



**DEPOL**

CHARTERED TOWN PLANNERS

established 1986

**Site Specific Summary Proof of Evidence**  
**Chris Betteridge** MPLAN MRTPI

Appeal in Chorley – Land at Parr Lane, Eccleston  
3284702 (Appeal B)

January 2022



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# 1. Summary Proof

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- 1.1. This Site Specific Summary Proof of Evidence is submitted on behalf of Metacre Ltd in respect of the following appeal against Chorley Council's refusal to grant planning permission:

Appeal B: Land South of Parr Lane, Ecclestone. Appeal ref. APP/N2345/W/20/3284702.

## **Proposed Development**

- 1.2. The Appeal seeks outline permission for up to 34no. dwellings including 35 percent affordable housing with all matters reserved for future approval. The appeal is supported by an indicative layout.

## **Planning Assessment**

- 1.3. There are no site specific reasons for refusal associated with this appeal. Furthermore no planning harm is alleged on a site specific basis. The Council's reason for refusal relates to non-conformity with a single policy in the Local Plan, Policy BNE3.
- 1.4. The following is common ground between the appellant and Council:
- **Highways.** The arrangements proposed are acceptable and development can be accommodated within the existing road network.
  - **Ecology.** The appeal site will not have any unacceptable impact on ecology.
  - **Flood Risk / Drainage.** The appeal site is located within Flood Zone 1 and surface water can be appropriately managed.
  - **Infrastructure and Services.** There are no constraints relating to infrastructure and services.
- 1.5. Subject to the s.106 obligations and conditions there are no objections from the statutory consultees.



### Accessibility

- 1.6. It is common ground that the site is in a sustainable location<sup>1</sup>. The appeal site is located immediately adjacent to the settlement of Ecclestone a Rural Local Service Centre. The site is within walking distance of a range of local services and bus services.

### Amenity

- 1.7. It is common ground that the appeal proposal would enable a suitable detailed scheme to be secured at reserved matters stage in compliance with relevant planning policy. The site has been subject to consultation with Chorley Councillors and no objection or concerns have been raised<sup>2</sup>.

### Site Suitability and Safeguarded Land

- 1.8. The appeal site is identified as Safeguarded Land by Policy BNE3. The policy states that Safeguarded Land is “*safeguarded for future development needs beyond the plan period*”<sup>3</sup>. The designation of the site as Safeguarded Land confirms it is suitable for development.

## **Benefits of the Appeal Proposal**

- 1.9. There are a number of benefits associated with the appeal proposal and these are identified below.

### Social and Economic Benefits of Market Housing

- 1.10. NPPF confirms how delivering housing is a key component in delivering the economic and social objectives of sustainability.
- 1.11. New housing will increase the customer base for local services and create jobs and spending during the development phase.
- 1.12. The Council is only able to demonstrate a 2.5 year housing land supply against the Standard Method Local Housing Need. The appeal proposal will contribute towards meeting this shortfall in the five year supply.

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<sup>1</sup> CD10.5 Planning Statement of Common Ground para. 5.12

<sup>2</sup> CD6.31 Central Lancashire Issues and Options Consultation November 2019 – Annex 2

<sup>3</sup> CD6.2 Chorley Local Plan para. 7.16



- 1.13. Notwithstanding the tilted balance there is evidence in appeal decisions at Winsford<sup>4</sup>, Nantwich<sup>5</sup> and Eastleigh<sup>6</sup> that delivery of market housing is a significant benefit. At the Pear Tree Lane appeal the Inspector also concluded that the appeal would have been allowed<sup>7</sup> regardless of the tilted balance.

#### Affordable Housing.

- 1.14. The proposal includes 35 percent affordable housing in accordance with CS policy 7.
- 1.15. It is common ground that there is a need for affordable housing. The 2020 Housing Study which identifies a need for 132 affordable dwelling per annum with “*a substantial need for additional affordable housing*”<sup>8</sup> and an “*acute need for affordable rented housing*”<sup>9</sup>.
- 1.16. At the previously mentioned appeal cases at Nantwich<sup>10</sup>, Winsford<sup>11</sup> and Eastleigh<sup>12</sup> the SoS or Inspector placed significant weight on the delivery of policy compliant affordable housing. At the Pear Tree Lane appeal the Inspector identified the delivery of policy compliant affordable housing as a “*significant social benefit*”<sup>13</sup>.

#### On-site Open Space and Biodiversity.

- 1.17. The appeal proposal will provide on-site public open space and potential for biodiversity enhancement together with tree planting this will have a beneficial impact particularly for climate change.

### **Sustainable Development**

- 1.18. It is considered that the appeal proposal delivers on all three sustainability objectives underlined by Chorley Council’s identification of the site for potential development in the emerging plan.

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<sup>4</sup> **CD8.34** Appeal – Land off Rilshaw Lane, Winsford APP/A0665/A/14/229269 SoS para. 16

<sup>5</sup> **CD8.25** Appeal – Audlem Road, Stapeley Nantwich APP/R0660/A/13/2197529 SoS para. 28

<sup>6</sup> **CD8.35** Appeal – Satchell Lane, Hamble-le-Rice, Eastleigh APP/W1715/W/18/3194846

<sup>7</sup> **CD8.1** Appeal – Land at Pear Tree Lane, Chorley APP/D2320/W/20/3247136 para. 105

<sup>8</sup> **CD6.21** Central Lancashire Housing Study 2020 pg. 47

<sup>9</sup> **CD6.21** Central Lancashire Housing Study 2020 pg. 47

<sup>10</sup> **CD8.25** Appeal – Audlem Road, Stapeley Nantwich APP/R0660/A/13/2197529 SoS para. 29

<sup>11</sup> **CD8.34** Appeal – Land off Rilshaw Lane, Winsford APP/A0665/A/14/229269 SoS para. 16

<sup>12</sup> **CD8.35** Appeal – Satchell Lane, Hamble-le-Rice, Eastleigh APP/W1715/W/18/3194846 para. 47

<sup>13</sup> **CD8.1** Appeal – Land at Pear Tree Lane, Chorley APP/D2320/W/20/3247136 para. 12



- 1.19. Notwithstanding the Safeguarded Land designation the appeal proposals comprise sustainable development.

## **Planning Balance**

### Tilted Balance

- 1.20. For reasons highlighted the tilted balance is engaged.
- 1.21. The appeal proposals will secure the following benefits:
- contribution towards the supply of housing, which for reasons stated is a social benefit of significant weight;
  - contribution towards affordable housing, which for reasons stated is a social benefit of significant weight;
  - economic benefits, which for reasons stated carries moderate weight;
  - environmental benefits associated with tree planting and potential biodiversity enhancement carries moderate weight.
- 1.22. There are no site-specific issues associated with the development which would render it unacceptable.
- 1.23. There is insufficient land to meet housing need to the end of the Plan period and therefore a need to develop Safeguarded Land now.
- 1.24. Mr Saunders' evidence demonstrates that the Chorley has a 2.5-year housing land supply against the Standard Method Local Housing Need. The application proposal will make a contribution towards housing need in Chorley.
- 1.25. The conflict with policy BNE3 should be afforded limited weight and there are no adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

### Flat Balance

- 1.26. Even in a flat balance scenario the appeal proposal should be approved.
- 1.27. There is no site specific harm as a result of the appeal proposal.



- 1.28. The previously mentioned appeal decisions provide examples of where adopted Development Plans can be outweighed by the type of benefits applicable to the appeal proposal.
- 1.29. The Standard Method Local Housing Need figure remains a material consideration, it will become Chorley's housing figure by default in September 2022 unless a review has been undertaken. Given the significant uplift in Standard Method Housing Need figure by 455 dpa against Chorley Council's figure of 109 dpa, there will be a significant change.
- 1.30. The site has been identified as a site for residential development by Chorley Council. The emerging Local Plan, with a 2021 start date, identifies all but one of the Safeguarded Sites for housing development. Safeguarded Land will likely be made available for development before the end of the current plan period<sup>14</sup>.
- 1.31. South Ribble and Preston Councils do not apply out-of-date CS Policy 4. As a result neither CS Policy 4 nor the Local Housing Need will be delivered. This is particularly important in the context of the NPPF objective to boost significantly the supply of homes. All of this must be weighed against CS Policy 4 and Local Plan Policy BNE3.
- 1.32. The proposal will deliver up to 12 affordable homes as part of the development, for which there is an agreed substantial need. The aforementioned social and economic benefits from contributing to the housing supply still carry significant and moderate weight respectively. Consequently, even in a flat balance it is my opinion that the balance of weight still falls in favour of the appeal.

### **Third Party Comments**

- 1.33. A number of objections raise issues relating to technical matters including highway impact / safety, ecological impact, noise and flood risk. The subject applications have been supported by a range of technical surveys and assessments and there are no objections to the grant of planning permission by the statutory consultees in relation to such matters, nor does the Council suggest that there are any technical grounds to refuse permission on this basis. In terms of other comments:
- It is considered that a development of 34 dwellings is not out of keeping with a settlement the size of Ecclestone;

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<sup>14</sup> CD8.1 Appeal - Land at Pear Tree Lane, Chorley APP/D2320/W/20/3247136 para. 50.



- In terms of local services LCC has not requested any contribution towards education and I am unaware of any evidence that would suggest other services are at capacity. The proposal will, by contrast, support local businesses.
- The Council has identified the site as suitable for development and Councillors raised no objection to the site as part of the Local Plan process.

### **Conclusion**

- 1.34. It is evidenced that the Council can only demonstrate a 2.5 year housing land supply and as such the tilted balance is triggered in accordance with NPPF paragraph 11d) footnote 8. Notwithstanding this it is considered that the most important policies, CS Policy 1, CS Policy 4 and Local Plan Policy BNE3 are out of date for the purposes of this appeal and that NPPF Paragraph 11 d) should apply in any event.
- 1.35. Irrespective of whether there is deemed to be a 5-year housing land supply and whether the tilted balance is being applied, the social benefits from contributing towards the supply of housing carries significant weight and the economic benefits carry moderate weight in the planning balance. The delivery of affordable housing is considered to carry significant weight. The scheme will also bring environmental benefits of moderate weight.
- 1.36. There are other material considerations relating to the Standard Method Local Housing Need, the emerging Local Plan's identification of the site for potential development, together with the lack of identified harm all of which weigh in favour of the proposal.
- 1.37. It is concluded that planning permission should be granted for the proposed development.