



DIRECTOR OF
DEVELOPMENT

1 1 SEP 2009

FOR THE
ATTENTION OF

For office use only

Application No

Date received

Fee paid £

Receipt No:

920090791P

Council Offices, Church Walk, Clitheroe, Lancashire BB7 0PA Tel: 01200 425111 www.ribblevalley.gov.uk

Application for Planning Permission.
Town and Country Planning Act 1990

Publication of planning applications on council websites

Please note that with the exception of applicant contact details and Certificates of Ownership, the information provided on this application form and in supporting documents may be published on the council's website.

If you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act which you do not wish to be published on the council's website, please contact the council's planning department.

Please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title:		First name:	
Last name:			
Company (optional):	NEWCLOSE PROPERTIES LTD		
Unit:	House number:	House suffix:	
House name:	HELM BANK		
Address 1:	NATLAND		
Address 2:			
Address 3:			
Town:	KENDAL		
County:	CUMBRIA		
Country:	U.K.		
Postcode:	LA9 7PS		

2. Agent Name and Address

Title:	MR	First name:	RICHARD
Last name:	WOOLDRIDGE		
Company (optional):	HARRISON PITT ARCHITECTS		
Unit:	House number:	House suffix:	
House name:	VICTORIA COURT		
Address 1:	PENNY STREET		
Address 2:			
Address 3:			
Town:	LANCASTER		
County:	LANCS		
Country:	UK		
Postcode:	LA1 1XN		

3. Description of the Proposal

Please describe the proposed development, including any change of use:

PROPOSED MIXED USE DEVELOPMENT COMPRISING VOCATIONAL LEARNING CENTRE, CHILDREN'S NURSERY COMMERCIAL ELEMENTS, 10 LIVE/WORK UNITS AND 70 RESIDENTIAL UNITS.

Has the building, work or change of use already started?

☐ Yes

☒ No

If Yes, please state the date when building, work or use were started (DD/MM/YYYY):

(date must be pre-application submission)

Has the building, work or change of use been completed?

☐ Yes

☒ No

If Yes, please state the date when the building, work or change of use was completed: (DD/MM/YYYY):

(date must be pre-application submission)

4. Site Address Details

Please provide the full postal address of the application site.

Unit: House number: House suffix:

House name: LAND AT BARROW BROOK

Address 1: BARROW

Address 2:

Address 3:

Town: CLITHEROE

County: LANCS

Postcode (optional): BB7 9WA

Description of location or a grid reference.
(must be completed if postcode is not known):

Easting: Northing:

Description:

5. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently)

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name: JOHN MACHOLL

Reference: DEVELOPMENT CONTROL - RVBC

Date (DD/MM/YYYY): 21/08/2009
(must be pre-application submission)

Details of pre-application advice received?
THE APPLICATION WAS DISCUSSED WITH JOHN MACHOLL

6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway? ☒ Yes ☐ No

Is a new or altered pedestrian access proposed to or from the public highway? ☒ Yes ☐ No

Are there any new public roads to be provided within the site? ☒ Yes ☐ No

Are there any new public rights of way to be provided within or adjacent to the site? ☒ Yes ☐ No

Do the proposals require any diversions /extinguishments and/or creation of rights of way? ☒ Yes ☐ No

If you answered Yes to any of the above questions, please show details on your plans/drawings and state the reference of the plan (s)/drawings(s)

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? ☒ Yes ☐ No

If Yes, please provide details:

BIN STORES AS PER DRAWING 1506-300 AND AS DESCRIBED IN THE DESIGN & ACCESS STATEMENT.

Have arrangements been made for the separate storage and collection of recyclable waste? ☒ Yes ☐ No

If Yes, please provide details:

AS ABOVE.

8. Neighbour and Community Consultation

Have you consulted your neighbours or the local community about the proposal? ☐ Yes ☒ No

If Yes, please provide details:

THE PREVIOUS SCHEME 3/2007/1144 WAS SUBJECT TO A PUBLIC MEETING.

9. Council Employee / Member

Is the applicant or agent related to any member of staff or elected member of the council? ☐ Yes ☒ No

If Yes, please provide details:

11 SEP 2009

10. Materials

If applicable, please state what materials are to be used externally. Include type, colour and name for each material:

	Existing (where applicable)	Proposed	Not applicable	Don't Know	Drawing references if applicable
Walls	N/A	BRICK, RENDER, SOME TIMBER	☐	☐	
Roof	N/A	TILES & SLATE AS SHOWN	☐	☐	
Windows		UPVC - WHITE & GREY	☐	☐	
Doors		COMBINATION OF UPVC & TIMBER	☐	☐	
Boundary treatments (e.g. fences, walls)		MIX OF WALLS & FENCES AS INDICATED ON DRAWINGS	☐	☐	
Vehicle access and hard-standing		TARMAC & PAVEMENTS	☐	☐	
Lighting			☐	☐	
Others (please specify)			☐	☐	

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement?

☒ Yes

☐ No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

AS PER DRAWING ISSUE SHEET

11. Vehicle Parking

Please provide information on the existing and proposed number of on-site parking spaces:

Type of Vehicle	Total Existing	Total proposed (including spaces retained)	Difference in spaces
Cars	0	245	+ 6
Light goods vehicles/ public carrier vehicles	0		
Motorcycles	0	TBC	TBC
Disability spaces	0	6	+ 6
Cycle spaces	0	20 (NOT INCL RESIDENTIAL)	+ 20
Other (e.g. Bus)	0		
Other (e.g. Bus)	0		

12. Foul Sewage

Please state how foul sewage is to be disposed of:

- ☒ Mains sewer ☐ Cess pit
☐ Septic tank ☐ Other
☐ Package treatment plant

Are you proposing to connect to the existing drainage system? ☒ Yes ☐ No

If Yes, please include the details of the existing system on the application drawings and state references for the plan(s)/drawing(s):

13. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary)

☐ Yes ☐ No

If Yes, you will need to submit a Flood Risk Assessment to consider the risk to the proposed site

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

☐ Yes ☐ No

Will the proposal increase the flood risk elsewhere?

☐ Yes ☐ No

How will surface water be disposed of?

- ☐ Sustainable drainage system ☐ Existing watercourse
☐ Soakaway ☐ Pond/lake
☐ Main sewer

14. Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

a) Protected and priority species:

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

b) Designated sites, important habitats or other biodiversity features:

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

c) Features of geological conservation importance:

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

15. Existing Use

Please describe the current use of the site:

VACANT

Is the site currently vacant?

☒ Yes ☐ No

If Yes, please describe the last use of the site:

INDUSTRIAL

When did this use end (if known)?
DD/MM/YYYY
(date where known may be approximate)

Does the proposal involve any of the following:

Land which is known to be contaminated? ☒ Yes ☐ No

Land where contamination is suspected for all or part of the site?

☒ Yes ☐ No

A proposed use that would be particularly vulnerable to the presence of contamination?

☒ Yes ☐ No

If you have answered Yes to any of the above, you will need to submit an appropriate contamination assessment.

16. Trees and Hedges

Are there trees or hedges on the proposed development site? ☒ Yes ☐ No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character? ☒ Yes ☐ No

If Yes to either or both of the above, you will need to provide a full Tree Survey, with accompanying plan before your application can be determined. Your Local Planning Authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to construction - Recommendations'.

17. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste? ☐ Yes ☒ No

If Yes, please describe the nature, volume and means of disposal of trade effluents or waste

* PLEASE REFER TO COVERING LETTER. HOUSING MIX IS SUBJECT TO S106.

18. Residential Units (Including Conversion)

Does your proposal include the gain, loss or change of use of residential units?
If Yes, please complete details of the changes in the tables below:

☒ Yes

☐ No

Proposed Housing

Market Housing	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						37
Flats and maisonettes	☐						12
Live-work units	☐						10
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g) =							59

Existing Housing

Market Housing	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g) =							

Social Rented	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g) =							21

Social Rented	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g) =							

Intermediate	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g) =							

Intermediate	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g) =							

Key worker	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g) =							

Key worker	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	☐						
Flats and maisonettes	☐						
Live-work units	☐						
Cluster flats	☐						
Sheltered housing	☐						
Bedsit/studios	☐						
Unknown type	☐						
Totals (a+b+c+d+e+f+g) =							

Total proposed residential units (A+B+C+D) = 80

Total existing residential units (E+F+G+H) = 0

TOTAL NET GAIN or LOSS of RESIDENTIAL UNITS (Proposed Housing Grand Total - Existing Housing Grand Total): +80

19. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?

☒ Yes ☐ No

If you have answered Yes to the question above please add details in the following table:

Use class/type of use	Not applicable	Existing gross internal floorspace (square metres)	Gross internal floorspace to be lost by change of use or demolition (square metres)	Total gross internal floorspace proposed (including change of use) (square metres)	Net additional gross internal floorspace following development (square metres)
A1 Shops	☐				
Net tradable area:	☐				
A2 Financial and professional services	☐				
A3 Restaurants and cafes	☐				
A4 Drinking establishments	☐				
A5 Hot food takeaways	☐				
B1 (a) Office (other than A2)	☐	0		1610.3	+ 1610.3
B1 (b) Research and development	☐				
B1 (c) Light industrial	☐				
B2 General industrial	☐				
B8 Storage or distribution	☐				
C1 Hotels and halls of residence	☐				
C2 Residential institutions	☐				
D1 Non-residential institutions	☐	0		1660.4	+ 1660.4
D2 Assembly and leisure	☐				
OTHER Please specify	☐				
	☐				
Total					

In addition, for hotels, residential institutions and hostels, please additionally indicate the loss or gain of rooms

Use class	Type of use	Not applicable	Existing rooms to be lost by change of use or demolition	Total rooms proposed (including changes of use)	Net additional rooms
C1	Hotels	☐			
C2	Residential Institutions	☐			
Other	Hostels	☐			

20. Employment

Please complete the following information regarding employees:

	Full-time	Part-time	Total full-time equivalent	Not known
Existing employees				☒
Proposed employees				☒

21. Hours of Opening

Please state the hours of opening for each non-residential use proposed:

Use	Monday to Friday	Saturday	Sunday and Bank Holidays	Not known
ALL				☒

22. Site Area

Please state the site area in hectares (ha)

2.77

23. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

Is the proposal a waste management development? ☐ Yes ☒ No

If the answer is Yes, please complete the following table:

	Not applicable	The total capacity of the void in cubic metres, including engineering surcharge and making no allowance for cover or restoration material (or tonnes if solid waste or litres if liquid waste)	Maximum annual operational throughput in tonnes (or litres if liquid waste)
Inert landfill	☐		
Non-hazardous landfill	☐		
Hazardous landfill	☐		
Energy from waste incineration	☐		
Other incineration	☐		
Landfill gas generation plant	☐		
Pyrolysis/gasification	☐		
Metal recycling site	☐		
Transfer stations	☐		
Material recovery/recycling facilities (MRFs)	☐		
Household civic amenity sites	☐		
Open windrow composting	☐		
In-vessel composting	☐		
Anaerobic digestion	☐		
Any combined mechanical, biological and/or thermal treatment (MBT)	☐		
Sewage treatment works	☐		
Other treatment	☐		
Recycling facilities construction, demolition and excavation waste	☐		
Storage of waste	☐		
Other waste management	☐		
Other developments	☐		

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Please provide the maximum annual operational throughput of the following waste streams:

Municipal	
Construction, demolition and excavation	
Commercial and industrial	
Hazardous	

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make clear what information it requires on its website.

24. Hazardous Substances

Does the proposal involve the use or storage of any of the following materials in the quantities stated below? ☐ Yes ☒ No ☐ Not applicable

If Yes, please provide the amount of each substance that is involved:

Acrylonitrile (tonnes)		Ethylene oxide (tonnes)		Phosgene (tonnes)	
Ammonia (tonnes)		Hydrogen cyanide (tonnes)		Sulphur dioxide (tonnes)	
Bromine (tonnes)		Liquid oxygen (tonnes)		Flour (tonnes)	
Chlorine (tonnes)		Liquid petroleum gas (tonnes)		Refined white sugar (tonnes)	

Other:

Other:

Amount (tonnes):

Amount (tonnes):

25. Certificates

One Certificate A, B, C, or D, must be completed, together with the Agricultural Holdings Certificate with this application form

CERTIFICATE OF OWNERSHIP - CERTIFICATE A

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which the application relates

Signed - Applicant:

Signed - Agent:

Date (DD/MM/YYYY):

HARRISON PITT ARCHITECTS

11/09/2009

CERTIFICATE OF OWNERSHIP - CERTIFICATE B

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which this application relates

Name of Owner	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

CERTIFICATE OF OWNERSHIP - CERTIFICATE C

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/ The applicant certifies that:

§ Neither Certificate A or B can be issued for this application

§ All reasonable steps have been taken to find out the names and addresses of the other owners (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of the land or building, or of a part of it, but I have/ the applicant has been unable to do so

The steps taken were:

Name of Owner	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

25. Certificates (continued)**CERTIFICATE OF OWNERSHIP - CERTIFICATE D****Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7**

I certify/ The applicant certifies that:

§ Certificate A cannot be issued for this application

§ All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land to which this application relates, but I have/ the applicant has been unable to do so

The steps taken were:

--

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

--

On the following date (which must not be earlier than 21 days before the date of the application):

--

Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

--

AGRICULTURAL HOLDINGS CERTIFICATE**Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7**

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of, an agricultural holding.

Signed - Applicant:

--

Or signed - Agent:

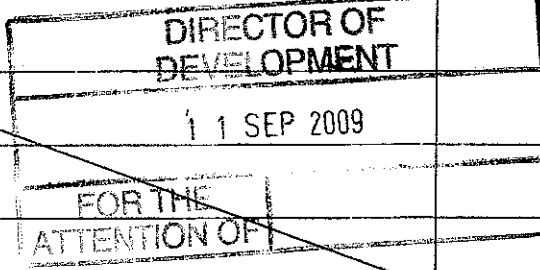
HARRISON PITT ARCHITECTS

Date (DD/MM/YYYY):

11/09/2009

B) I have/ The applicant has given the requisite notice to every person other than myself/ the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below:

Name of Tenant	Address	Date Notice Served



Signed - Applicant:

--

Or signed - Agent:

--

Date (DD/MM/YYYY):

--

26. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

3 copies of a completed and dated application form:



The correct fee:



3 copies of the plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North:



3 copies of a design and access statement:



3 copies of the completed, dated Article 7 Certificate (Agricultural Holdings):



3 copies of other plans and drawings or information necessary to describe the subject of the application:



3 copies of the completed, dated Ownership Certificate (A, B, C, or D - as applicable):

**27. Declaration**

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information.

Signed - Applicant:

--

Or signed - Agent:

HARRISON PITT ARCHITECTS

Date (DD/MM/YYYY):

11/09/2009

(date cannot be pre-application)

28. Applicant Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

29. Agent Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

30. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes

☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? *(Please select only one)*

☒ Agent

☐ Applicant

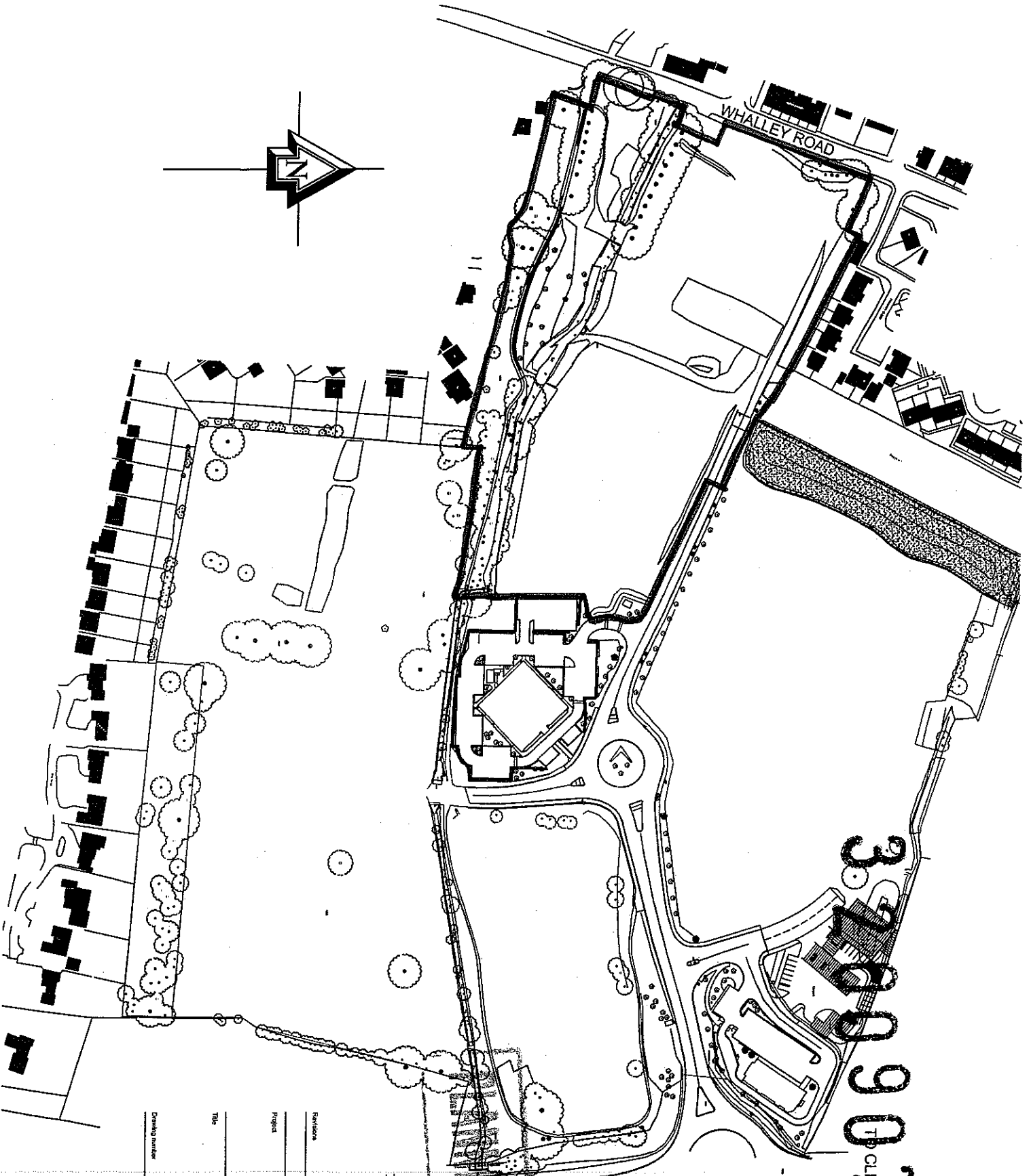
☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name:

Telephone number:

Email address:



WHALLEY ROAD

TO PRESTON

A59

3200090791P
TO CLIFF HEROF

HPA SUBMISSION

Revisions

Not to be scaled

Project

Barrow Brook Business Village
Barrow, Cumbria

for Newclose Developments

Title

Location Plan

Drawing number

1506-LOC

1:2500

08/09

VICTORIA COURT
PENNY STREET
LANCASTER
LA1 1XN

TEL: 01524 32479
FAX: 01524 32470
hpa@hpa.co.uk

hpa

HARRISON PITT

ARCHITECTS

3 2 3 0 9 0 7 9 1 P

Steven Abbott Associates

Chartered Town Planners

PLANNING STATEMENT

Newclose Properties Limited

Proposed Mixed Use Development Comprising Vocational Learning
Centre, Children's Nursery, Commercial Elements, 10 Live/Work
Units and
70 Residential Units

Land at Barrow Brook, Barrow

September 2009



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1. INTRODUCTION

1.1 This statement has been produced to accompany a planning application for the mixed use development of a site at Barrow Brook, Barrow.

1.2 This statement will deal primarily with relevant planning policy considerations. It will also deal with the planning history of the site and the changed circumstances which underlie the current planning application. Those changed circumstances provide a compelling requirement for the extant planning permission relating to the site to be reviewed and re-profiled in order to ensure that development and investment can be delivered.

That will, of necessity, include a review of the content of the previous Section 106 obligations to ensure that they accord with the five principles set out in paragraph B5 of planning circular 05/05.

1.3 The statement will deal with national policy and the statutory development plan (RSS for the North West and the saved Local Plan). It will also consider the emerging local policy framework and associated evidence base.

1.4 Whilst it is necessary for the current planning application to be considered against relevant policies of the development plan, it is also important to consider emerging policy and to give appropriate weight to changed policy and circumstances. Significant elements of the Ribble Valley Local Plan have been overtaken by more recent national and regional policy and those changes must be reflected in emerging local policy. It is vital, therefore, that proper weight and balance is given to all material planning considerations.

2. THE SITE AND SURROUNDINGS

- 2.1. The site has a total area of approximately 2.77 hectares. The site is currently vacant and is largely covered with loose and fixed hardsurfaced areas – albeit that there has been some limited growth of invasive plants and weeds.
- 2.2. The site has a road frontage onto Whalley Road of approximately 145 metres. The eastern end of the site adjoins a relatively new commercial/business building known as The Printworks. The site is served by new road infrastructure associated with The Printworks development and other nearby commercial developments.
- 2.3. The physical characteristics of the site and its surroundings are described in more detail in the Design and Access Statement submitted with the planning application.
- 2.4. Historically the site has been seen as part of the Barrow Brook Business Village (formerly the Ribble Valley Enterprise Park). The Barrow Brook Business Village is a mixed use development extending to approximately 10 hectares - subject to a series of outline planning permissions and reserved matters approvals which we understand remain extant.
- 2.5. In terms of accessibility Barrow lies close to the town of Clitheroe which offers a broad range of quality shopping facilities, restaurants and other financial and social services and facilities. The application site also has direct access to a number of public bus routes providing services to Clitheroe, Accrington, Bolton and Blackburn.

3. PLANNING POLICY CONSIDERATIONS

National Planning Policy

3.1. PPS1 – Delivering Sustainable Development provides an overarching exposition of the Government's policies to promote and secure sustainable development. This is to be done by adoption of a plan-led approach which achieves the following:

- *planning for sustainable economic growth;*
- *promoting urban and rural regeneration;*
- *promoting inclusive communities;*
- *bringing forward sufficient land in appropriate locations to meet expected needs for, amongst other things, housing;*
- *provide improved access to jobs, health, education, shops, leisure, open space, community facilities, etc;*
- *promotion of more efficient use of land through higher density schemes – making effective and efficient use of previously-developed land and buildings.*

It will be shown that the proposal contributes positively to the achievement of these stated objectives.

3.2. PPS1 also raises the profile of design issues and signals a requirement for all development proposals to demonstrate that sound design principles are followed and that high quality design is achieved. The current scheme is self-evidently a high quality scheme in terms of its design. The principles adopted, and the design approach followed, are set out elsewhere in the Design and Access Statement.

- 3.3. PPS3 – Housing sets out the Government's key policy objectives for the delivery of new homes. The planning system is required to deliver the following specific outcomes:

- *"High quality housing that is well-designed and built to a high standard;*
- *A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural;*
- *Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure;*
- *A flexible, responsive supply of land managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate."*

3.4. It is clear that the proposal will provide high quality housing that is well-conceived and designed. Furthermore, the scheme results in the provision of a specific mix of housing types which will broaden and diversify the housing supply in Barrow.

3.5. In terms of the suitability of the site in locational terms, it is beyond question that the recycling of this previously-developed site fully accords with the thrust of PPS3. Furthermore, the scheme will result in the effective and efficient use of the site.

It is likely that housing land supply/provision will be an important issue in the consideration of this application. It is necessary, therefore, to set out in some detail those aspects of PPS3 which deal with the issue – in effect paragraphs 52-61 and 68-74 are directly relevant. The key aspects are as follows:

- *Local planning authorities to set out policies and strategies for the continuous delivery (broad locations and specific sites) for at least 15 years from the date of adoption of Local Development Documents;*

- *Identify sufficient specific deliverable sites to deliver housing in the first five years (to be considered deliverable sites should be available, suitable, and achievable);*
- *In circumstances where Regional Spatial Strategies are in development, or subject to review, Local Planning Authorities should also have regard to the level of housing provision as proposed in the relevant emerging Regional Spatial Strategy;*
- *Identify a further supply of specific, developable sites for years 6-10, and, where possible, for years 11-15;*
- *When making planning decisions for housing development after 1st April 2007, Local Planning Authorities should have regard to policies in PPS3 as material considerations which may supersede the policies in existing Development Plans;*
- *Where local planning authorities have an up-to-date five year supply of deliverable sites and applications come forward on allocated sites but which are not in the up-to-date five year supply, the Local Planning Authority will need to consider whether granting permission would undermine achievement of their policy objectives;*
- *Where an up-to-date five cannot be demonstrated – e.g. where there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing;*
- *The Local Planning Authority should not refuse applications solely on the grounds of prematurity.*

3.6. PPS3 considers the need for housing proposals to include, where appropriate, an affordable housing component. In terms of considering the amount of affordable housing justified/required, paragraph 29 of PPS3 indicates that it

is the role of the Local Development Document to set an overall target for the amount of affordable housing to be provided. This has to be based on an assessment of the likely economic viability of land for housing within the area, taking into account the risks of delivery and drawing on informed assessments of the likely levels of finance available for affordable housing, including public subsidy and the level of developer contribution that can reasonably be secured.

Local planning authorities must ensure that provision of affordable housing meets the needs of both current and future occupiers, taking into account information from the Strategic Housing Market Assessment (SHMA). At this time the Council has produced a SHMA but has yet to tackle and resolve the difficult task of assessing the various commercial and funding aspects described above. There is currently no LDD to justify imposing a quota for affordable housing on any given site.

3.7. The following factors have yet to be formally addressed and resolved:

- target for social rented and intermediate housing;
- the size and type of affordable housing;
- circumstances when affordable housing will be required;
- the approach to be taken on contributions in lieu of a site provision.

Those matters will be brought forward through the LDF process but as yet the Council does not meet PPS3. As a consequence any arrangement reached with the Council at this stage is on the basis of negotiation and co-operation rather than policy requirement or compulsion.

3.8. PPG4 – Industrial and Commercial Development and Small Firms, sets out the Governments aims of encouraging continued economic growth in ways which are compatible with its stated environmental objectives.

In terms of development plans the guidance states that local planning authorities should aim to ensure that there is sufficient land available which is readily capable of development and well served by infrastructure. In doing so local planning authorities should be realistic in their assessment of the needs of business.

- 3.9. In May 2009 Government published a consultation draft PPS4 – Planning for Prosperous Economies. It is intended to draw together Government planning policy currently contained in PPG4 and PPS's 6 and 7. Whilst only a consultation draft the document is a material planning consideration. The following aspects of draft PPS4 are of relevance.

Policy EC1 Promotes the use of robust evidence for plan preparation and decision making. EC1.1 states: *"The evidence base should underpin development plan policies which support sustainable economic development in both urban and rural parts of their area, allow a quick response to changing economic circumstances and inform decisions on planning applications."*

Amongst other things, at a local level, the evidence base should:

- assess the existing and future supply of land available for economic development through land review and, where possible, land reviews should be undertaken at the same time as, or combined with, strategic housing land availability assessments.

Policy EC4 Sets out the local planning approach to economic development.

One key aspect of that local approach is ensuring that site allocations for economic development, are not carried forward from one version of the development plan to the next without

evidence of the need and reasonable prospect of their take up during the plan period. Policy EC4.1.7 states:

"If there is no reasonable prospect of a site being used for the allocated economic use during the plan period, the allocation should not be retained, and wider economic uses or alternative uses, such as housing, should be actively considered"

Policy EC9 In rural areas (away from larger urban areas) encouragement is given to providing new economic development in or on the edge of local service centres where employment, housing (including affordable housing), services and other facilities can be provided close together.

Policy EC12 Deals with planning applications for, or involving, economic development. Local planning authorities are encouraged to assess proposals involving the loss of economic activity on the basis of evidence about the impact on the supply of employment sites and premises in that community to ensure the economic, social and environmental sustainability of the area is protected and enhanced.

- 3.10 PPS9 - Biodiversity and Geological Conservation – provides policy and guidance to ensure that the potential impacts of planning decisions on biodiversity are fully considered.

The application site has been the subject of thorough survey work to establish nature conservation features and constraints. Given the planning history of the site (including extant planning permissions) it is clear that such matters can be dealt with satisfactorily.

- 3.11. PPG13 – Transport, aims to promote sustainable transport choices and promotes accessibility to jobs, shopping, leisure and other facilities. The emphasis is on the promotion of public transport and other modes of travel such as walking and cycling. Again it is clear from the recent planning history of the site and its established status as a development opportunity that it can be considered sustainable and accessible in the context of PPS13.
- 3.12. PPS25 – Development and Flood Risk, requires flood risk to be taken into account at all stages of the planning process in order to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at high risk (paragraph 5 of PPS25).

As recommended by PPS25 the application is accompanied by a flood risk assessment.

Regional Spatial Strategy

- 3.13. The replacement RSS for the North West of England was published on 30 September 2008. The relevant policies of the North West of England Plan (RSS) can be summarised as follows:
- Policy DP1 – Spatial Principles. The main principles which underpin RSS are set out and are amplified in subsequent DP policies;
 - Policy DP2 – Promote Sustainable Communities. Sustainable communities should meet the diverse needs of existing and future residents; promote community cohesion and equality and diversity; be sensitive to the environment; and contribute to a high quality of life.
 - Policy DP4 – Make the Best Use of Existing Resources and Infrastructure. This policy prioritises developments in locations which are consistent with spatial frameworks and sustainability principles – i.e. building upon existing concentrations of activities and existing

infrastructure; not requiring major investment in new infrastructure. The policy sets out a sequential preference approach to new development which has as a first preference the use of existing buildings and previously developed land within settlements.

- Policy DP5 – Manage Travel Demand; Reduce the Need to Travel and Increase Accessibility. This policy seeks to direct development to locations which reduce the need to travel, especially by car. The focus for new developments are the urban areas close to or accessible by public transport to a range of facilities (such as retail, health, education and leisure).
- Policy DP7 – Promote Environmental Quality. This is a broad brush policy and contains various criteria to ensure good quality developments, including ones relating to good design.
- Policy RDP2 – Key Service Centres/Local Service Centres. Development is to be focussed on key and local service centres which provide a range of services and have good public transport links to surrounding towns and villages.

3.14. RSS provides the statutory basis upon which to consider housing supply/provision in the North West of England. For Ribble Valley Borough the provision figure/target for the period 2003-2021 is found in Policy L4 (Table 7.1 Distribution of Regional Housing Provision 2003-2021)

2003 – 2021 @ 161 p a. – 2,900

It must be remembered that this figure/annualised rate is a target which should be met and not a ceiling or maximum figure.

3.15. Clitheroe/Barrow is located within the Central Lancashire City Region as defined by the RSS Key Diagrams. Policy CLCRI is relevant as it defines priorities for this area including:

- regeneration and restructuring of the East Lancashire Economy;
- the provision of a range of good quality housing, accessible to local facilities;
- improving services in the rural areas focusing development in locations which accord with Policy RDF2.

This policy is reinforced by Policy CLCR2 concerning development and investment.

The Ribble Valley District Local Plan – Saved Policies 2007 (RVLP)

3.16. The RVLP was originally adopted in 1999 and was intended to provide a policy framework through to 2006. A number of policies have been saved in accordance with the Planning and Compulsory Purchase Act 2004. Those saved policies will continue to be applicable until replaced by LDF/LDD policies.

3.17. The application site is wholly within the defined settlement boundary of the village of Barrow as defined by the RVLP. Policy G4 of the RVLP provides for the development of sites allocated in the RVLP. Whilst the site is not specifically allocated by the RVLP the existence of extant planning permissions (in 1999 and still existing currently) mean that the site is recognised as one that is identified/allocated for development.

3.18. The Council instigated the Ribble Valley District wide Local Plan Alterations Review (RVLP Review) which reached its First Deposit stage in March 2004. Progress on that Review was discontinued in preference to work progressing towards a new Local Development Framework. However, the Council

continues to utilise the RVLP Review policies as a material consideration, albeit without statutory weight.

Ribble Valley Local Development Framework

- 3.19. The Council have progressed work to prepare an LDF to replace the existing RVLP. To date that work has concentrated on providing a robust and thoroughly researched evidence base to inform the LDF process. The first document to be prepared with policy informed by that evidence base will be the Core Strategy.

It is anticipated that the draft Core Strategy will be published in Autumn 2009, with the Core Strategy Publication Version anticipated in late 2009/early 2010. It is unrealistic to give any significant weight to the emerging Core Strategy at this stage.

3.20 Work has been progressed on the following key elements of the LDF evidence base:

- Strategic Housing Land Availability Assessment (SHLAA)
- Strategic Housing Market Assessment (SHMA)
- Strategic Flood Risk Assessment (SFRA)
- Ribble Valley Employment Land and Retail Study

Insofar as those documents relate to the application site they are a relevant material consideration in the context of the current planning application. For example, the application site has been considered and assessed in the context of the SHLAA and the Employment Land Study.

3.21 SHLAA – The site is identified as site reference 122. It is shown as having a residential capacity of 116 dwellings on a total site area of 3.32 hectares. The site is shown as being available for housing development (total) within the next 5 years, it is available and achievable. On that basis it is included in the 5 year potential housing supply.

The SHLAA anticipates and expects the whole of the application site to be developed for housing, and for that housing to be delivered in the next five years.

Employment Land Study – the application site is identified as one component of the wider potential employment sites at Barrow Brook. However, it is recognised as one of three sites that are unavailable for employment use/economic development. In fact, the Employment Land Study recognises recent proposals for a mixed use development of the application site incorporating both residential and commercial elements.

4. ASSESSMENT

4.1 In considering the current planning application the fall-back position provided by the extant planning permission (3/2007/1144/P) for the mixed use development of the site is a material consideration. The current application is broadly the same in terms of the description of development, the character of the development and in terms of the mix of residential and commercial/economic development. The key elements of the scheme remain as follows:

- vocational training centre (the Aspire Centre);
- children's nursery;
- commercial/office elements;
- live/work units;
- residential units (market and affordable housing).

4.2 The key differences relate to the element of residential units to be provided in the form of live/ work units. Based on commercial advice and their own commercial expertise and experience, and given the current economic climate, the applicants feel that the inclusion of a relatively high proportion of live/work units (31 in the extant approved scheme) is unrealistic and undeliverable.

The balance has been changed as follows:

(i) Planning permission 3/2007/1144/P

Residential – 55 units

Live/work – 31 units

Total residential units - 86

(ii) Current proposed scheme:

Residential – 70 units

Live/work – 10 units

Total residential units – 80

In terms of the actual ratio of floorspace (residential to commercial) the extant planning permission and the current proposed schemes differ only marginally:

- Extant planning permission (3/2007/1144/P):

Total Residential – 8371.5 sq m

Total Commercial – 3749.2 sq m

Ratio – 2.23:1

- Proposed scheme:

Total Residential – 6029.1 sq m

Total Commercial – 2605.6 sq m

Ratio – 2.31:1

In fact whilst there is a greater number of residential units and a lesser number of live/work units the overall amount of new residential floorspace is less in the current proposed scheme than in the approved scheme.

- 4.3. The principle of a mixed use development of the site is clearly established by the extant planning permission. Furthermore, the planning policy context set out above is broadly supportive of the redevelopment of this site. The key differences and issues that arise are:

- (i) The mix of land uses and development types;
- (ii) The reduction in the provision of live/work units;
- (iii) The negotiation of a reasonable element of affordable housing provision within the scheme.

This assessment will deal with each of these issues in turn. The overall scale and amount of development and the way the scheme is to be laid out and designed differs little from the approved scheme, and does not, in our view, raise fundamental issues in terms of site layout, design, access and landscaping. For that reason this assessment will concentrate on the three main issues set out above.

(i) The Mix of Land Uses and Developments

- 4.4. It is acknowledged that the application site has, for many years, been identified as part of a potential employment/economic development site. The wider Barrow Brook Business village has been promoted as an important economic development site throughout the lifetime of the RVLP.
- 4.5. However, in granting planning permission 3/2007/1144/P for a mixed use development of the site incorporating a substantial residential element, the Council has recognised that circumstances have changed. Those changes relate to changed national and regional policy, changed priorities in terms of housing delivery and recognition, based on recent studies and evidence associated with the LDF process, that the application site should not be retained exclusively for economic development.
- 4.6. A key change in circumstances relates to the housing provision figures provided by RSS and the policy imperative on all local planning authorities to maintain at least a five year supply of deliverable sites for housing. This is highly relevant for Ribble Valley as the position at 1 April 2008 was that the

authority could only demonstrate a 1.5 year supply of deliverable sites for housing. In those circumstances paragraph 71 of PPS3 provides a pressing policy presumption in favour of planning applications for new housing

- 4.7. The recently published SHLAA and Employment Land Study recognise that some (or indeed all) of the application should be utilised for the delivery of new housing. There is no suggestion in the Employment Land Study that the release of some (or all) of the application site for housing would undermine the Council's targets and aspirations for the delivery of sufficient economic development land and economic growth. The Office Market Viability/Office Demand Studies submitted with the application also indicate that the mixed use redevelopment of the site incorporating a substantial residential element would not prejudice the future supply of land and premises for economic/employment generating development.
- 4.8. The current scheme maintains a reasonable balance between the residential and commercial aspects of the scheme. The commercial aspects relate to the Aspire vocational training centre, the children's nursery and a series of blocks of commercial office/business units. The applicants believe that this configuration and layout best addresses current commercial interest for the site, and represents a form of development that can be delivered, subject, of course, to the prevailing economic circumstances.
- 4.9. The increase in the number of residential units (from 55 to 70) actually masks the fact that there is an overall reduction in residential units if one considers both residential and live/work units (from 86 down to 80).

In our view that change is not fundamental in terms of the policy framework set out above. What is significant is that the developer believes that all of those residential units are achievable and deliverable.

(ii) The Reduction in the provision of live/work units

- 4.10. The applicants are far from convinced that there is a real commercial market for live/work units on the scale envisaged in the approved scheme. For that reason a more realistic approach has been adopted which provides commercial office and business space in dedicated commercial buildings. The overall

amount of business floorspace is reduced but the ratio to residential floorspace remains virtually the same. The applicant believes that the approach now adopted will be more appealing from a commercial point of view and that it reflects and addresses current market conditions. That is a factor which is important when considering the deliverability of the scheme.

(iii) Negotiations of a reasonable element of affordable housing

- 4.11. As set out in the policy section of this statement Ribble Valley Borough Council does not have a clear policy basis upon which to compel applicants to make specific quotas for provision for affordable housing. The applicants fully recognise the policy directives at national and regional levels which make the provision of affordable housing a material planning consideration. They are also aware of the various interim statements produced by the Council seeking to address these issues.

On the basis of those various statements and memorandums, and in good faith, the applicants are willing to negotiate an element of affordable housing within the scheme of not more than 30%. A draft Section 106 agreement has been submitted to that effect, albeit that the applicants are in negotiations with various parties including the Council, registered social landlords and the Homes and Communities Agency in the hope of identifying suitable mechanisms to secure the delivery of the affordable housing element.

- 4.12. Planning policy contained in PPS3 (and reinforced by the recently published draft PPS4) requires local planning authorities to re-assess historic employment land allocations and to actively consider alternative uses, such as housing. That is particularly pertinent in the context of the wider Barrow Brook Business Village where the market has failed to bring forward the application site for purely employment/economic development for the past 15 years or so. All of the evidence suggests that the likely requirements for land for economic/employment development can be satisfied. The same is not true

in terms of housing land supply – the Council has clear and immediate issues in terms of the 5 year housing supply position. Those circumstances combine to provide a clear and compelling policy requirement to bring forward additional sites for housing which can be delivered in the next five years.

- 4.13. The current scheme represents a re-profiling of the previously approved scheme in terms of the mix and format of the various elements within the scheme. The broad mix and ratio of residential to commercial is consistent with the extant planning permission. The key differences relate to the format of the residential component (i.e. less live/work units) and the level and delivery of the affordable housing element. Given the current housing market conditions the onerous affordable housing requirements associated with the extant planning permission render the scheme fundamentally flawed in terms of viability and deliverability, as they are disproportionate to the overall scheme.

The current proposals represent a more proportionate approach to the affordable housing issue, and provide opportunities for the applicant to investigate different delivery mechanisms including "Kickstart" funding.

- 4.14. The Kickstart Housing Delivery programme was announced in the 2009 budget and is targeted at stalled sites, to support the construction of high quality mixed tenure housing developments. It is administered by the Homes and Communities Agency and involves a bidding process by developers. It is a substantial financial support package which includes upfront investment support for infrastructure and development costs, complemented by support for affordable (intermediate and social) housing. The applicants intend to submit a bid for Kickstart funding for the second bidding round which will be launched in September 2009.

- 4.15. It can be seen, therefore, that the applicants are committed to bringing forward and delivering a scheme for the site which provides a high quality

mixed development. It is hoped that the Council can take a positive approach to these refined proposals, which will avoid unduly onerous requirements and conditions which might hamper the delivery of the development. In that context it will be important for there to be a dialogue on the phasing of various elements of the proposal. What is abundantly clear is that since the submission of the previous planning application in December 2007 there have been a number of significant changes in circumstances in terms of planning policy and housing market conditions. In contrast to the position two years ago there is now a pressing policy priority for the delivery of new housing, including affordable housing. The current housing supply position in Ribble Valley is worrying with only a 1.5 year supply of deliverable sites at 1 April 2008.

- 4.16. It is hoped that the Council will appreciate the need for development proposals to be refined and re-profiled to address the changed circumstances. The scheme remains policy compliant and represents an appropriate mix of uses for the site.

For these reasons it is hoped that the Council will support the revised proposals and that planning permission will be granted.