



Appeal Decision

Hearing opened on 27 June 2012
(Sitting days 27-28 June 2012)

Unaccompanied site visits made on 26 and 29 June 2012 and 16-17 July 2012
and accompanied ones on 27 and 28 June 2012.

by J S Nixon BSc(Hons) DipTE CEng MICE MRPTI MCIHT

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 August 2012

Appeal Ref: APP/N2345/A/12/2169598

Land at Whittingham Road, Longridge, Preston, PR3 2AD.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a refusal to grant outline planning permission.
 - The appeal is made by Fox Strategic Land and Property Ltd against the decision of Preston City Council (City Council).
 - The application (Ref. No:06/2011/0344) dated 15 February 2011 was refused by notice dated 9 January 2012.
 - The development proposed is for mixed use residential, B1 commercial offices, C2 residential apartments with care, D2 leisure facility/swimming pool, access, public open space and associated works.
-

Decision

1. For the reasons given below, this appeal is dismissed.

Introduction and clarification

2. This is an outline application with all matters reserved apart from access, which falls to be considered at this stage. Although the application was decided in January 2012, before publication of the Government's National Planning Policy Framework document (the Framework) in March 2012, the content of the Framework had been taken on board by the main parties and, where appropriate, covered in their evidence. The application was recommended for conditional approval by the Officers. A signed s.106 Agreement was handed in on the second day of the hearing.

Main Issues

3. Having regard to the evidence presented, the written representations and visits to the site and surroundings, it follows that the main issue to be decided in this appeal is whether the residual cumulative impacts from traffic on key local highway corridors between Longridge and Preston would be so severe as to outweigh the agreed shortfall in the 5-year housing land supply and all other benefits.

Reasons

Traffic and transport

Policy framework

4. The Council's reason for refusal makes reference to Preston Local Plan (LP) Policy T19, the North West Regional Spatial Strategy (RSS) Policy DP5 and Planning Policy Guidance Note 13: Transport (PPG13). There is acceptance that PPG13 has been superseded by the relevant sections of the Framework. As for LP Policy T19, this looks for development not to prejudice road safety and the efficient and convenient movement of all highway users (including bus passengers, cyclists, pedestrians and equestrians). It is clear that, under most circumstances, this imposes a less stringent test than paragraph 32 of the Framework, which looks to allow development unless the residual cumulative effects are severe.
5. RSS Policy DP5 does not seek to quantify harm, but looks for the generation of travel demand from new development to be managed, with particular reference to reducing the need to travel and increasing accessibility. This is consistent with the Framework sustainability objectives in respect of travel, but falls shy of defining an unacceptable level of management. Thus, there is no conflict between the RSS Policy DP5 and the Framework, leaving unacceptability to be defined by the relevant sections of the Framework.
6. The crux, therefore, is to evaluate the residual degree of travel impact and assess whether this would be severe. To do this, one can start with the baseline or 'as is' situation and add to that expected growth, the levels of travel expected from committed development and the travel demand from the appeal development itself. With this in place, one can look at what improvements will materialise as a consequence of the Council's/highway authority's programme, permissions for committed development and the improvements specific to the scheme in question. Then for the design year the expected travel conditions can be assessed to see if the residual outcome would be severely adverse.
7. It is not, as suggested by some, to look merely at the magnitude of the increased traffic generated by the development proposal compared to the existing levels, and to see if the improvements proposed as part of a scheme deliver a nil detriment outcome. It is to assess the final residual implications for the highway and transport network and establish if these would be severely adverse.

The baseline

8. The baseline figures proffered by the main parties are based on traffic counts and the outturns of ARCADY, PICADY and LINSIG programme runs and on-site observations. This appears to be consistent across the Appellants, the City Council and Lancashire County Council. However, it was not until the Council appointed an expert witness, who observed queue lengths and delays at the junction of the A6 and B5269 (referred to as Broughton Cross) at significant variance with the LINSIG predictions, in some cases by a very

large factor of difference, that alarm bells sounded. As a consequence, I took the opportunity to conduct a lengthy and detailed pre hearing site visit and observation and this confirmed a distinct and grossly material difference in that observed position and the LINSIG outturn and resultant understanding of the parties to the decision. This was particularly so along the B5269 through Goosnargh and Broughton, but also, though to a much lesser extent, along the B6243 and B6244, Preston Road, through Grimsargh.

9. Looking first at the B5269, observations and records show very few if any problems between the proposed appeal site accesses and where the B5269 passes under the M6. The route, is subject to a 30mph speed limit when passing through the villages of Whittingham and Goosnargh and a 40mph for the remainder. Even in peak hours the current use resembles a semi-rural road, accommodating well spaced traffic.
10. The sea change occurs after the B5269 passes under the M6 Motorway and for the distance of some 700 metres to the signal controlled junction at Broughton Cross. This is an extremely busy junction, with the LINSIG outturns showing it operating well above practical reserve capacity, and at worst, -22% in the am peak and -33% in the pm peak. LINSIG shows expected queue lengths of 200+ m on the A6 approach from the north, and 110+ m on the B5269 approach from the east, which is the one serving the hinterland to the east, including the appeal site.
11. However, my observations on the day before the hearing challenged these outturns and the journey time between joining the end of the queue on the B5269 and passing through the A6/M55 roundabout junction 900 m south of Broughton Cross, a total distance of 1.6 km, took in excess of 20 minutes. This was confirmed by Lancashire County Council in a post decision evaluation when southbound queues on the A6 were recorded as 1070m in both the morning and evening peaks and northbound queues of 700 m in the am peak and 900 m in the pm peak, with westbound queues on the B5269 of 150 m and 470 m in the am and pm peaks respectively.
12. As a consequence, when opening the hearing I expressed concerns and adjourned proceedings early on the first day to allow representatives of the main parties to accompany me to observe the operation of Broughton Cross during the pm peak hour. This confirmed first impressions and the reason for the vast discrepancies between the observed and the predicted queuing and delay figures submitted to the hearing quickly became clear.
13. Essentially, the outturns from the LINSIG model runs used are predicated on those vehicles having crossed the stop line being faced with a clear exit from the junction. In other words, it treats the junction as an isolated feature with no backup of traffic from or linked interaction with the next junction that inhibits the exit lanes from the junction being assessed. However, in this instance, the A6 exit from Broughton Cross southbound is 'gated', with exiting vehicles impeded by traffic queuing back from the A6/M55 junction to the south. This situation is made worse by the high levels of demand on the pelican crossing some 100 m south of Broughton Cross. At busy times,

observed both during the am and pm peaks, the effects of this are pronounced.

14. The problems can be triggered in a very short timescale, referred to descriptively by the Appellants as 'like the flick of a switch'. This is usually caused by the tailback from the M55/A6 junction. However, as the Broughton Cross junction is geometrically challenged, local hold-ups can be as a consequence of a stopping bus or parked vehicle, a large queuing or turning vehicle or even a cyclist. Thereafter the operation of the junction works at well below its theoretical or practical capacity, with queuing vehicles held short of the stop line and unable to pass through the junction, which quickly becomes 'locked'. This, in turn, precipitates some highly unfortunate, not to say irresponsible and dangerous, driver actions.
15. Observations showed that during both am and pm peaks the red signal frequently becomes a basis for negotiation, with one, two and even three vehicles crossing the stop line on red. This is potentially dangerous under any circumstance, but particularly so for westbound traffic on the B5269. Here the stop line is set back some distance to allow southbound vehicles on the A6 to make the very tight left turn into the B5269. As a consequence, extra time is needed for those vehicles that have crossed the stop line on the B5269 westerly approach to clear the junction. If vehicles pass through on red, this leaves them exposed and vulnerable for longer and eats significantly into the inter-green, with the disbenefit to other users and especially pedestrians and turning traffic.
16. Other unfortunate driver manoeuvres were also observed. These included a U-turn in the middle of the A6, frequent disregard of the protected right turn lane on the A6 at the Marriott Hotel access and drivers, especially southbound, overtaking queuing traffic on the wrong side of the A6 carriageway. In addition, both the northbound and southbound queues on the A6 at the Broughton Cross greatly exceed the LINSIG predictions.
17. One of the key problems in verifying the LINSIG outturns with observed queues is expressed by the Appellants as the difficulty in explaining to enumerators how to decide where the back of the queue starts. This is easily understood in circumstances like this, where the queue on the signal approach is not cleared at the end of the relevant green phase. This leaves a series of shuffling platoons of traffic on the approach to the stop line that are intrinsic parts of the queue to the junction, but not necessarily observed as stationary or visibly queuing at all times.
18. Three other factors need to be appreciated. The first of these is that vehicles generated by the appeal site and wishing to reach certain destinations such as the M55 for Lytham, Blackpool and Fleetwood have no reasonable alternative route. Thus, the impact of these vehicles on Broughton Cross will be exactly the same as if it was situated 70m from the site and not 7 Km. Secondly, the inefficient working of Broughton Cross impinges directly on emergency vehicles, and there is an A&E Hospital just to the south of the M55. Similarly, it adversely affects the public transport alternative, by delaying the No. 4 service, which is currently very infrequent, less than one an hour, and not operating much outside the working day.

19. Finally, in the same way the problems at Broughton Cross can emerge at 'the flick of a switch' they can decay almost as quickly. This means that the peak within the peak, when the greatest dangers occur, may currently only last at Broughton Cross for a matter of 30 or 45 minutes. Difficulties at the Marriott access and with general poor lane discipline on the A6 last much longer, but the impact of traffic from the appeal site and Longridge generally at this point would be less direct than at Broughton Cross, where some vehicles will have turned right onto the A6 northbound or gone straight across and proceeded westwards on the B5269.
20. In summary, the LINSIG outturns cannot be relied on as reasonable indicators of conditions on the ground. Crucially, it seems that Officers of the City Council and Lancashire County Council relied on these in reaching their conclusions, which informed the positive Officer recommendation on the appeal proposal. It would seem that neither had checked fully at the decision date to see if the outturns correlated with actual site conditions. They were not represented at the hearing. Thus, as a consequence of the observed operation of Broughton Cross over several days, I have no hesitation in concluding that the current situation at the Broughton Cross junction is one stage worse than severe and, even today, should be categorised as extreme.
21. It is also worth pointing out that the observations took place in the summer during good weather conditions in daylight and not during the winter months, when driving conditions may be far worse.
22. Moving to look at the existing conditions on the Grimsargh route along the B6243/B6244 through to the employment areas north east of Preston and the City Centre itself, the Council advanced very limited objective evidence. The Appellants addressed the main points raised by local objectors, and my assessment of existing conditions from a number of runs made between the appeal site and Preston City Centre largely coincides with their conclusions.
23. It is a well used route and there are two or three pinch points such as Skew Bridge and a certain amount of on-street parking that slows traffic down. Even so, nothing untoward was experienced, and certainly nothing that could be described as amounting to severe conditions. There are short term problems at pinch points and junctions, but it is again a semi-rural route with a transitional change to more urban features the closer it gets to the City Centre. Moreover, there are several minor traffic management efficiencies, such as traffic regulation orders, traffic calming and even signals that could be introduced if the Council felt them to be necessary.
24. There is, however, one unknown factor and this is the extent to which any of the traffic from the B5269 would reassign to the B6243/B6244, as a consequence of the delays at Broughton Cross. This would be unlikely in normal traffic circumstances, simply because the destinations are so different. However, in extreme conditions it might have implications for traffic generated by the approved redevelopment of the Whittingham Hospital site. From here, the travel distance using the A6 might appear superficially attractive, even for City Centre locations. Notwithstanding, if

Broughton Cross remains in such a parlous state, and even worsens before any relief, this may well divert some traffic through Longridge and Grimsargh, where the addition of the appeal site traffic would aggregate to make conditions on this route much worse. With the figures and evidence presented to the hearing, this is difficult to quantify, but one can appreciate local concerns.

Growth

25. The Appellants have adopted low growth forecasts for traffic and this is not questioned by the Council. Having said this, there are two reasons to treat this with caution. The first is that the baseline traffic figures were taken at a low point in the worst economic recession for decades and as we emerge from this, the traffic generation may tend to the medium growth rates. Secondly, those at the hearing were unable to provide up-to-date car ownership levels, though what evidence there was indicates a lower ownership level than the national average. This suggests that future car ownership could, also, be a factor in questioning a low growth scenario.

Committed development

26. The next stage is to look at the traffic generated by committed development, between today and the design year of 2016/17, and how this should be assigned to the network. The difficulty with accurately forecasting this is the present slow build out rates of sites that have started and those that have the benefit of a planning permission, but are yet to start.
27. Within the Longridge area itself, the hearing was advised that two sites have planning permission and these should deliver 110 new dwellings, with movement on several other sites. However, a strict interpretation of committed has been adopted so that those that might come forward, but have yet to be granted planning permission have been discounted. For the two with consents, the hearing was not advised that either scheme is conditioned to provide any dedicated highway improvements that would deliver a wider sphere of benefit. Thus, it seems reasonable to assign travel from these according to the prevailing modal and directional splits for Longridge. For any consents that do emerge in the future there is the option to require contributions to the highway/travel impact they may generate.
28. There is next the large scheme of 650 dwellings, 9,000sqm of B1, primary school, leisure and open space etc on the former Whittingham Hospital site, lying between the appeal site and Broughton Cross. This development is accompanied by a s.106, which should deliver a 70+% contribution to a Broughton By-pass, that would take traffic away from Broughton Cross. However, Condition No.4 to the permission allows the By-pass contribution to be delayed until the 350th residential unit and 1000 sq.m of B1, subject to the rephrasing of the signals prior to occupation of the 151st house and a minor junction improvement at Broughton Cross prior to occupation of the 251st dwelling.
29. On the basis of this Undertaking/Condition, and the expected build out rate, the By-pass would not be open until some 2-years after the 350th dwelling,

when the occupation of some 550 houses is programmed. As such, Broughton Cross would have to survive with very limited improvement until this time, which could easily be well after completion of building on the appeal site.

30. Finally, there is the allocated site at Cottam, south of the M55, where some 450 dwellings are committed so far. This should have limited direct impact on Broughton Cross, but will affect the operation of the M55/A6 roundabout, where traffic wishing to access the M55 and M6 eastbound will 'control', and inevitably delay, southbound traffic on the A6 further, thereby extending the duration of the 'gate' at Broughton Cross. While there are proposals to improve the M55/A6 roundabout as part of the Broughton By-pass scheme, the hearing was not advised of any improvements in advance of this.
31. Summing all this up, the committed development in the locality will greatly exacerbate the already extreme conditions at Broughton Cross between now and the design year of 2016/17, and in practice until the By-pass is open.

Appeal site traffic

32. The figures advanced by the Appellants and the Council for peak hour traffic generated by the appeal site differ by a factor of 100%. The Appellant's figures are based on the established travel patterns in Longridge, whereas the Council's assessment is intended to be more site specific. For my part I am more inclined to the Council's position.
33. In the first place, new development invariably generates higher car usage than older established property. Secondly, the appeal site is a good walk (more than 400m) from the key bus service No.1 along Preston Road, which runs every 10 minutes into the City Centre during peak hours. The alternative bus service (No. 4) to Preston is currently an hourly service, but has to negotiate the Broughton Cross intersection, with the delays that imposes. As part of the Whittingham Hospital proposal this service will increase in frequency and new bus stops will be located near to the appeal site. However, as the eventual destination is the same, namely Preston Bus Station, few if any on the appeal site will choose the less frequent service, not least because the journey time is far in excess of the more direct route.
34. The Transport Assessment correctly identifies the appeal site as inward facing for many services such as schools, doctors, dentists and most shopping. As such, the walk and cycle trips should be of a higher order than for a more remote site. However, once again, the walk isochrones deliver distances well in excess of 400m from most parts of the appeal site to key service providers and this will act as a deterrent to walk trips. Thus, although it should be a sustainable location on the edge of a Key Service Centre as defined in the Development Plan, the difficult and often exposed and/or tortuous linkages envisaged are not encouraging for pedestrian trips.
35. On this basis, the robust traffic impact assessment for traffic generated by the appeal should be taken as approaching 40 vehicles added to the Broughton Cross junction in both the am and pm peak hours.

Improvements

36. The anticipated additional flow through Broughton Cross from the first 350 dwellings at Whittingham is predicted to be some 216 in the am peak and 235 in the pm peak. Factoring up to 550 dwellings, this gives a generation figure, likely to be achieved before the Broughton By-pass opens, in the order of 340 in the am peak and 360 in the pm peak. The assumption being made is that the signal rephrasing and subsequent geometric improvements will cater for the 216 and 235, with only the additional 124 am and 125 pm adding temporarily to the queues at Broughton Cross.
37. However, this is a manifestly flawed conclusion. In the first place, it is agreed that revalorising MOVA (Microprocessor Optimised Vehicle Actuation) at the Broughton Cross will offer little or no relief during peak periods, where the queues being managed will extend beyond the key detection points. Secondly, the minor junction improvements envisaged are to improve approach capacity. This is all very well, but if the exit from the signals along the A6 southbound is 'gated' during the peak hours all the improvements in the approach widths and signal timings will do nothing to relieve the situation and the additional traffic will merely add to the approach queues.
38. Looked at simplistically, if only the observed 10 to 12 vehicles cross the stop line on the easterly approach to Broughton Cross then the queue and resultant peak hours will extend significantly, with the 2-300 extra vehicles predicted to arrive at Broughton Cross from the Whittingham Hospital site, plus any additional vehicles generated by the two committed sites in Longridge.
39. The proposals to improve traffic movement through Broughton Cross as part of the appeal scheme, by upgrading the MOVA settings and resiting and replacing the pelican just south of the junction with a puffin, will do nothing to offset the increase in traffic demand from the appeal site during the peak hours and beyond. In fact, in awarding more green time to pedestrians at the expense of vehicle traffic, the puffin could actually worsen vehicle congestion and delay. Nor would an uprating of the No. 4 bus service and additional stops near to the appeal site achieve very much, so long as the Broughton Cross delays continue.
40. The hearing was advised of no other highway, traffic or transport improvement schemes that would improve the situation in advance of the construction of the Broughton By-pass.

The overall position

41. Looking first at the B6243/B6244 Preston Road route, the situation would get worse with the added traffic predicted from the appeal site. Moreover, if drivers do see this route as an option to the B5269/A6 route into Preston Centre then the capacity restraint effects of Broughton Cross may lead to some reassignment of traffic and possibly some back-feeding from the redeveloped Hospital site. Having said this, there are traffic management measures that could be taken along the B6243/B6244 route to reduce the impact and certainly the accident risk. Under these circumstances, there is

no objective evidence to the effect that the increased delay and inconvenience would be severe and, therefore, this does not constitute a compelling argument against granting planning permission on the appeal site.

42. The B5269 route through Broughton Cross and beyond is an entirely different proposition. Although the Highway Authority and the City Council believe the proposed Broughton Cross junction improvements, which would be provided as part of the Whittingham Hospital scheme, would deliver a nil detriment situation, for the reasons given above this is a flawed conclusion. There can be no doubt that the current extreme situation will deteriorate progressively and significantly with the additional traffic generated by any scheme that is 'obliged' to pass through Broughton Cross, including this appeal scheme. This will extend the peak hours and materially increase vehicle delay, adversely affecting emergency vehicle and public transport movements, and with the consequent increases in accident risk and fuel consumption and poorer air quality.
43. The first think of light would be improvement to the M55/A6 roundabout junction to remove the tailback between the M55 and Broughton Cross. However, this is not seen as an isolated scheme, but an improvement as part of the Broughton By-pass. As such, it is unlikely to materialise for several years and certainly beyond the period of a planning consent for the appeal scheme if granted today. Without either improvement of the M55/A6 junction or construction of the Broughton By-pass itself, the highway conditions would move from the current extreme to a stage further beyond and this would run counter to the Framework policy criterion evinced by paragraph 32. Incidentally, there is no suggestion that the receipts from the New Homes Bonus would or could be directed to improving highway conditions, even if Preston was the beneficiary.

Housing land availability

44. Longridge is a Key Service Centre, expected to attract significant growth. Consistent with that aim, the sector of the appeal site north of the B5269 is included as part of a larger Preferred Options site, and there was unanimity between the main parties that development of this sector of the appeal site for housing is not a matter of if, but when. In addition, there is a significant, acknowledged shortfall in the 5-year supply of available housing land, and there is a presumption in favour of sustainable development. Moreover, there is the Framework imperative to boost market and affordable homes and this site would deliver some 60-70 affordable homes. Finally, if planning permission is granted within the Government's requisite 3-year time framework, it is submitted that there would be local benefit from the New Homes Bonus, to the tune of £2.03M.
45. Although one might not be overly impressed with the project's sustainability accreditation, its location together with the housing land factors place this scheme at the top end of the presumption in favour of sustainable housing.

Other matters

46. A large number of other points, mainly of objection, are raised by third parties and the key ones are looked at in turn.

Area of separation

47. It is claimed that the physical separation of the parishes and villages help to maintain local distinctiveness, and that this has been a plank of earlier planning policies. In the emerging development plan, there is such an area of separation to the south of the B5269 that would conflict with the C2 proposal. Notwithstanding, the definition of this area of separation is at a very early stage and the Council has raised, and continues to raise, no objection to the loss of this area to development. Accordingly, it would be wrong to afford this argument any great weight at this juncture. In any event, this draft designation would not affect the much larger area of the appeal site to the north of the B5269.

Loss of community

48. In many ways this is an extension of the above. However, although there would be a considerable dilution of what residents describe as Higher Whittingham, the village core would remain some distance away and be untouched physically. As such, these appeal proposals may offer support for village services and a haven for those inclined more to the rural idyll than urban activity. The bottom line is that for Longridge to expand as a Key Service Centre, some land on this side of the town will be required if the most sustainable locations are to be utilised. Hence the appeal site's preferred option status. Thus, this is not seen as a crucial line of objection.

Brownfield land

49. Many objectors see the appeal site as greenfield and rural land, with a few believing that it is Green Belt. In the first place, it does not form part of the statutory Green Belt. Secondly, over a third of the appeal site is categorized as previously developed land. Thirdly, none of the remaining agricultural land is representative of the best and most versatile. Consequently, its loss does not amount to a strong reason for dismissing this appeal and utilising the brownfield component of the appeal site represents a positive factor in the balance.

Road safety

50. Increased potential highway safety risk was a common point raised by third parties and this referred to the roundabout at the junction of the B5269 and B6244 and the B6243/B6244 route through Grimsargh. Although no particular existing accident problem is evidenced from records, observations were taken on the afternoon of 16 July 2012. The B6243/B6244 junction lies on the pedestrian route between the secondary school and the centre of Longridge and, although it offers no controlled pedestrian facilities, it is manned by two School Crossing Patrol Wardens. The Wardens express concerns about the future, but after watching them in operation, it is clear

that, currently, no particular difficulties are experienced in their management of the children through the junction, even though there might have been a reduced attendance after the GCSEs.

51. For the future, this junction would be improved as part of the appeal proposals, and this would include several pedestrian features, including widened footways and additional refuge protection. With these, it is most likely that conditions would improve, even with a full pupil compliment and the increase in traffic from the development. There is no suggestion that the School Crossing Warden cover would be discontinued. It is also worth noting that the current haulage firm operating from part of the appeal site directs virtually all its traffic through this junction. This would disappear when the appeal site is developed.
52. As for the B6243/B6244 route through Grimsargh, once again, records do not highlight this as an existing highway safety problem. The future would bring more traffic, with an increase in the potential for vehicle pedestrian conflict. Even so, this should not necessarily increase accidents and severity should lessen, as traffic speeds are more likely to decrease than increase. Moreover, as noted previously, there are several traffic management and traffic calming schemes that could be introduced if it is anticipated that conditions would deteriorate. Incidentally, neither of these points allows for any reassigned traffic from the B5269 as conditions at Broughton Cross deteriorate further, which could make matters worse.

Sewerage

53. The present sewerage system for both foul and surface water would need to be upgraded to serve the appeal site. For foul sewage this will necessitate external works and the Water Company are aware of the problems. However, they are not insurmountable and occupation of the development could not proceed until the necessary works had been completed. Surety for this can be guaranteed through an appropriately worded condition.
54. Looking at the surface water run off, the Appellants are happy to install a sustainable drainage system for the site and again this can be required by condition. This could be worded in such a way as to require nil detriment, with surface water run-off being stored within the site until such time as the external system could cater for its discharge.

Air quality

55. The air quality around the appeal site would not be threatened by the development. However, the section of the A6 through Broughton fails to meet air quality objectives for NO₂. This represents a key indicator of very heavy traffic conditions and confirms the observed position. Clearly, any additional traffic added to this length of highway would worsen an already unacceptable position and constitutes a strong supportive reason for the highway/traffic conclusion.

Service infrastructure

56. It is argued that services such as doctors, dentists and most particularly schools would become unacceptably strained through use by the increased population. This is all anecdotal evidence and not supported by either the education authority or local planning authorities. As such, while there would inevitably be some additional strain on services, there is no objective evidence to justify this being advanced as a compelling reason for dismissing this appeal. It would need objections supported by the responsible authorities to raise this to such a level. Even then, the local planning authority could invite a contribution to overcome any perceived difficulties, something it has not felt necessary.

Leisure

57. Local residents contend that the offer of a swimming pool is not something that is needed, as there are already two pools locally. Once again, this has not been objected to by the local authorities. However, the application is in outline. Thus, if alternative leisure facilities can be demonstrated to be more worthy of inclusion, there is time to change the focus.

Employment

58. The loss of jobs on the existing site should be more than compensated for by the new employment opportunity that the project would deliver. In addition, there would be construction jobs and an increased expenditure profile in the local area leading to greater job support. Without doubt, the employment audit should be of material benefit to the locality.

Sustainability

59. Although the sustainability accreditation of the proposed development was often mentioned by the Appellants and individual attributes highlighted in their submissions, there is little detail or objective evidence. This is perhaps surprising and suggests that sustainability, in the wider context, is misunderstood.
60. If one considers locational sustainability i.e. being adjacent to an existing built up area and able to take advantage of any existing services and infrastructure, then developing this site would score heavily. On the other hand, if we seek a Bruntland scenario, whereby today's development would not impose environmental costs on future generations, we are a considerable way from achieving that. There was certainly no expectation that the development would 'consume its own smoke'. The application does not deal in many specifics and targets, other than the aim to reach Code for Sustainable Homes Level 4.
61. As for movement, there is little beyond broad principles and these are largely internally focused. A Travel Plan was submitted with the application, but this only covers a residential offer. There was nothing about the employment or leisure uses. Similarly, there were no proposals for energy generation on the site or firm sustainable drainage projects. When

additional draft conditions were suggested they were accepted, and the saving grace is that this is an outline scheme and one that could be up-rated as part of the submission of details, so long as appropriate conditions are attached at this stage. Such matters as design, layout and even the orientation of buildings are crucial in this context.

Localism

62. The Localism Act 2011 is understood in a number of ways and, as a consequence, the expectation following its enactment varies significantly. Many individuals express the view that if the local consensus is against a development then it should not be granted a planning permission, irrespective of any merits it might offer. However, nowhere is it suggested that Government sees its localism agenda as one to promote nimbysism. It is aimed at empowering local agencies and people to deliver and better the Government agenda, without interference in the detailed management from the centre or from regionally appointed bodies. It is not directed to deliver less, but to deliver at levels to maximise or exceed Government's strategic objectives.
63. Against this background, very little weight can be afforded to those who do not wish for any more development of this kind locally. The bottom line is that development plan policies exist and the Localism Act does not change this. It is also worthy of note that the Planning Authority only objects to this proposal on highway and not, specifically, for land use reasons.

Benefits

64. There are benefits arising from the scheme and these include affordable housing, open space and play areas, leisure facilities, use of previously developed land, improvements to safety and bus stops as well as the locational benefits of being alongside Longridge.

Conditions and s.106 Undertaking

65. A signed s.106 Agreement was discussed at the inquiry. The s.106 covers such matters as leisure, open space/play area, bus stops, pelican crossing upgrade and Travel Plan contribution. These are all matters relevant to the project.
66. Draft conditions were also discussed in detail during the inquiry and an agreed list submitted. Amendments to these draft conditions were agreed and some added without demur. With these additions, all the points necessary to secure the sensible development of the appeal site should be covered.

Summary

67. In summary, the key problem with the appeal proposal is that the residual cumulative highway problems would be extreme and this runs counter to the Framework Policy. Moreover, the committed development that would affect the same highways, and especially Broughton Cross, is destined to make the

situation far worse, with the attendant dangers and delays and impendance to emergency vehicles and public transport. There is a further problem of air quality on the A6 in Broughton. The Broughton By-pass is some way off and the proposed interim improvements at Broughton Cross and the Travel Plan do not overcome the problems. In fact, with external conditions as there are, it is not certain that targets that may be defined in the Travel Plan would be achieved. As such, the highway objection constitutes a compelling reason for resisting this development at this time.

68. On the positive side the site is identified for housing and will almost certainly come forward at some stage. There is also a significant shortfall in the Housing Land Supply requirement. It would deliver affordable housing and contribute locally with the New Homes Bonus, though there is nothing to suggest that this would be directed to bring the Broughton By-pass forward. All other matters could be overcome by a s.106 Agreement and/or conditions, though the sustainability accreditation could benefit from being addressed further. In any event, the positives are wholly insufficient to outweigh the compelling highway objection.
69. All other matters raised in the evidence and representations have been taken into account, including the local views and the Planning Officer's recommendation for approval. However, there is nothing of such significance as to outweigh the material planning considerations leading to the clear conclusion that, under the present circumstances, this appeal should fail.

J S Nixon

Inspector

DOCUMENTS HANDED IN AT THE HEARING

- 1 Opening remarks on behalf of Preston City Council
- 2 Site allocations and development management policies – preferred options Draft Proposals Map
- 3 Highways Statement of Common Ground
- 4 Draft Conditions
- 5 Consultation response from Lancashire County Council on further application on the appeal site
- 6 Signed copy of final s.106 Obligation
- 7 Note and copy of legal Judgement in respect of sewerage concerns expressed by third parties
- 8 Third party submissions
- 9 Further traffic counts taken on 1 May 2012
- 10 Details of suggested delivery profile for housing over the next 5-years submitted by the Appellants
- 11 Core Document list
- 12 Currently proposed major development around Whittingham
- 13 Currently proposed major development around Longridge
- 14 Plan showing proposed development site at Cottam
- 15 Preston 5-year Housing Supply Statement
- 16 Minutes of meetings of Preston 3 Tier Forum
- 17 Traffic count figures produced by third parties
- 18 Air Quality monitoring assessment at Broughton
- 19 Extract from the Ribble valley Core Strategy – Sustainability Appraisal
- 20 Copy letter from United Utilities re sewerage dated 1 June 2011
- 21 e-mail from PCC dated 27 June 2012 re traffic count information
- 22 Written observations from traffic wardens in Longridge
- 23 Application for costs by Appellants

24 Response to application for costs by PCC

Richborough Estates