 On proper reading of Policy DMG3 therefore, I believe that considerable positive weight should be afforded to the proposals in the planning balance, and I do not agree that there is a conflict in relation to NPPF paras 110, 115 and 117.

8. Effect on Character and Appearance of the Area (Putative RfR3)

- 8.1 The Council alleges that the appeal proposal would result in adverse, long term and permanent visual and landscape harm, and is therefore contrary to **Policies DMG1, DMG2, DME1 and DME2** of the Core Strategy as cited in the Council's reason for refusal 3.
- 8.2 However, in the Council's Statement of Case, they no longer refer to Policy DMG1, Policy DME1 and DME2. I am unclear why Policy DME1 was cited in any event as this is not concerned with landscape and visual matters and instead concerns with trees, woodlands and hedgerows. The planning application was supported by an Arboricultural Assessment⁹⁷ prepared by FPCR.
- 8.3 Similarly, Policy DME2 is concerned with 'Landscape and Townscape Protection' listing landscape types and features. The Officer Report⁹⁸ did not provide explanation as to where there is conflict specifically with this policy other than in reference to the reason for refusal.
- 8.4 The Council's Statement of Case⁹⁹ now suggests there is only conflict with Policy DMH3 (an entirely new policy introduced to their case with regards to RfR3) and Part II of DMG2. It is contended that development within the open countryside would fail to be in keeping with the character of the landscape.
- 8.5 For reasons I have set out, I find there is indeed some level of conflict between the appeal proposals and DMH3 albeit I attribute limited weight and harm by virtue of this restrictive policy being out of date. While I accept the tenet of DMH3 is to provide controls on permissible development within the open countryside, the policy wording is not concerned with landscape and visual matters, rather than controlling development because it falls outside of settlement boundaries and so I see no conflict in that particular regard.
- 8.6 The application was supported by a Design and Access Statement which explained the consideration of the local context and the principles important to be set by parameters at the outline stage. Furthermore, an illustrative layout and landscape masterplan evolved to demonstrate the quality of development and residential environment which could be developed. This was further explained in my Statement

⁹⁷ CD1.12 - Arboricultural Impact Assessment

⁹⁸ CD3.1 - Committee Report (26th June 2025)

⁹⁹ CD10.1 - Ribble Valley Borough Council Statement of Case

of Case¹⁰⁰. Indeed further revisions to plans post determination have been undertaken due to continued consideration of how to seek to create the most appropriate framework for developing a high quality scheme. The Council did not refuse planning permission on any design related ground and I do not consider this matter is in dispute.

8.7 I disagree with the Council's assessment that the level of landscape harm arising from the development of the Appeal Site would be so significant to justify the refusal of planning permission on perceived conflict with any RVCS policy or indeed paras 135, 187 and 193.

8.8 I draw from the conclusions of Mr Cook¹⁰¹ in his expert evidence in which he has considered the proposed scheme and landscaping to set out his position on potential impacts on landscape elements, character and visual impact.

8.9 With regards **landscape elements**:

- whilst significant parts of the site would change from undeveloped to developed, it is important to note that the scheme would result in some beneficial effects with regard to the landscape elements that currently define the landscape character of the site. The site would change from pastoral fields to a high-quality design residential neighbourhood set within an attractive, substantial landscape framework. The elements that currently contribute to defining the character of the site, namely trees, shrubbery and hedgerows, would all be strengthened and form more prominent elements in the medium and longer term, even if in context of a new residential neighbourhood

8.10 In respect of effect on **landscape character**:

- the site would see some considerable change from several pastoral fields. However, the baseline that needs to be taken into account here is that the proposed scheme is framed by housing, a rail line and roads. No significant off-site works are proposed and as such the character of the local landscape beyond the site in both physical and experiential terms would remain materially unchanged with the scheme in place
- The site is currently pastoral land. The boundary of the site is in the main, framed by a combination of mature hedgerows and standard trees, which provides a strong sense of visual containment and enclosure associated with the site. There

¹⁰⁰ CD4.9 – Statement of Case – Section 3

¹⁰¹ CD9.2 – Proof of Evidence on Landscape

are significant urbanising influences associated with the site including housing. There are a number of residential areas which are close to the site's southern and eastern boundaries which reveals a strong sense of physical and visual connection between the settlement of Langho and the adjacent areas of the site. The site does accommodate some features such as trees and hedgerows, which contribute to the defining characteristics of the locality, but all of these elements would be retained, and their presence reinforced with the green of structure proposals as an integral part of the scheme.

- At the site level, with a low susceptibility (given its urban fringe character), value and sensitivity combined with a high magnitude of change would result in an **overall major (adverse) effect** in landscape character terms.
- Langho's settlement pattern as identified in the various published reports, would all continue and prevail with the scheme in place. Consequently, it is considered that those key characteristics of the wider landscape and settlement beyond the application site boundary as identified above would be physically unaffected with the scheme in place. It is only the experiential factors of character, both visual and audible elements that would be influenced to some limited degree locally. Any noise associated with the habitation and use of this scheme would be negligible in the wider landscape and settlement context particularly given the nearby roads. The scheme would not change the broad character of the wider area as the 'settled agricultural scene', which would continue to prevail with the scheme in place. The sensitive design of the proposed scheme would reflect the local settlement character of Langho. **Any such effects would be highly localised, therefore.**

8.11 With regards **effect on general visual amenity**:

- the proposed development would be visually well contained due to surrounding woodland, tree cover and the settlement of Langho
- Substantial tree cover frames much of the site. Based on the Viewpoint Assessment, it is evident that the proposed scheme would be largely well contained as a result of topographical variation in the local landscape, vegetation screening including hedgerows, woodland and tree cover, roadside vegetation, as well as existing residential areas.
- The majority of the visual receptors would be generally close to the site and its perimeters. More distant views across the landscape would see the proposed

scheme in a wider valley context associated with Langho village and viewed as a minor addition to the settlement

- The majority of the identified and assessed viewpoints and receptors **would not be subject to a major degree of visual effect**. Indeed, the majority of the visual effects would be **negligible** to **minor** in terms of scale of effect
- It is anticipated the tree belts to frame the screen would establish and grow as would the green infrastructure generally which would increase the degree of visual containment of the scheme from the surrounding countryside and settlement in the medium and longer term.

8.12 The evidence of Mr Cook¹⁰² also provides an assessment on the level of harm Officer's allege in relation to views from:

- (i) Public vantage points along Longsight Road
- (ii) Users of public footpath FP0606a
- (iii) Residential properties on northern edge of Langho

8.13 With regards (i), Mr Cook concludes that the proposed development **would not be visible except fleetingly** and only when passing from in front of the site.

8.14 In relation to (ii) the use of this route currently provides open views across the site. With the proposed scheme in place, this route would pass along a generous landscape corridor through part of the residential scheme, whilst the southern section of the path would pass through naturalistic parkland landscape changing the current context. The result would lead to a **major adverse visual effect with regard to users of this route through the site**. However, it is agreed that the proposals accord with **Policy DMB5** and a net improvement to the public right of way will be secured.

8.15 Whilst (iii) Mr Cook agrees with para 5.2.6 of the Officer's report¹⁰³ which confirms there would not be any undue impacts to existing neighbour's properties subject to house types, appropriate land levels and scale, appropriate design, and distances to the eastern and southern boundaries and to the individual residential units to the west.

8.16 In consideration of what I consider to be the relevant policies, principally the site is not covered by any statutory designations for character or quality comprising arable land with no particular landscape value. Policy DMG1 (design point 2), DMG2 and NPPF

¹⁰² CD9.2 – Proof of Evidence on Landscape – Paras 8.8 to 8.19

¹⁰³ CD3.1 - Committee Report (26th June 2025) – Para 5.2.6

para 135, look to ensure development is 'sympathetic' to the local character and setting. It is clear that beyond the magnitude of change experienced from within the site, the appeal proposals would fit within local urban fringe character and lead to negligible or minor change in the wider character area or from established view points.

- 8.17 I draw from a recent appeal decision in relation to Land at the Hill, Littlebourne¹⁰⁴, as to whether landscape harm of any magnitude, leads to failure to comply with development plan policy. Against the backdrop of a similar local plan policy requiring proposals to be 'sympathetic to landscape character of the locality' and 'safeguard tranquillity, features and patterns that contribute to the landscape character and local distinctiveness of the area', the Inspector confirmed that the proposals did not amount to a 'significant adverse effect' and so would not conflict with Policy LB4 in that instance.
- 8.18 I do not believe that any relevant provisions of NPPF paragraph 187 or 193 as cited by the Council lead to a different conclusion being reached on the acceptability of the appeal proposals.
- 8.19 Overall, the evidence of Mr Cook concludes that on the basis of the above there would be an overall moderate (adverse) effect in landscape character terms, but the majority of the visual effects would be negligible to minor in terms of scale and effect. I therefore afford an overall harm resulting from the proposals as having **moderate weight**.

¹⁰⁴ CD7.11 - Land at The Hill, Littlebourne (Appeal Ref. APP/J2210/W/25/3373183) – Paras. 38

9. Ecology and Biodiversity (Putative RfR 4 and 5)

- 9.1 The case against the appeal proposals since the time of the Council refusing planning permission has changed. The contributing factors can be explained as three-fold:
1. Green Nook Wood has now been designated as an Ancient Woodland within the update Ancient Woodland Inventory (AWI)
 2. The publication of the Lancashire Local Nature Recovery Strategy (LNRS)
 3. The completion of additional ecological surveys which have deemed acceptable by GMEU and has removed objection from GMEU
- 9.2 With regards point 3, it is now common ground that the updated surveys have been carried out appropriately and there is now no objection to the appeal on that basis.
- 9.3 The intent of **Key Statement EN4** ensures that biodiversity and geodiversity are not only protected but actively improved wherever possible with a net gain enhancement being a point of principle. The isolation and fragmentation of habitats is an important consideration, with proposals that negatively impacting upon biodiversity to be avoided, unless it can be shown there to be appropriate mitigation and/or compensated for.
- 9.4 Of relevance to the appeal proposal, EN4 identifies Ancient Woodland and Priority Habitats as recognised sites of ecological importance within the Borough. Policy protections to Priority Habitats are also covered under **Policy DME3** which acknowledges the balancing judgement required where there are circumstances of adverse effects arising which can be outweighed by the benefits of development.
- 9.5 Although EN4 and DME3 pre-dates the Environmental Act and mandatory requirement for major development to achieve a minimum 10% net gain in biodiversity, I find the policies to be in broad accord and consistent with the NPPF and give them full weight in my assessment.
- 9.6 As Mr Goodman¹⁰⁵ confirms in evidence, the key habitat types recorded across the site include:
- The ancient woodland and associated veteran tree;

¹⁰⁵ CD9.4 – Proof of Evidence on Ecology

- The area of lowland mix deciduous woodland,
- The small area of lowland meadow,
- Areas of other neutral grassland,
- The watercourse, and
- Hedgerow and mature trees.

9.7 Mr Goodman's evidence demonstrates that the proposals provide adequate mitigation to fully mitigate the potential effects of the proposed development to the watercourse, the hedgerows, the individual and the lowland mixed deciduous woodland.

9.8 Other than the area of ancient woodland and the individual veteran tree, which are afforded policy protection through the NPPF, none of the remaining habitats are afforded statutory designation as referenced in the Key Statement EN4. Given this, in the broad context of EN4, potential effects on these non-designated ecological assets could be managed through biodiversity offsetting.

9.9 From review of the RfRs and the Council's SoC¹⁰⁶, disputed ecological matters can be summarised into four themes:

- Potential direct effects to the Ancient Woodland through restricting its potential for expansion;
- Conflict with the LNRS and Paragraph 194 of the NPPF through the translocation of lowland meadow rather than retention in situ;
- The ecological submissions failed to demonstrate an adjacent strategy to demonstrate how the development will meet the statutory BNG provision; and
- Offsite habitat creation is required to meet the biodiversity deficit and provide the necessary net gains to biodiversity.

9.10 Drawing upon the evidence in Mr Goodman's Ecology Proof¹⁰⁷ I respond to each of these in turn below.

¹⁰⁶ CD10.1 – Ribble Valley Borough Council Statement of Case
¹⁰⁷ CD9.4 – Proof of Evidence on Ecology

Ancient Woodland

- 9.11 Whilst not cited by the Council, Policy DME1 (Protecting Trees and Woodlands) references veteran trees and ancient woodlands. Simply, the policy states that veteran trees should be protected and that if a development proposal would result in the loss or damage to ancient woodlands, planning permission should be refused unless the benefit of the development in a particular location outweighs the loss.
- 9.12 In this instance there is no requirement to consider the benefits of the proposals as the appeal proposals would not result in the lost or damage to Green Nook Wood.
- 9.13 The completed ecological survey work has identified that the quality of the ancient woodland asset is currently being degraded through uncontrolled grazing, and the ancient woodland was identified as being in poor condition.
- 9.14 In this context, the appeal proposals will bring about measures and management which will both offer them protection from developmental harm as well as promote their future health leading to betterments. The proposed package of measures include:
- In terms of the ancient woodland, a 15m buffer zone has been provided around the woodland, and the proposals will provide long-term positive management to improve the overall structure of the ground layer in the woodland. The Illustrative Masterplan shows an exceedance to this requirement of 25m to the nearest dwelling.
 - The removal of grazing animals from the woodland, re-establishing natural processes to the long term management within the understory of this woodland.
 - Underplanting to include appropriate native trees to diversify and improve the functional understory layer present within the woodland.
- 9.15 The above measures will be supported by restrictions placed on public access within the ancient woodland, with clear demarcations on boundary treatments (the detail of which can be conditioned) to deter access noting the current evidence of trespass.
- 9.16 A public footpath is proposed within the buffer zone, however Mr Goodman makes clear in his evidence that this is appropriate with the Forestry Commission and Natural England Standing Advice. Consideration on detailed design will provide further control

on minimising impacts to RPAs in the form of no-dig solutions or simply a mown grassland footpath.

- 9.17 In responding to the Council's claim that the proposals do not provide an expansion zone for the ancient woodland, this has evidently been demonstrated by the Illustrative Masterplan¹⁰⁸ and above commitments. There is no specific reference to an 'expansion zone' in the key guidance document, however Natural England's standing advice does recommend the creation of semi-natural habitats, including woodland within the buffer. The composition of proposed habitats and measures within the 15m buffer directly follows the recommendations for the expansion or buffer zone around this ancient woodland.
- 9.18 The overall outcome is therefore, rather than causing harm to the ancient woodland, as alleged by the Council, the above interventions facilitated directly through the development will secure short- and long-term benefits to this irreplaceable habitat, responding directly to the recommendations within the Local Nature Recovery Strategy (LNRS) which reflect national policy. Without development, it is unlikely this betterment will be secured given the limitations in LNRS which alone do not provide Councils with the statutory powers to enforce habitat management or habitat enhancements on private land, and degradation is likely to continue.
- 9.19 Given the design of the scheme and the mitigation proposed within the scheme, the quality of the ancient woodland will be enhanced, and the ancient woodland and associated veteran tree will be protected. This mitigation and design ensure compliance with the requirement in Paragraph 193 (c) of the NPPF and the policy protection provided by the Key Statement EN4 and Policy DME3.

Lowland Meadow

- 9.20 Through the updated survey work an area of poor-quality lowland meadow has been identified at the southern aspect of the central watercourse. It is common ground that this represents a priority habitat as such it follows that justification in line with the mitigation hierarchy outlined at NPPF Paragraph 193(a) is required to support the proposed translocation of this habitat because of the appeal proposal. Importantly, the lowland meadow identified on the Appeal Site is not afforded statutory protection.
- 9.21 The assessment into the 'poor' condition of this area of lowland meadow, is attributed to the lack of distinctiveness and diversity in grassland which is representative of the

¹⁰⁸ CD4.1 – Illustrative Masterplan

site's existing use and its management through extensive low-density grazing of horses all year round¹⁰⁹. The marginal presence of an invasive non-native species (Himalayan Balsam) also undermines the condition of this habitat. It is clearly not a quality of habitat representative of one that is being managed for nature conservation and will continue to degrade overtime absent intervention.

9.22 Mr Goodman's evidence makes clear how the 'unsympathetic' management regime on-site has contributed significantly to the degradation of this habitat. There is also no alternative design capable of facilitating the benefits of the proposed residential development which avoids altogether affecting a Priority Habitat by virtue of infrastructure requirements and technical constraints – those being:

1. the requirement for a vehicular access location to be positioned to the western parcel along Longsight Road (A49) to ensure there is sufficient distance in highways safety terms from the proposed site access and Langho Roundabout junction;
2. the requirement for an internal access arrangement and loop road that traverses across the central watercourse in order to make the most efficient use of land for residential development, given the housing shortfall within the Borough, and the associated benefits; and
3. the siting of lowland mixed deciduous woodland (Woodland W2) around the central part of the watercourse which is also a Priority Habitat.

9.23 The site infrastructure requirements and design approach has therefore sought to minimise the unavoidable impacts to a Priority Habitat, having regard to the quality of existing habitat and likely success of mitigation in the short to medium term. Such timescales are not feasible for the lowland deciduous woodland, however the proposed translocation of a low quality area of lowland meadow, supported by a long-term management regime, is deemed to be suitable response that is compliant with the mitigation hierarchy.

9.24 The alternative scenario, should planning permission not be granted, is the ongoing degradation of this habitat to an ever poorer condition.

9.25 Following the updated survey work undertaken in more optimum conditions (July 2025), a redesign of the landscape proposals was required to avoid the fragmentation and long-term risk of losing lowland meadow on-site. The Landscape Masterplan¹¹⁰ now

¹⁰⁹ CD9.4 – Proof of Evidence on Ecology - Paras 9.10 – 9.14

¹¹⁰ CD4.2 – Landscape Masterplan

show the translocation of the majority of this grassland being located discretely to the northwest of the site where on-site management can be secured in a more sensitive manner through avoiding any conflicts with site infrastructure and residential development.

- 9.26 Whilst not strictly required at this outline application stage, the appellant has already paid deposits in securing an option agreement and an agreed habitat enhancement scheme to demonstrate their commitment to provide further lowland meadow habitat units off-site at the 'Moreton Park Habitat Bank¹¹¹'. Moreton Park Habitat Bank is located circa 4km from the Appeal Site, just south of Whalley, offering a range of biodiversity units across a 65 acre restoration area. It is noteworthy that this off-site receptor is identified as a strategic-level habitat bank and opportunity area within the adopted LNRS.
- 9.27 The purchase of these lowland meadow units ensures that, when taken as a whole, the overall development proposals will achieve a net increase of at least 113% (more than double as much in area terms as currently exists on site) in lowland meadow locally. This increase of a priority habitat in a potential enhancement zone identified in the LNRS, represents a significant benefit of the scheme.
- 9.28 Key Statement EN4 does allow the use of biodiversity offsetting for ecological features which are not afforded statutory protection, provided the developer identifies the scheme. Given this, it is my view that despite affecting priority habitats, the proposals comply with the overarching policy requirement outlined in the Key Statement EN4.
- 9.29 I conclude that the combination of on-site and off-site measures will therefore not only mitigate for the translocation of lowland meadow within the site, but in fact secure demonstrable enhancement to the provision of this priority habitat and its long-term resilience, securing wider ecological benefits to this locality of the Borough, in compliance with local policy and Paragraph 187 (d) of the NPPF.
- 9.30 The mitigation hierarchy has been fully justified in order to facilitate the appeal proposals and its associated development benefits. These benefits (detailed in Section 10) demonstrably outweigh any alleged harm attributed to the translocation of a Priority Habitat that is already in poor condition and will only worsen over time under the current management regime. Making a planning judgement in such circumstances is permissible under Policy DME3.

¹¹¹ National Gain Sites Register Reference BGS-300625002

9.31 Overall, I do not identify any adverse harm or conflicts arising with Key Statement EN4 and Policy DME3 in this regard, other than very limited harm attributable to the fact an already fragmented area of lowland meadow will need to be translocated to another part of the site in order to facilitate the development, albeit this area of Priority Habitat is in poor condition and a state of ongoing decline due to extensive grazing on-site. To the contrary the proposals are shown to respond positively against these policies and will secure important ecological benefits locally and put in place important management regimes to arrest further degradation of on-site ecological habitats.

Biodiversity Net Gain

9.32 An updated and full Biodiversity Net Gain Assessment dated November 2025 has been submitted to RVBC¹¹². As with the previous assessment, this confirms that a biodiversity net gain exceeding the minimum 10% requirement can be achieved.

9.33 A Non-Technical Summary¹¹³ explaining the different biodiversity net gain outcomes was also circulated with the authority to reemphasise how the trading rules and statutory requirements have all been met to ensure compliance with Schedule 7A of the Town and Country Planning Act 1990.

9.34 I consider the detail and weighting of this benefit further in Section 10 of my proof. Notwithstanding the statutory requirements on BNG, there is compliance with Key Statement EN4 on the principle of achieving a net enhancement of biodiversity.

Conclusion

9.35 Key Statement EN4 represents the primary policy consideration so far as it relates to avoiding 'negative impacts on biodiversity' and the 'fragmentation and isolation of natural habitats. Contrary to the harm being alleged by the Council, notably to an area of lowland meadow (Priority Habitat) and Green Nook Wood (Ancient Woodland), the evidence shows accordance with the principle stipulated by EN4 of securing a 'net enhancement of biodiversity'; in particular to these specific habitats through the proposed compensation package and active, long-term management measures.

9.36 In the case of the proposed translocation of a small area of poor-quality lowland meadow, this area of priority habitat is already fragmented and subject to ongoing pressures through the extensive grazing practices on-site. So far as the proposed

¹¹² CD4.3 – Biodiversity Net Gain Update Report

¹¹³ CD4.17 – Biodiversity Net Gain – Non-Technical Summary

development results in the unavoidable loss of this area of habitat, this needs to be balanced with the wide-ranging benefits to this habitat both on-site and locally within the Borough through the proposed translocation, management measures and off-site biodiversity credits committed to by the Appellant.

9.37 Drawing the above together with the wider development benefits of the appeal proposal, it is firmly the case that the balancing exercise set out in Policy DME3 has been complied with, when considered against the very limited harm identified, that being limited solely to the translocation of lowland meadow.

9.38 Whilst not cited by the Council, Policy DME1 (Protecting Trees and Woodlands) references veteran trees and ancient woodlands. Simply, the policy states that veteran trees should be protected and that if a development proposal would result in the loss or damage to ancient woodlands, planning permission should be refused unless the benefit of the development in a particular location outweighs the loss.

9.39 In this instance there is no requirement to consider the benefits of the proposals as the appeal proposals would not result in the loss or damage to Green Nook Wood.

10. Planning Balance

- 10.1 I consider that the proposals accord with the development plan as a whole. However, if this was not accepted it is necessary to carry out a balancing exercise.
- 10.2 **Key Statement DS2** requires the balancing exercise consistent with 'tilted balance' as contained within paragraph 11d to be undertaken in the case that 'there are no policies relevant to the application or relevant policies are out of date at the time of making the decision.' I believe some of the most important policies are out of date, however I do not consider this necessarily extends to no policies being relevant or all the most relevant policies being out of date.
- 10.3 However, the benefits which are relevant to the proposals by virtue of their scale, composition or measures that will be delivered are relevant to the consideration of policy accordance in the first instance. The very same benefits are also then relevant in the case that the balancing exercise is engaged by Key Statement DS2 which is consistent with that of NPPF paragraph 11(d). These both outline the process a decision maker is to follow should there be no policies relevant to the application or relevant policies are out of date whereby the impact of development are to significantly and demonstrably outweigh the benefits.
- 10.4 It is my case that the benefits in favour of the appeal proposals are many and attract significant weight in their favour. The weight to be given to each of these benefits is a matter of planning judgement for the decision-maker. The following scale has been applied to each consideration to allow weight to be ascribed individually. The greatest weight is assessed as "substantial", ranging through "significant", "moderate", to the lower end of the spectrum, namely "limited" weight.

Benefits

Housing Supply & Delivery

- 10.5 As I contextualise in Section 5, there is an urgent priority for RVBC to remedy challenges relating to housing supply:
1. Regardless on which evidence on the matter of 5YHLS is accepted, there is evidently a significant shortfall in the Borough ranging between **3.04 years to 3.45 years** supply – equivalent to a shortfall of some **503 to 638 dwellings**.

2. This shortfall comes at a point in time where RVBC accept their housing delivery will fall off a cliff to below 200dpa, as shown in the Core Strategy Housing Trajectory.
3. The authority's response to remedying this housing shortfall has been the very antithesis of the national imperative set by Government to 'significantly boost the supply of housing land', exemplified by RVBC's change in 5YHLS methodology and the ongoing delays in preparing a new Local Plan.
4. This supply position will only worsen without intervention (i.e. grant of planning permissions), given the policy vacuum RVBC will soon be entering into from 2028. Indeed, this is not the first time such circumstances have faced this particular authority, as observed from previous development within Barrow¹¹⁴, another Tier 1 village, where the grant of planning permission provided certainty for the Council's supply over the next Plan period.

10.6 The development would contribute in a very meaningful way to a failing supply of housing land in Ribble Valley and the national policy objective of 'significantly boosting the supply of housing' as shown in Table 4:

Table 4. Development Timeframe

| Stage | Timeframe |
|--|-------------------|
| Secure outline planning permission | Q3 2026 |
| Land disposal process to housebuilder | Q3 2026 – Q1 2027 |
| Submission of Reserved Matters | Q1 2027 |
| Approval of Reserved Matters | Q2 2027 |
| Commencement of infrastructure works (inc. access) | Q4 2027 |
| Commencement of residential development | Q1 2028 |
| First dwelling completion | Q2 2028 |
| 70 dwellings completed | Q2 2030 |
| Remaining dwellings completed (up to 300) | Q2 2030 – Q1 2037 |

10.7 The matter of giving weight to the benefit of new housing development in reducing or overcoming a shortfall against the requirement for a five-year supply of housing land,

¹¹⁴ CD7.2 - Appeal Decision. Land to the south-west of Barrow and west of Whalley Road, Barrow (Appeal Ref. APP/T2350/A/13/2190088)

remains one of planning judgement taking into account the magnitude of the shortfall¹¹⁵ and extent to which this is capable of being remedied.

- 10.8 Reference made to this notional scale in attributing weight to the extent of any shortfall, has informed my judgement on the level of shortfall in housing supply in Ribble Valley, which at between 3.04 and 3.45 years is clearly significant. Indeed, the Inspector at Chatburn found the weight to be given to housing delivery as a benefit was substantial weight given the significant shortfall in the 5YHLS. Clearly, the large-scale nature of development being proposed in this case would further amplify such benefits.
- 10.9 The recent decision at Littlebourne¹¹⁶, I find to be highly material to informing my judgement on weight and is directly comparable to the Appeal Scheme, with the proposal being for up to 300 residential dwellings in an authority (Canterbury City Council) where they could only demonstrate a 3.62 year supply. The Inspector concluded 'the quantum of dwellinghouses proposed, and the acute need to deliver more housing' was a matter to which very significant weight is afforded in the overall planning balance.
- 10.10 Drawing this analysis together, it is clear from the above that the consideration should not be restricted to whether the Council can demonstrate a 5 year housing land supply or not, but it is the level of the shortfall, and that the shortfall is likely to become greater without intervention. It clearly therefore requires action on the Council's part to approve sustainable development to meet the Government's objective to significantly boost the supply of housing and the benefits from delivering large scale, mixed tenure sites (NPPF para 63).
- 10.11 The fact the site has already garnered strong levels of market interest (see **Appendix 3**) reinforces the deliverability of the site and these associated benefits.
- 10.12 I therefore afford the provision of market housing and the appeal scheme's contribution to improving housing supply in the short-term **substantial weight** in the planning balance.

¹¹⁵ CD7.10 - Hallam Land Management Ltd v Secretary of State for Communities And Local Government & Anor [2018] EWCA Civ 1808 - Para 51

¹¹⁶ CD7.11 -Land at The Hill, Littlebourne, (Appeal Ref: APP/J2210/W/25/3373183)

Affordable Housing

10.13 Mr Stacey's evidence on the acuteness and worsening affordability position within Ribble Valley is significant. From this I deduce the following:

- Despite RVBC's record of housing completions, against what is explicitly a **minimum** housing requirement (established under a now out-of-date policy), it has plainly failed to deliver the level of affordable housing required to meet needs.
- These identified affordable housing needs have risen dramatically over the Plan period, from 88dpa¹¹⁷ to 230dpa¹¹⁸ – a 261% increase.
- Since the start of the Core Strategy period, a shortfall of 104 affordable dwellings has arisen against a net need of 84 affordable dwellings per annum (without taking account of the significant increase now identified in the 2025 AHNA).
- In the first year of the 2025 AHNA period in 2024/25, there was a shortfall of 134 affordable dwellings against a need of 230 net affordable dwellings per annum.
- Other affordability indicators show the growing challenges, with the affordability to earnings ratio in Ribble Valley remaining higher than the regional average, and as of March 2024 there was a 7% increase in households (845) on the Housing Register in a single year¹¹⁹.

10.14 Given these significant shortfalls in affordable housing, and the persistent record of under-delivery across Ribble Valley, the appeal proposals provide an affordable housing contribution which would contribute significantly towards addressing the strategic objective of the Council.

10.15 I have also considered other national appeal decisions to inform my judgement on the weighting to be attributed to affordable housing provision.

10.16 In the case at Mill Lane, Braintree¹²⁰, the Inspector acknowledges that affordability pressures would be factored into assessing the overall housing need as a matter for the new Local Plan, however it is noted that the adoption of the Plan is not imminent, and

¹¹⁷ CD5.14 – Affordable Housing Needs Assessment (May 2025)

¹¹⁸ CD5.14 – Affordable Housing Needs Assessment (May 2025)

¹¹⁹ CD4.14 – Proof of Evidence on Affordable Housing - Para 6.18

¹²⁰ CD7.12 – Land west of Mill Lane, Tye Green, Braintree (Appeal Ref. APP/Z1510/W/24/3357015) - Para

any additional affordable housing secured through the Plan would follow later. It was therefore concluded that the affordable provision would help to address affordable housing needs that exist now, and in a much shorter timescale. For those reasons the Inspector found that the affordable provision is a benefit of significant weight. I draw notable parallels with this appeal decision and the circumstances facing this authority.

10.17 In the case at the Market Bosworth case¹²¹, it was the Council's position that the provision of affordable housing should only have been given significant weight rather than very significant weight. The Inspector found that the evidence suggested that the shortfall in the provision of affordable housing was proportionally greater than the shortfall in the wider housing supply, and so on that basis the weight to be afforded should be commensurately greater and therefore the provision of affordable housing carried very significant weight. In the decision, the Inspector also clarifies that very significant weight is the same as substantial weight.

10.18 Reviewing the Council's record of affordable housing completions both annually and over the Plan period¹²², it is clear that the level of need now identified (230dpa) far surpasses anything previously achieved by the Council and is at such a level that it will be impossible for such needs to be met without additional sites coming forward and contributing.

10.19 Considering all of the above it is clear that this existing shortfall in affordable housing will only worsen under the Council's proposition with no evidence being presented as to how the significant shortfall and identified needs will be addressed. I therefore attach **substantial weight** to the provision of up to 90 affordable dwellings in this case.

Older Persons Housing

10.20 The evidence submitted to this inquiry by Tetlow King¹²³ also considers the importance of older persons housing, particularly for Ribble Valley given its ageing demographic when compared regionally and nationally, and the rate at which the cohort of its population (aged 65+ years) has increased by 29% over the past decade¹²⁴.

10.21 Notwithstanding the 'critical' nature of older persons housing, as acknowledged by PPG¹²⁵, the provision of housing for older persons in this authority should be a clear, local priority for the Council. The PPG describes the need to provide housing for older

¹²¹ CD7.13 – Land off York Close, Market Bosworth (Appeal Ref. APP/K2420/W/25/3369401) - Para 27

¹²² CD5.18 – Housing Land Availability Survey (May 2025) – Para 4

¹²³ Appendix 2 - Age Exclusive (over 55's) Assessment

¹²⁴ CD5.14 – Affordable Housing Needs Assessment (May 2025)

¹²⁵ CD6.2 – Planning Practice Guidance: Housing Supply and Delivery

people as “critical”, whilst Core Strategy Key Statement H3 (Affordable Housing) states the provision of housing for older people is a priority for the Council and therefore 15% of the units in housing developments will be sought for older people.

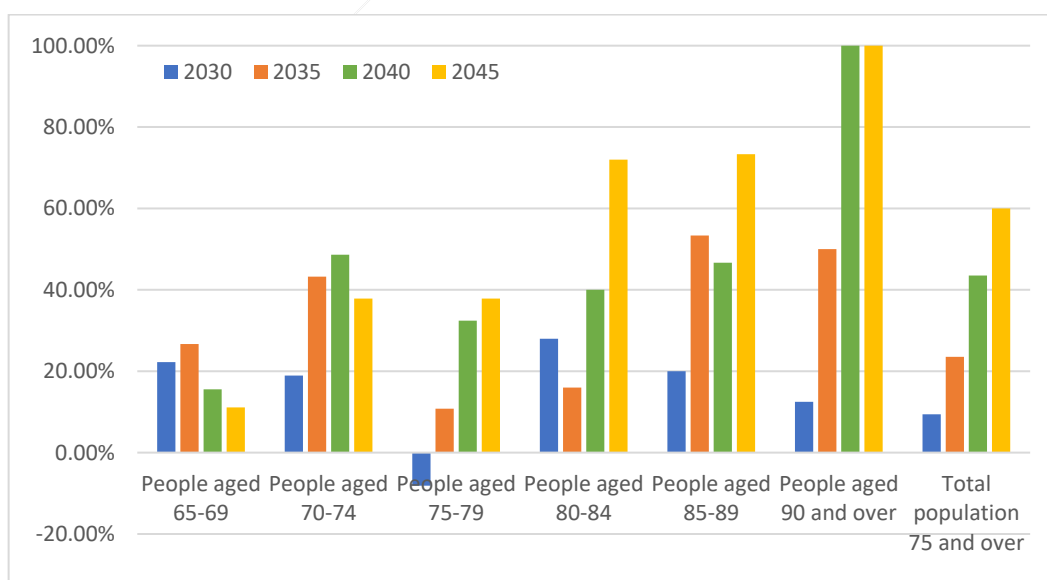
10.22 The fact that the Council has a policy (RVCS Key Statement H3), prescribing a 15% requirement for housing developments to make provision for older people clearly suggests the Council was aware of this important need at the outset of the Core Strategy, It has therefore being a long established policy objective for Ribble Valley.

10.23 In terms of the effectiveness of delivering against this requirement, there has been recent acknowledgement from RVBC on the long term failure to of meeting the full spectrum of these needs – notably bungalow provision¹²⁶:

‘Providing housing for the elderly has been a priority within the Housing Strategy for many years. However the market has developed little bungalow accommodation.’
(NJL emphasis)

10.24 This highlights a failure of the Core Strategy to deliver upon a strategically important objective adding further weight to a need to remedy previous failures. This is underscored by Figure 3.2 of Tetlow King's evidence which confirms the severity of this growing need moving forward and scale of the increasing older population across Ribble Valley between 2025 to 2045.

Figure 7. Figure 3.2 Extract of CD9.6



¹²⁶ CD5.21 - Report to Planning and Development Committee (29th May 2025) – Affordable Housing Needs Assessment – Para 3.15

- 10.25 Clearly, given the aging population in Ribble Valley and the higher levels of disability and health problems amongst older people, there should be a doubling down on efforts over the next Plan period where the requirement for older people's housing options should be seen as a fundamental priority to the Council in order to remedy what is more than likely to be a worsening position in the absence of meaningful interventions.
- 10.26 Such intervention to start tackling this current and growing crisis is required now through the grant of planning permissions to build up a sufficient pipeline of sites, prior to the adoption of a new Local Plan (whenever that may be). RVBC have provide no evidence on how they intend to remedy this pressing need.
- 10.27 One type of need, within the spectrum of older persons housing is 'age-restricted general market housing' for those aged 55 and over including the active elderly. It may include some shared amenities such as communal gardens but does not include support or care services. Age-restricted general market housing is part of the appeal proposals.
- 10.28 While RVBC has alleged harm attributable to the scale of the appeal proposal, I posit that the scale of development represents a unique opportunity to secure a level of contribution towards older persons housing needs that has rarely been seen within the Borough. The significance of this provision is further emphasised when considering the dwindling future supply of retirement housing within the Borough¹²⁷.
- 10.29 In this case, the provision of up to 45 dwellings restricted to people over 55, will make a significant contribution to addressing the housing needs of older persons in Ribble Valley. Aside from treating the above provision as merely statistics or a requirement of policy, the reality is that in being able to deliver 45 dwellings of this nature it will establish a genuine community for like-minded residents of similar needs, within a highly attractive environment and accessible location. Opportunities to deliver these types of homes at scale are rare within Ribble Valley, by virtue of the level of constraint across the Borough. I find it unsurprising that there has already been market interest in the appeal scheme from development partners in this sector (**see Appendix 5**). Noting the market challenges accepted by RVBC in delivering this type of accommodation, particularly bungalows, I afford greater weight to this benefit.
- 10.30 I also ascribe weight to the secondary benefits that flow from the delivery of specialist accommodation for older people, including the associated health and wellbeing

¹²⁷ Appendix 2 - Age Exclusive (over 55's) Assessment – Table 5.1

benefits of supporting older residents to live more independently in suitable accommodation, increased companionship to help reduce isolation and loneliness, reduced pressures on public health infrastructure, and the subsequent release of under-occupied family housing back into the market by increasing the options available to those looking to downsize. Such benefits have been found in other appeal decisions¹²⁸ to merit significant weight in their own right.

- 10.31 Taking all of the evidence together, I therefore attribute **substantial weight** to the provision of older people's housing in a settlement which has been demonstrated to be a sustainable location for this type of housing.

Open Space

- 10.32 The Council did not fully assess the proposed open space proposals in the determination of the application, and it is not referenced in the Officer's Report.
- 10.33 Parameter plan ref 0102 'Land Use and Heights' identifies approximately 10.84ha of areas which are to be retained for green infrastructure comprising ecological enhancement areas, open space/amenity, proposed car park provision and attenuation ponds. Of which 8.82ha is the proposed quantum of open space. It will be located in areas of the site which would allow all new residents to access the network of spaces providing a high quality recreation and open space offer for their benefit.
- 10.34 The level of provision represents 294sq.m of open space per dwelling on the basis of a maximum of 300 dwellings. No evidence has been presented by RVBC nor any objection to suggest this on-site provision is in some way inadequate or that there is conflict with Policy DMB4.
- 10.35 For context, I find the scale of open space and the positioning of this within the site, particularly to the south-east of the site, will be significant in extending the benefits of this provision to the wider community given the apparent lack of available publicly accessible open space. From a desktop review this appears to be limited to a park and garden south of the site (Langho in Bloom Community Orchard) and the play area associated with the Northcote Park development. Based on conservative estimate

¹²⁸ CD7.16 - Land adjacent to The Orchard, Braze Lane, Benson, OX10 6JB (APP/Q3115/W/25/3374232)– Para 109

measurements, this equates to less than 1 hectare of open space¹²⁹ for a settlement of circa 1,261 dwellings¹³⁰ - only 6.1sqm of publicly accessible open space per dwelling.

- 10.36 Taken together, this equates to 9.59ha for 1,561 dwellings, equivalent to 61sqm per dwelling. This scale of provision represents a significant benefit given the lack of currently available, managed open space in Langho.
- 10.37 The quantum of open space can be controlled by way of a condition of the parameters plan, and the maintenance and management of public open space can be secured through the S106 obligation.
- 10.38 The existing Public Right of Way ('PRoW') footpath (FP6a) runs diagonally across the site, connecting to Langho station and underneath the railway at Olive Bank, to the main village conurbation. Enhancements will be made to FP6a at its connection to the railway underpass which will be secured through a condition and the requirement for a Footpath Improvement Management Plan.
- 10.39 Accordingly, I give this benefit **significant weight** in the balance.

Surface Level Car Park

- 10.40 It is agreed that the existing Public Right of Way ('PRoW') running through the site provides a pedestrian route via the underpass to Olive Bank. There is a PRoW (3-6-FP 49) at the western edge of the site on Whitehalgh Lane which provides connections to the south. There is limited car parking at the station with no dedicated car park serving the station.
- 10.41 The appeal proposals incorporate a publicly accessible surface level car park in close proximity to Langho station which forms part of the description of development. Based on the Illustrative Masterplan, this will provide approximately 43 car parking spaces and 5 accessible bays, and parking for bicycles (the minimum number expected to be controlled by condition). Electric vehicle charging will be provided in line with adopted policy requirements at the time of future Reserved Matters submissions.
- 10.42 At the time of determining the planning application, the Officer's Report did not consider the provision of the car park to serve the train station as a benefit, finding that

¹²⁹ 0.775ha from desktop measurements

¹³⁰ Dwelling count taken as an estimate from Appendix 1 of CD5.15 – Ribble Valley Working Draft Settlement Study (September 2025)

the proposal carried very limited weight. It is of note that through the application consultee, Northern Rail warmly welcomed the proposed car park.

10.43 Langho is one of only four settlements in Ribble Valley with a train station, two of the four being located at the principal towns of Clitheroe, and Whalley, and the other at Ramsgreave and Wilpshire. The provision of a 43 space car park immediately adjacent to the existing station at Langho, with accessibility to and from the car park for both new and existing residents will make use of the existing asset to promote sustainable transport and allow existing residents in Langho and the surrounding area to use public transport.

10.44 There is an identified lack of dedicated rail parking currently available in Langho itself and at the station which means that persons who might otherwise use the train will be deterred from doing so. With the provision of a surface level car park, there would now be an option for those persons from Langho and the surrounding area to travel by train. As detailed in the Proof of Evidence on Highways and Transportation, the proposed new car park would:

- Accommodate the existing demand for rail users parking their vehicle in Langho and using the railway (promote and enable public transport);
- Accommodate any parking demand currently being displaced to other less convenient rail stations (reduce mileage);
- Accommodate any rail journey related parking demand, which is currently being suppressed by the lack of parking availability across the rail stations (enable and facilitate rail use);
- Create a Vision Led facility which will accommodate future parking demand arising from mode shift towards rail as promoted by future initiatives and strategies (accommodate future increasing demand for rail use);
- Provide facilities for blue badge holders and Electric Vehicle charging, to overcome the lack of those facilities at other stations, which precludes rail travel for those who need those facilities.

10.45 The provision of the car park will encourage a mode shift and promote sustainable travel, which is a key objective of the NPPF.

10.46 The commitment to such a facility within a rural authority such as Ribble Valley and, more specifically, the settlement of Langho, one of only four settlements in the Borough

with access to a train station, is therefore a significant benefit not only to future residents but in attracting use from a wider patronage beyond the Appeal Site.

10.47 Given the above, I attribute **significant weight** to this benefit in the balance. However, further consideration of the delivery of the site, and the likely sequence of phasing of construction is likely to mean a later delivery in the construction process. This is likely to be the case as the proposed vehicular access point to the site is proposed to be located towards the north west corner of the site on Longsight Road, whereas the proposed car parking is located in the south east corner of the site.

10.48 The draft S106 Agreement will secure a long-term parking management strategy and proposes a clause to use reasonable endeavours to complete the car park and ensure it is operational prior to the occupation of 75% of the dwellings. Given this, the weight to be afforded can be **moderate weight**.

Off-site Highways Improvements and Contributions

10.49 It is agreed between the parties that the impact of the proposed development traffic can be sufficiently mitigated on the surrounding highway network, subject to the off-site highway improvement works set out in Mr Blair's evidence¹³¹. Furthermore, the masterplan has also been intentionally designed to safeguarded land adjacent to the train station to enable any future improvement works around access to be carried out as and when these are progressed.

10.50 The proposals will benefit the wider public as well as new residents on the appeal scheme and help to improve the attractiveness of using sustainable modes of transport. This aligns with Core Strategy policies DMI2, DMG1 and DMG3 and the provision of access to the development by pedestrians, cyclists and those with reduced mobility.

10.51 Additionally, the following contributions are included in the draft S106 Agreement:

- Public Transport Contribution
- Travel Plan Contribution
- Travel Plan Modal Shift Contribution

10.52 I give the benefit of the off-site highways improvements and contributions **moderate weight** in the balance.

¹³¹ CD9.3 – Proof of Evidence on Highways and Transport – See Appendix 7

Biodiversity Net Gain

- 10.53 It is the Council's case that the benefit of BNG is attributed less weight as the Council considers it is unclear how much of the provision is off site. Taking both on-site interventions and secured off-site habitat provision together, the development will deliver an overall biodiversity net gain of 12.15% habitat units, a 24.37% hedgerow gain and 13.3% watercourse gain exceeding the national 10% requirement.
- 10.54 The vast majority of the site comprises medium distinctiveness grassland habitats. Proposals have sought to avoid impacts to higher value habitats wherever possible, where impacts have been unavoidable, mitigation measures have been proposed to reduce these impacts, such as through habitat translocation of lowland meadow grassland. The scheme has also sought to enhance the biodiversity value of retained habitats and to create an appropriate mix of biodiverse habitats¹³².
- 10.55 Overall, the proposals will secure a range of positive benefits to biodiversity for both habitats and species. The key benefits to biodiversity are:
- the translocation of the majority of the lowland meadow (0.7954ha) within the site and the long-term sensitive management of the translocated grassland,
 - the retention / enhancement and long term management of 4.0603ha of good and medium condition other neutral grassland,
 - the protection and enhancement of the ancient woodland and the veteran tree identified in the site, and
 - the creation of an additional 1.525ha of lowland meadow and 10ha of other natural grassland in a strategic level habitat bank within 4km of the Appeal Site.
- 10.56 Through the implementation of the measures outline above, the proposals will protect ecological assets and provide a net increase in the quantum of lowland meadow and species rich grassland within the context of Ribble Valley. These biodiversity benefits are very unlikely to be achieved or enforced through other interventions or mechanisms on private land and are directly attributable to the proposed development of the site. The current management regime on-site has, and will continue, to degrade the condition of those ecological important habitats identified on-site.

¹³² CD4.17 – Biodiversity Net Gain – Non Technical Summary

- 10.57 To ensure the scheme not only meets but exceeds the required 10% Biodiversity Net Gain, the applicant has reserved the purchase of additional lowland meadow and other neutral grassland habitat units at Moreton Park Habitat Bank, located approximately 4km from the site.
- 10.58 The onsite proposals can achieve 'no net loss' for lowland meadow. Key Statement EN4 allows the use of biodiversity offsetting for habitats. Given that lowland meadow credits have been secured offsite, this more than adequately compensates any residual effects as these units provide a 113% gain in this habitat type.
- 10.59 The matter of weight to be given to Biodiversity Net Gain is established in the case of *Vistry Homes v SSLUHC*¹³³. In the case, the judgment confirms that where a development makes provision for something which is required by policy or legislation, there is no legal principle which supports the idea that it cannot be regarded as a benefit. Whether it should be treated as a benefit depends on its nature and purpose, including whether it would help to meet a need which is related to the development proposed.
- 10.60 The fact that the 10% BNG requirement is imposed in legislation as a means of improving biodiversity in England does not alter the nature or purpose of the improvement in biodiversity provided.
- 10.61 The case also clarified that where a development provides in excess of 10%, a decision maker is not entitled to say that only the part which exceeds 10% can qualify as a benefit.
- 10.62 In combination, the on site management regimes which are to be put in place as well as the identified biodiversity net gain demonstrated being in excess of 10%, I give this benefit **moderate weight** in the balance.

Economic Benefits and Vitality of Community

- 10.63 Paragraph 83 of the Framework states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, and Paragraph 85 of the Framework states that significant weight should be placed on the need to support economic growth through the planning system.

¹³³ CD7.14 - *Vistry Homes Ltd v Secretary of State for Levelling Up, Housing And Communities & Ors* (Rev1) [2024] EWHC 2088 (Admin) (07 August 2024)

- 10.64 Additional long term benefits attributed to the proposed development and future occupation from residents would also be realised. Based on an average household size of 2.4, new development of up to 300 dwellings could accommodate up to **720 new residents**.
- 10.65 Based on 58.9% of the population being of working age (16-64) it is estimated that the delivery of the proposed scheme of 300 homes could result in 424 additional residents of working age. As 83.3% of people in Ribble Valley are economically active, it can be estimated that **at least 353 residents could be expected to be economically active in employment**¹³⁴.
- 10.66 Development of the site will support local job creation through the construction phase and bring about a boost to local spending and household expenditure on services and amenities within Langho which is recognised as a sustainable, growth settlement.
- 10.67 With the potential to attract a young, economically active population to the local area this will further promote the vitality and viability of Langho and the wider HMA.
- 10.68 The development of up to 300 dwellings could result in the following¹³⁵:
- The generation of significant economic benefits during construction including:
 - **338 direct** FTE jobs per annum
 - **180 indirect**, and **240 induced** FTE jobs per annum
 - **£17 of direct GVA**¹³⁶
 - Significant economic benefits during operation, including:
 - The proposed development could generate **£8.5m in resident expenditure**.
 - **£1,65m in 'first occupation' expenditure**.
 - Contribution to local authority revenues, including:

¹³⁴ Nomis Labour Market Profile – Ribble Valley -

<https://www.nomisweb.co.uk/reports/lmp/lad/1778385040/report.aspx#tabempunemp>

¹³⁵ Home Builders Federation – Housing Calculator

¹³⁶ Nomis DC6110EW – Industry by Sex and Age – Ribble Valley -

https://www.nomisweb.co.uk/census/2011/DC6110EW/view/1946157098?rows=c_indgpuk11&cols=c_a
 and ONS Regional gross value added (balanced) by industry: local authorities by ITL1 region -
<https://www.ons.gov.uk/economy/grossdomesticproductgdp/datasets/regionalgrossvalueaddedbalancedbyindustrylocalauthoritiesbyitl1region>

- **£603,750 per annum** in additional Council Tax payments

10.69 Supporting increased opportunities for local business and employment through activities such as housebuilding is therefore one way of encouraging such business benefits. The proposals to improve the variety and balance of housing in Langho to meet different needs through provision of a greater range of homes on offer that create a more mixed community would align with the policy objectives of the Framework.

10.70 For the above reasons, I attribute **moderate weight** to these economic benefits.

Adverse Impacts or Harms

10.71 I have addressed the alleged harm by the Council in their RfRs through evidence. I do not agree with the alleged harm in respect of the following matters:

Countryside Location

10.72 The Appeal Site is not allocated for development in the Local Plan and would represent new housing beyond the defined boundaries of the settlement of Langho and within the open countryside.

10.73 Section 5 of my evidence sets out emphatically that Key Statement H1, which establishes the strategic housing requirement for Ribble Valley, is out of date by virtue of RVBC's inability to demonstrate a 5YHLS, the outdatedness of the evidence base underpinning this policy, the absence of a Local Plan review, and inconsistency with revised national planning policy. Materially also in determining the level of weight that relevant policies are to be given in the planning balance is the extent of the deliverable supply of housing land. The parties do not agree on the specific figure, however on the basis of either position, the shortfall is significant.

10.74 Accordingly, the most important housing policies—including those directing growth and restricting land supply—are out of date, reducing the weight that can be attributed to them.

10.75 For reasons I have set out, I find there to be conflict between the appeal proposals and Policies DMH3 and DMG2, albeit I attribute **limited weight** to the harm of being located within the open countryside by virtue of this restrictive policy also being out of date.

Landscape and Visual Harm

- 10.76 I acknowledge that the Appeal Scheme is not benign and have identified negative effects in terms of the change in character and appearance of the Appeal Site, through the inevitable loss of a greenfield site replaced with built development set within new multi-functional, landscape network of green infrastructure.
- 10.77 However, the magnitude of this impact to landscape character is reduced by:
- the urban fringe edge characteristics of the site to the settlement of Langho, where there are several urbanising influences which frame the majority of the site, notably the railway line, A49 and adjacent residential areas.
 - The beneficial elements of the proposal, through the retention of landscape features and introduction of a high quality, sensitively designed development, which will provide a far more robust landscape framework to consolidate the settlement profile of Langho and establish a new northern settlement boundary.
- 10.78 Overall, there would be major adverse harm in landscape character within the site owing to the inevitable change in character through the introduction of residential development, albeit this adverse effect will be highly localised to within the Appeal Site itself. Beyond the immediate visual surrounding area, the effect on landscape character is negligible and diminishes further upon establishment of the landscaping and tree planting proposals. For the reasons given above, drawing upon Mr Cook's evidence¹³⁷, I afford the change in character and appearance **moderate negative weight**.
- 10.79 Mr Cook's evidence¹³⁸ acknowledges the existing landscape and green infrastructure features which provide strong levels of visual containment around the site, notably substantial tree cover and hedgerows which will be retained by the scheme. The falling topography northwards across the site also plays a role in minimising visual effects with impacts highly localised and only negligible to minor in terms of magnitude. Long views will interpret the development within the wider valley context with the development forming a minor addition to Langho village.
- 10.80 The appreciation of views of the development is mainly gained from vantage points accessible to the public, with fleeting views along a busy transport corridor (A49) to the north of the Appeal Site and more open views for those users of the public right of way

¹³⁷ CD9.2 – Proof of Evidence on Landscape

¹³⁸ CD9.2 – Proof of Evidence on Landscape

(Footpath Reference FP0306006a) which crosses the site. Indeed, it is only users of the PROW where the most significant visual effects will be experienced, owing to the immediate change in context of the site, however the development will create an attractive, landscape corridor framing vistas beyond the site on approaching the PROW from the south, with future users capable of enjoying this route through a naturalistic parkland landscape. Notwithstanding, the proposal will result in major adverse visual effect to users of this route.

- 10.81 Overall, the visual effects of the proposed development are considered to be highly localised and well contained and will not extend to a large number of visual receptors or locations. Nonetheless, I attach **moderate negative weight** against the visual effects of the proposal in the planning balance.

Ecological Harm

- 10.82 As set out, there are wide ranging positive attributes to the Appeal Scheme with regards to ecological and biodiversity considerations.
- 10.83 Furthermore, the development will directly facilitate an improvement in management regime for the benefit of Ancient Woodland at Green Nook Wood and on-site lowland meadow, with various pressures and risks of continued degradation being identified.
- 10.84 The requirement for translocation of a small area of lowland meadow that will be lost in its current location to facilitate the development proposal, represents the only aspect of ecological harm arising from the development proposal to which some degree of negative weight could be ascribed. Balanced against this, Mr Goodman's evidence¹³⁹ demonstrates this area of lowland meadow is of poor condition and in a state of managed decline as a result of extensive grazing practices within the site. Mr Goodman notes the wider betterment that can be secured in terms of biodiversity net gains to lowland meadow both on-site, within a more sensitively managed area, and within the Borough at a strategic level habitat bank.
- 10.85 So far as the proposed development would result in some form of ecological 'harm' by virtue of the unavoidable removal of poor quality, lowland meadow in-situ, and having regard to the clear benefits of this wider compensation package, I attributed **very limited negative weight** associated with the translocation of this priority habitat to elsewhere within the Appeal Site.

¹³⁹ CD9.4 – Proof of Evidence on Ecology

Third Party Representations

- 10.86 Third-party representations have been submitted and my response to these are set out in **Appendix 4**.
- 10.87 Responses covered the topics of scale, layout & design, highways safety and impact, pedestrian connectivity, ecology, landscape and visual impact, impact on the Green Belt, air quality, and the additional pressure on local services.
- 10.88 The response to third party comments at Appendix 4 demonstrates and concludes that there are no points which are not responded to in my evidence or in other documents.

Planning Balance Summary

- 10.89 My planning balance is summarised below:

Table 5. Benefits and attributed weight

| Benefits | Positive Weight | Harms | Negative Weight |
|--|--------------------|---|-----------------|
| Market Housing - up to 210 dwellings | Substantial | Conflict with Policies DMH3 and DMG2 on open countryside | Limited |
| Affordable Housing - up to 90 affordable dwellings on site | Substantial | Landscape and Visual | Moderate |
| Older Persons Housing - Over 55s Retirement) – up to 45 market/affordable dwellings on site | Substantial | Ecological harm - translocation of lowland meadow | Very limited |
| Surface Level car Park | Significant | | |
| Public Open Space | Significant | | |
| Biodiversity Net Gain and Ecological Management | Moderate | | |
| Off-site Highways Improvements | Moderate | | |
| Economic Benefits | Moderate | | |

11. Summary and Conclusions

Introduction

11.1 My evidence has been prepared in support of the appeal by Hallam Land Management against the decision of Ribble Valley Borough Council to refuse planning application (Ref. 3/2025/0196):

“Outline planning application for up to 300 residential dwellings, associated access, rail station car park, green infrastructure and sustainable drainage systems (all matters reserved except for access).”

11.2 At the time of issuing the refusal the Council attached five reasons for refusal. To address these reasons for refusal, this planning appeal was submitted in December 2025 and included a Statement of Case supported by evidence in relation to housing supply, affordable housing, landscape, ecology and highways (sustainability and accessibility).

11.3 Subsequently, the Council conceded that it could no longer demonstrate a 5 year supply of housing land, in recognition of an appeal decision issued for a proposals in Chatburn in January 2026. It has been our consistent case since the time of originally submitting the outline planning application that the Council could not demonstrate such a supply.

11.4 The Inspector's advice to the issue is unequivocal and leads the Council to a severe deficit of housing land which has repercussions for policies of the adopted development plan as well as the weight attached to the benefit of housing delivery against this backdrop.

11.5 The Council have confirmed in their Statement of Case that they are no longer seeking to defend RfR1 owing to the confirmed lack of a 5 year housing land supply. Accordingly, no further evidence is submitted to this inquiry on housing supply matters and a Statement of Common Ground has been signed between the parties.

11.6 My proof of evidence is submitted along with that of Mr Blair (Sustainability and Accessibility), Mr Goodman (Ecology), Mr Cook (Landscape) as well as that of Mr Tracey (Affordable Housing). The latter to contextualise the pressing need for affordable housing relying primarily on evidence submitted with the appeal.

Housing Supply

- 11.7 Whilst it is agreed between the parties that the Council cannot demonstrate a 5 year housing land supply, there is a difference between the parties of the actual level of supply owing to some methodological differences in calculating future supply from known sites or assumed rates of delivery. Regardless on which evidence on the matter of 5YHLS is accepted, there is evidently a significant shortfall in the Borough ranging between **3.04 years to 3.45 years** supply – equivalent to a shortfall of some **503 to 638 dwellings**.
- 11.8 The materiality of the shortfall is subject of evidence by both parties, but fundamentally as a result of the shortfall, those policies which seek to set development boundaries or a perpetuating restrictive approach to housing delivery are rendered out of date.

Compliance with the Development Plan

- 11.9 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that determination must be made in accordance with the development plan unless material considerations indicate otherwise.
- 11.10 NPPF paragraphs 11 and 12 translates this legislative requirement into national policy in reinforcing that the development plan is the starting point for decision making and it is necessary to consider if a planning application conflicts with an up to date development plan, before considering whether material considerations are capable of supporting a departure.
- 11.11 The first issue that the Council's lack of housing supply presents is the status of the development plan and the most important policies in relation to the appeal proposals. It is common ground that Key Statement H1 and Policies DMG2 and DMH3 are out of date.
- 11.12 I however do not believe Key Statement DS1 is necessarily out of date. It continues to provide the most appropriate basis to guide development spatially within the Borough to promote the most sustainable patterns of development. I have shown that the policy has been successful across the plan period and the proposals do not undermine its intentions.

A Sustainable Development in an Accessible Location

- 11.13 Whilst Key Statement DS1 was not cited in respect of RfR2, it is considered with sustainable development and patterns of growth. It is common ground that the policy looks to 'focus' development towards Tier 1 settlements such as Langho. It is also common ground that Langho is one of the more sustainable settlements within the development plan strategy.
- 11.14 Along with the evidence of Mr Blair, my evidence we detail at great length how this statement is true. It is a statement accepted by the Highways Authority and the Council's own evidence base over a prolonged period. The appeal site is well located to tap into the settlement's credentials and accessibility to local services and facilities as well as the public transport network. Indeed this Council as I highlight consider other sites with the same or less credentials to be sustainable and so to argue the contrary is both contradictory and ignoring the evidence.
- 11.15 My case is that the appeal site and the proposed development is both sustainable and accessible, representing one of the most sustainable locations in the Borough to locate housing in light of an accepted pressing need to deliver more housing. The appellant's view on Langho's sustainability is shared by LCC Highways as statutory consultee and the Council's own evidence base informing its plan preparation both existing and proposed. Officers do not agree even in light of their own evidence base.
- 11.16 Officers also do not agree that the site itself is well located to benefit from access to local services and facilities as well as public transport links. I believe this to be an inconsistent view when considering other proposals both in other settlements of the Borough as well as adjacent to the appeal site more pertinently.
- 11.17 Furthermore, owing to the location of the appeal proposals and proposed development benefits and off site highways works, I believe that positive weight in favour of the proposals can be drawn from Policy DMG3.

RfR 3 - Landscape

- 11.18 With regards the allegation proposals will lead to unacceptable landscape harm (RfR 3), the evidence of Mr Cook provides a full assessment of the appeal proposals in relation to potential harms to landscape elements, character as well as views and amenity. The appeal site is not covered by any statutory designations for character or quality comprising arable land with no particular landscape value and has semi urban characteristics noting its location and surroundings. Whilst the appeal proposals will

inevitably give rise to a degree of harm, this is isolated in terms of how the site is experienced in a highly localised way. Other harms or impacts are largely negligible owing to its self contained nature and lack of public viewpoints.

- 11.19 I therefore consider that the proposals do represent a sympathetic form of development in relation to its context and accords therefore with relevant policies. Further, I do not consider there are material considerations as contained within the NPPF which affect my conclusions.

RfR 4&5 – Ecology and Biodiversity

- 11.20 RfR4 and 5 relate to biodiversity and arboricultural matters. In relation to RfR4 with the submission of additional surveys it is now agreed that there is no objection to the appeal proposals with regards impact to protected and notable species.

- 11.21 However, the Council now allege there will be unacceptable harm to ancient woodland and a veteran tree. The appeal proposals will not lead to any incursion within the root protection areas, with retention of adequate buffers and long term management which will address its current poor condition.

- 11.22 To develop the site fully there will need to be infrastructure provided in the location of the existing area of lowland meadow. Translocation of the lowland meadow within the site avoids damage and fragmentation through the implementation of the site infrastructure and is an acceptable form of mitigation for a habitat that is likely to be lost through lack of appropriate management leading to an enhancement. This accords with Key Statement EN4 and Policy DME3 which also allow for mitigation which is also proposed by the appellant.

- 11.23 Now the Council also allege the proposals undermine the recently published LNRS. As Mr Goodman evidences, the proposals retains and manages existing ecological features and delivers enhancements. Mr Goodman firmly believes the proposals should be seen as supporting the objectives of the LNRS.

- 11.24 In relation to RfR5, the appellant has expended significant efforts and resources to setting out a robust and coherent biodiversity net gain strategy. The development proposals require the provision of mitigation within the site and the provision of offsite compensation at a strategic level habitat bank identified in the LNRS. Through these onsite and offsite provisions, the updated metric submitted to this appeal confirms a net gain in habitat units equivalent to 12.15%. In terms of hedgerows, the scheme provides a net gain of 24.37% and an uplift of 13.3% in watercourse units. The proposals

accord with both the requirements of the NPPF, local planning policy, and Part 6 of the Environment Act.

- 11.25 In conclusion, I disagree that there are conflicts with policies cited in relation to RfR2-5 and my evidence highlights how policies also pull in favour of the appeal proposals. In addition, as is common ground, the appeal proposals accord with all other policies within the development plan.
- 11.26 Overall, I therefore believe that the proposals by virtue of their location, scale and composition accord with the development plan as a whole. Accordingly under terms of Key Statement DS2 planning permission should be granted without delay as there are no material considerations which indicate otherwise.

The Planning Balance

- 11.27 Should my evidence that the proposals accord with the development plan as a whole not be accepted as a result of Key Statement DS1 being considered out of date, then under the terms of Key Statement DS2 a balancing exercise against the tilted balance whereby it is required to consider whether there are any adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits of the development. This is the same balancing exercise required to address NPPF paragraph 11d) if deemed necessary.

Benefits

- 11.28 As set out in Section 10 of my proof of evidence, it is my case that the proposed development constitutes sustainable development and provides weighty benefits which represent substantial material considerations in the determination of this appeal. These key benefits are primarily linked around the Council's failure of the housing land supply in numerical terms to meet identified needs, with the absence of a meaningful strategy to address this acute issue.
- 11.29 Importantly, this will lead to the failure to adequately meet not only general market housing requirements, but the needs arising for other demographics including affordable housing and those of older persons. Both are identified as a priority for delivery by this Council and on the Council's own evidence the need for both is ever increasing. The appeal proposals will provide a significant contribution towards these needs as part of the creation of a mixed tenure community itself a benefit as advocated by NPPF. The Council's position conversely is to accept that these demonstrable needs will not be met within the Borough and will only worsen.

11.30 Additionally, the proposals will provide extensive on site open space provision capable of wider community use as well as promoting sustainable travel both in terms of commitments to the surface level car park to service Langho train station but also the package of off site measures agreed. Furthermore, ecological enhancements and management regimes will be brought into place to arrest decline of existing habitats and also lead to above mandatory level BNG within the Borough.

Adverse Impacts

11.31 The Appellant acknowledges conflict with development plan policy insofar as the site is not allocated for housing development and is located outside of the settlement boundary for Langho. The proposal conflicts with Policy DMG2 and DMH3 of the RVCS, insofar as the Appeal Site is located beyond the settlement boundary of Langho and in the open countryside. For reasons I have explained, this conflict relates to out-of-date policies and therefore should only be attributed **limited weight** in the planning balance.

11.32 The Appeal proposal represents sustainable development which is a view shared within the Council's own evidence base and the view of the local Highways Authority. Langho is a sustainable settlement and the Appeal Site located so as to adequately access services and facilities in the village and local area. It should be a priority location for future growth as part of an updated development strategy. It is not the Appellant's case that there is harm to the spatial strategy for growth as contained within Key Statement DS1, however if that were not accepted then the weight to that conflict is diminishing in recognition the closer we are to the end of the RVCS plan period.

11.33 With regard to other adverse impacts of the proposals, it is my view that these are more limited in comparison to the benefits. It is acknowledged that there will be some landscape harm as the proposals involve built development on a greenfield site, however the site is not designated and is not considered to fall within a valued landscape and as such, it should receive the lowest level of protection. Mr Cook's evidence¹⁴⁰ demonstrates that the site has the ability to accommodate development of the scale and nature proposed without a significant adverse landscape character or visual impact. I therefore attach **moderate weight** to the landscape harm.

11.34 No other technical harm is apparent of a magnitude that would constitute an 'adverse impact' which cannot be adequately mitigated as has been outlined in the basis of

¹⁴⁰ CD9.2 – Proof of Evidence on Landscape

the Appellant's case to the cited RfR's. Mr Goodman's evidence¹⁴¹ demonstrates that the site has the ability to accommodate the proposed development without a significant adverse impact to ecology and biodiversity. Contrary to the Council's case, the appeal proposal will facilitate wider betterment within the Borough in terms of biodiversity net gains to prior habitat such as lowland meadow.

11.35 I therefore attach **very limited weight** to the ecological harm.

11.36 My planning balance is summarised below:

Table 6. Benefits and attributed weight

| Benefits | Positive Weight | Harms arising from any policy conflicts | Negative Weight |
|--|------------------------|---|------------------------|
| Market Housing - up to 210 dwellings | Substantial | Conflict with Policies DMH3 and DMG2 on open countryside | Limited |
| Affordable Housing - up to 90 affordable dwellings on site | Substantial | Landscape and Visual | Moderate |
| Older Persons Housing - Over 55s Retirement) – up to 45 market/affordable dwellings on site | Substantial | Ecological harm - translocation of lowland meadow | Very limited |
| Surface Level car Park | Significant | | |
| Public Open Space | Significant | | |
| Biodiversity Net Gain and Ecological Management | Moderate | | |
| Off-site Highways Improvements | Moderate | | |
| Economic Benefits | Moderate | | |

¹⁴¹ CD9.4 – Proof of Evidence on Ecology

Conclusion

- 11.37 In conclusion I have followed the process required by NPPF paragraph 12 that the development plan is the starting point for decision making. It is my primary case that the development accords with the development plan as a whole and so planning permission should be granted.
- 11.38 In the event the Inspector concludes that the proposals do conflict with the development plan as a whole, it is necessary to carry out a balancing exercise in line with Key Statement DS2 which reflects the 'tilted balance' of NPPF paragraph 11d.
- 11.39 In the context of the engagement of the tilted balance I have emphatically concluded that there are no adverse impacts which would significantly and demonstrably outweigh the substantial benefits of the appeal proposals.
- 11.40 Taken as a whole, the proposed development clearly constitutes 'sustainable development' and delivers on all three strands of economic, social and environmental objectives.
- 11.41 Subject to appropriate conditions and obligations, I respectfully invite that the Appeal is allowed and planning permission be granted.

This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party. Any such party relies on this report at their own risk.

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