

**RIBBLE VALLEY BOROUGH COUNCIL**



Ribble Valley  
Borough Council

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**TOWN & COUNTRY PLANNING ACT 1990: Section 78**

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

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

**REBUTTAL OF NJL PLANNING PROOF OF EVIDENCE BY KATHRYN HUGHES  
MPI, MRTPI**

<b>Planning Inspectorate Reference:</b>	6002485
<b>LPA Application Reference:</b>	3/2025/0196

<b>Appeal By:</b>	Hallam Land Management Ltd
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<b>Against the refusal by Ribble Valley Borough Council to grant outline planning permission for:</b>
Up to 300 residential dwellings associated access, railway station car park, green infrastructure and sustainable drainage systems (all matters served except for access).
<b>Site Address:</b>
Land off Longsight Road, Langho bounded by the railway, Northcote Park and Wildman's Farm.

## 1. Introduction

- 1.1 I am Kathryn Hughes, Principal Planning Officer within the Development Management & Building Control Service / Economic Development & Planning Directorate at Ribble Valley Borough Council. I hold a Masters in Planning awarded by The University of Manchester. I am a Member of the Royal Town Planning Institute. I have over 27 years' experience in two Local Planning Authorities.
- 1.2 This Rebuttal of Mark Saunder's (MS) Planning Proof of Evidence will address the specific issues raised in that Proof concerning this planning appeal and will seek to clarify the Council's position. In terms of Affordable Housing it will also address the specific issues raised in the Proof of Evidence of James Stacey (JS) (Tetlow King Planning).

### Housing

- 1.3 MS PoE suggests that substantial weight should be given to the delivery of housing. In doing so it refers to the appeal decision at Chatburn (Paragraph 10.8) of where the Inspector found the weight to be given to housing delivery as a benefit was substantial weight given the significant shortfall in the 5YHLS. For the purposes of clarity, that Inspector concluded *"The Council has consistently delivered more completions than required since 2014/15, and there is no compelling evidence before me to suggest that this will not continue. This is a material consideration that tempers the weight to be given to housing delivery as a benefit of the proposed development. Nonetheless, given the significant shortfall in the 5YHLS at this time, I afford substantial weight to the proposed provision of housing, given that it is in an accessible location."* The weighting of 'substantial' was based on the Chatburn site being sustainable by virtue of its accessible location as set out in paragraph 7 of the appeal decision which the appeal site is not considered to be.
- 1.4 There is also reference in paragraph 10.9 of MS PoE to an appeal decision at Littlebourne, which is considered by the appellant to be 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. There 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."* This

position is consistent with the Council's view that the delivery of housing in this appeal scheme carries significant weight.

### Affordable Housing

1.5 MS PoE refers to the separate Proof of Evidence by JS. Sections 1 – 4 are all very high level with Section 5 relating to the difference in RVBC Affordable Housing need figures and 5.17 stating that a housing need of 230 affordable dpa between 2024/25 and 2027/28 is the most up-to-date assessment going forward – the Council agree this position.

1.6 The Planning Proof of MS (10.13) states that “RVBC has plainly failed to deliver the level of affordable housing required to meet needs” but this is misleading as meeting affordable housing needs is not just reliant on delivery of new homes. Affordable housing need is not an affordable housing target, and it is generally accepted that need will never be met due to matters such as viability. RVBC's Core Strategy requirement was to deliver 84dpa between 2008/09 – 2027/28. The requirement equates to 1428 dwellings between 2008/09 and 2024/25 and delivery has been 1376 in this timeframe – which is confirmed in Paragraph 6.3 of JS PoE. This is only a 52 dwelling shortfall in total against the requirement – demonstrating the Council's affordable housing delivery has been good and has not fallen significantly short of the Core Strategy target.

1.7 The recent assessment of need in 2025, evidenced by the 2025 Affordable Housing Needs Assessment (AHNA), was 230 dpa. Whilst the AHNA identifies a notable need for affordable housing, it stresses that 230 pa figure is not an affordable housing target and neither does it point towards any requirement for the Council to increase the Local Plan housing requirement due to affordable needs. Three different evidence base documents on affordable need in RVBC have been published during the plan period (as summarised in JS PoE) but due to the different methodologies applied in the different studies, including affordability assumptions and timescales, it is too simplistic to look at the overall net need figure in each study and compare them. Nonetheless, consistent across all assessments is the finding of a significant level of affordable housing need.

1.8 Figure 6.8 of JS PoE sets out the Affordable Housing Delivery in Billington & Langho Ward in 23/24 and 24/25, however, this does not address the need specifically in this parish. Having regard to the latest evidence of need in the 2025 AHNA, including the evidence (Figure 1.15) that for Langho and Billington the need is 80 dwellings over the next 5 years which this site would

deliver on, the Council accepts that affordable housing delivery should be afforded significant weight notwithstanding good delivery levels over the plan period.

1.9 Temporary accommodation - referred to in JS PoE (paragraph 7.13) – is a material consideration and the FOI request showed 11 households in temporary accommodation but that is a snapshot in time, no details are provided and more importantly, this development would not meet that need.

1.10 Paragraphs 10.13– 10.19 of MS PoE refers to the weight to be given to affordable housing with the appellant referring to an appeal decision at Braintree whereby the Inspector gave significant weight to the delivery of affordable housing given that the adoption of the new Local Plan in that particular authority was not imminent and so affordable housing delivery will help to address needs that exist now. This position on weighting is consistent with the Council's view.

1.11 The Council's view that the weighting should be significant and not substantial is also because the appeal site is not considered to be sustainable. Furthermore, this is an outline proposal whereby mix and house type is unknown at this stage. The 2020 SHENA in particular places a big emphasis on need being predominantly 1 bed properties and to some extent larger family homes and suggests over-delivery of 2- and 3-bedroom affordable properties. The extent to which the scheme will meet more specific affordable need is unknown at this stage.

#### Older Persons Housing

1.12 MS PoE makes reference (10.23) to a recent acknowledgement from RVBC on the long term failure to of meeting the full spectrum of needs – notably bungalow provision. To clarify, the Council's statement was about bungalow delivery not overall older persons housing delivery. Clearly there are other house types capable of meeting older persons need and indeed the s106 for this appeal scheme does not require bungalow provision for this older person requirement. RVBC's Core Strategy requirement was for a positive net increase in older persons accommodation and family housing (2 and 3 bed). Therefore, with no specific target figure identified there cannot be said to be under delivery against the requirement. The appellant considers the appeal scheme presents a rare opportunity to deliver older persons housing, but this is a policy compliant scheme as such the Council does not consider it rare.

- 1.13 Having regard to the latest demographic trends in RVBC on older persons, the Council accepts that older person housing delivery should be afforded moderate weight. The Council's view that the weighting should be moderate and not substantial is because the appeal scheme is not considered to be sustainable. Also, this is an outline proposal and so it is unknown at this stage how the older persons housing would be delivered on site and whether the community benefits alleged by the appellant will be achieved.
- 1.14 The appellant acknowledges benefits linked to release of under occupied family housing into the market, but older persons households moving onto the site are not necessarily moving out of existing RVBC housing stock. Furthermore, older persons households can still access the wider housing stock – households aren't just reliant on this type of housing unlike the affordable housing provision.
- 1.15 With no evidence of under delivery, with no specific target/requirement in the RVCS and with need capable of being met by the wider housing stock, a lower weighting given to older person housing over affordable housing is therefore justified.

#### Sustainability

- 1.16 It is common ground that the adopted Core Strategy 2008 – 2028 A Local Plan for Ribble Valley lists Langho as one of the most sustainable settlements (Key Statement DS1).
- 1.17 Policy DMG2 and Key Statement DS1 are agreed as being out of date in terms of their restrictive approach towards the location of housing.
- 1.18 KS DS1 states that the majority of new housing development will be provided in the three main settlements of Clitheroe, Longridge and Whalley as well as the strategic housing site at Standen which is still ongoing. Furthermore, development will be focused towards the tier 1 Villages which are the more sustainable of the 31 defined settlements. This high level strategy of directing development to more sustainable areas of the Borough is not necessarily out of date.
- 1.19 In terms of the hierarchy of Tier 1 and Tier 2 Settlements whilst this is still the most relevant policy, it should be noted that the evidence base that the appellant refers (CD 5.2 and 5.4

the RV Settlement Audit 2006 and RV Settlement Hierarchy 2008 respectively) is out-of-date. A revised Development Strategy was produced in April 2014 (CD 5.24) in response to the appointed Inspector for the EiP of the Ribble Valley Core Strategy following the hearing sessions held 14-22 January, 2014 in order to provide a more refined differentiation between the 32 defined settlements based upon their sustainability, capacity to accept growth and other pertinent factors including planned commitments. It is this 2014 document, therefore, which provides the relevant evidence base for the hierarchy of the Tier 1 and 2 settlements as set out within the Core Strategy.

- 1.20 This evidence sets out the level of new housing anticipated with specific targets or a policy approach of development for local needs or regeneration benefits for each of the 32 defined settlements. This strategy proposed that 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. Specific allocations were then made through the Housing and Economic Development DPD.
- 1.21 In terms of housing requirement this document sets out for each settlement the number of houses to be provided; the number of houses already completed/permissions granted; unadjusted residual (less any completed/permissions granted), Longridge adjustment (reflects development allowed at appeal of 200 units re-proportioned to the most sustainable settlements within the defined settlements), proposed strategic site (Standen 1040 taken from Clitheroe requirement) and residual number required. The 32 settlements had a requirement for 1,600 units with completed/permissions granted amounting to 1223 leaving an unadjusted residual of 377.
- 1.22 The nine most sustainable settlements (including Langho) were allocated a percentage based on population size which for Langho was 12%. Based on this the nine most sustainable settlements were banded into 3 groups which reflected the population scale. The 145 residual was distributed amongst these with Langho apportionment being 18. Tier 2 settlements were restricted to Local Needs Housing or development which had Regeneration Benefits only. Housing development in Barrow was also restricted in this way due to 710 permissions/completions at the time of the report.

- 1.23 The appellant refers to Barrow and Langho both being in the same settlement hierarchy of Tier 1 villages and refers to the 2008 Settlement Hierarchy where Langho scored 31 and Barrow 19, however the appellant has failed to take into account that the 2014 Development Strategy identified Barrow as a receptor for Growth and therefore it was recognised as a main location for employment where strategic employment opportunities would be promoted. Hence, despite its smaller population Barrow was included as a Tier 1 Village. It is also located within walking distance of the facilities in Whalley with public transport links and cycleways to the principal settlements of both Whalley and Clitheroe.
- 1.24 When reviewing the details in the 2014 Development Strategy it becomes apparent that, in relation to the facilities and service provision at that time, that those provisions have since changed in the intervening years and that, at the present time, the facilities in Langho with particular regards to non-transport related facilities and services have been reduced. Currently the only health facility is the Pharmacy with no GP facilities, with the post office now a counter service within the shop and the public house being sited to the south of the settlement boundary. The nearest employment opportunities are in Whalley 3.1km away. It would also be appropriate to assess which services are within cycle and walking distances of the site.
- 1.25 It is evident that each of these documents referred was a snapshot in time and that the evidence base for the hierarchy currently is being updated to reflect the current situation to inform the new Local Plan. Whilst the appellant refers to this emerging evidence - a 2025 **DRAFT** (my emphasis) study - this is currently under review in light of more up-to date analysis and evidence studies coming forward at this time. Therefore the Council's view is that this draft document carries no weight.
- 1.26 Langho offers a limited range of services to meet the daily needs of the local community, and whilst it is served by both bus and rail public transport services these are not within the suggested walking distance of 400m for the entire site nor will they be accessible to all and therefore the benefits of these will need to reflect these limitations. In any event Langho is still reliant on larger settlements including Whalley for higher level services and employment opportunities.

- 1.27 This supports the Council's stance that whilst the settlement hierarchy of policy DS1 should be applied, because the evidence base which underpins it is out of date and because it is at a high level, there is still a requirement to look at the most up-to-date position of Langho in terms of its facilities and services and to look at the specific accessibility and connectivity details of the site in relation to Langho and beyond to determine whether or not the site should be considered a sustainable location. Therefore to rely on policy DS1 as a reason why Langho and indeed the site should be considered sustainable is too simplistic in itself.
- 1.28 In respect of Point 6 of Paragraph 5.10 and 6.32 of MS PoE, paragraph 1.23 of my rebuttal above deals with the difference between Langho and Barrow which are both Tier 1 villages. Each case is determined on its own merits and therefore not having a 5YHLS does not mean that RVBC should approve all submitted housing applications – these are still assessed in terms of local and national policy as applicable, with unacceptable schemes being refused taking into account the tilted or flat balance.
- 1.29 In respect of Point 8 of Paragraph 5.10 of MS PoE this will be addressed in paragraphs 1.29 to 1.33 below. In terms of the housing target or requirement for individual settlements. The past delivery in Langho is not necessarily material, however, the site history for the adjacent site at Northcote Park does have some relevance in terms of how this site gained permission and its association with the Appeal site. In particular the appellant refers to CD11.5 Committee report for application 3/2014/0687 which sought outline consent for 132 residential units this application was refused on the 14th November, 2014 (prior to the adopted of RVBC Core Strategy) on three grounds including 1. ... would lead to the creation of new dwellings in the open countryside leading to harm to the emerging Core Strategy leading to unsustainable development; 2. ... would create a harmful precedent for the acceptance of the other similar unjustified proposals which would have an adverse impact on the emerging planning policies of the Council and 3. ... the proposed development by virtue of its scale, size and location would result in an unacceptable visual intrusion to the local landscape and would have a significant effect on the character, appearance and visual amenities of the area.
- 1.30 The planning policies refer to the saved Ribble Valley Districtwide Local Plan and the Ribble Valley Core Strategy Submission Version. The Committee report notes that at the time of this report the residual housing figure for Langho was 18 – although it is noted that this is

not a cap or target this proposal was for 132 houses. The report goes on to state that “the site is close to a variety of services within Langho and, in that regard, could be considered to be (my emphasis)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 (Policy DS1) ...”

1.31The appellant also refers to CD11.6 Committee report for application 3/2015/0010 which sought outline consent for 18 residential units including 5 affordable homes, this application was approved on the 9th July, 2015 (after the adopted of RVBC Core Strategy) on the basis that the proposal met the residual need of 18 units. The potential impact on landscaping and sustainability were only briefly referred to and no in-depth analysis was undertaken in this regard mainly due to the limited scale of the development.

1.32The Committee report notes that at the time of this report the residual housing figure for Langho was 18 – although it is noted that this is not a cap or target this proposal was for 18 houses. The report goes on to state that “the site is close to a variety of services within Langho and, in that regard, could be considered to be (my emphasis)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 (Policy DS1) ...”

1.33The appellant also refers to CD11.7 Committee report for application 3/2018/0844 which sought full consent for 42 residential units including 13 affordable homes, this application was approved on the 5th June, 2019 on the basis that the site has already obtained outline and reserved matters (3/2018/0392) consent for 18 units and the site was located within the draft settlement boundary of Langho, specifically being allocated as a “Committed Housing Site.” In terms of the potential impact on landscaping and sustainability are only considered in terms of the additional units with no in-depth analysis was undertaken in this regard mainly due to the sites allocation and siting within the draft Settlement Boundary it was considered to be a sustainable location.

**Planning Balance:**

1.34 The application site lies within the defined open countryside being located outside any defined settlement limits. RVBC does not currently have a five-year housing land supply therefore Key Statement DS1, Policies DMH3 and DMG2 (in terms of their restrictive approach towards the location of housing) of the Ribble Valley Core Strategy are no longer engaged for the purposes of assessing the proposal in this respect.

1.35 DS2 reiterates the stance taken by NPPF Para 11 but does not include as much detail such as the footnotes. In essence the appeal is predicated on the application of NPPF Para 11 whether through the NPPF and/or through the application of KS DS2. I have set out my view on its application in my main proof of evidence, namely that there is a strong reason for refusing under NPPF Para 11(d)(i) and that permission should not be granted even if the tilted balance was engaged under 11(d)(ii).

1.36 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 public transport or motor vehicles which carries moderate weight.

1.37 For the reasons outlined above, whilst having regard to all material matters raised, that the Inspector is respectfully requested to dismiss the appeal.