



Proposed Residential Development, Garstang Road, Broughton

Transport Statement

On behalf of **Hollins Strategic Land**



Project Ref: 332010589/5501 | Rev: B | Date: December 2022

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1 Introduction

1.1 Background

- 1.1.1 Stantec UK Limited (Stantec) has been appointed by Hollins Strategic Land to prepare a Transport Statement (TS) in support of a planning application for a proposed residential development on land adjacent to Garstang Road in Broughton, Lancashire.
- 1.1.2 The planning application is a re-submission of a previous planning application (planning application ref: 06/2021/1104), with no changes to total residential units.
- 1.1.3 The location of the site in a general context is illustrated in **Figure 1.1**.
- 1.1.4 The application will be in outline, with all matters reserved except for means of access, for up to 51 residential dwellings. This TS has been prepared in support of the proposed development.
- 1.1.5 Pedestrian, cycle and vehicular access to the site is proposed from Garstang Road to the eastern side of the site via a simple priority junction.

1.2 Planning History

- 1.2.1 A planning application (planning application ref: 06/2021/1104) was submitted for the same development proposals on this site in July 2021. Although the planning application was refused, the proposed development was considered acceptable in transport and highways terms.

- 1.2.2 Paragraph 3.5 of the Committee Report stated:

“County Highways: Initially raised objection as a safe and suitable access to the site had not been demonstrated nor had sufficient detail been provided to show the cumulative impact on the A6 would not be severe. Following the submission of additional information, they identified the need to include 'radii' to the northern access on to the cycle route and removal of hedgerows either side to provide inter-visibility with the Guild Wheel route and the provision of street lighting and drainage to internal cycle routes. In addition, the proposed bus stop upgrades proposed by the applicant would be required. Subject to alteration mentioned they would have no objection subject to the inclusion of appropriate highways conditions.

Highways England: No objection subject to a condition requiring implementation of the submitted travel plan. They do, however, recommend that the cumulative impact on the M55 Junction 1 of this development along with other approved developments be carefully considered by the Local Planning Authority when considering the application.”

- 1.2.3 This TS has been updated to include the additional information that was submitted to address LCC's comments.
- 1.2.4 In terms of trip generation associated with the proposed development and traffic impact on the Strategic Road Network (SRN), National Highways Planning Response dated 7 December 2021 stated:

“In terms of traffic generation, the accompanying Transport Statement by Stantec sets out that the development would be across 51 dwellings with access from Garstang Road and would generate a total of 30 and 35 two way trips during the AM and PM weekday peak periods respectively.

We would anticipate that the number of trips generated at the SRN would expected be in the region of this number and so, in isolation, we would not anticipate this development to have a

traffic impact upon the SRN that could be considered severe within the context of DfT Circular 02/2013.”

1.3 Report Structure

1.3.1 The remainder of this TS is structured as follows:

- **Section 2:** Description of the existing site and local highway network, including a review of Personal Injury Collision data in the vicinity of the site;
- **Section 3:** Description of the proposed development, including details of the proposed site access;
- **Section 4:** Review of national and local transport related planning policies;
- **Section 5:** Assessment of the accessibility of the site by sustainable modes of travel including on foot, by cycle and by public transport;
- **Section 6:** Assessment of trip generation associated with the proposed development during a weekday morning and evening highway network peak hour period; and
- **Section 7:** Summary and conclusion.

2 Existing Conditions

2.1 Introduction

2.1.1 This section provides a description of the application site and the local highway network, including a review of Personal Injury Collision data in the vicinity of the site.

2.2 Application Site

2.2.1 The location of the site of the proposed development in a general context is shown in **Figure 1.1**

2.2.2 The site is currently occupied by open vacant land and is bound by Garstang Road to the east. To the west of the site lies a residential development currently being built (planning application ref: 06/2016/0736). An existing residential property fronting Garstang Road and Broughton High School playing fields lie to the north of the site and an access road serving existing residential properties, also named Garstang Road, bounds the site to the south.

2.3 Committed Development

2.3.1 Although the site is currently bound to the east by Garstang Road, on the eastern side of Garstang Road is an area of open vacant land, this land is subject to committed development (planning application ref: 06/2017/0097). Outline planning permission has been granted for the development of up to 130 residential units. This site will be developed by Wainhomes.

2.3.2 A reserved matters application has been approved as part of the outline permission (planning application ref: 06/2021/0165) for the site access. As part of the Wainhomes development a new access is to be provided from Garstang Road that will include a raised table feature. This access lies opposite to the proposed development and has therefore been considered in the following sections. The approved site access for the Wainhomes site is included as **Appendix A**. It has also been confirmed that the existing farm access on Garstang Road, opposite the proposed development, is to be closed as part of the Wainhomes development.

2.3.3 In addition to the Wainhomes site to the east of the site, a residential development is currently being built to the west of the site. This site is being developed by Watkin Jones Homes and has planning permission for a residential development of up to 97 dwellings (planning application ref: 06/2016/0736). The original application for this site was refused, however permission was granted at appeal, which is included as **Appendix B**

2.4 Local Highway Network

2.4.1 **Figure 2.1** shows the site location in context with the local highway network.

2.4.2 Garstang Road, located to the east of the site, runs in a north/south direction past the site. Garstang Road in its entirety, is 5.5 miles long and runs from Preston, in the south, to Bilsborrow via Broughton, in the north.

2.4.3 Approximately 400m north of the site Garstang Road meets the junction of Woodplumpton Lane and Whittingham Lane (Broughton Crossroads). Whittingham Lane links to Whittingham to the east of the site and Woodplumpton Lane links to Woodplumpton to the west of the site. In addition, approximately 670m to the south of the site Garstang Road meets Junction 1 of the M55, which runs from Junction 32 of the M6 at its eastern end to Blackpool at its western end.

2.4.4 The section of Garstang Road, from Junction 1 of the M55 to approximately 460m north of the Broughton Crossroads previously formed part of the A6. The road however was downgraded

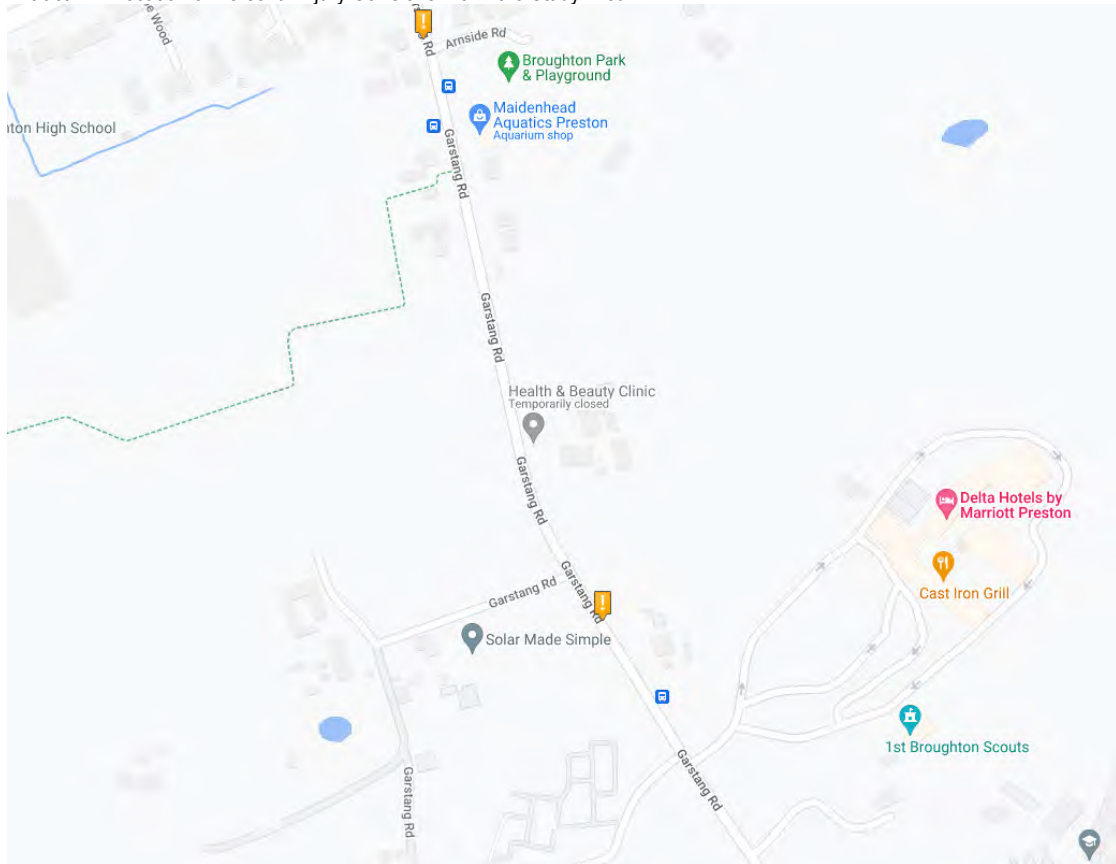
further to the opening of Broughton Bypass (James Towers Way) in 2017, which now forms part of the A6. Traffic flows along this section of Garstang Road have significantly reduced further of the opening of James Towers Way.

- 2.4.5 In the vicinity of the site Garstang Road is a single carriageway, which the width has reduced further to the opening of James Towers Way, is now subject to a 20mph speed limit and has the benefit of street lighting. The speed limit increases to 40mph north of James Towers Way. In terms of traffic calming, there are some vertical speed humps provided along this section of Garstang Road. There is also a 7.5t weight restriction on Garstang Road, except for access, from south of the junction with James Towers Way.
- 2.4.6 There is a shared footway/cycleway provided along both sides of Garstang Road, past the site. As stated in paragraph 2.4.5, the width of Garstang Road has been reduced further to the opening of James Towers Way. This was to introduce a shared footway/cycleway along the west side of the road, segregated from the carriageway with a raised kerb. The existing footway along the east side of the road has been upgraded to a shared/footway/cycleway.
- 2.4.7 Regarding the wider highway network, the site is conveniently located in close proximity to the M55 motorway. The M55 motorway runs from the M6 towards Blackpool to the west. The M6 motorway provides a link between Carlisle to the M5, the M42 and the M1.

2.5 Highway Safety

- 2.5.1 Personal Injury Collision (PIC) data for the most recent five-year period from 2017 to 2021 has been obtained from the CrashMap database, which is an official database of personal injury collision data in Great Britain.
- 2.5.1 PIC data is recorded by severity of injury, as slight, serious, or fatal. These are statistical definitions regarding the injuries to the casualties of a collision, which mean the following:
- **Slight:** at least one person is slightly injured, but no person is killed or seriously injured. Here a slight injury is one where treatment does not require a hospital stay as an in-patient;
 - **Serious:** at least one person is seriously injured, but no person is killed. Here a serious injury is one where treatment requires a hospital stay as an in-patient; and
 - **Fatal:** where a human casualty sustained injury, which caused death less than 30 days after the collision.
- 2.5.2 The proposed development would gain access from Garstang Road. The PIC data was therefore obtained for a section of Garstang Road, 200m to the north and south of the site. **Extract 2.1** shows the location of the PICs within the study area for the most recent five-year period (2017-2021).

Extract 2-1: Location of Personal Injury Collisions within the Study Area



2.5.3 In summary, the review of the CrashMap database showed:

- Two PICs occurred along this section of Garstang Road; and
- The PICs within the study area resulted in a slight injury.

2.5.4 The PIC located to the north of the site occurred in February 2017 and resulted in the slight injury of a cyclist. It should be noted that this is prior to the opening of James Towers Way and the works to Garstang Road. The speed limit on this section of Garstang Road has been reduced to 20mph and a segregated cycle route has been provided.

2.5.5 The second PIC, located to the south of the site occurred in May 2019. Again, this was before the opening of James Towers Way.

2.5.6 Further to a review of the PIC data over a five year period, from 2017 and 2021, it can be concluded that a total of two PICs within the study area, including no serious or fatal injuries, does not indicate an inherent highway safety issue associated with the existing highway network.

3 Development Proposals

3.1 Introduction

3.1.1 This section describes the proposed development, the site access and swept path analysis.

3.2 Development Proposals

3.2.1 The development proposal is for a residential development, comprising up to 51 units. Outline planning permission with all matters reserved except for means of access is being sought for the proposed residential development.

3.2.2 An Indicative Sketch Layout only has therefore been produced which is included as **Appendix C**. The proposed site layout once finalised would follow design principles set out in Manual for Streets (MfS) and Lancashire County Council's Creating Civilised Streets, with a high level of connectivity on foot and cycle.

3.2.3 As it can be seen from **Appendix C**, the dwelling types proposed are houses. This assessment therefore provides a worst-case scenario where 100% of the proposed residential dwellings are considered as private houses. This ensures the assessment is robust, as 100% private houses would generate more vehicle trips than the same development comprising some percentage of apartments. In addition, an element of affordable housing may also be provided when the site is developed, which generate less vehicle trips than private housing.

3.2.4 Since the proposals are in outline, the parking provision has not been considered in detail at this stage. The parking provision would form part of a Reserved Matters application, which would be based on Preston City Council's parking standards for residential development.

3.3 Site Access

3.3.1 Although outline planning permission is being sought, the means of access is not a reserved matter.

3.3.2 As can be seen from **Appendix C**, access to the proposed development will be taken from Garstang Road, which forms the eastern boundary of the site. As requested by LCC for the original planning application, the proposed access onto Garstang Road has been revised to change the priority exiting the site.

3.3.3 **Drawing 10535/5501/001 Revision D** shows the site access road give-way to the segregated (Guild Wheel) cycle route on Garstang Road. This arrangement is the same as the layout currently provided at the existing junction immediately to the south of the site (minor road also named Garstang Road). Although cycle speeds will likely be less than 20mph, a visibility splay of 2.4m x 22m can be achieved in both directions at the give-way onto the cycle route and at the give-way onto Garstang Road.

3.3.4 The drawing also shows the indicative location of the approved Wainhomes site access to the east of Garstang Road (**Appendix A**). The stagger distance between the approved Wainhomes site access and the proposed site access is 25.8m.

3.3.5 There is an existing farm access opposite the proposed site access that is to be closed as part of the approved Wainhomes development.

3.3.6 In addition, **Drawing 10535/5501/001 Revision D** shows the proposed pedestrian/cycle connections to the north and southeast of the site. The proposed connection at the north of the site has been located to avoid the tree within the site.

- 3.3.7 The connection to the southeast of the has also been located to reduce the level difference between Garstang Road and the site.
- 3.3.8 Inset 1 of the drawing shows the proposed detail for the connection to Garstang Road, which is currently provided where the Guild Wheel connects to Garstang Road, north of the site. The detailed design of the connection will form part of the S278 Agreement.
- 3.3.9 Although the internal layout will form part of a reserved matters planning application, the pedestrian/cycle connections will be taken account of when finalising the layout.

3.4 Swept Path Analysis

- 3.4.1 Swept path analysis has been carried out to demonstrate that a refuse vehicle can enter and exit the proposed site access and the approved Wainhomes site access. **Drawing 10535/5501/002 Revision B** shows a large refuse vehicle turning left out of the proposed site access and turning right into the approved Wainhomes site access, and vice-versa.

3.5 Accessibility by Sustainable Travel Modes

- 3.5.1 In line with LCC's comments on the original planning application, the site does propose footway/cycle connections to the north and southwest of the site. In addition, although the planning application is in outline, with all matters reserved except for means of access, cycle parking will be provided in accordance with Preston City Council's parking standards.
- 3.5.2 In addition, Hollins Strategic Land propose to provide upgrades to the existing two bus stops on Garstang Road, south of the site in line with requests by LCC. **Drawing 10535/5501/001 Revision D** shows in Inset 2 that it is proposed to upgrade the two bus stops on Garstang Road to the south of the site, to the same standard as the bus stops on Garstang Road to the north which have been upgraded already. The detailed design of the bus stops will form part of the S278 Agreement.

3.6 Construction Management Plan

- 3.6.1 No work will commence on site until a Construction Management Plan (CMP) for the development has been submitted and approved by Preston City Council. The CMP will include items such as:
- Phasing/Construction programme;
 - Working days/hours;
 - Route for construction vehicles to take from strategic highway network;
 - Type of construction vehicles;
 - Details of where construction staff will park during the day;
 - Confirmation that construction vehicles can enter and exit site in forward gear;
 - Details of loading/unloading and storage areas; and
 - Confirmation of wheel washing facility.

4 Transport Policy

4.1 Introduction

4.1.1 This section sets out the relevant national and local transportation related policies and guidance against which the proposed development should be assessed, and comprises the following documents:

- National Planning Policy Framework (July 2021);
- Planning Practice Guidance (March 2015);
- Central Lancashire Core Strategy (July 2012);
- Preston Local Plan 2012 – 2026 (July 2015);
- Central Lancashire Highways and Transport Masterplan (March 2013); and
- Third Local Transport Plan for Lancashire 2011 – 2021 (LTP3) (March 2013)

4.2 National Policy

National Planning Policy Framework (July 2021)

4.2.1 The Department for Communities and Local Government published its revised National Planning Policy Framework (NPPF) in July 2021 which replaced the 2012, 2018 and 2019 editions of the NPPF.

4.2.2 To promote sustainable transport, paragraph 108 states that *'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a. *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b. *safe and suitable access to the site can be achieved for all users; and*
- c. *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'*

4.2.3 In line with Paragraph 108, **Section 5** of this report details the accessibility of the site by sustainable modes and **Section 3.3** provides details of the proposed site access.

4.2.4 Additionally, paragraph 111 of the NPPF states *'All developments that generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.'* This TS has been prepared in support of the proposed development.

4.2.5 Paragraph 102 states that *'Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

- a. *the potential impacts of development on transport networks can be addressed;*

- b. opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c. opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d. the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e. patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.'*

4.2.6 This TS assesses the proposed development in the context of Paragraph 102 by addressing the travel patterns of residents and visitors of the proposed development and reviewing the accessibility of the site by sustainable modes of travel (**Section 5**).

4.2.7 Paragraph 109 of the NPPF states '*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*'

Planning Practice Guidance

4.2.8 The PPG adds further context to the NPPF. Within the 'Travel Plans, Transport Assessments and Statements in decision-taking' section, it states that these '*...are all ways of assessing and mitigating the negative transport impacts of development in order to promote sustainable development. They are required for all developments which generate significant amounts of movements.*'

4.2.9 The PPG identifies that '*Transport Assessments and Transport Statements primarily focus on evaluating the potential transport impacts of a development proposal. (They may consider those impacts net of any reductions likely to arise from the implementation of a Travel Plan, though producing a Travel Plan is not always required). The Transport Assessment or Transport Statement may propose mitigation measures where these are necessary to avoid unacceptable or 'severe' impacts.*'

4.2.10 The PPG also states that '*Travel Plans, Transport Assessments and Statements can positively contribute to:*

- *encouraging sustainable travel,*
- *lessening traffic generation and its detrimental impacts,*
- *reducing carbon emissions and climate impacts,*
- *creating accessible, connected, inclusive communities,*
- *improving health outcomes and quality of life,*
- *improving road safety, and*
- *reducing the need for new development to increase existing road capacity or provide new roads.'*

- 4.2.11 The preparation of this TS accords with the principles of the PPG by demonstrating that the proposed development will not be detrimental to highway safety and that the transport impact of the proposed development will not be severe.

4.3 Local Policy

Central Lancashire Core Strategy (July 2012)

- 4.3.1 The Adopted Core Strategy sets out the Central Lancashire authorities' spatial planning proposals for the combined area of Preston, South Ribble and Chorley.

- 4.3.2 The purpose of the Core Strategy is to set the overall strategic direction for planning the area over the period from 2010 to 2026, in line with national policies.

"By 2026 Central Lancashire will be recognised as a highly sought-after place to live and work in the North West. It offers excellent quality of life to all its residents. It will play a leading role in Lancashire's world class economy and have sustainable economic growth based on the area's unique assets. Its central location at the hub of the transport network, its green spaces and access to open countryside make it a place with 'room to breathe'."

- 4.3.3 Central Lancashire's wider role will be as a driver of sustainable economic growth for the region, marrying opportunity and need and providing a transport hub to improve connections for the region.

- 4.3.4 There will be improved transport connections within Central Lancashire and to wider regional, national and international destinations. The character of rural villages will have been maintained, with access to services to sustain the local communities and overcome rural poverty.

- 4.3.5 Central Lancashire Adopted Core Strategy sets out the locally distinctive Strategic Objectives (SO), designed to set out the key issues to be addressed in each policy area.

- 4.3.6 SO3: To reduce the need to travel, manage car use, promote more sustainable modes of transport and improve the road network to the north and south of Preston.

- 4.3.7 SO4: To enable easier journeys into and out of Preston City Centre and east/west trips across South Ribble, improve movement around Chorley, as well as safeguard rural accessibility, especially for mobility impaired people.

- 4.3.8 There are three main cross cutting themes defined within the two Strategic Objectives. The first cross cutting scheme is Achieving Good Design: *"The layouts of new developments should include safe and secure pedestrian routes and cycleways linking with local services including public transport connections to enable necessary longer trips."*

- 4.3.9 The second cross cutting theme is Promoting Health and Wellbeing: *"Walking and cycling are good forms of exercise increasing cardio-vascular activity and reducing the risk of heart related diseases. These are lottery funded 'cycling for health' schemes in Preston, South Ribble and Chorley."*

- 4.3.10 The third cross cutting scheme is Climate Change: *"Car Travel produces high proportions of carbon dioxide (and other polluting emissions) per vehicle occupant; walking, cycling and public transport produces far fewer emissions."*

Preston Local Plan 2012 – 2026 (July 2015)

- 4.3.11 The Preston Local Plan was adopted in July 2015 and covers the period between 2012 and 2026. One of the main purposes of the document is to identify key issues and provide a set of policies to manage change. The relevant policies are set out below.

4.3.12 Policy MD2 relates to the northwest Preston area, states:

'Land is identified on the Policies Map at the North West Preston Strategic Location for a residential-led mixed-use development comprising the erection of approximately 5,300 dwellings and associated local centres together with the infrastructure to facilitate the creation of a sustainable community. Community uses should be located in association with the local centres with one to include a health centre...

...Development will be allowed in advance of the completion of the entirety of the Preston Western Distributor Road and the East-West Link Road provided that development does not result in any severe impacts upon the existing highway. It should be demonstrated in any planning applications that the proposal would not prejudice the delivery of adjoining land and would support an integrated and coordinated approach to the development of the North West Preston Strategic Location. Such proposals should:

- *promote connectivity, ease of movement and legibility both within the individual development site and across the area as a whole; homes should have easy access to local services by a range of sustainable transport choices;*
- *provide a range of house types and supporting community uses; the density of development and mix of uses should reflect the location of the site within the context of the wider area;*
- *be designed in order to create a high quality townscape and an appropriate sense of enclosure including the delivery of a clear hierarchy of streets and spaces across individual sites and the area as a whole taking account, where appropriate, of the relationship with the East-West Link Road;*
- *provide high quality public and private spaces which should contribute to the delivery of a new green infrastructure network across the area;*
- *support the creation, and ensure the sensitive integration, of car parking and servicing areas within the development and ensure that such areas do not have a negative impact in terms of appearance or function of adjacent sites.'*

4.3.13 Policy ST2 relates to transport considerations for new developments, which states:

'All development proposals will need to show that:

- a. *road safety and the efficient and convenient movement of all highway users (including bus passengers, cyclists, pedestrians and equestrians) is not prejudiced;*
- b. *appropriate provision is made for public transport services;*
- c. *appropriate measures are included to facilitate access on cycle or foot;*
- d. *where practicable, ensure existing pedestrian, cycle and equestrian routes are protected and extended;*
- e. *the needs of disabled people are fully provided for;*
- f. *corridors which could be developed as future transport routes (e.g. disused railway lines) are not prejudiced.'*

Central Lancashire Highways and Transport Masterplan (March 2013)

4.3.14 The Central Lancashire Highways and Transport Masterplan (CLHTM) was adopted in March 2013. The CLHTM set out a future highway and transport strategy. To ensure Central Lancashire's continued competitiveness, improving and extending the transport network will create additional capacity to:

- Allow new development to be delivered.
- Facilitate significant public transport improvements.
- Enable more effective management of the highway network and
- Enhance the public realm improve its attractiveness and therefore encourage more walking and cycling.

4.3.15 The CLHTM identifies the need for the Preston Western Distributor road (PWD) to create new highway capacity.

4.3.16 The CLHTM is not part of the statutory development plan documents and hence carries less weight in the determination of planning applications than the statutory plans.

Third Local Transport Plan for Lancashire 2011 – 2021 (LTP3) (March 2013)

4.3.17 The Lancashire LTP3 was adopted in May 2013 and provides the statutory framework for the policies and plans that will guide the future transport provision in Lancashire.

4.3.18 LTP3 contains seven transport goals which are summarised below:

- *'To help to secure a strong economic future by making transport and travel into and between our major economic centres more effective and efficient and by improving links to neighbouring major economic areas and beyond;*
- *To provide all sections of the community with safe and convenient access to the services, jobs, health, leisure and educational opportunities that they need;*
- *To improve the accessibility, availability and affordability of transport as a contribution to the development of strong and cohesive communities;*
- *To create more attractive neighbourhoods by reducing the impact of transport on our quality of life and by improving our public realm;*
- *To reduce the carbon impact of Lancashire's transport requirements, whilst delivering*
- *sustainable value for money transport options to those who need them;*
- *To make walking and cycling safer, convenient and attractive, particularly in the more disadvantaged areas of Lancashire, bringing improvements in the health of Lancashire's residents; and*
- *To provide value for money by prioritising the maintenance and improvement of Lancashire's existing transport infrastructure where it can help to deliver our transport goals'.*

5 Accessibility by Sustainable Modes of Travel

5.1 Introduction

- 5.1.1 Current national and local policy on transportation states that new developments should promote more sustainable transport choices for people, particularly accessibility to education, jobs, shopping and leisure facilities by public transport, walking and cycling, in order to reduce the dependence on the private car.
- 5.1.2 In view of the current transport policy requirements, this section considers the accessibility of the proposed development by non-car modes.

5.2 Accessibility on Foot

- 5.2.1 In terms of accessibility on foot, it is widely recognised that walking is the most important mode of travel at the local level and offers the greatest potential to replace short car trips, particularly under 2km.
- 5.2.2 **Figure 5.1** illustrates the 1km and 2km walking catchments from the site. These walking distances are in accordance with the Chartered Institution of Highways and Transportation (CIHT) document entitled “Guidelines for Providing for Journeys on Foot” (2000), which states a preferred maximum walking distance of 2km for commuters, school trips and sightseeing, with 1km being the acceptable distance. These distances have therefore been used to illustrate the catchment areas that are accessible on foot from the proposed development.
- 5.2.3 As can be seen from **Figure 5.1**, the 1km walking catchment extends to the north beyond the village of Broughton, to the south beyond the M55 motorway junction towards Fulwood, the east towards James Towers Way and to the west towards Broughton High School.
- 5.2.4 Within the 1km catchment area lies Broughton village where there are food and drink establishments, Co-operative convenience store and Broughton High School. To the east of the 1km catchment area is Broughton and District Club which offers sports and leisure activities including tennis, badminton and bowls.
- 5.2.5 The 2km walking catchment area extends to include some areas of Fulwood to the south including LIDL supermarket, a number of food and drink establishments, two places of worship, a pharmacy and a post office as well as a bank. Just beyond the 2km catchment area to the south is Royal Preston Hospital which provides key employment opportunity for the proposed residential development.
- 5.2.6 The site has the same or better accessibility on foot than the approved developments west and east of the site allowed by Inspector at appeal. These sites were allowed prior to the regeneration of Broughton village, the cycleway improvements along Garstang Road, and the opening of the new Co-op. The settlement is now even more sustainable.
- 5.2.7 It has therefore been demonstrated that the site is highly accessible on foot.

5.3 Accessibility by Cycle

- 5.3.1 It is also widely accepted that cycling has the potential to substitute for short car trips, particularly those less than 5km, and can form part of a longer journey by public transport.
- 5.3.2 Garstang Road forms part of the National Cycle Network route 622 (Guild Wheel). Route 622 is a 21 mile cycle route encircling the city of Preston. The section of Route 622 that runs adjacent to the proposed site is traffic-free. The route then wraps around the site to the north routing west towards Sandy Gate Lane.

- 5.3.3 **Figure 5.2** illustrates the 3km and 5km cycling catchment areas from the site. As can be seen from **Figure 5.2**, the 3km cycling catchment area include areas of Fulwood to the south, Woodplumpton to the east and Barton to the north.
- 5.3.4 **Figure 5.2** shows that the 5km cycling catchment extends to include areas of Preston including Deepdale Retail Park, Goosnargh to the east and Swillbrook to the west of Woodplumpton.
- 5.3.5 The site has the same or better accessibility by cycle than the approved developments west and east of the site allowed by Inspector at appeal.
- 5.3.6 It has therefore been demonstrated that the site is highly accessible by cycle to neighbouring areas, connecting into Preston City where a wide range of services, facilities and jobs are located. This location adjacent to the Guild Wheel assists with minimising commuting journeys by car and thus reduces impacts to air quality.

5.4 Accessibility by Public Transport

- 5.4.1 The CIHT document “Guidelines for Planning for Public Transport in Development” (March 1999) states that new developments should be located so that public transport trips involve a walking distance of less than 400m from the nearest bus stop. The document clarifies that this standard should be treated as guidance, to be achieved where possible, and goes on to state:

‘It is more important to provide services that are easy for passengers to understand and attractive to use than to achieve slavish adherence to some arbitrary criteria for walking distance’ (para 5.18).’

- 5.4.2 The nearest bus stops to the site are located on Garstang Road, approximately 70m south of the proposed site, which have a post and flag. There is also a bus stop on the east side of the road, approximately 135m to the north of the site, that has a bus shelter, post and flag
- 5.4.3 The bus services available from these bus stops are summarised in **Table 5.1**.

Table 5.1: Local Bus Services

Bus Service	Calling Points	Frequency		
		Mon - Fri	Saturday	Sunday
40	Preston – Lancaster - Morecambe	0718-2327 Every hour	0825-2327 Every hour	0915-2135 Every hour
	Morecambe – Lancaster - Preston	0635-2253 Every hour	0727-2253 Every hour	0834-2056 Every hour
41	Preston – Lancaster - Morecambe	0753-1745 Every hour	0753-1758 Every hour	No Service
	Morecambe – Lancaster - Preston	0848-1819 Every hour	0848-1803 Every hour	No Service
45	Preston – Broughton – Longridge – Ribchester - Blackburn	0629-2017 Every hour	0652-2017 Every hour	0957-1957 Every 2 hours
	Blackburn – Ribchester – Longridge – Broughton - Preston	0639-2019 Every hour	0750-2009 Every Hour	0856-1856 Every 2 hours

- 5.4.4 **Table 5.1** shows that the bus stops Garstang Road are served by three frequent bus routes. All of the routes provide a two-way service with buses in each direction every hour Monday to Saturday. The table shows there is also a good level of provision on Sundays. This location adjacent to a range of bus services assists with minimising commuting journeys by car and reducing impacts to air quality.

5.5 Appeal Decision – Sandy Gate Lane, Broughton

- 5.5.1 Hollins Strategic Land achieved consent at appeal on the site immediately to the west of the proposed site for a residential development (planning application ref: 06/2016/0736). The planning application was originally refused but was subsequently allowed at Appeal. The Appeal Decision Notice is included as **Appendix B**.
- 5.5.2 Paragraphs 58 to 68, the Inspector commented on the accessibility of that site, which concludes at Paragraph 68:

“All in all, I do not consider Broughton to be notably poorly served in terms of access to services and facilities or choice of transport modes. It is a core principle of the Framework, underpinning both plan-making and decision-taking, to “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.” Policy 1 of the Core Strategy notwithstanding, I do not consider the proposed developments would offend that principle. If anything the reverse is true. They would be well located in those terms by comparison with housing sites associated with many freestanding settlements and the initial stance of the Council on this issue does not in my view withstand scrutiny.”

5.6 Accessibility Summary

- 5.6.1 In conclusion it has been demonstrated that the site is highly accessible not only on foot, but by cycle and also by public transport.

6 Trip Generation

6.1 Introduction

6.1.1 This section provides a forecast of the trip generation associated with the proposed residential development during a weekday morning and evening highway network peak hour.

6.2 Proposed Trip Generation

6.2.1 For consistency, the trip generation for the proposed development has been based on the approved vehicle trip rates which have been applied to all residential development planning applications in the North West Preston area.

6.2.2 **Table 6.1** provides a summary of the residential trip rates during a weekday morning and evening highway network peak hour for residential developments in the North West Preston area.

Table 6.1: Residential Trip Rates

Time Period	Trip Rate	
	Arrivals	Departures
0800 – 0900	0.140	0.445
1600 - 1700	0.438	0.227

6.2.3 The resultant trip generation for the proposed residential development, comprising up to 51 residential units, during a weekday morning and evening highway network peak hour is summarised in **Table 6.2**.

Table 6.2: Proposed Vehicle Trip Generation

Time Period	Trips		
	Arrivals	Departures	Total
0800 – 0900	7	23	30
1600 - 1700	23	12	35

6.2.4 As it can be seen from **Table 6.2**, the proposed residential development will only generate a total of 30 trips during the morning highway network peak hour and 35 trips during the evening highway network peak hour.

6.2.5 It can therefore be concluded that the traffic impact associated with the proposed development will not have a material adverse traffic impact on the local highway network.

7 Summary and Conclusion

7.1 Summary

- 7.1.1 Stantec UK Limited has been appointed by Hollins Strategic Land to prepare a Transport Statement in support of a planning application for a proposed residential development on land adjacent to Garstang Road in Broughton, Lancashire.
- 7.1.2 The site is currently occupied by open vacant land and is bound by Garstang Road to the east. To the west of the site lies a residential development currently being built (planning application ref: 06/2016/0736). An existing residential property fronting Garstang Road and Broughton High School playing fields lie to the north of the site and an access road serving existing residential properties, also named Garstang Road, bounds the site to the south.
- 7.1.3 Although the site is currently bound to the east by Garstang Road, on the eastern side of Garstang Road is an area of open vacant land, this land is subject to a committed development (planning application ref: 06/2017/0097). Outline planning permission has been granted for the development of up to 130 residential units. This site is to be developed by Wainhomes.
- 7.1.4 Further to a review of the Personal Injury Collision data over a five year period, from 2017 and 2021, it can be concluded that the collision history does not indicate an inherent highway safety issue associated with the existing highway network.
- 7.1.5 Vehicular, pedestrian and cycle access to the site of the proposed development will be taken from Garstang Road. There is an existing farm access opposite the proposed site access that is to be closed as part of the approved Wainhomes development.
- 7.1.6 The proposed site access is a simple priority junction on Garstang Road located on the eastern boundary of the site. It has been demonstrated that the visibility splay that can be achieved at the proposed site access is in line with current design standards.
- 7.1.7 Swept path analysis has been carried out for a large refuse vehicle, which demonstrates that the stagger distance between the proposed site access and the approved Wainhomes site access can accommodate the vehicle entering and exiting the sites.
- 7.1.8 Parking provision in line with Preston City Council's Local Plan 2012 to 2026 will be provided for the proposed residential development, which will form part of a reserved matters planning application.
- 7.1.9 An assessment of the site by non-car modes has been carried out, which has demonstrated that the site is accessible on foot, by cycle and by public transport.
- 7.1.10 Finally, an assessment of the proposed development has demonstrated that only 30 trips and 35 trips will be generated during a weekday morning and evening highway network peak hour respectively. This level of trip generation will have no material traffic impact on the local highway network.

7.2 Conclusion

- 7.2.1 In accordance with NPPF, it has been demonstrated that the proposed development is in a sustainable location with no local highway safety issues. This Transport Statement has also demonstrated that the traffic impact associated with the proposed development will not be severe.
- 7.2.2 In conclusion, the planning application should be considered acceptable in transportation and highway terms.

Drawings



- NOTES:**
- DRAWING BASED ON TOPOGRAPHICAL SURVEY (REFERENCE: 01601 REVISION 1), PRODUCED BY GEOMATIC SURVEYS LTD, MARCH 2021; AND
 - VISIBILITY REQUIREMENTS SHOWN IN LINE WITH MANUAL FOR STREETS STANDARDS FOR A 20mph ROAD.
- KEY:**
- SITE BOUNDARY
 - 2.4m x 22m VISIBILITY SPLAY



INSET 1: EXISTING CONNECTION FROM GARSTANG ROAD TO PRESTON GUILD WHEEL



INSET 2: EXISTING BUS STOP ON GARSTANG ROAD TO THE NORTH OF THE SITE

EXISTING NORTHBOUND/SOUTHBOUND BUS STOPS LOCATED 50m/ 100m SOUTH OF THIS POINT RESPECTIVELY ARE CURRENTLY FORMED OF A FLAG ONLY. IT IS PROPOSED TO UPGRADE THESE BUS STOPS TO PROVIDE A SHELTER, IN LINE WITH STOPS ON GARSTANG ROAD TO THE NORTH OF THE SITE (SEE INSET 2).

PROPOSED PEDESTRIAN/ CYCLE LINK TO GARSTANG ROAD, PROVIDING CONNECTION TO PRESTON GUILD WHEEL, TO BE PROVIDED IN LINE WITH EXISTING LINK TO PRESTON GUILD WHEEL LOCATED TO THE NORTH OF THE SITE (SEE INSET 1).

Mark	Revision	Date	Drawn	Chkd	Appd
D	Minor amendments.	15.11.21	IE	BL	BL
C	Updated to include insets.	15.11.21	IE	BL	BL
B	Access updated to prioritise cycle lane.	09.11.21	IE	BL	BL
A	Proposed site access moved south.	10.05.21	IE	BL	BL

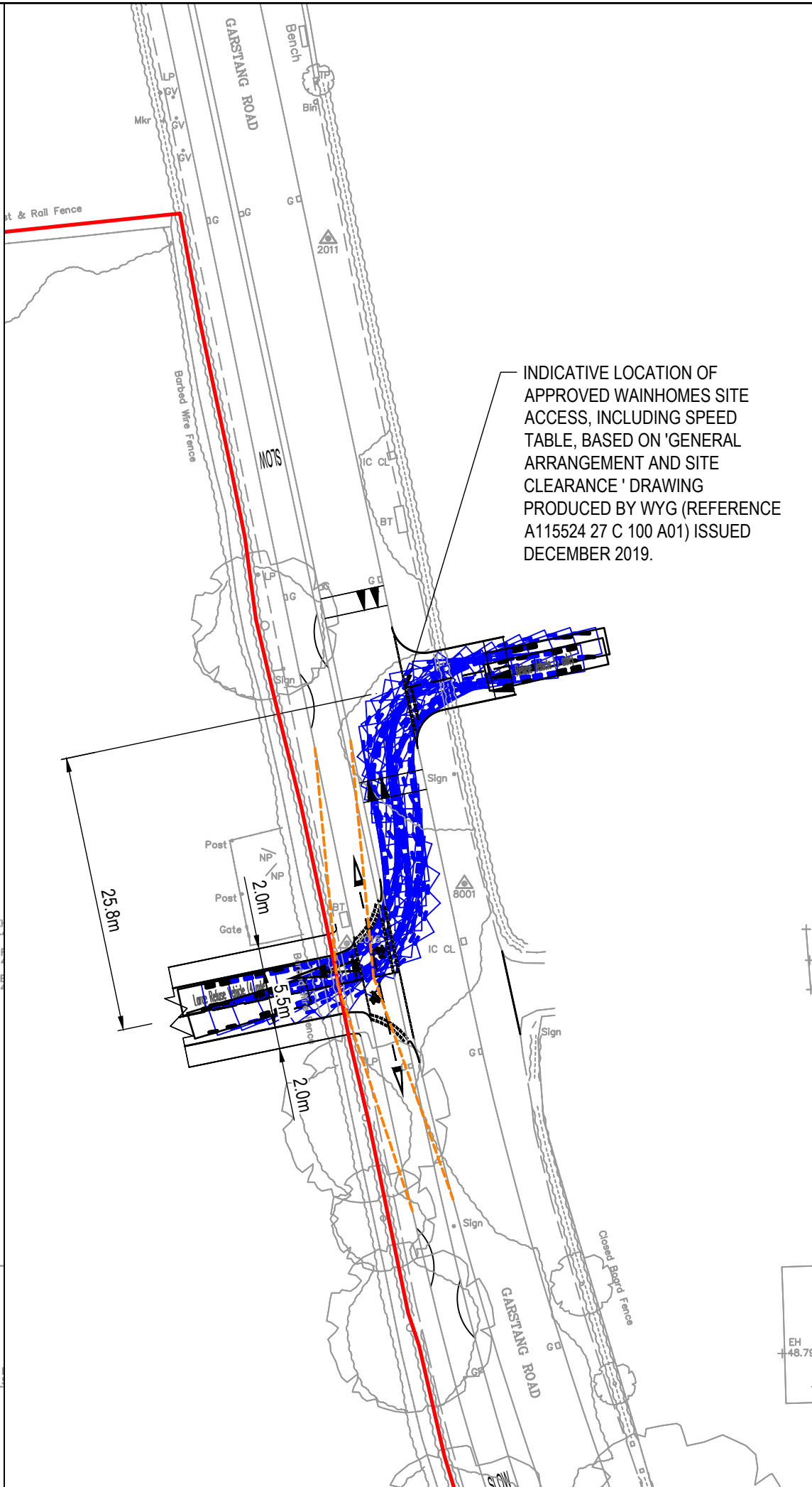
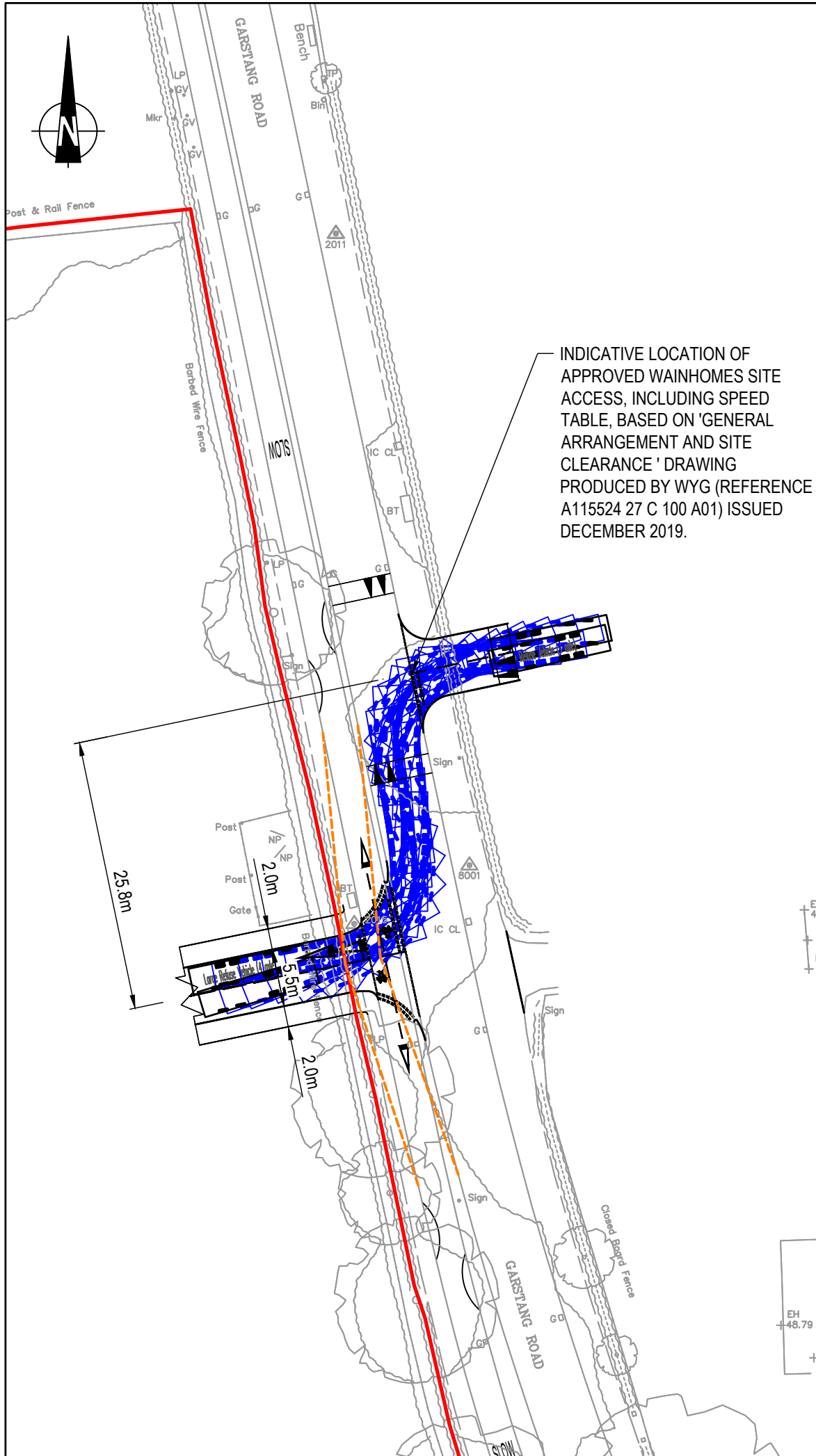
SCALING NOTE: Do not scale this drawing - any errors or omissions shall be reported to Stantec without delay.
 UTILITIES NOTE: The position of any existing public or private sewers, utility services, plant or apparatus shown on this drawing is believed to be correct, but no warranty to this is expressed or implied. Other such plant or apparatus may also be present but not shown. The Contractor is therefore advised to undertake their own investigation where the presence of any existing sewers, services, plant or apparatus may affect their operations.

Drawing Issue Status

INFORMATION

GARSTANG ROAD, PRESTON PROPOSED SITE ACCESS AND PEDESTRIAN/ CYCLE CONNECTIONS

Client			
Date of 1st Issue	Designed	Drawn	stantec.com/uk <small>Copyright reserved The copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorised by Stantec is forbidden.</small>
06.05.2021	IE	IE	
A1 Scale	Checked	Approved	MANCHESTER Tel: 0161 245 8900
1:500	BL	BL	
Drawing Number	Revision		
10535/5501/001	D		



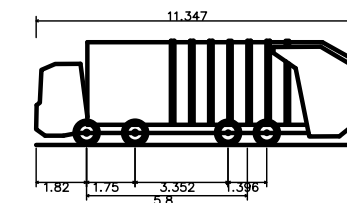
NOTES:

- DRAWING BASED ON TOPOGRAPHICAL SURVEY (REFERENCE: 01601 REVISION 1), PRODUCED BY GEOMATIC SURVEYS LTD, MARCH 2021.

KEY:



VEHICLE DETAILS:



Large Refuse Vehicle (4 axle)	
Overall Length	11.347m
Overall Width	2.500m
Overall Body Height	3.751m
Min Body Ground Clearance	0.304m
Track Width	2.500m
Lock to lock time	6.00s
Wall to Wall Turning Radius	11.330m

Mark	Revision	Date	Drawn	Chkd	Appd
B	Updated on revised proposed site access	12.12.22	AL	BL	BL
A	Proposed site access moved south	10.05.21	IE	BL	BL

SCALING NOTE: Do not scale this drawing - any errors or omissions shall be reported to Stantec without delay.
 UTILITIES NOTE: The position of any existing public or private sewers, utility services, plant or apparatus shown on this drawing is believed to be correct, but no warranty to this is expressed or implied. Other such plant or apparatus may also be present but not shown. The Contractor is therefore advised to undertake their own investigation where the presence of any existing sewers, services, plant or apparatus may affect their operations.

Drawing Issue Status

INFORMATION

GARSTANG ROAD, PRESTON PROPOSED SITE ACCESS SWEEP PATH ANALYSIS: LARGE REFUSE VEHICLE

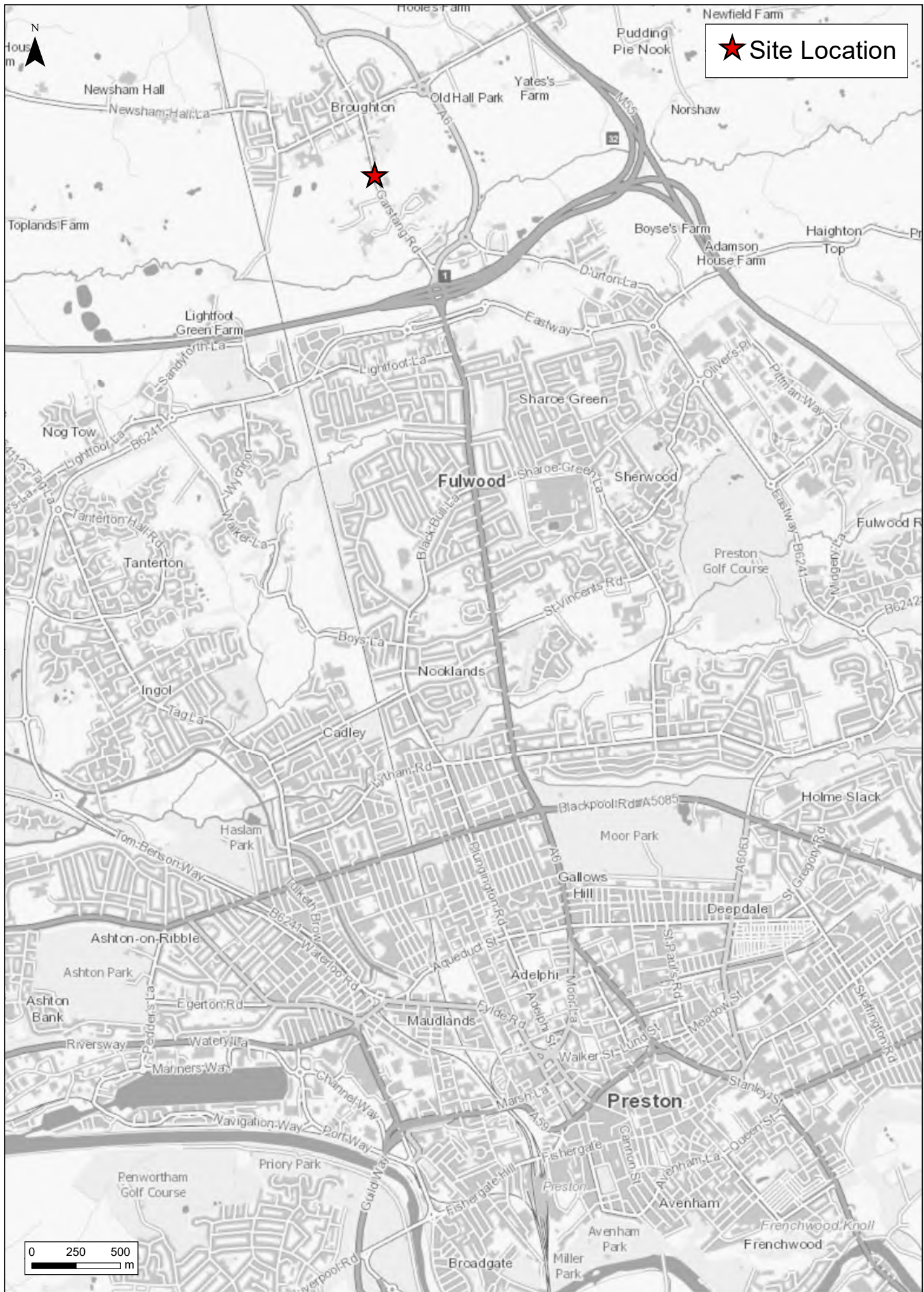
Client		
Date of 1st Issue	Designed	Drawn
06.05.2021	IE	IE
A3 Scale	Checked	Approved
1:500	BL	BL
Drawing Number	Revision	
10535/5501/002	B	

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MANCHESTER
 Tel: 0161 245 8900

Figures



★ Site Location



Garstang Road, Broughton
Figure 1.1: Location Plan

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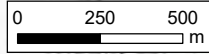
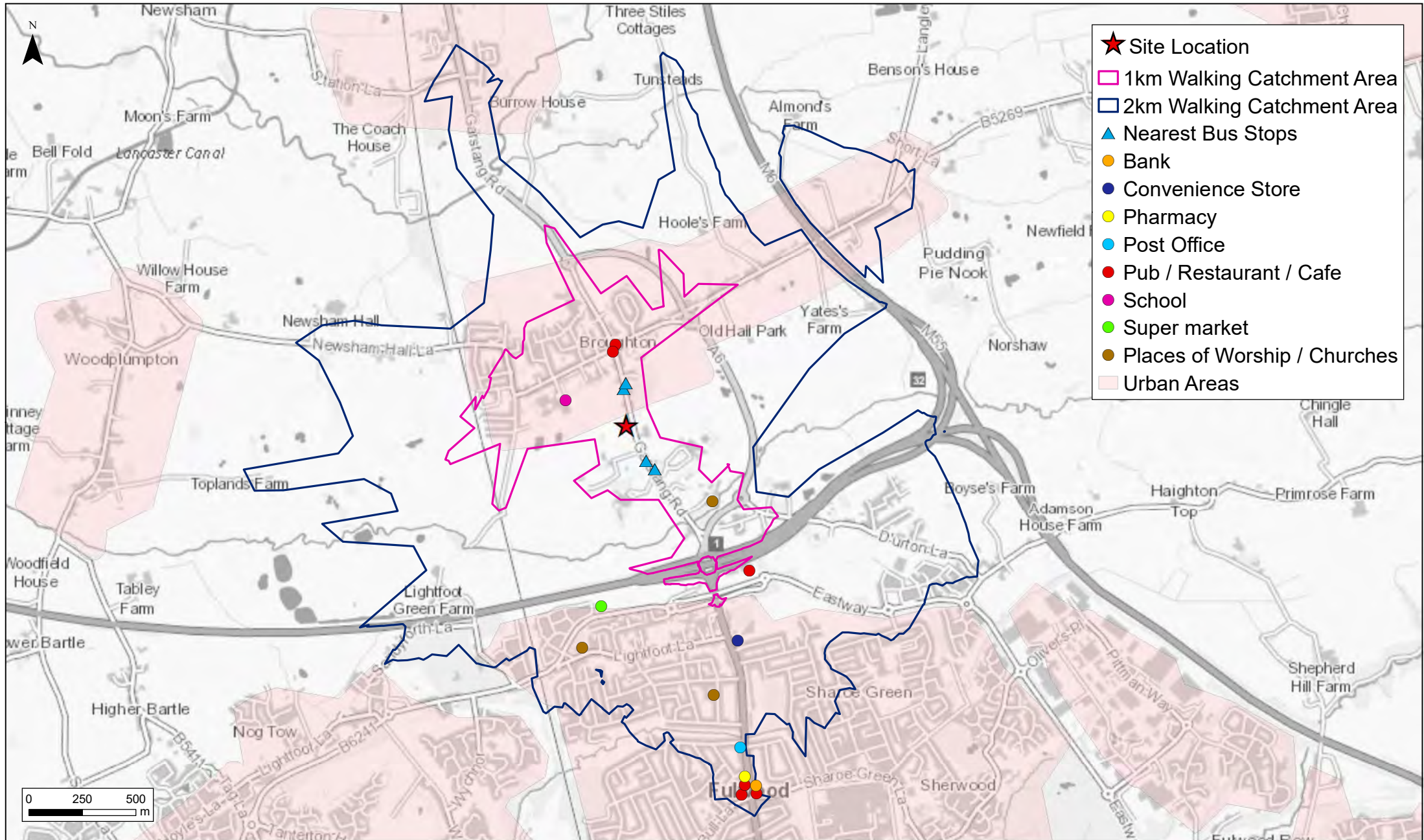
NTS
Date: 14/04/2021
Drawn: NT
Checked: BL
Figure 1.1



- ★ Site Location
- ▲ Bus Stops
- Motorway
- A Roads

0 0.05 0.1 0.2 0.3 0.4 Km

		Garstang Road, Broughton Figure 2.1: Local Highway Network	Contains OS data © Crown Copyright and database right 2020	NTS
				Date: 15/04/2021
				Drawn: NT
				Checked: BL
				Figure 2.1



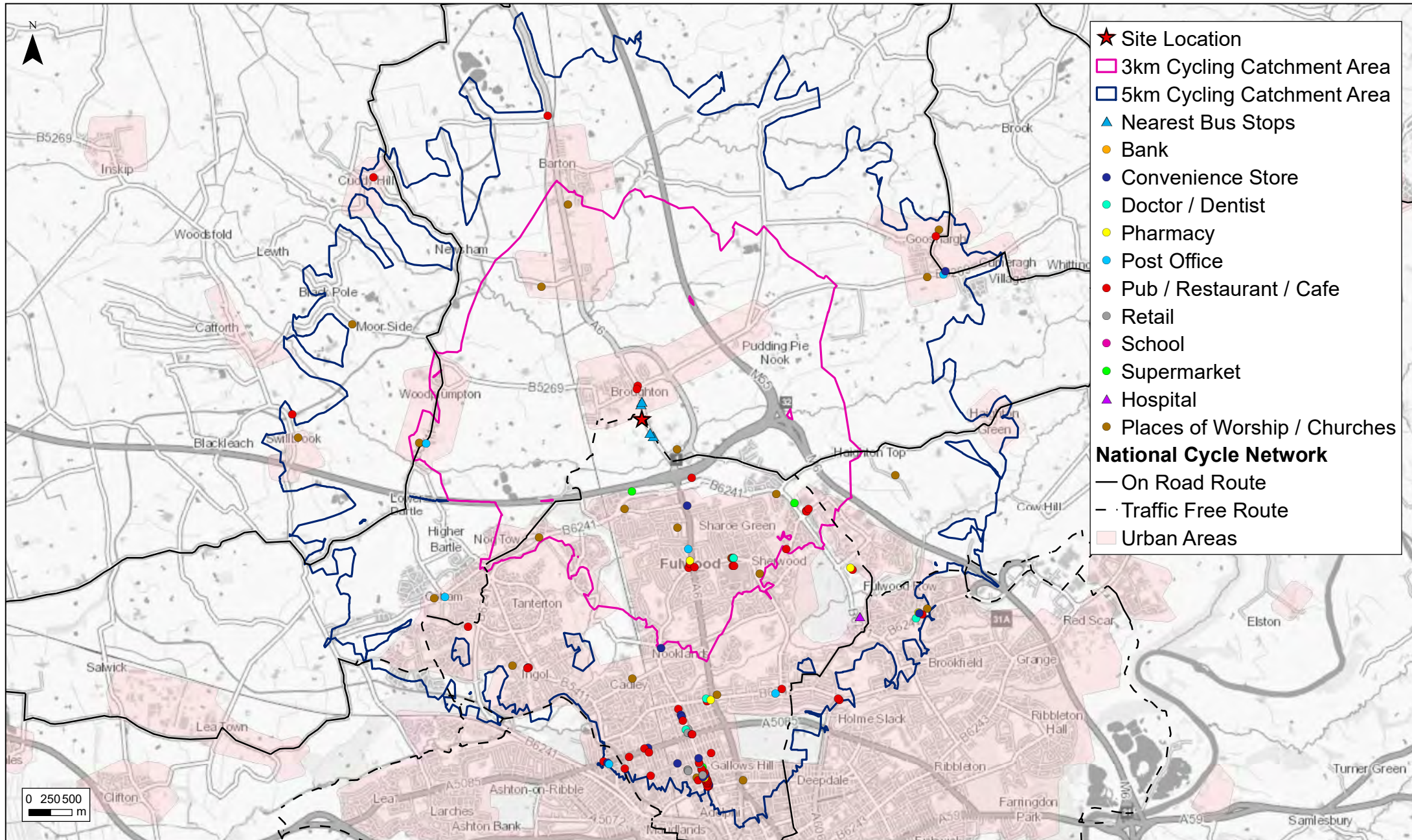
Garstang Road, Broughton
 Figure 5.1: 1km & 2km Walking

Contains OS data © Crown Copyright and database right 2020

NTS Date: 16/04/2021

Drawn: NT Checked: BL

Figure 5.1



0 250 500
m



Client



Garstang Road, Broughton
 Figure 5.2: 3km & 5km Cycling

Contains OS data © Crown Copyright and database right 2020

NTS

Date: 16/04/2021

Drawn: NT

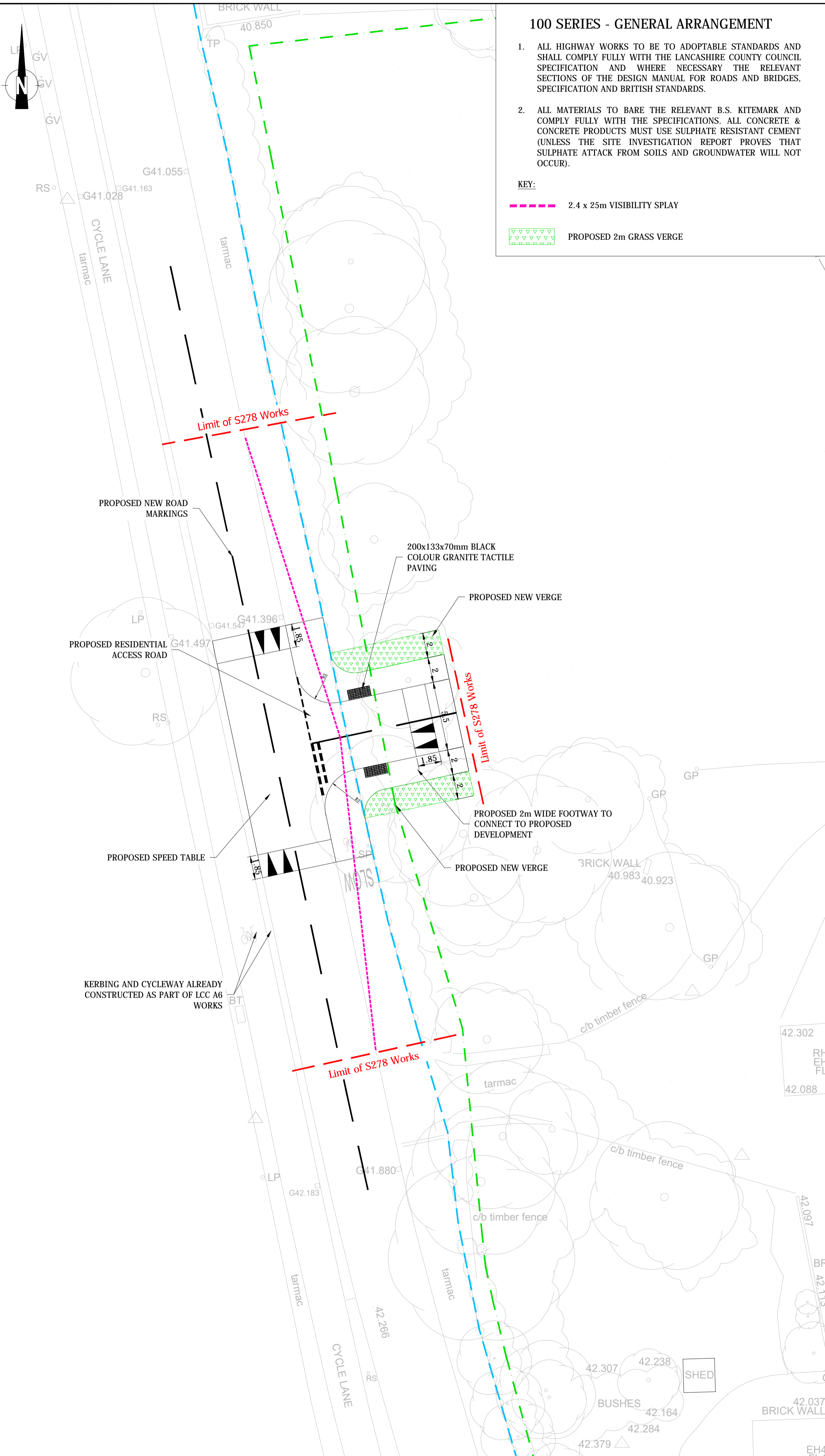
Checked: BL

Figure 5.2

Appendices

Appendix A Approved Wainhomes Site Access

FILENAME: J:\2019\A115534 KEYFOLD FARM, BROUGHTON\S278\CAD\WYG DRAWINGS\A115534-100.DWG | PLOTTED BY: MOSSROOR, KHAN | PLOTTED DATE: 12 December 2019 17:40:50

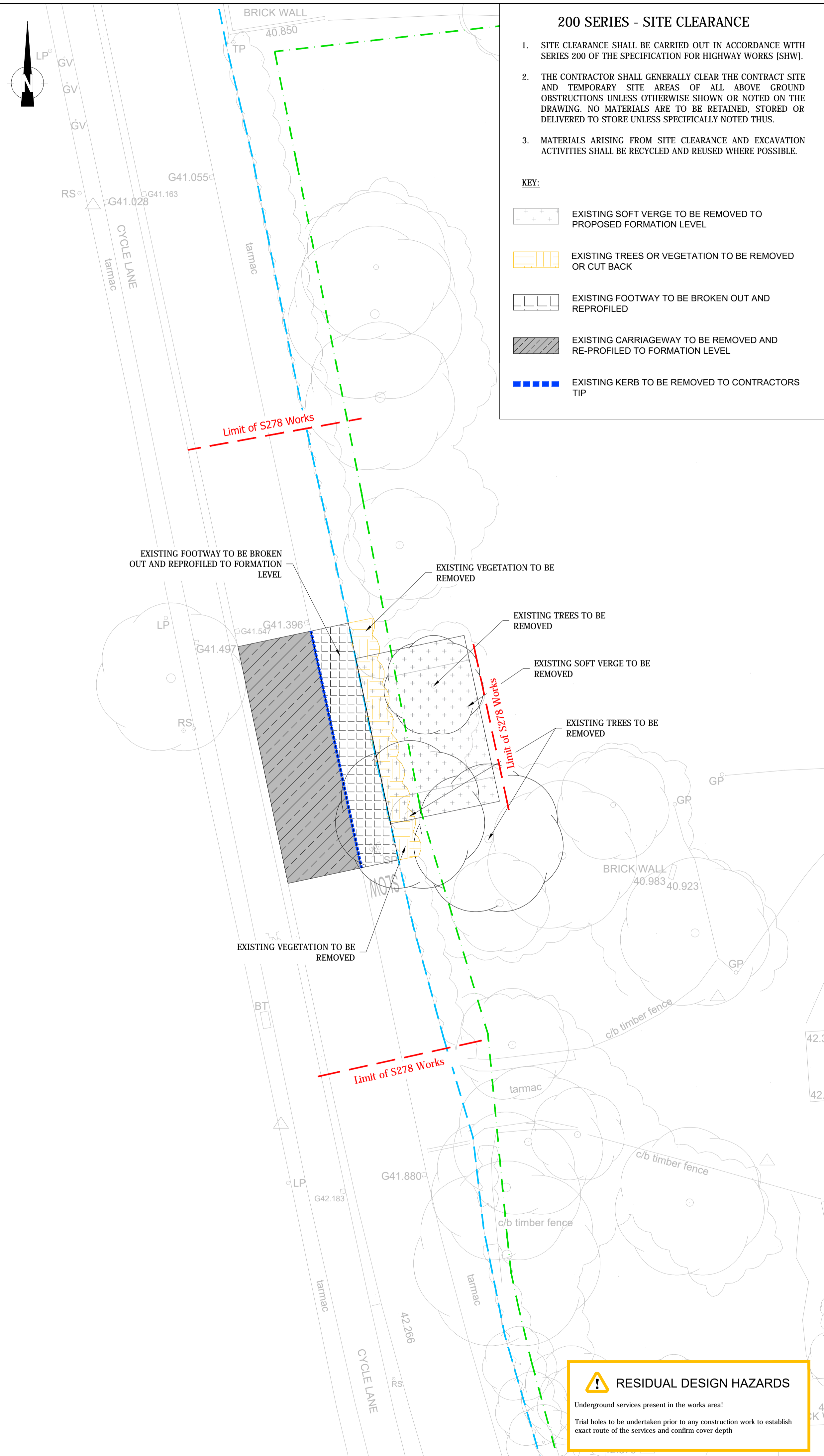


100 SERIES - GENERAL ARRANGEMENT

- ALL HIGHWAY WORKS TO BE TO ADOPTABLE STANDARDS AND SHALL COMPLY FULLY WITH THE LANCASHIRE COUNTY COUNCIL SPECIFICATION AND WHERE NECESSARY THE RELEVANT SECTIONS OF THE DESIGN MANUAL FOR ROADS AND BRIDGES, SPECIFICATION AND BRITISH STANDARDS.
- ALL MATERIALS TO BARE THE RELEVANT B.S. KITEMARK AND COMPLY FULLY WITH THE SPECIFICATIONS. ALL CONCRETE & CONCRETE PRODUCTS MUST USE SULPHATE RESISTANT CEMENT (UNLESS THE SITE INVESTIGATION REPORT PROVES THAT SULPHATE ATTACK FROM SOILS AND GROUNDWATER WILL NOT OCCUR).

KEY:

- 2.4 x 25m VISIBILITY SPY
- PROPOSED 2m GRASS VERGE



200 SERIES - SITE CLEARANCE

- SITE CLEARANCE SHALL BE CARRIED OUT IN ACCORDANCE WITH SERIES 200 OF THE SPECIFICATION FOR HIGHWAY WORKS [SHW].
- THE CONTRACTOR SHALL GENERALLY CLEAR THE CONTRACT SITE AND TEMPORARY SITE AREAS OF ALL ABOVE GROUND OBSTRUCTIONS UNLESS OTHERWISE SHOWN OR NOTED ON THE DRAWING. NO MATERIALS ARE TO BE RETAINED, STORED OR DELIVERED TO STORE UNLESS SPECIFICALLY NOTED THUS.
- MATERIALS ARISING FROM SITE CLEARANCE AND EXCAVATION ACTIVITIES SHALL BE RECYCLED AND REUSED WHERE POSSIBLE.

KEY:

- EXISTING SOFT VERGE TO BE REMOVED TO PROPOSED FORMATION LEVEL
- EXISTING TREES OR VEGETATION TO BE REMOVED OR CUT BACK
- EXISTING FOOTWAY TO BE BROKEN OUT AND REPROFILED
- EXISTING CARRIAGEWAY TO BE REMOVED AND RE-PROFILED TO FORMATION LEVEL
- EXISTING KERB TO BE REMOVED TO CONTRACTORS TIP

DO NOT SCALE: CONTRACTOR TO CHECK ALL DIMENSIONS AND REPORT ANY OMISSIONS OR ERRORS

- THIS DRAWING SHOULD BE READ IN RELATION TO THE SUBJECT OF THE TITLE ONLY. OTHER INFORMATION SHOWN ON THE DRAWING IS TO BE CONSIDERED INDICATIVE ONLY. REFERENCE SHOULD BE MADE TO APPROPRIATE DRAWINGS SERIES/SPECIFICATIONS FOR OTHER INFORMATION.
- ALL DIMENSIONS ARE IN METRES UNLESS SPECIFIED OTHERWISE.
- UNTIL TECHNICAL APPROVAL HAS BEEN OBTAINED FROM LANCASHIRE COUNTY COUNCIL, IT SHOULD BE UNDERSTOOD THAT ALL DRAWINGS ARE PRELIMINARY, SUBJECT TO CHANGE AND NOT FOR CONSTRUCTION. SHOULD THE CONTRACTOR COMMENCE SITE WORK PRIOR TO APPROVAL BEING GIVEN, IT IS ENTIRELY AT THEIR OWN RISK.
- ALL LEVELS TO BE CHECKED BY THE CONTRACTOR AT THE START OF WORKS AND ANY DISCREPANCIES NOTIFIED TO THE ENGINEER.
- ALL HIGHWAY WORKS TO BE TO ADOPTABLE STANDARDS AND SHALL COMPLY FULLY WITH THE LANCASHIRE COUNTY COUNCIL SPECIFICATION AND WHERE NECESSARY THE RELEVANT SECTIONS OF THE DESIGN MANUAL FOR ROADS AND BRIDGES, SPECIFICATION AND BRITISH STANDARDS.
- ALL MATERIALS TO BEAR THE RELEVANT B.S. KITEMARK AND COMPLY FULLY WITH THE SPECIFICATIONS. ALL CONCRETE & CONCRETE PRODUCTS MUST USE SULPHATE RESISTANT CEMENT (UNLESS THE SITE INVESTIGATION REPORT PROVES THAT SULPHATE ATTACK FROM SOILS AND GROUNDWATER WILL NOT OCCUR).
- ALL STATUTORY CONSENTS, OPENING NOTICES ETC. AS REQUIRED UNDER HIGHWAYS ACTS AND WATER INDUSTRIES ACTS ARE TO BE OBTAINED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF THE WORKS (UNLESS OTHERWISE STATED).
- PRESENCE OF STATUTORY UNDERTAKERS EQUIPMENT IN THE HIGHWAY SHOULD BE VERIFIED BY THE CONTRACTOR ON SITE PRIOR TO STARTING ANY WORKS. THE CONTRACTOR SHOULD CONFIRM THE LOCATION OF ALL STATS PLANT BY HAND DUG TRIAL TRENCHES PRIOR TO COMMENCING ANY WORKS. ALLOWANCE FOR THE PRESENCE OF ALL STATS APPROPRIATE PROTECTION / DIVERSION MEASURES IS TO BE PUT IN PLACE BY THE CONTRACTOR (UNLESS STATED OTHERWISE) WHERE STATS EQUIPMENT ARE FOUND TO BE WITHIN THE AREA OF HIGHWAY WORKS. NECESSARY DIVERSION/PROTECTION REQUIREMENTS TO BE AGREED WITH SERVICE PROVIDER.

--- APPROXIMATE EXTENT OF PROPOSED SECTION S278 WORKS
--- APPROXIMATE EXTENT OF ADOPTED HIGHWAY IN THE VICINITY OF THE HIGHWAY WORKS
--- APPROXIMATE EXTENT OF SITE BOUNDARY

C.D.M. REGULATIONS 2015

In line with the above regulations we are obliged to inform the Client of the risks that may be encountered in the construction of these works. Wherever possible risks have been eliminated from the design, however due to the very nature of this type of work it is not possible to remove all the risks from the design. We would also respectfully remind the client of his obligations to take all reasonable steps in ensuring that only competent contractors who have a valid safety policy are employed. They should also provide satisfactory responses at tender stage as to the manner in which they will deal with the elements of risk involved in this type of work and in particular those highlighted by WYG below:-

- Support/treatment for ALL excavation work.
- Guarding to edges of excavations to prevent people, materials and vehicles falling into excavation.
- Guarding of excavations outside working hours to prevent unauthorised access.
- Undermining to adjacent roads or structures.
- Confined space operations.
- Dealing with existing services.
- Traffic management on existing highways.
- Procedure to be followed in event of accident or emergency.
- Method of working where contaminated ground is present on site.
- Confirmation will be required that all operatives are adequately trained, copies of relevant training certificates to be supplied.
- Any construction personnel, including operatives intending to construct the designs shown on this drawing should ensure that they have been regularly and thoroughly briefed by the principal contractor on all health and safety matters and have had sight of:

(i) the full designers and contractors risk assessments and risk registers.
 (ii) the developed construction health and safety plan
 (iii) the contractors construction method statements.

The above list is by no means exhaustive but it does highlight operations that present a risk to contractors and the general public.

REV	DESCRIPTION	BY	CHK	APP	DATE
A01	FIRST ISSUE	LJB	MK	LB	DEC 2019

FOR APPROVAL

WAIN HOMES (NORTHWEST) LIMITED
 KELBURN COURT, DATEN PARK, BIRCHWOOD
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 Telephone [01925] 885400

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 TRAFFORD PARK
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 M17 1HH
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 FAX: +44 (0)161 872 3193
 e-mail: manchester@wyg.com

Project:
KEYFOLD FARM, BROUGHTON SECTION 278

Drawing Title:
GENERAL ARRANGEMENT AND SITE CLEARANCE

RESIDUAL DESIGN HAZARDS

Underground services present in the works area!
 Trial holes to be undertaken prior to any construction work to establish exact route of the services and confirm cover depth

Scale @	A1	Drawn	Date	Checked	Date	Approved	Date
1:200	LJB	DEC 19	MK	DEC 19	LB	DEC 19	DEC 19
Project No.	Office	Type	Drawing No.	Revision			
A115534	27	C	100	A01			

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Appendix B Appeal Decision – Sandy Gate Lane



Appeal Decision

Inquiry Opened on 6 February 2018

Site visit made on 13 February 2018

by Keith Manning BSc (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 April 2018

Appeal Ref: APP/N2345/W/17/3179105

Land off Sandy Gate Lane, Broughton, Preston,

Lancashire PR3 5LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Hollins Strategic Land LLP against the decision of Preston City Council.
 - The application Ref 06/2016/0736, dated 5 August 2016, was refused by notice dated 2 May 2017.
 - The development proposed is the erection of up to 97 dwellings.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of up to 97 dwellings at Land off Sandy Gate Lane, Broughton, Preston, Lancashire PR3 5LA in accordance with the terms of the application, Ref 06/2016/0736 , dated 5 August 2016, subject to the conditions set out in the Annex hereto.

Application for costs

2. At the Inquiry an application for costs was made by Hollins Strategic Land LLP against Preston City Council. This application is the subject of a separate Decision.

Procedural and Preliminary Matters

3. The inquiry was in respect of two appeals, conjoined for a single inquiry. For convenience they are respectively referred to, following my pre-inquiry note of 20 December 2017, as **Appeal A** (site A/appellant A) and **Appeal B** (site B/appellant B).
4. Both applications subject to appeal are for housing and are made in outline with all matters reserved except access, for which detailed approval is sought in each case.
5. The Inquiry sat between 6 and 9 February 2018, inclusive, and I conducted my formal visit to the appeal site on 13 February, combining this with my equivalent visit to the site of Appeal B.
6. **This decision is in respect of Appeal A.**

7. Appeal B is referenced APP/N2345/W/17/3179177 (LPA Ref 06/2017/0097). Site B is Keyfold Farm, 430 Garstang Road, Broughton, Preston, Lancashire PR3 5JB and the proposal in that case is for up to 130 dwellings. Appellant B is Wainhomes (North West) Ltd.
8. Each appeal is determined on its individual merits but, as there is much commonality between them in respect of policy context and other considerations, much of the evidence I was presented with and much of my reasoning, notably in respect of the first four of the main issues I have identified below (which are identical as between the two sites) is identical in each case. Matters specific to the site at issue in this appeal are of course reasoned specifically in this decision as necessary. Cross reference to the other appeal, as necessary, is to Appeal B, and joint reference, as necessary, is to both Appeals A and B.
9. Inquiry Documents (ID) may refer to, or be relevant to, one or both proposals, as the case may be; and the same principle applies to the Core Documents (CD) listed.
10. Pursuant to my pre-inquiry note, the appellants A and B combined to agree **with the Council a 'Tripartite' Statement of Common Ground (TSoCG)**.
11. In addition, a Statement of Common Ground specific to this appeal has been agreed between Appellant A and the Council. I refer to this as SoCG (A).¹
12. The Broughton in Amounderness Parish Council (**'the Parish Council'**) **participated in the inquiry as a 'Rule 6 party' and I was told that it** broadly represents the views of a sizeable proportion of Broughton village residents. Having read the letters submitted, both at application and appeal stage, I have no reason to doubt that; and on a personal note wish to record my appreciation of the courteous and considered manner in which it put its case.
13. Following the lunchtime adjournment on Day 2 of the Inquiry, as a consequence of answers given in respect of the housing land supply by its first witness, under cross-examination by the advocate for Appellant B², the Council informed me that it would no longer be pursuing its sole reason for refusal of both applications, as it was not in a position to defend it. Consequently, the evidence of its second witness, Mr Clapworthy, was formally withdrawn and the Council took no further part in the inquiry so far as matters of substance relevant to the case were concerned.
14. A further consequence is that the evidence of Mr Pycroft³, on behalf of both appellants, and that of Mr Sedgwick on behalf of this appellant, is effectively uncontested by the Council.
15. The appeal is supported by a planning obligation in the form of an agreement between the appellant, the Council, and the Lancashire County Council dated 9 February 2018. In brief detail this provides for financial contributions to primary education in the locality prior to specified thresholds of housing occupation, a travel plan contribution and for the provision of 35% affordable

¹ ID2

² **Mr Ponter, advocate for this appellant (A), adopted in full Mr Fraser's cross-examination** undertaken on behalf of Wainhomes (Appellant B)

³ Concerning housing land supply

housing under a programme tied to specified thresholds of occupation of the open market dwellings, so as to ensure full delivery of the affordable dwellings.

Main Issues

16. On the basis of my understanding of the substance and circumstances of the appeal, and agreement with the parties on opening the inquiry, I consider, in the context of relevant local and national policy, the main issues in this appeal to be identical to those in Appeal B, namely: -
- Does the Council have an adequate supply of housing land?
 - Are the proposed developments adequately accessible to employment opportunities and services?
 - To what extent would the proposed developments conflict with and harmfully undermine the strategic land use planning aims of the Council?
 - To what extent would the proposed developments conflict with the aims of the emerging Neighbourhood Plan and what weight should be given to any conflict with those aims?
 - Would the proposed development in this case give rise to any specific environmental or other harm and what weight should be accorded to such harm?

Reasons

Background: The site in its surroundings

17. The appeal site is described in the SoCG (A) but essentially comprises agricultural land with hedgerows and trees, currently down to pasture, between the south west margin of Broughton, as defined by the grounds of the high school (Broughton College), and the Grade II listed farmstead comprising Bank Hall and Bank Hall Farmhouse and the curtilage, from which the boundary of the appeal site stands clear. The eastern boundary of the site stands clear of the recently by-passed A6 Garstang Road (beyond which lies Appeal site B).
18. The proposed road access to the site is off the southern end of Sandy Gate Lane which, together with Moorcroft and Broadfield, serves part of an **established area of suburban style housing north of Dobson's Farm**, as well as the high school. The growth of Broughton west of this housing area appears to have been restricted by the presence of the West Coast mainline railway.
19. Much of the western boundary of the site south of the proposed access corresponds to the southern continuation of Sandy Gate Lane as a bridleway, which has in recent years been adapted to accommodate a lit section of the Preston Guild Wheel cycleway (**'the Guild Wheel'**) which continues southwards to cross the railway via an overbridge. Beyond that point the Guild Wheel continues across the valley of the Woodplumpton Brook and from that point southwards across the M55 motorway and into the urban area of Preston itself.
20. From Sandy Gate Lane eastwards the Guild Wheel shares, initially, the high school access before following its southern boundary along an unlit route confined by the northern boundary of the appeal site. (The illustrative plan

supporting the application subject to appeal indicates the possibility of an alternative route for the Guild Wheel through the proposed housing site from **the vicinity of Dobson's Farm, south of an existing pond within the site to re-join the original route near the eastern extremity of the site.**) The sign post waymarking the Guild Wheel on Sandy Gate Lane includes reference to the Preston North East and Red Scar employment areas, which lie to the south of Broughton, the latter to the east of the M6 motorway.

21. South of the appeal site the land is mainly in agricultural use, ultimately dropping away into the valley of the Woodplumpton Brook before rising towards the M55 which follows higher ground to the south of the water course. In the distance, beyond the motorway, some of the new housing associated with the ongoing North West Preston development area is discernible from the vicinity of the appeal site.
22. The village of Broughton is centred on the crossroads formed by the A6 Garstang Road and the B5269 Woodplumpton Lane/Whittingham Lane. The recently constructed by-pass which runs east of the village from the vicinity of the M55 Junction 1, to a point on the A6 south of Barton via a roundabout junction with Whittingham Lane, has clearly had a significant effect; and a programme of consequential highway improvements facilitated by the removal of much through traffic is under way. A significant section of the by-passed A6 through the village is now subject to a 20 mph speed limit.
23. Historically, the village has witnessed ribbon development along Whittingham Lane in particular with some mid-twentieth century estate development in depth at Pinewood Avenue/Willowtree Avenue, but considerably more of the latter type of development west of the A6 north of Woodplumpton Lane and west of Newsham Hall Lane as far as the railway.
24. Other than those previously mentioned, services and facilities in and around the village currently include various local shops, some of a specialist nature, two filling stations, a public house, a police station, a restaurant, a dental surgery, the North West Ambulance Service NHS Trust, the Marriot Hotel and the Broughton-in-Amounderness Church of England Primary School. The Nos. 40 and 41 bus services (Lancaster - Preston) utilise the A6 Garstang Road and the No 4 bus service (Longridge - Preston) utilises the B5269 through the village.

Background: The policy framework

25. For the purposes of considering the main issues in both this case and that of Appeal B, the essential local and national policy framework is identical and is, for the most part, detailed in the TSoCG.
26. The National Planning Policy Framework, published in March 2012, is a powerful material consideration; but the starting point for determination of the appeals is of course the development plan. For present purposes⁴ the relevant components of the development plan are the jointly prepared⁵ **Central Lancashire Core Strategy ('the Core Strategy')**, adopted in July 2012 to cover

⁴ It is common ground (TSoCG paragraphs 2.15 and 2.16) that, whilst the Preston City Centre Plan, the saved policies of the Preston Local Plan (2004), the Joint Lancashire Minerals and Waste Local Plan and the Inner East Preston Neighbourhood Plan are also parts of the development plan, the parts relevant to the Appeals A and B are the Central Lancashire Core Strategy and the Preston Local Plan 2012 to 2026.

⁵ By Preston City Council, Chorley Borough Council and South Ribble Borough Council.

the period 2010 – 2026, and the Preston Local Plan 2012 – 2026 *Site Allocations and Development Management Policies* ('the Local Plan'), adopted in July 2015.

27. Amongst other things, Policy MP of the Core Strategy effectively replicates, so far as decision-taking is concerned, paragraph 14 of the Framework. The **"presumption in favour of sustainable development"**, as defined therein, including the so-called **"tilted balance"** (as it is now generally understood) embodied in its second limb, is thereby enshrined in the development plan itself. This point was forcefully submitted by the advocate for Appellant B in closing⁶ who argued amongst other things that, in the absence of a five year housing land supply, the determination process defaults, by virtue of the development plan itself, entirely to the provisions of the Framework, rendering Policy 1 of the Core Strategy, for example, effectively irrelevant.
28. Whilst the logic of the point had been accepted by the relevant witness for the Council, that is not in fact the end of the matter, bearing in mind the need for me to consider the development plan as a whole. Although I was not referred to this by the parties, I note in doing so that the more recently adopted Local Plan carries a similar **"model policy"**, namely **Policy V1**. This applies only within the administrative area of Preston City Council and differs subtly from Policy MP of the Core Strategy in a number of ways. First, it clarifies beyond doubt that the reference in the third paragraph to absent or out-of-date policies is a reference to policies in the statutory development plan. Secondly and more significantly, in the words of paragraph 2.1 of the explanatory text, under the sub-title **"Vision for Preston"** (which concerns the 'presumption in favour of sustainable development' being seen as a 'Golden Thread' running through plan making and decision-taking), it seeks to... **"ensure this presumption in favour of sustainable development at Preston district level."**
29. The third and final paragraph of Policy V1 is as follows: -
- "where there are no statutory development plan 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:*
- a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole and those contained in the Core Strategy;*
or
- b) specific policies in the Framework and Core Strategy indicate that development should be restricted."*
- (The emphases are mine.)
30. Very arguably this policy has the potential to diminish, if not entirely negate, the force of Mr Fraser's submission, when the logic embodied therein is applied. However, I am conscious that, unlike the second limb of paragraph 14 of the Framework, the policy carries no exemplification, equivalent to Footnote 9 of the Framework, of the sort of specific policies (in both the Framework and the Core Strategy) which indicate development should be restricted. Moreover,

⁶ ID22 paragraph 13

although the effect of footnote 10 to the Framework⁷ is embodied in the text of the policy, it also differs from the Framework insofar as the second limb to its paragraph 14 states that the presumption in favour of sustainable development **means (in the circumstances specified) "granting permission unless..."** (the specified **policy 'test'** is met), whilst the Policy V1 equivalent simply requires **that the specified matters are "taken into account"**. **There are therefore small but potentially significant inconsistencies with the Framework paragraph 14 which Policy V1 purports to emulate locally.** Notwithstanding the advice of paragraph 15 of the Framework, and bearing in mind also the requirement in that for clarity, I therefore consider the advice on implementation in paragraph 215 of the Framework applies and the weight to be accorded to Policy V1 is to be reduced accordingly, whereas Policy MP of the Core Strategy is effectively on all fours with the Framework.

31. That said, I am not persuaded, all things considered, **that Mr Fraser's** submissions lead anywhere beyond a need for the above analysis of development plan policy, bearing in mind that, whilst the effect of paragraph 49 of the Framework concerning housing land is clear in its effect, the Framework is also emphatic as to the importance of the system being plan-led and it is well established law⁸ that engagement of the presumption in favour of sustainable development does not render policies in the development plan irrelevant, but rather affects the weight which the decision maker should consider according to them. Indeed, if Policy MP is intended to have the effect claimed by Mr Fraser it would itself be wholly inconsistent with the Framework to the extent that the latter supports the plan-led system.
32. The correct approach in circumstances where paragraph 14 of the Framework is potentially engaged, as here, is not therefore to entirely disregard the policies of the development plan, as Mr Fraser advocates, but rather, in the exercise of planning judgement, to consider the weight to be accorded to potentially determinative policies, alongside other material considerations, within the balance set by paragraph 14. That is the approach I therefore follow in the determination of both appeals A and B.
33. Policy 1 of the Core Strategy sets out its intention to concentrate growth and investment according to a hierarchy of established settlements and strategic sites. **As a "smaller village", Broughton is a settlement at the bottom** of that hierarchy, in category (f), which is referred to in the following terms: ***"In other places – smaller villages, substantially built-up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes."***
34. The proposals at issue meet none of those criteria of scale and clearly do not represent redevelopment. It is common ground that the appeals A and B would both conflict with Policy 1(f).⁹
35. It is also common ground¹⁰ that both would conflict with Policy EN1 of the Local Plan. In the ***"Open Countryside as shown on the Policies Map"***,¹¹ this limits

⁷ "Unless material considerations indicate otherwise."

⁸ CD22 *Suffolk Coastal District v Hopkins Homes & Richmond Estates Partnership LLP v Cheshire East Borough Council* [2017] UKSC 37

⁹ TSoCG paragraph 2.23

¹⁰ Ibid. paragraph 2.24

¹¹ i.e. Policies Map for the Preston Local Plan 2012 – 2016

development to specified categories which large housing estates, such as those proposed in this instance, plainly do not fall within. Although the notation in the key to the Policies Map (presumably for clarity) indicates the Areas of Separation subject to Local Plan Policy EN4 (one of which includes both sites) to be a separate category, paragraph 8.11 of the policy explanation is abundantly clear that Policy EN1 for the protection of the Open Countryside applies within the Areas of Separation in any event. Moreover, it is clear that both appeal sites are effectively outside the Rural Settlement Boundaries indicated on the Policies Map for the purposes of Policy AD1(b) of the Local Plan and hence within the Open Countryside for development plan policy purposes, as acknowledged in the TSoCG.¹²

36. The TSoCG is, however, silent on the matter of potential conflict with Local Plan Policy EN4 concerning Areas of Separation, as this is neither acknowledged by the appellants nor alleged by the Council. Conflict with EN4 is, however, alleged by the Parish Council and individual local residents. This Local Plan policy originates from Policy 19 of the Core Strategy which, amongst other things, states that **an Area of Separation will be designated "around" Broughton.**
37. In addition to the above policies relevant to the main issues for both appeals A and B, I shall refer only as necessary to other specific policies in the development plan relevant to one or both appeals as the case may be.
38. The Broughton-in-Amounderness Neighbourhood Development Plan (**the Neighbourhood Plan**) is in the course of preparation. It is proposed that the plan should cover the period 2016 – 2026. Its first iteration¹³ has been independently examined. However, as a consequence of that examination it has effectively been prevented from moving forward to the stage at which it **would be 'made' and consultation** on an amended plan under Regulation 14¹⁴ has been initiated by the Parish Council. **The examiner's report** on the first iteration of the plan was received by the Parish Council on 9 September 2017.¹⁵ **The examiner "requested that the Plan should be amended and be subject to a further formal consultation, then be submitted for a further independent examination".**¹⁶ The Parish Council published the amended plan in October 2017¹⁷ but it appears that the new Regulation 14 consultation has been procedurally challenged and has been repeated for safety, with consequent delay to the Regulation 16 consultation and subsequent examination.
39. It is common ground between the Council and both appellants A and B that, as at the end of January 2018, following the advice of paragraph 216 of the **Framework, the emerging Neighbourhood Plan should attract "no more than limited weight" in the determination of the appeals.** The Parish Council acknowledges the facts of the matter in the context of relevant procedure and guidance, but emphasises that the circumstances are unusual.

¹² TSoCG paragraph 2.24

¹³ CD15

¹⁴ Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

¹⁵ CD16

¹⁶ Foreword to October 2017 Neighbourhood Plan CD17

¹⁷ CD17

Housing land supply

40. **Given the Council's concession that it could not correctly demonstrate a five year supply of deliverable housing sites and consequent effective withdrawal from the contest of the appeals, the first main issue can be addressed in relatively short order. The evidence of Mr Pycroft on behalf of both appellants A and B stands effectively uncontested and there was in any event no significant dispute over the figures to be used in the calculation so far as the individual components of supply were concerned, but rather the way those component figures were to be deployed. The relevant calculation equates to the period addressed by the Council's latest Housing Land Position Statement¹⁸, i.e. the five-year period 1st October 2017 to 30th September 2022. The relevant figures are clearly set out in Mr Pycroft's evidence at Table 3.2.**
41. It is necessary, however, to consider certain elements of the calculation in principle in order to assess the magnitude of the acknowledged shortfall.
42. **First of all, the 'Memorandum of Understanding' between the three Councils** party to the Core Strategy (which has not to my knowledge been reviewed pursuant to its paragraph 7.1 and which was signed by Preston as recently as 3rd October 2017) confirms that, pending the adoption of a replacement local plan, the housing requirements of the Core Strategy are to be applied.
43. Amongst other things, this document recognises at paragraph 5.10 that meeting the housing requirement figures in the current Core Strategy ensures that the Objectively Assessed Need (as in the latest SHMA) is met in full across **the Housing Market Area and that apportionment (between the Councils' respective areas)** on the basis of the Core Strategy requirements will help to address net out-migration from Preston to other parts of the Housing Market Area.
44. The Memorandum also acknowledges that the Core Strategy has been examined and found to be sound in the context of the Framework. Bearing that in mind, the statutory Duty to Co-operate¹⁹, and also the object of national policy to boost significantly the supply of housing²⁰, I have no reason to question, on the evidence before me as it now stands, the underlying essential merits of what is effectively a joint declaration of intent as to how the Councils will for the time being distribute new housing between and across their respective and combined areas. I am also conscious that the ongoing housing requirements set out in Policy 4 are conceived of as minima.
45. It has been accepted by the Council that the base date of 2014 for assessing housing completions, used for the purposes of the current Strategic Housing Market Assessment (SHMA), is incorrect for the purposes of calculating the five-year supply of deliverable sites. Given that the accepted basis for the housing land requirement is the development plan, in this case the Core Strategy, as indicated in the Memorandum of Understanding, the correct base date going forward is 2010 as the Core Strategy covers the 16 year period 2010 – 2026.
46. The relevant Core Strategy policy for the purpose of calculating housing requirements, Policy 4, embodies the principle of addressing the backlog of

¹⁸ CD10

¹⁹ Pursuant to s110 of the Localism Act 2011

²⁰ Framework paragraph 47

under-provision since 2003, in addition to the annual requirement from 2010, over the plan period to 2026. In Preston this has led to a significant accumulated backlog a little in excess of 1600 dwellings.²¹

47. Moreover, the evidence before me is persuasive that, effective though the **Council's direct efforts to address ongoing vacancy in the older housing stock** may be, the net effect of this on the overall supply of housing is effectively neutral and should therefore be discounted, as should the provision of student accommodation which, for a variety of reasons, appears not to have released existing stock for significant inclusion in the supply and in any event the data is patchy and not sufficiently reliable.
48. Although not labelling it as such, the Planning Practice Guidance effectively advocates the use of the so-called "**Sedgefield**" method to promptly deal with past under-supply or else rely on neighbouring authorities to assist under the Duty-to-Co-operate, but this would not be consistent with the spirit or intention of the Memorandum of Understanding to mitigate out-migration from Preston and the evidence before me²² is now entirely supportive of the Sedgefield approach.
49. The Framework at paragraph 47 advocates the addition of a small buffer of deliverable housing sites to the demonstrable five-year supply so as to ensure choice and competition in the market for land. However, where there has been a record of persistent under delivery of housing, a larger buffer should be added, so as to provide a realistic prospect of achieving the planned supply. The requirement in this circumstance is for an additional 20% on top of the calculated five-year requirement, as opposed to the 5% buffer to be deployed where this is not the case and the principal requirement is simply to facilitate choice and competition.
50. **The Framework does not define what is meant by "persistent under delivery"** and conclusions on this at appeal have inevitably varied according to evidence and submissions. I am constrained therefore to form my own conclusion on the basis of the evidence before me and the plain, ordinary meaning of the word 'persistent'. This is given in the *Compact Oxford English Dictionary* to hand as "**continuing or recurring for a long time**". (My emphasis)
51. The evidence demonstrates²³ that, year on year from 2003, there has been a recurrent, albeit not continuous (again, my emphasis) under-delivery of housing, sometimes very significant in numerical terms, that has resulted in a net cumulative under-delivery of housing in Preston of around 1,600 houses. Taking into account the years of under-delivery set against the lesser number of years of over-delivery, but more particularly bearing in mind the net outcome and the object of paragraph 47 of the Framework, I am persuaded that under-delivery has been 'persistent' and therefore counter to Framework intentions to boost significantly the supply of housing. The ongoing problem of under-delivery has not yet been addressed sufficiently in Preston for there to be a realistic prospect of achieving the planned supply consistent with that fundamental intention of national policy.

²¹ Evidence of Mr Pycroft paragraph 11.1

²² As summarised in ID22 paragraphs 18-21

²³ As summarised in ID22 paragraphs 22-24

52. Finally, the appellants call into question the delivery assumptions on a small number of larger sites and, whilst this is inevitably to some degree a matter of conjecture, it is informed by reasoning. Furthermore, as a consequence of the **Council's effective withdrawal from the substance of the proceedings**, the evidence in that respect has not in the circumstances been tested or challenged through cross-examination of Mr Pycroft and I therefore have no evidential basis **to question the overall thrust of the appellants'** conclusions regarding those sites.
53. Be that as it may, the adjustments arising would (given the above conclusions on how the principal components of the land supply should be addressed and on how the appropriate methodologies, policy and guidance should be deployed) be of marginal significance to the overall conclusion that the Council cannot currently demonstrate the requisite five-year supply of deliverable housing sites. On a proper footing, in the context of the relevant national policy and guidance, the adopted development plan and the Memorandum of Understanding between the councils party to it, **the appellants'** primary contention that the supply of deliverable sites is seriously inadequate, when set against what is required as a consequence of that context, cannot be gainsaid.
54. The worst case of **only a little over 3 years' supply has been demonstrated and** very largely, in effect, accepted by the Council. Even allowing for some positive **variation from the appellants' conjectures about a limited number of sites in** the supply, this would not improve significantly, and in broad terms I am satisfied that the supply, properly calculated in the context of relevant applicable policy, lies between 3 and 3.5 years only. To put it another way, the current supply of deliverable housing sites is at best only 70% of what is required by national policy as articulated in the Framework and is very likely nearer 60%. On any assessment, in the context of applicable local and national policy, that represents a very substantial shortfall.
55. I acknowledge that to local residents aware of permissions recently being granted elsewhere and the nearby developments at Preston North West, this may seem counter-intuitive; but the reality is that the calculation can only be done at recognised points in time (as supply is inherently dynamic) according to accepted conventions **and guidance, and for the Council's administrative area** only, given the manner in which the development plan is cast and the Memorandum of Understanding formulated.
56. Other appeal decisions touching on the issue of land supply and other matters can be material and my attention was drawn to a number as listed in the core documents and referred to in evidence. It is clear on reading them that each relates to a particular set of circumstances prevalent at the time and relies on the detailed evidence before the individual Inspectors. Ultimately, I must rely on the circumstances and detailed evidence put to me in respect of these appeals A and B and, given the Council's **unequivocal concessions in respect of** housing land supply, it serves no useful purpose to give undue consideration to conclusions drawn elsewhere.
57. The recent decision at Pear Tree Lane in Chorley²⁴, decided on the basis of all the evidence and submissions heard by the Inspector at the relevant inquiry, **ultimately proved to be of peripheral materiality to the Council's accepted** position on this issue. Although within the same Core Strategy area it relates,

²⁴ CD28

moreover, to different circumstances in a different local planning authority, as is clear from its concluding paragraphs,²⁵ albeit the Memorandum of Understanding is clear in specifically agreeing that the adopted development plan is currently the proper basis for determining the housing requirement within the individual local planning authority areas.

Accessibility

58. As I have noted, in the light of its acceptance of the generality of the **appellants' joint case on housing land supply, the Council declined to pursue its reason for refusal which, following the officer's report, included the contention that Broughton is a (rural) village with low accessibility to local employment areas, shops and services such that "unplanned and inappropriate expansion" (with, clearly, in these cases, housing development) would "fail to achieve the social and environmental dimensions of sustainable development"**. On that basis, the proposals, it has been claimed, would fail to focus development at an appropriate location, contrary to the development plan and the Framework.
59. The Parish Council emphasised, amongst other things, its concurrence with the **analysis in the officer reports and the substance of the Council's decision.**²⁶ Individual residents have supported the **Council's** original stance, both explicitly and implicitly. Accessibility therefore remains to be considered as a main issue notwithstanding the position latterly adopted by the Council at the inquiry.
60. I am conscious that Policy 1 of the Core Strategy plans for a development pattern that, for the whole of Central Lancashire, concentrates development according to a settlement hierarchy within which the Preston /South Ribble Urban Area occupies the top tier (a) and smaller settlements including Broughton are included in the lowest tier(f). I place little weight on the **appellants' repeated emphasis that the lack of settlements within the intermediate tiers** is a significant factor in support of their appeals. The Core Strategy, which addresses the relevant housing market area, self-evidently transcends administrative boundaries so far as the settlement hierarchy itself is concerned. In planning terms the lack of intermediate tiers within Preston is not therefore, in my view, an important or influential factor.
61. Equally, I do not share the erstwhile apparent view of the Council that, because the spatial strategy embodied in the Core Strategy is driven by considerations of sustainability and considered to support and promote a sustainable pattern of development, departures from the articulated aspiration are to be presumed unsustainable. The strategy reflects a policy choice which is considered to optimise the settlement pattern in sustainability terms. Variations on the theme are not necessarily unsustainable in planning terms, not least in view of the definition of sustainable development set out in the Framework at paragraph 6.
62. It is very apparent that Broughton has expanded beyond its early nuclei in certain decades of the last century through the addition of ribbons and, more pertinently, estates of housing. This tendency has been largely but not exclusively concentrated around the east-west axis formed by the B5269 Woodplumpton Lane/Whittingham Lane. The facilities at the centre are readily accessible on foot from much of the village and those facilities would be

²⁵ CD28 paragraphs 63 -71

²⁶ Evidence of Patricia Hastings paragraph 2.1

- similarly accessible to residents of the two developments proposed. That is a simple function of the geography of the settlement.
63. It remains to be seen whether the recent construction of the by-pass will prompt closure or expansion of established businesses or stimulate positive response to new opportunities arising from improved conditions on the principal **thoroughfare in particular. Mr Sedgwick's conjecture that an increased** population would be beneficial for established and, potentially, new businesses in the village seems to me to be entirely reasonable given the accessibility of the appeal sites to the existing centre.
64. Certain facilities including the church, the hotel, the ambulance service headquarters, the primary school and to some extent the high school, would be more accessible to prospective residents of the proposed housing estates than many existing residents. This is because the linear form of the village would change to a squarer form with most of the latterly mentioned facilities being located on its southern margin.
65. Despite its adjacency to a railway, the settlement lacks a station but the cruciform thoroughfares are adequately and in some respects well served by buses connecting the settlement to distant Lancaster including its University, nearby Preston including the Royal Preston Hospital, Longridge, Garstang, Fulwood and various other settlements. The journey to the centre of Preston is timetabled at around half an hour. The timetables submitted demonstrate the manner in which the bus services operate.²⁷
66. The settlement does lack a supermarket at present but some convenience goods for top-up shopping are available at one of the two filling stations presently open in the village. For obvious reasons, it is an established and widespread practice for car owners to use their vehicles for a weekly shop in any event, even if they have a choice of transport modes or live relatively close to a supermarket.
67. Of particular note is the Preston Guild Wheel, a 21 mile cycling and walking route which encircles the city providing access not only to its more central area but also to a variety of leisure and employment destinations in the surrounding area. Broughton, including the proposed housing sites at issue, has direct access to the route.
68. All in all, I do not consider Broughton to be notably poorly served in terms of access to services and facilities or choice of transport modes. It is a core principle of the Framework, underpinning both plan-making and decision-taking, **to "actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable."** Policy 1 of the Core Strategy notwithstanding, I do not consider the proposed developments would offend that principle. If anything the reverse is true. They would be well located in those terms by comparison with housing sites associated with many freestanding settlements and the initial stance of the Council on this issue does not in my view withstand scrutiny.

²⁷ ID18 & ID19

Strategic land use planning aims

69. It is recognised by all parties that the proposed developments at issue would both conflict with Policy 1 of the Core Strategy. No other position would be tenable. They simply do not accord with the policy choice which has been made locally to concentrate development in accordance with a specified hierarchy. Oft repeated without good reason, developments such as those proposed would be insupportable in the context of a plan-led system. Individually, and more especially cumulatively, the pattern of development sought by the Core Strategy would be eroded, and the object of promoting it would be undermined.
70. However, the underlying rationale of the policy is the achievement, essentially, of a spatial pattern of development that is sustainable and the degree of harm to that aspiration is tempered to a significant degree in the case of these appeals by my conclusions on the previous issue regarding accessibility. The conflict with the policy itself is greater than the conflict with its originating intentions. That might well not be the case in a more remote and less accessible location or in a settlement lacking, for example, very necessary schooling facilities.
71. Moreover, the strategic land use planning aims of the Council, include, explicitly by virtue of Policy MP of the Core Strategy, the presumption in favour of sustainable development and the triggering of the so-called **"tilted balance"** by its inability to currently demonstrate a five-year supply of deliverable housing sites, following on from the circumstances anticipated by paragraph 49 of the Framework and the contextual priority to boost significantly the supply of housing as set out in paragraph 47 of that current expression of national policy. It thus follows that the weight to be accorded to the planning aim of delivering housing vis-à-vis the planning aim of accordance with a set hierarchy of settlements is increased commensurately.
72. To some extent the weight to be accorded to housing delivery in this context is counter-balanced by Policy V1 of the Local Plan, albeit for the reasons previously given I do not consider that to be particularly effective in that regard.
73. Nevertheless it is necessary to consider the potentially restrictive effect of Local Plan Policy EN4 concerning Areas of Separation, which also gives site-specific effect, within Preston, to Policy 19 of the Core Strategy.
74. There is no evidence to suggest that EN4 is a policy of restriction equivalent to, for example, Green Belt or comparably restrictive policies set out in Footnote 9 to the Framework. I am, however, conscious of the judicial approach in the Supreme Court in the case of *Hopkins Homes*²⁸. This is clear that a policy such as EN4 should not be regarded as a policy for the supply of housing rendered out-of-date by inadequate supply by reason of paragraph 49 of the Framework; and the same principle applies to Policy EN1 of the Local Plan, which all parties acknowledge to be offended by the proposals.
75. Although neither the appellants nor the Council consider policy EN4 to be offended by the proposals, that is not a position shared by the Parish Council and concerned residents from the locality including Mr Timothy Brown.²⁹

²⁸ CD22

²⁹ ID16 and representation dated 04/10/17 from TB Planning

Whether or not there is conflict with this policy and, if so, the extent to which such conflict would harmfully undermine the strategic land use planning aims of the Council is central to my consideration of this main issue and the ultimate planning balance.

76. First, I am clear that, in essence, policy EN4 is driven by considerations of urban form rather than landscape protection, a point which the relevant witness for Appellant A, in response to my question on the point, did not dispute.
77. Secondly, I set relatively little store by the submissions of Appellant B suggesting the fact that the emerging Neighbourhood Plan is contemplating housing in the same area of separation is of note.³⁰ The scale and location of the proposal is not comparable, albeit the suggestion does tend to underline the general principle that the Area of Separation, as currently defined on the Local Plan Policies Map, is not necessarily intended to be inviolate.
78. That **much is in any event apparent from the careful analysis in the officer's reports on both applications subject to appeal, which clearly underpin the Council's view that neither proposal is contrary to the thrust of Core Strategy Policy 19 or Local Plan Policy EN4.** The lack of conflict with the development plan in that respect concluded by the Council was reflected in the omission of reference to those policies in its decision notices. Whilst I set some store by the careful analysis undertaken, I do not entirely agree, however, with the overall conclusion.
79. The parent Policy 19 in the Core Strategy is, according to the explanatory paragraph 10.14 of that document, concerned to maintain the openness of countryside in those parts of Central Lancashire where there are relatively small amounts of open countryside between settlements. Amongst other things, the policy is explicit that their identity and local distinctiveness is to be protected by the designation. Policy EN4 of the Local Plan interprets the intention of Policy 19 within the consequentially defined Areas of Separation within Preston in the following terms: -
- Development will be assessed in terms of its impact upon the Area of Separation including any harm to the effectiveness of the gap between settlements and, in particular, the degree to which the development proposed would compromise the function of the Area of Separation in protecting the identity and distinctiveness of settlements.* (The emphasis is mine.)
80. Although it is notable from the Policies Map that the defined area of Separation between Grimsargh and the Preston Urban Area is significantly narrower at its narrowest point than the Area of Separation between Broughton and the Preston Urban Area, the latter is fairly narrow nonetheless. It therefore seems to me that any development of significance within it has the potential to compromise its function to some extent, simply by the fact of reducing its extent. In the case of the appeal sites A and B combined, this would be across a broad front as the physical extent of Broughton would effectively be advanced southwards towards the Preston Urban Area. There would inevitably, in purely physical terms, be some harm to the effectiveness of the gap between the two settlements, as distinct from the perception of that gap so far as local residents and those travelling between the settlements is concerned. The

³⁰ ID22 Paragraphs 44 & 48

remaining gap would be smaller and more vulnerable to perceived or actual closure in the event of further development.

81. Having said that, it is true to say that the world is not perceived in two dimensions, as on a plan or policies map, but rather in three dimensions with, in reality, topographic and visual features such as vegetation playing a significant role. Thus it is that a relatively large gap on a featureless plain may be perceived as comparable in local identity terms to a comparatively small gap in more complex surroundings. I can appreciate that it is this principle which **effectively underlies the analysis set out in the officer's reports** to which I have previously referred.
82. In terms of the thrust of the policies 19 and ENV4, the emphasis on the degree to which the particular developments proposed would compromise the function of the Area of Separation in protecting the identity and distinctiveness of the settlements concerned adds a further layer of complexity to the consideration of whether the objects of the policies would be significantly harmed. It seems to me that the minimum requirement is for sufficient separation for them to be effectively recognised as separate places.
83. All in all, therefore, it seems to me that, at the most basic level of analysis, the two proposals at issue must, individually and collectively, bearing in mind the site-specific definition of the Area of Separation in the development plan, conflict in principle with its policy object of maintaining the separateness of Broughton as a settlement distinct from the Preston Urban Area; not least in view of their scale and location on the southern margins of Broughton as defined for the purposes of Policy AD1 of the Local Plan. The reality of the matter is that the two settlements as currently defined in terms of the Policies Map, and in terms of physical presence, would become closer together.
84. However, it is clear from the policy as set out that the magnitude of the potential harm to its objects in any particular case is a matter of fact and degree and, moreover, susceptible to mitigation in practice. That being so, the nature of the development, in terms of potential density, design, landscaping, layout and so forth must also be influential in that judgement. The fact that the developments at issue are proposed in outline does not in any definitive way assist on that score but, equally, there is sufficient information on those factors to form a view in principle and, clearly, those particular factors fall to be weighed in the balance of harms and benefits in determining each of the appeals A and B on its individual merits.
85. In conclusion on this issue, it is clear and uncontested that both proposals conflict with the development plan so far as Core Strategy Policy 1 and Local Plan Policy EN1 are concerned. It follows that they would not accord with Local Plan Policy AD1(b) which contemplates small scale development within Broughton. I have also identified a basic in-principle conflict with Policy EN4 of the Local Plan concerning the Area of Separation between Broughton and Preston, albeit such conflict is susceptible to mitigation according to circumstances and individual merits.
86. It has been submitted that Policy MP of the Core Strategy has, in circumstances where paragraph 49 of the Framework is engaged by reason of a shortage of deliverable housing sites (and other circumstances where relevant policies are out of date or non-existent), the practical effect of overriding all other development plan policies. Whilst it is well recognised that development

plan policies can pull in opposing directions and indeed that is to some extent inevitable and therefore entirely normal, I consider, for the reasons previously given, that such an interpretation would be wholly incompatible with the planned system, if taken to the extreme. All manner of development plan policies would be uncritically overridden in pursuit of housing supply. Notwithstanding the priority given to substantially boosting it embodied in the Framework, it cannot on the face of that document be the case that housing supply must necessarily be boosted at the expense of all other policy considerations.

87. Therefore Policy MP does not, in my view, even given the acknowledged housing land shortfall, make the proposals at issue four-square with the development plan itself. Rather it requires the application of the so-called 'tilted balance' of Paragraph 14 of the Framework. Given that I have concluded there would be conflict with the strategic land use planning aims of the Council, which would have the potential at least to harmfully undermine them, that conflict and potential for harm is a consideration to be weighed in the balance in considering whether one or both proposals at issue represent sustainable development.

Neighbourhood Plan

88. Although the Neighbourhood Plan had previously progressed to a relatively advanced stage, prematurity was not cited as a reason for refusal by the Council and has not, as such, been put to me specifically as a consideration by the Parish Council, which acknowledges that, in procedural terms, it now still has some way to go as a consequence of the **Examiner's report** preventing it from being made, ultimately, as a consequence of a successful referendum.
89. Although I have read that report and am aware of its content, conclusions and recommendations, its merits are not a matter for me and I can accord it only limited weight as a material consideration in any event, as is the case with the emerging Neighbourhood Plan itself, notwithstanding what the Parish Council considers to be the unusual circumstances. The Neighbourhood Plan does not yet form part of the development plan, there are unresolved objections to it and its final content has yet to be resolved following a further examination.
90. My responsibilities are distinct from those of the examiner who will, in due course, conduct a fresh examination and report whether the basic conditions are met, in which case the way forward to a referendum would be cleared. In order to meet the basic conditions the making of the Neighbourhood Plan must be in general conformity with the strategic policies contained in the development plan for the Preston administrative area and **it is the examiner's** responsibility to assess whether or not that is the case. I, on the other hand, am charged with the responsibility of determining both appeals A and B now, in accordance with usual practice (in the knowledge that both appellants themselves recognise that their proposals conflict with both Policy 1 of the Core Strategy and Policy EN1 of the Local Plan) in the light of the evidence before me. But I see no justification in relevant policy or guidance for delaying those decisions as Mr Brown requests.³¹ Such an approach, in principle, would have significantly deleterious implications for the efficacy of the appeals system.

³¹ ID16 paragraph 27.0

91. The aims of the emerging Neighbourhood Plan are spelt out in the latest draft.³² These are tenfold and in summary are as follows: - retention of rural setting; appropriate scale of development; appropriate form and location of housing development; support for local businesses; vibrant local centre; conservation of heritage and improvement of environment in light of the removal of through traffic; enhanced leisure and recreation; promotion of health and well-being; successful integration of major new housing on the southern and eastern edges of the plan area (i.e. the parish as opposed to the village core); and the safeguarding of the qualities of the surrounding countryside.
92. Insofar as those general aims pull in the same direction as development plan policy which the Council and the appellants acknowledge to be offended by the appeal proposals (notably Core Strategy Policy 1 and Local Plan Policy EN1), or which I have otherwise concluded to be at least potentially at variance in principle with what is proposed (notably policy EN4), then I consider them to reinforce such policy intentions. However, insofar as specific policies and proposals in the Neighbourhood Plan still have some way to go before being incorporated into the statutory development plan, the weight, as the local planning authority acknowledges,³³ remains limited nonetheless. Moreover, pending the Neighbourhood Plan being formally made, a supply of only three years deliverable housing sites **continues to engage the "tilted balance" set out** in paragraph 14 of the Framework.³⁴
93. All in all, and notwithstanding the progress made and the effort undertaken by all concerned, I am constrained to give limited weight only to any conflict with the aims of the emerging Neighbourhood Plan per se.

Considerations specific to Appeal A

94. The final main issue I have identified concerns site-specifics and the following paragraphs therefore refer exclusively to Appeal Site A unless I indicate otherwise.
95. Situated on the south-west margin of the settlement, this elongated site wraps around the site of the high school and stands clear of Bank Hall and Bank Hall Farmhouse in deference to the listed status of the farmstead. Vehicular access would be taken from Sandy Gate Lane to the south of the high school entrance. The overall site size, the number of houses proposed and the illustrative plan all point to a comparatively low density scheme (circa 15 dwellings per hectare overall³⁵) with ample scope for generous gardens, open space to contain the proposed alternative route for the Guild Wheel through the site, retention of existing trees and generous landscaping.
96. The main public prospects of the site would be from Sandy Gate Lane itself, the high school and its grounds, the Guild Wheel along their common boundary with the site and its continuation southwards towards Preston as far as the rail overbridge. From all these points it appears part of quite an open, pastoral landscape on the fringe of the built up area of the village, albeit of relatively limited scenic quality in itself in my estimation. There would be a limited

³² CD17 paragraph 5.2

³³ TSoCG paragraph 2.35

³⁴ *Richborough Estates and others v Secretary of State for Housing, Communities and Local Government* [2018] EWHC 33 (Admin) - (Case concerning Written Ministerial Statement of 12 December 2016).

³⁵ Calculated on basis of application form

potential view of built form from the A6 Garstang Road, but this would be considerably mitigated by distance across intervening land and existing vegetation.

97. I am conscious that the evidence base of the emerging Neighbourhood Plan includes a landscape/visual appraisal of potential small-scale housing sites published in October 2017³⁶ and that, within this, Site L comprises the north-western extremity of the appeal site at Sandy Gate Lane and refers to openness as part of an agricultural landscape co-incident with the impression I have formed. Although this contributes to its relatively low ranking as a potential housing site, it is conceived of as a different, smaller, denser (25 dwellings per hectare assumed) site with less scope overall for mitigation of impact at the site margins through design and landscaping or provision of a comparably improved alternative route for the Guild Wheel at this location. Moreover, it has been produced for comparative purposes in the context of the emerging plan to which I can accord only limited weight and is of correspondingly limited assistance in the determination of this appeal.
98. The character and appearance of the appeal site and its immediate environs as open countryside on the rural fringe of the village would of course be changed and influenced by the proposed development, as must always be the case when greenfield land such as this is developed. However, the illustrative layout demonstrates that (with a modicum of adjustment) it should be possible to develop the site in a manner which, given its comparatively low density, is sensitive to its location on the rural fringe of the village and, if housing development is to be permitted in principle at this location, I would consider such an approach to be fundamental to its acceptability, even if that were ultimately to reduce numerical housing delivery at reserved matters stage.
99. It seems to me that this site, whilst carefully configured with the aims, amongst others, of preserving at least some of the setting of Bank Hall Farmhouse and standing back from the A6 Garstang Road, is at a critical point of transition between Broughton and the more obviously rural area to the south as far as the M55. Moreover, it sits within the defined Area of Separation (subject to Local Plan Policy EN4 pursuant to the principle established in Core Strategy Policy 19) between Broughton and houses recently constructed on the large area being developed on the allocated sites at North West Preston. In winter these are visible from the northern margins of the site in the distance beyond the motorway, albeit in the absence of details it is unclear to what extent landscaping as part of that development would obscure their visibility in due course.
100. In summer, I would anticipate that the overlap of trees and hedgerows across the intervening landscape would reduce if not altogether obscure them from the margins of Broughton in any event, but a strong southern boundary to the proposed development would be required to mitigate intervisibility between Broughton and the neighbouring city, so as to at least visually maintain the function of the Area of Separation in protecting the identity and distinctiveness of the settlements, thereby retaining a perception that Broughton is separated from Preston by an appreciable swathe of countryside rather than simply the motorway itself.

³⁶ ID12

101. Although the absolute extent of the Area of Separation would be reduced, there is nonetheless considerable scope for mitigation of harm to its fundamental intentions in the context of a well-conceived layout that is not overly ambitious in terms of housing density. Such a scheme would tend to **accord with the analysis set out in the officer's report, thereby reducing, albeit not eliminating altogether, conflict with the policy intention of protecting identity and distinctiveness.** Users of the Guild Wheel and any other routes across the intervening remaining countryside between the settlements would retain a sense of departure and arrival, plus some sense of rurality within the remaining Area of Separation.
102. I am required by reason of the primary legislation³⁷ to pay special attention to the desirability of preserving the setting of Bank Hall and Bank Hall Farmhouse. Insofar as this plainly includes the farmland generally surrounding them as the context in which they are experienced, the appeal site would undoubtedly alter it. I do not entirely agree therefore with the submitted **heritage statement which concludes that the "application site is located outside of the heritage asset's setting"**.³⁸ The heritage asset is plainly visible across the application site from the north where the Guild Wheel passes closest to it, certainly in winter when hedgerow vegetation is less effective, albeit that within a farming landscape the planting of a woodland can reduce the physical extent of such a setting in the normal courses of events. That is part of the normal evolution of the setting and has little impact on significance, much of which derives in this case from internal features in any event. Nevertheless, loss of perceptible agrarian setting would be a negative outcome in terms of the setting of the farmstead and would to some extent diminish its significance.
103. That said, I am satisfied that a more robust approach to the landscaping of the area between the heritage asset and the nearest section of the Guild Wheel than is indicated on the illustrative plan referenced 1575-801 would substantially assist in preserving the setting and mitigating what I would consider to be less than substantial harm to its significance in terms of the objectives of paragraph 134 of the Framework, specifically, and the similar intention of the development plan through Policy 16 of the Core Strategy and Policy EN8 of the Local Plan; albeit the former is not entirely consistent with the relevant paragraph of the Framework, which requires a balance of harm against public benefits. I am, moreover, satisfied that the determination of reserved matters is potentially capable of being an adequate safeguard in these respects.
104. It is common ground³⁹ between the Council and the appellant that there are no irresolvable objections to the proposed development on grounds of landscape or visual impact, ecology, highways or flood risk and drainage considerations. I have no authoritative evidence sufficient to gainsay that position, albeit many concerns raised by local residents are in respect of such matters. In particular there is a concern over highway safety and congestion bearing in mind the proximity to the high school. However, it seems to me that such congestion as does occur is a consequence of parental behaviour in using cars to pick up and drop off children at school times. This is a widespread tendency throughout the country, ultimately resolvable, if persistent, only by

³⁷ Planning (Listed Buildings and Conservation Areas) Act 1990 s66(1)

³⁸ Paragraph 4.1 of the submitted statement

³⁹ SoCG (A)

specific local management measures. The highway authority is in any event clear that the proposed access arrangements are safe and that residual network effects are in principle acceptable. They would certainly not be severe such as to justify refusal on the basis set out in paragraph 32 of the Framework.

105. Logically, given the proximity of the site to the school, there is unlikely to be significant additional parking pressure around the school arising from the proposed development and I am content that the interaction of the proposed access with the existing route of the Guild Wheel and the alternative put forward within the application site would, in principle, be acceptably safe. Moreover, the provision of the alternative proposed would obviate the necessity for users of the Guild Wheel to share the access to the high school - an attribute which I consider would make a positive contribution to highway safety. Ultimately it is the responsibility of all - motorists, cyclists and pedestrians - to interact safely with each other, within the confines of shared infrastructure where that is necessary, and there is nothing inherently unusual or unsafe about the arrangements proposed here to assist that process.
106. Nor do I accept that the enjoyment of the Guild Wheel would be significantly curtailed by what is proposed. A significant rural stretch would remain immediately south of the appeal site. Furthermore the existing Guild Wheel route between the site and the high school initially shares the access of the latter, is narrow, confined in nature, unlit and subject to angular turns. The alternative proposed, although characterised by the housing proposed primarily to the south of it, would nevertheless be gently curving, lit, and (as illustrated) significantly enhanced by potentially pleasant associated landscaping and open space. In the context of the varied nature of the route as a whole, I cannot accept that this would be a significantly harmful proposition. On the contrary, it has the potential to offer a significant improvement to a short stretch of this important local routeway.
107. Overall, for the above reasons, I consider the site-specific characteristics of the proposed development to be well conceived if only largely illustrative at this stage. The proposed development does have the potential to cause a degree of environmental harm insofar as it impinges on the setting of a listed building, albeit that can be largely mitigated through layout and design. Clearly it would involve the loss of open pasture at the fringe of the village but I have no persuasive evidence to suggest that this is valued landscape in the terms of paragraph 109 of the Framework and it is not best and most versatile agricultural land.
108. There is plainly a conflict with the intentions of Core Strategy Policy 1 and Local Plan Policy EN1, as previously explored. Moreover, the proposed development would conflict to a degree, in my view, with the intentions of Local Plan policy EN4 concerning maintenance of an area of separation, albeit the impact of that is susceptible to potentially significant reduction through careful detailed design, such that the perception of prospective merger with Preston and consequent loss of community identity could be mitigated to within acceptable limits. Conflict with development plan intentions is clearly a form of harm within a genuinely plan-led system which has to be set against other material considerations.

109. The weight to be accorded to the harms I have identified is a matter to which I return in the planning balance.

The planning obligation

110. The agreement entered into is a simple form of obligation which would over an appropriate timescale mitigate the impact of the development on the local primary school, provide for the encouragement of sustainable transport habits and deliver 35%⁴⁰ of the housing as affordable housing in accordance with development plan policy.

111. All the obligations in the document are necessary, proportionate and directly related to the proposed development and, in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, I am therefore able to accord them weight in my decision. I have not been advised of any prospective breach of Regulation 123 regarding pooled contributions.

Conditions

112. Leaving aside the main issues, and the scope of the planning obligation to mitigate certain impacts of the development, I am conscious that many other matters raised by individual local residents and the Parish Council in connection with the outline application subject to appeal are capable of being addressed by conditions or otherwise taken into account at reserved matters stage.

113. The Council suggested a range of potential planning conditions (SC)⁴¹ which were discussed at the inquiry. Although I consider them to be necessary and otherwise appropriate in the light of relevant policy and the Planning Practice Guidance, a number are complicated in expression to the extent that it would potentially reduce their robustness and efficacy; and it was agreed that simplification and/or closer adherence to established model conditions would be required in the event of the appeal being successful, as would the removal of duplication.

114. SC1 - SC3 relate to the definition and timescale for submission of reserved matters, the life of the outline permission sought and its definition by reference to specified drawings in the conventional fashion but would require some re-ordering and rewording as 4 separate conditions.

115. It was agreed that it would be necessary to define the permission not only by reference to plans but by specifying the maximum number of dwellings (97) to be constructed on the site. Over and above the need to define the permission with clarity and certainty, my additional reasons for considering such a condition to be necessary in this case are referred to in my reasoning.

116. SC4 and SC13 represent unnecessary duplication bearing in mind that a standard form of condition to control construction methods could be imposed, suitably adapted to encompass these and associated environmental pollution risks more efficiently and comprehensively.

⁴⁰ c/f erroneous reference to 30% at paragraph 6.5 of Mr Sedgwick's evidence

⁴¹ ID20a

117. SC5 concerns the potential for parts of the site to be contaminated for one reason or another but is excessively complicated. It was agreed that it would need to be simplified.
118. SC6 and SC7 concern the implementation of highway works and the proposed alternative route for the Guild Wheel and would be, subject to some re-wording, necessary.
119. SC8 concerns the submission and approval of a travel plan to encourage sustainable travel habits from the outset. It was therefore agreed that the proposed threshold of occupation would be irrelevant and that the travel plan would need to be in place prior to any dwelling being occupied.
120. SC9 concerns wheel cleaning of construction vehicles and would most appropriately be incorporated in the construction method statement previously referred to.
121. SC10 – SC12 variously concern foul and surface water drainage but are excessively and unnecessarily complex. A much simpler approach is to be preferred and the use of sustainable urban drainage principles in the case of the surface water arrangements should be maximised. SC14 would be necessary because Site A has the potential to affect an aquifer if piling or other penetrative foundation techniques are used.
122. SC15 would also be necessary in the case of Site A because the detail of managing and maintaining open space is not otherwise provided for in the planning obligation.
123. SC16, SC17 and SC18 would be required in the interests of maintaining and enhancing biodiversity.
124. SC19 and SC20 would be required to promote energy efficiency and encourage and facilitate more sustainable travel in accordance with local and national policy objectives, including, respectively Policy 3 and Policy 27 of the Core Strategy and, bearing in mind the spirit of the Written Ministerial Statement of 25 March 2015, the requirement in respect of equivalence to Code Level 4 is a reasonable one.⁴²
125. Logically, and for consistency, a condition equivalent to SC10 proposed by the Council in the case of Appeal B, to ensure that management and maintenance of the estate roads is put on a proper footing, would be required.
126. Finally, I consider, and it was agreed, that a condition to protect trees on the site, equivalent to that proposed by the Council in the case of Appeal B, would also be necessary.

Planning balance and overall conclusion

127. The proposed scheme of housing development clearly conflicts with the intentions of the adopted development plan in a number of respects as I have explained. But that of course is not the end of the matter, bearing in mind the

⁴² Policies requiring compliance with energy performance standards that exceed the Energy requirements of Building Regulations can be applied until commencement of amendments to the Planning and Energy Act 2008 in s43 of the Deregulation Act 2015 (not yet in force). At this point the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced conditions should not set requirements above a Code level 4 equivalent.

- powerful material consideration of the Framework and, more specifically its explicit intention to boost significantly the supply of housing.
128. Although the policies with which the proposed development conflicts are not policies for the supply of housing as such and may be accorded weight as adopted policies of the development plan, even in circumstances of housing land shortage, by contrast with those of the yet-to-be-made Neighbourhood Plan to which I can accord only limited weight, there are significant benefits potentially arising from the development and a more rounded assessment is required, bearing in mind that application of such policies with full rigour could have the effect of frustrating that important intention of the Framework concerning housing supply.
129. The economic benefits of new housing development are well appreciated, both in terms of the direct stimulus to the local economy and in terms of indirect benefit to local enterprise requiring a local labour force. Moreover, I am persuaded that, more probably than not, the new housing proposed will have positive consequences for local businesses and the provision of services in the village centre. It is logical that should be so, given the increased customer base, not least in the context of consequential and potential improvements facilitated by the removal of through traffic on the A6 Garstang Road. It is, moreover, logical that the cumulative effect of both appeal proposals A and B would be commensurate in terms of that particular benefit.
130. Bearing in mind the potential for biodiversity enhancement at the detailed design stage, the environmental impacts are broadly neutral in the balance. Clearly there would be loss of open pasture to the south of the village and some reduction, in absolute terms, in the actual separation from Preston and perception of that, but much can be done, in all the circumstances, to effectively mitigate the latter. Impact on the setting of Bank Hall and Bank Hall Farmhouse could be effectively mitigated at reserved matters stage and the harm to its significance would be not only less than substantial but markedly at the lower end of that spectrum of harm in, my assessment, and falls to be weighed against the public benefits of the development in any event.
131. In social terms, these benefits would be substantial. Open market housing is needed but more particularly it is clear from the evidence⁴³ that in this locality, as in many places, the provision of a significant amount of affordable housing is a benefit to which very considerable weight should be given.
132. I am also conscious that, notwithstanding local opposition to the development on a variety of planning grounds considered above or otherwise capable of being addressed through condition or obligation, there is a lack of objection from consultees other than the Parish Council⁴⁴ **and that the Council's** single reason for refusal has not, in the event, been sustained.
133. Given those circumstances, the statutory presumption in favour of the development plan must be seen in the light of the material considerations in favour of the proposal and on the ordinary balance of planning advantage (in the context of a shortfall of deliverable housing sites) I am clear that I would consider them to favour the grant of planning permission.

⁴³ Evidence of Mr Sedgwick but more particularly the evidence of Mr Harris for Appellant B (paragraphs 7.1 – 7.32)

⁴⁴ CD4 paragraph 3.5

134. In this case, however, the concessions by the Council regarding its supply of deliverable housing sites and the effectively uncontested evidence of the appellant in that regard, both in respect of this appeal and Appeal B, demonstrate not only that paragraph 49 of the Framework is engaged but that the shortfall of deliverable housing sites vis-à-vis the five year requirement is currently severe. The **application of the 'tilted balance'** of paragraph 14 is therefore central to my overall conclusion on the merits of this case.
135. Paragraph 14 is to the effect, amongst other things, that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole, or specific policies therein indicate that development should be restricted.
136. For all the reasons I have given, I consider there would be no adverse impacts sufficient to do that, especially bearing in mind the severity of the demonstrated shortfall of deliverable housing sites; and there are no specific policies of restriction to be applied in that sense.
137. Having taken all other matters raised into account, I therefore conclude that, on the evidence relevant to both appeals A and B, and on its specific individual merits, this appeal should be allowed.

Keith Manning

Inspector

Annex: Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (dwg. LOCA001); Proposed Site Access (dwg. PB5008/SK003 A).
- 5) The development hereby permitted shall be limited to a maximum of 97 dwellings.
- 6) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;

- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding/fencing including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from construction works;
- viii) delivery and construction working hours.
- ix) Protection of surface and groundwater resources

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 7) No development shall take place until a contaminated land assessment, including a site investigation and remediation scheme (if necessary) has been submitted to and approved in writing by the local planning authority. Any remediation scheme so required shall be implemented as approved and, in the event of such a scheme being required, no dwelling hereby approved shall be occupied until a contaminated land closure report has been submitted to and approved in writing by the local planning authority.

If during any subsequent works contamination is encountered that has not previously been identified, then such contamination shall be fully assessed and a remediation scheme shall be submitted to the local planning authority for approval in writing. Any remediation scheme so required shall be implemented as approved and, in the event of such a scheme being required, any of the dwellings hereby approved that have not already been occupied shall not be occupied until a contaminated land closure report has been submitted to and approved in writing by the local planning authority.

- 8) No development shall take place until the detailed construction designs and a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in writing. Thereafter, no dwelling shall be occupied until all the highway works within the adopted highway have been constructed in accordance with the approved construction designs and scheme.
- 9) No development shall take place until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and a maintenance company has been established.

- 10) No development shall take place until a fully detailed scheme for the construction of the "Alternative Guild Wheel Cycle Route" (as indicated on the Illustrative Layout Plan, drawing 1575-801 G) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation and shall be carried out in accordance with the approved details.
- 11) No dwelling shall be occupied until a Full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 12 months for a period of 5 years after the adoption of the Plan to ensure that the approved plan is carried out in accordance with its approved provisions.
- 12) No development shall take place until a detailed scheme for surface water drainage incorporating sustainable urban drainage principles has been submitted to and approved in writing by the local planning authority. The scheme shall include detailed management and maintenance arrangements for the lifetime of the development and shall be implemented in accordance with the approved details.
- 13) No development shall take place until a detailed scheme for foul water drainage has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.
- 14) No piling or any other foundation designs using penetrative methods shall take place other than with the express written consent of the local planning authority. Any such operation shall only be carried out fully in accordance with the detailed terms of any express consent granted.
- 15) No dwelling shall be occupied until a maintenance and management plan for the public open space within the site (as indicated on the Illustrative Layout Plan, drawing 1575-801 G and/or embodied in any reserved matters approval) has been submitted to and approved in writing by the local planning authority. The maintenance and management plan shall include provisions to ensure that the public open space is maintained and managed to reduce the possibility of pollutants entering groundwater and the risk to public water supply. The public open space shall be managed and maintained in accordance with the approved management plan for the lifetime of the development.
- 16) The development hereby approved shall be carried out in accordance with the recommendations of the Ecological Survey and Assessment by ERAP Ltd (Ref: 2014_208, May 2016), the accompanying Method Statement and the Reasonable Avoidance Measures therein.
- 17) There shall be no works to trees or vegetation clearance works between 1st March and 31st August in any year unless a detailed bird nest survey has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present, and this has been agreed in writing by the Local Planning Authority.
- 18) Prior to the **erection of any external lighting an external 'lighting design strategy' shall be submitted to the** local planning authority for approval in writing. The strategy shall identify areas/features on site that are

potentially sensitive to lighting for bats and show how and where the external lighting will be installed (through appropriate lighting contour plans.) All external lighting shall be installed in accordance with agreed specifications and locations set out in the strategy and thereafter maintained in accordance those approved details.

- 19) No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the development can achieve energy efficiency standards equivalent to Level 4 of the Code for Sustainable Homes. The development shall thereafter be carried out in accordance with the approved scheme.
- 20) Prior to the first occupation of any dwelling, that dwelling shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.
- 21) The development hereby approved shall be carried out in accordance with the recommendations of the Tree Survey by Appletons dated 16 February 2016 submitted with the application. No development shall begin until details of the means of protecting trees and hedges within and immediately adjacent to the site, including root structure, from injury or damage prior to development works have been submitted to and approved in writing by the Local Planning Authority. Such protection measures shall be implemented before any works are carried out and retained during building operations and furthermore, no excavation, site works, trenches or channels shall be cut or laid or soil, waste or other materials deposited so as to cause damage or injury to the root structure of the trees or hedges.

* * *

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Alan Evans of Counsel

He called

Michael Molyneux BA MSc BTP MRTPI
Head of Planning Policy

FOR THE APPELLANT:

Ian Ponter of Counsel

He called

Ben Pycroft BA (Hons) Dip TP MRTPI
Associate Director, Emery Planning

Paul Sedgwick DipTP
Principal, Sedgwick Associates

FOR BROUGHTON PARISH COUNCIL:⁴⁵

Patricia A Hastings
BSc RN RM RNT PGDip Ed
(Chairperson)

She called

David R Mills, Parish Councillor
Leslie R Brown, Local Resident
Patricia A Hastings
(in her own capacity as witness)

INTERESTED PERSONS:

Councillor Neil Cartwright
Tim Brown BA MRTPI

Ward Councillor
tb Planning

INQUIRY DOCUMENTS

- ID1 Draft planning obligation (Appeal A)
- ID2 Statement of Common Ground (Appeal A)
- ID3 Opening Statement (Appeal A – Hollins Strategic Land)
- ID4 Opening Statement (Appeal B - Wainhomes)
- ID5 Letter dated 19/12/2014 from Brandon Lewis MP (then Minister of State for Housing and Planning) to PINS
- ID6 Officer report to Joint Advisory Committee on resumed examination of Central Lancashire Core Strategy
- ID7 Central Lancashire Authorities Publication Core Strategy DPD,

⁴⁵ Broughton In Amounderness Parish Council is the full and formal title

Inspector's Report – May 2012

- ID8 Proof of Evidence of Michael Molyneux BA MSc BTP MRTPI re APP/N2345/W/15/3007033
- ID9 Opening remarks of Preston City Council
- ID10 Opening Statement by Parish Council
- ID11a First draft of suggested conditions (Appeal A)
- ID11b First draft of suggested conditions (Appeal B)
- ID12 Broughton-in-Amounderness Neighbourhood Plan: Landscape visual appraisal of small-scale housing sites (October 2017)
- ID13 Letter dated 07/09/2017 from Ben Wallace MP to Mr Leslie R Brown
- ID14 Internet article on housing development and traffic congestion in North West Preston – Lancashire Evening Post
- ID15 **'Blog' regarding operation of new Broughton Bypass**
- ID16 Statement of Tim Brown BA MRTPI
- ID17 Statement of Councillor Neil Cartwright
- ID18 Nos. 40 & 41 bus timetable
- ID19 No 4 bus timetable
- ID20a Second draft of suggested conditions (Appeal A)
- ID20b Second draft of suggested conditions (Appeal B)
- ID21 **Parish Council's Closing statement**
- ID22 Closing statement (Appeal B - Wainhomes)
- ID23 Closing statement (Appeal A – Hollins Strategic Land)
- ID24 Costs application (Appeal A – Hollins Strategic Land)
- ID25 Costs application (Appeal B - Wainhomes)

CORE DOCUMENTS

- CD1. Wainhomes - Committee report 15th June 2017
- CD2. Wainhomes - Minutes of Committee 15th June 2017
- CD3. Wainhomes - Decision Notice
- CD4. Hollins Committee report
- CD5. Hollins Minutes of Committee
- CD6. Hollins Decision Notice
- CD7. Central Lancashire Core Strategy
- CD8. Preston Local Plan
- CD9. Affordable Housing SPD October 2012
- CD10. 2017 Housing Land Position Statement (base date 30th September 2017)
- CD11. 2009 SHMA
- CD12. 2013 Housing Needs and Demand Study
- CD13. 2017 SHMA

- CD14. Draft Broughton Neighbourhood Plan March 2017
- CD15. Submitted Broughton Neighbourhood Plan
- CD16. Examiners Report Broughton Neighbourhood Plan September 2017
- CD17. Broughton Neighbourhood Plan October 2017
- CD18. BNDP representation Emery Planning/Wainhomes
- CD19. BNDP representation Sedgwick Associates/Hollins
- CD20. National Planning Policy Framework
- CD21. Suffolk Coastal District v Hopkins Homes & Richmond Estates Partnership LLP v Cheshire East Borough Council [2016] EWCA Civ 168
- CD22. Suffolk Coastal District v Hopkins Homes & Richmond Estates Partnership LLP v Cheshire East Borough Council [2017] UKSC 37
- CD23. 3167436 Appeal at Garstang Road, Barton, Preston
- CD24. 3160927 Appeal land at Pudding Pie Nook lane, Broughton, Preston
- CD25. 3130341 Appeal Land off Garstang Road, Barton, Preston
- CD26. 3007033 Appeal land at Preston Road, Grimsargh, Preston
- CD27. **"Fixing our broken housing market" Housing White Paper February 2017**
- CD28. 3173275 Appeal Land at Pear Tree Lane, Euxton, Chorley
- CD29. St Modwen Developments Ltd v East Riding of Yorkshire Council [2016] EWHC 968
- CD30. St Modwen Developments Ltd v East Riding of Yorkshire Council [2017] EWCA Civ 1643
- CD31. Oadby & Wigston Council v Bloor Homes Ltd [2016] EWCA Civ 1040
- CD32. 2200981 & 2213944 Appeal Land to the East and West of Brickyard Lane, Melton Park, East Riding of Yorkshire
- CD33. City & District of St Albans v Hunston Properties Limited [2013] EWCA Civ 1610
- CD34. Preston City Council Cabinet, 19 September 2017, Minute 42

- CD35. **"Planning for the right homes in the right places: consultation proposals",**
DCLG, September 2017
- CD36. 3165490 Appeal Land to the south of Dalton Heights, Seaham, Co
Durham
- CD37. Communities and Local Government Select Committee, Oral Evidence,
HC 494, 1 November 2017
- CD38. Zurich Assurance v Winchester City Council and South Downs National
park Authority [2014] EWHC 758
- CD39. Planning Advisory Service online; pas-topics/local-plans/five-year-land-
supply-faq#15
- CD40. 3165930 Appeal land north and east of Mayfields, The Balk, Pocklington,
East Riding of Yorkshire
- CD41. **Preston Local Plan Inspector's report, June 2015**
- CD42. Schedule of volume housebuilder, HCA and strategic land company sites,
Preston, October 2017
- CD43. Wainhomes - Planning, Affordable Housing, Heritage and Design and
Access Statement
- CD44. Hollins – Planning Statement
- CD45. Wainhomes Landscape and Visual Impact Assessment
- CD46. Wainhomes Layout
- CD47. Memorandum of Understanding Between Preston, South Ribble and
Chorley.

Appendix C Indicative Sketch Layout



Connections into Guild Wheel

Bus Stops and Village Centre

Guild Wheel

Garstang Road

Consented at Appeal

Consented at Appeal

Sustainable Urban Drainage System

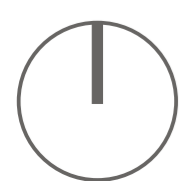
Existing Trees Protected and Enhanced

New Permanent Wildlife Pond

Bus Stop (65m)

New Community Pavilion Space

Significant New Tree and Hedgerow Planting for Biodiversity Net Gains



Drawing Title: Garstang Road Sketch Layout
 Drawing Number: UG1951 - URB - UD - XX - XX - SK - (90) - 002
 Project: Garstang Road, Broughton

Revision: B
 Scale: 1:500 @ A2
 Date: 21.06.21

