

Adele Hayes
Chorley Borough Council
By email to adele.hayes@chorley.gov.uk

Our Ref: 3053

Date: 8th April 2021

Dear Ms Hayes,

Ref: Planning Application 20/01193/OUTMAJ

It is noted that the above planning application has been placed on the Agenda for the 12th April Planning Committee and that it is recommended for refusal.

Firstly, it is noted that one of the recommended reasons for refusal is that the application only proposes 30% affordable housing provision as opposed to 35%. I can confirm that it has always been the applicant's intention to agree to a policy compliant amount of affordable housing to be secured through a s.106 Agreement and that the reference to 30% in the Planning Statement was simply a typo. This is a matter which could have easily been clarified had we received any meaningful communication from yourselves during the course of this application. In this regard I highlight that we were not even informed that this application was being presented to Committee and only today found out what the officer recommendation is, despite chasing the Council for an update. Consequently we request an addendum to the Committee Report making it expressly clear to Committee that the applicant is prepared to offer 35% affordable housing provision and this suggested second reason for refusal should be removed.

Secondly, as to the other suggested reason for refusal it is noted that the Council are now giving weight to Core Strategy policy 4 and consequently state that there is a deliverable five year housing supply, meaning the 'titled balance' is not engaged and full weight should be given to conflict with safeguarded land policy BNE2.

As the Committee Report acknowledges, even in this scenario material considerations need to be balanced against this policy conflict and can justify decisions which depart from an adopted development Plan. However, it is considered that the Committee Report fails to give due consideration to the social and economic benefits from contributing towards delivering market housing and affordable housing. It has been established in various SoS appeal decisions that such benefits carry significant weight even in scenarios where there is a five year housing supply. Most recently, in July 2020, the SoS granted permission for a mixed use development at Nantwich which included 189 dwellings (ref. APP/R0660/A/13/2197532). The SoS decision confirms that the development was in conflict with a recently adopted Development Plan (adopted in 2017), that there was a 5.7 years to 6.6 year housing supply and that the Framework 'titled balance' was not engaged. Nevertheless, the SoS concludes in paragraph 28 that the delivery of market housing is a significant benefit, as is the contribution of affordable housing, stating:



“Whilst the Secretary of State has concluded that the Council can demonstrate a 5 YHLS, he has taken into account that nationally it is a government policy imperative to boost the supply of housing, as set out at paragraph 59 of the Framework, and he considers that this benefit should be afforded significant weight.

The Secretary of State also agrees with the Inspector at IR415 and IR420 that the scheme will include 30% affordable homes which will help meet the need in Cheshire East. The Secretary of State agrees that this is a tangible benefit and merits significant weight”.

The above decision demonstrates that significant weight should still be attached to the social benefits of delivering market and affordable housing even where there is a deliverable five year supply due to the national objective of significantly boosting the supply of homes.

It is also noted that the Committee Report states that there are no evident economic benefits. However, the Committee Report looks to rely on the Cardwell Farm appeal decision in Preston and as such officers will be well aware that the Cardwell Farm Inspector considered the benefits which new housing brings in terms of construction and supply chain jobs, places for the economically active to live, increased local spend and greater choice in the local market. The Inspector notes that at the Cardwell Farm appeal the economic benefits had not been quantified and would apply to any housing development of the scale proposed, but states that they *“are still considerable”* (paragraph 59). The Inspector goes on to give *“moderate weight”* to these economic benefits in paragraph 61.

I also refer to a s.78 appeal decision at Hamble-le-Rice in December 2018 (APP/W1715/W/18/3194846). In this decision the housing supply is identified as being between 7.2 and 10 years and the appeal decision confirms that there is a conflict with the adopted Local Plan and that the Framework ‘titled balance’ is not engaged. In this context, and within the ‘Planning balance and conclusion’ section of the decision, the Inspector states at paragraph 64:

“As agreed by the Council, the economic and social benefits of the proposal are worthy of significant weight. Given the national objective of significantly boosting the supply of homes, the provision of market and especially affordable housing carries significant weight. I appreciate the Council’s point that the economic benefits related to short term construction jobs, and the longer term boost to local spending power, could arise from any similar development. However that does not detract from the fact that this particular development offers these benefits, which I accord significant weight.”

Consequently I do not consider that the Committee Reports gives due weight to the social and economic benefits of the development in the planning balance.

Furthermore, when considering whether these benefits outweigh the conflict with Local Plan policy BNE2 is relevant to note that Annex 1 of the Central Lancashire Local Plan Issues and Options document demonstrates a clear need to go beyond the current settlement boundaries to deliver the Borough’s local housing need (LHN) going forward. Moreover the application site is specifically identified as one of the Council’s proposed housing sites and it is clearly evident from the Committee Report that the development is considered an acceptable location for housing other than its current safeguarded land designation.

Taking these factors into account, and bearing in mind the contribution to the delivery of market housing and much needed affordable housing, which secure social and economic benefits of significant weight, it is



considered that the material considerations do justify a departure from the Local Plan in terms of conflict with policy BNE2. This is irrespective of whether the five year housing requirement is based on Core Strategy policy 4 or the standard method LHN and whether or not the tilted balance is engaged.

Yours sincerely

Mr Louis Webb