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**OUTLINE PLANNING APPLICATION BY
BRIERY HOMES LIMITED**

**TO
RIBBLE VALLEY BOROUGH COUNCIL**

**FOR A RESIDENTIAL DEVELOPMENT FOR THE ELDERLY
(COMPRISING 38 BUNGALOWS AND 40 RETIREMENT
APARTMENTS)**

**AT
LAND AT ACCRINGTON ROAD, WHALLEY**

PLANNING STATEMENT

FEBRUARY 2012

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PLANNING STATEMENT

SITE: LAND AT ACCRINGTON ROAD, WHALLEY

PROPOSAL: OUTLINE PLANNING APPLICATION FOR A RESIDENTIAL DEVELOPMENT FOR THE ELDERLY (COMPRISING 38 BUNGALOWS AND 40 RETIREMENT APARTMENTS)

1. INTRODUCTION

- 1.1 This Planning Statement is in support of an outline planning application submitted by Briery Homes Limited for a residential development for the elderly (comprising 38 bungalows and 40 retirement apartments) of land at Accrington Road, Whalley. The proposed development would also include the formation of a car parking area for the general use of Whalley and laying out of a riverside treed amenity space.

2. THE APPLICATION AND DEVELOPMENT PROPOSALS

- 2.1 This is an outline application, which seeks approval to access only. Layout, appearance, scale, landscaping and associated details are reserved for future consideration.
- 2.2 An illustrative layout plan indicating how the site could be developed accompanies the application. The illustrative plan shows:
- 38 detached bungalows (32 two-bedroom, 6 three-bedroom) are proposed, built to Lifetime Homes Standard and for occupation by the over 55s, with 40 one – bedroom retirement apartments within a two storey building;
 - the sole vehicular access would be from a point on the site's Accrington Road frontage approximately 35 metres to the east of and on the opposite side of the road from its junction with Sydney Avenue;
 - the units would be laid out around a circular road layout, allowing for maximum connectivity and accessibility, links to the public footpath network and providing an appropriate relationship to adjoining housing;
 - trees and hedges to the site's external boundaries frontage and within the site would be kept where possible and extensive additional planting provided within and to the outer edges of the development;

- 23 units would be made available on a shared ownership and affordable basis (representing 30% of the total units), to help meet the housing needs of the area. The units will be delivered through a Housing Association;
- all units would be designed to the Lifetime Homes Standard and would be restricted to occupation by the elderly, again to help meet the identified housing needs for the area;
- an area of treed amenity space would be provided alongside the river, to help pro-actively soften views into the development and to complement the character of the riverside and the enjoyment of users of the public footpath;
- the existing public footpath bounding the site to the east and alongside the river would be retained and footpath links would be provided into the treed amenity space and the development;
- a potential location for a package treatment works if required for treatment of foul water, with the discharge of surface water throttled to greenfield run-off rates; and
- a 25 space car park for the general use of Whalley would be provided at the north west corner of the site.

2.3 In addition to this Statement, and the indicative layout drawings already referred to, the application is accompanied by:

- Design and Access Statement – Harrison Pitt Architects Ltd;
- Transport Assessment – PSA Design Ltd;
- Arboricultural Impact Assessment – PDP Associates;
- Phase 1 Habitat Survey - Envirotech;
- Ground Investigation Report – Thomas Consulting;
- Flood Risk Assessment – PSA Design Ltd;
- Sequential and Exception Tests Statement – Janet Dixon Town Planners Ltd;
- Landscape and Visual Impact Assessment – PDP Associates;
- Heritage Statement – C J O'Flaherty MRICS MSc;
- Topographical Survey; and
- Draft Section 106 agreement.

3. SITE AND SURROUNDINGS

- 3.1 The site is located on the south eastern edge of the settlement of Whalley, some 170m to the east of King Street, the main shopping street within the centre of Whalley. The land is broadly rectangular in shape and extends to 2.97ha of open pasture. An overgrown sporadic hedgerow crosses the site in an east – west direction. The site generally slopes down in level from the north to the south, with the site's high point at its north east corner. There are no buildings present on the site, although there were once large poultry sheds on parts of the site
- 3.2 To the west of the site is an area of well established housing, with houses on Woodfield Way backing on to the site. To the north of the site is Accrington Road, beyond which is a further area of established housing, including modern development at The Cloisters. To the east of the site stand large (former) poultry sheds now in use for long-term storage. To the south of the site is the River Calder. The boundaries of the site are marked to the north by a hedge and occasional trees, to the east by a drainage ditch and an overgrown hedgerow with occasional trees, to the south by the river bank along which stand some trees, and to the west by garden fences. A public footpath runs in a north – south direction alongside (but beyond) the site's east boundary. That footpath enters the site at its south east corner and continues in an east – west direction alongside the river.
- 3.3 Whalley was shown in the 2001 census to have a population of 2,645. It is one of the main settlements within Ribble Valley (Clitheroe, Longridge and Whalley being the three largest settlements within the Borough). Whalley has a mix of housing, from traditional stone cottages through to post-war and recent development of suburban character. A wide range of facilities and services and facilities are to be found in the centre of Whalley, with King Street some 170 metres walking distance to the west of the application site. These include food stores, a wide range of other shops, hairdressers, post office, medical centre, dentists, optician, pharmacy, cafes, pubs, restaurants, takeaways, bank, solicitor's office, adult learning centre, community hall, library and churches. Whalley benefits from good public transport and highway links. There is a bus station in the centre of Whalley, with services connecting to the larger towns of Preston, Clitheroe, Skipton, Longridge, Blackburn,

Clayton-le-Moors, Accrington, Darwen, Padiham and Burnley. Whalley rail station, some 900 metres from the site, has direct hourly services running to Clitheroe, Blackburn and Bolton with connecting services to Preston and Manchester. There is ready road access to the A59 with links to Preston, Clitheroe, Skipton and towns further afield, and the A671 / A680 with links to the towns of east Lancashire.

4. PLANNING HISTORY

- 4.1 There is no recent planning history relating to the site. However, in the 1960's a number of planning permissions were granted for the erection of a range of large poultry sheds. The permissions were implemented, but the buildings have since been demolished.

5. PLANNING POLICY

- 5.1 The policies of the Development Plan are influenced by Central Government advice as set out in Planning Policy Guidance and Planning Policy Statements. The relevant parts of the Development Plan for the purposes of this planning application are the saved Policies of the Ribble Valley Local Plan adopted in June 1998 and the Regional Spatial Strategy for the North West approved in September 2008.

Ribble Valley Local Plan.

- 5.2 The following saved policies of the adopted Ribble Valley Local Plan (which was written to cover the period 1991-2006) are relevant to the proposal.
- 5.3 Policy G1: Development Control – all development proposals will be expected to provide a high standard of building design and landscape quality. The various detailed criteria to be applied in deciding planning applications are set out in the policy.
- 5.4 Policy G2: Settlement Strategy – developments will be mainly directed towards land within the main settlements (of which Whalley is one), including development wholly within the built up part of the settlements of Whalley or the rounding-off of the built up area.

- 5.5 Policy G5: Settlement Strategy – outside of the main settlement boundaries and the village boundaries planning consent will only be granted for small scale developments.
- 5.6 Policy ENV3: Open Countryside – development will be required to be in keeping with the character of the landscape area and should reflect local vernacular.
- 5.7 ENV7: Species Protection – development proposals which would have an adverse effect on wildlife species protected by law will not be granted planning permission;
- 5.8 Policy ENV16: Conservation Areas – the desirability of preserving or enhancing the character or appearance of a conservation area will be a material consideration in deciding proposals outside the designated area which would affect its setting or views into or out of the area;
- 5.9 Policy ENV17: Conservation Areas – applications within or affecting conservation areas are expected to be accompanied by sufficient information to assess the impact of the proposal on the conservation area;
- 5.10 Policy H2: Dwellings in the Open Countryside – outside the settlement boundaries residential development will be limited to specific categories including agricultural workers' dwellings, conversion of existing buildings and that intended to meet a proven local need.
- 5.11 Policy H19: Affordable Housing – the Council will promote the provision of affordable housing. In main settlements this will be achieved by negotiating for the inclusion of a proportion of affordable housing in all new planning consents for suitable sites.
- 5.12 Policy H21: Affordable Housing – requires details of who the development will be expected to accommodate the methods by which the accommodation will be sold or let, managed and retained as suitable for its original purpose.

- 5.13 Policy RT8: Open Space Provision – on all residential sites of over 1ha the layout will be expected to provide adequate and usable public open space.
- 5.14 Policy RT19: Footpaths – development that prejudices footpaths which meet various criteria will not be permitted.
- 5.15 Policy T1: Transport – in deciding planning applications the Council will attach considerable weight to various criteria. The criteria include the availability and adequacy of public transport and the location of development in areas which maintain and improve choice to walk, cycle or catch public transport rather than drive between homes and facilities.
- 5.16 Policy T7: Parking Provision – all development proposals will be required to provide adequate car parking and servicing space.

North West of England Regional Spatial Strategy

- 5.17 The RSS continues to form part of the development plan. It sets out the strategic planning and development framework at a regional level. It is primarily directed at providing a framework for policy planning at the local level. As such, it does not provide site specific guidance. However, policies DP1 to DP9 set out the principles that underpin the RSS. These include promoting sustainable communities, making the best use of existing resources and infrastructure, managing travel demand, promoting environmental quality and adapting to climate change. Policy RDF2 (Rural Areas) states that development in rural areas should be concentrated in key service centres which provide a range of services and have good transport links. Policy L4 (Regional Housing Provision) expects Councils to manage the availability of land identified in plans and through development control decisions to achieve the housing provision levels stipulated. The provision levels required in Ribble Valley (net of clearance) for the period 2004 – 2021 was 2900. This figure equated to 161 per year. Policy EM1 (Integrated Enhancement and Protection of the Region's Environmental Assets) seeks to identify, protect, enhance and manage the region's environmental assets. Loss or damage to assets should be avoided and, where not possible, mitigated. Policy EM 15 (Integrated Water Management) expects Councils and developers to protect the quantity and quality of surface, ground and coastal

waters, and manage flood risk. Policy EM18 (Decentralised Energy Supply) requires all residential developments of 10 or more units to secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources.

National Policy

- 5.18 Planning Policy Statement 1: Delivering Sustainable Development – states that sustainable development is the core principle underpinning planning. Planning should facilitate and promote sustainable and inclusive patterns of development by making suitable land available for development, ensuring high quality development, and ensuring that development supports existing communities.
- 5.19 Planning Policy Statement 3: Housing – states that where Councils cannot demonstrate an up to date 5 year supply of deliverable housing sites, they should consider favourably planning applications having regard to the policies of the PPS including the considerations at paragraph 69. Those policies include reference to good design, achieving a mix of housing including affordable housing and ensuring the efficient use of land (although there is no longer a national indicative minimum density). In assessing design quality regard is to be had to various criteria including whether the site is easily accessible and well-connected to public transport and community facilities and services, and is well integrated with and complements the neighbouring buildings in terms of scale, density, layout and access. Paragraph 69 specifically refers to:
- achieving high quality housing;
 - ensuring a good mix of housing;
 - the suitability of a site for housing;
 - using land effectively and efficiently; and
 - ensuring the proposal is in line with planning for housing objectives.
- 5.20 Planning Policy Statement 5: Planning for the Historic Environment – sets out the Government's planning policies on the conservation of the historic environment. Key objectives include delivering sustainable development, recognising that heritage assets are a non-renewable resource, and conserving England's heritage assets in a manner appropriate to their significance.

- 5.21 PPS 9 – states that the aim of planning decisions should be to prevent harm to biodiversity.
- 5.22 Planning Policy Guidance 13: Transport – seeks to promote more sustainable transport choices and to reduce the need to travel, especially by car. Where developments will have significant transport implications a Transport Assessment should be prepared and submitted. The coverage and detail of the Transport Assessment should reflect the scale of development and the extent of the transport implications of the proposal.
- 5.23 Planning Policy Statement 23: Pollution and Planning Control – states that in considering planning applications, the potential for contamination to be present must be considered;
- 5.24 Planning Policy Statement 25: Development and Flood Risk – the aim of planning policy is to ensure that flood risk is taken into account at all stages in the planning process, with identified risks suitably managed or reduced. Planning applications, where appropriate, should be accompanied by a site specific flood risk assessment. Table D.3 indicates that residential development is acceptable within Flood Zone 2. No exception test would be required for residential development within Flood Zone 2, although a sequential test should be applied.

Local Development Framework

- 5.25 Ribble Valley Borough Council is still at an early stage in the replacement of the Local Plan with a Local Development Framework (LDF). The Council engaged in a process of evidence gathering and produced a six page Core Strategy Issues and Options Consultation leaflet in late 2007. In 2010, a Core Strategy consultation document was published. The consultation document included a number of optional strategies for the distribution of housing development. The document confirms the level of housing provision to be at least 161 dwellings per year, and the requirement for affordable housing to be 30% of site yield. In 2011 further consultation on a wider range of optional strategies for the distribution of housing development took place. Consultation has similarly taken place on draft

Development Management Policies and Key Statements. More recently, in late 2011, consultation was undertaken on housing requirement figures. That exercise culminated in a report to the Planning and Development Committee dated 2 February 2012. The recommendation was for a housing requirement figure of 220 dwellings per year for the period 2008 – 2028. No work has been carried out on any site allocation development plan documents. At the present time, no regard can be given to the LDF as a source of policy guidance, although reference may be made to relevant aspects of evidence documents. Those relevant are summarised below.

- 5.26 The Strategic Housing Land Availability Assessment (SHLAA) was consulted on in September 2008. The application site was appraised as part of the assessment. A copy of the assessment sheet for the site (reference 049) is appended (Appendix A) for information. The assessment concluded that the site is available in the 0-5 year period; also, that development is achievable and deliverable. The sustainability score for the site was 78, which compared favourably with many sites.
- 5.27 The SHLAA consultation, as a whole, generated a large volume of responses. A report was presented to the Council's Planning and Development Committee at its meeting on 5 November 2009. The report recommended some technical amendments. However, the finalised SHLAA contained no changes from the consultation document in respect of the application site.
- 5.28 The Strategic Housing Market Assessment (SHMA) was adopted in December 2008. It concluded that Ribble Valley has high levels of owner-occupation, with considerable numbers of large detached houses and a relatively small social housing stock. The Borough's population is growing and average household sizes continue to shrink. More housing needs to be constructed, but it must be of the right tenure, size and quality to meet the needs of residents. Drawing all available evidence together, including housing needs analysis of the type specified in current DCLG guidance, the SHMA suggests a shortfall of 264 affordable rented units per year. While this is unlikely to be a realistic target for the provision of affordable homes, this highlights a clear and pressing need for more of this type of housing. In short, the SHMA points to a need to increase the supply of market housing and to provide more social housing.

5.29 With regards to the specific needs of the elderly the SHMA highlights that Ribble Valley has an ageing population with almost a quarter (22.9%) of all residents in Ribble Valley aged over 60, with the population forecast to increase. However, Ribble Valley has a lack of sheltered accommodation and bungalows and those bungalows that do come on the open market are highly sought after. The Need Surveys across the Ribble Valley parishes highlight elderly households housing needs in particular for one to two bedroom sheltered accommodation or bungalows, near to local services and family. The desire by ageing residents to remain within their communities is mentioned. However, in the majority of rural parishes within Ribble Valley there are no suitable properties for them. Whilst many older people occupy larger houses than they currently need (and could be used to house a family), they will only choose to leave if they feel they are moving into accommodation that better meets their needs or aspirations.

5.30 The Annual Monitoring Report (AMR) 2011 provides a statement on the 5 year supply of housing land based on RSS figures, to 31 March 2011. It indicates that the total supply of dwellings under construction and deliverable permissions (discounted by 10% slippage allowance) to be 555. When compared to the RSS annual provision requirement of 161 units, this figure equates to 2.9 years' supply. With regards to affordable housing, the AMR states that a Memorandum of Understanding sets out detailed requirements for the provision of affordable housing across the Borough. The AMR goes on to state that the Memorandum of Understanding (now re-issued as the Addressing Housing Needs policy document) is a material planning consideration on which further policy will be developed as the LDF progresses.

6. OTHER RELEVANT LOCAL POLICY DOCUMENTS / INFORMATION

Addressing Housing Needs in Ribble Valley – Housing Policy

6.1 The 'Addressing Housing Needs in Ribble Valley – Housing Policy' document was approved by the Council's Health and Housing Committee on 19 January 2012. It is stated to be complementary with and supplementary to the relevant Development Plan policy. The document is directed at addressing identified housing needs in the Borough, most particularly relating to issues of affordability and suitable

accommodation for the elderly. The document states that outside of Longridge and Clitheroe, for developments of 5 or more dwellings, the Council will seek 30% affordable units on the site. The form of affordable housing to be provided and the mechanism by which it will be secured will be determined by negotiation between the Council and the developers. The housing type will be determined on a site-by-site basis using the housing needs information. This will take into account the extent and nature of local needs and have regard for location of the site relative to local services and facilities, access to public transport, scheme economics, and other planning objectives of the site. Any affordable housing provided under the terms of this policy should be available for those in local need, to initial and successive occupiers, for as long as the local need exists. Any application that generates a requirement for affordable housing must be accompanied by a draft section 106 agreement giving details of the affordable housing the applicant proposes to deliver. In relation to accommodation for the elderly, a requirement for 15% of units to be bungalows for the elderly is stipulated. This would be achieved by;

- on sites of 30 units or more, a requirement for 15% to be for the elderly;
- of the 15% elderly accommodation a minimum of 50% would be affordable and included within the affordable offer of 30%; and
- the remaining 50% of the elderly accommodation could be market housing to be sold at market value or rent.

Ribble Valley Sustainable Community Strategy

- 6.2 The Ribble Valley Sustainable Community Strategy was published in March 2008 to cover the period until 2013. The document sets out the community aspirations, needs and priorities. The strategy seeks to coordinate the actions of the public, private, voluntary and community sectors in meeting those needs. The Strategy cites the findings of a General Household Survey within the Borough in 2007 that identified three top issues people felt needed improving in the District, they included Affordable Decent Housing (39.2%). Over the previous three years it was perceived that the availability of affordable decent housing had become worse. The Strategy identifies the provision of more affordable housing as one of the highest priorities for the Council. In turn, one of the Strategy's Strategic Objectives is to increase the amount of affordable and appropriate housing brought on stream that is decent and of high quality in a well designed environment. A target for provision of 100 new

affordable units a year within the Borough was set. The document also recognises the need to adopt a strategy for an ageing population, with a population of an age above 50 significantly higher than neighbouring areas and the national average. One of the key proprieties identified was the need for 'accessible, affordable housing suitable for older people'.

Housing Needs Survey

- 6.3 The Council published the results of a Housing Needs Survey for Whalley in 2011. In short, the report identifies a continuing and high level of need for affordable housing and elderly persons' accommodation. An evident low supply of affordable housing in the parish was identified, with house prices well above the Ribble Valley and Lancashire averages. Regarding need, the report states that there are 406 households on Ribble Valley's Social Housing Register for Whalley, broken down as follows:

- 171 requiring one bedroom sheltered accommodation;
- 64 requiring two bedroom sheltered accommodation;
- 70 requiring one bedroom general needs accommodation;
- 40 requiring three bedroom house;
- 5 requiring a four bedroom house;

A total of 523 responses (approximately a one-third response rate) were received to the survey. Of those, 62 responses indicated a housing need with the greatest need being within the 0 – 2 year period. Overall, the survey indicated a need for 34 houses, 9 flats, 8 bungalows and 10 sheltered / retirement housing. Similar studies have been carried out for other parishes within the Borough, which also demonstrate need for affordable housing and accommodation tailored to the elderly.

Housing Land Supply

- 6.4 In a report to the Council's Planning and Development Committee at its meeting on 10 November 2011, an update was provided on housing land supply to 31 October 2011. This showed a total supply of 640 units, equating to a 3.3 years' supply based on RSS provision levels.

Housing Land Requirements

- 6.5 The Rt Hon Eric Pickles (Secretary of State for Communities and Local Government) in his letter to Council Leaders dated 27 May 2010 stated that evidence that informed the preparation of the revoked RSSs may be a material consideration and that the requirement for Councils to provide a five year supply of housing land remains. A report to Ribble Valley Borough Council's Planning and Development Committee, on 17 June 2010, confirmed that the RSS housing provision figure (161 dwellings per year in Ribble Valley) be adopted as the strategic basis for housing land provision in the Borough. Indeed, the Council supported the housing figures at the time of RSS preparation. The RSS 161 annual housing provision level figure was carried through to and used for the basis of the further round of consultation during Summer 2011 on LDF development strategy options. The figure remains the only evidence based and independently examined housing requirement figure.
- 6.6 During 2011 the Council commissioned Nathaniel Lichfield and Partners (NLP) to prepare an evidence report to assist it in further consideration of the issue of housing land requirements. The Council published the report for consultation in late 2011 and a review group set up to consider responses and to report back on an appropriate level of housing provision. The NLP report presented a range of housing requirement figures for the next 20 years based on a number of scenarios. The scenarios produced a range of housing requirement figures from 43 dwellings per year (based on zero net migration) through to 559 dwellings per year (based on past trends in jobs growth). However, the NLP report concluded the average dwelling requirements for Ribble Valley borough should be in the range of 190 to 220 dwellings per annum between 2008 and 2028. Furthermore, any figure significantly lower than this 190 – 220 range would be unlikely to allow for the provision of a suitable level of affordable housing in the borough; nor would it allow the borough to pursue its economic growth objectives without potentially encouraging unsustainable levels of in-commuting from neighbouring districts. Following consultation on the NLP study, a report was presented to the Planning and Development Committee dated 2 February 2012. The recommendation was for a housing requirement figure of 220 dwellings per year for the period 2008 – 2028.

Whalley Parish Plan

- 6.7 The Whalley Parish Plan was prepared on behalf of the Parish Council in 2004. The Plan was developed over a number of years, with the intention of representing the views of all sections of the community. It sought to identify features and local characteristics people value, local problems and opportunities, how residents want the community to develop in the future and to prepare a plan to achieve the vision.
- 6.8 The appraisal indicated the issue of greatest concern to local people to be transport, with congestion and parking highlighted. There is a particular focus within the Plan as to how to address the long stay parking issue, with reference made to investigating the feasibility and cost of various options and finding a site. The purchase and rental of part of the land between Accrington Road and the river for the formation a long stay car park and the laying out of a riverside picnic area is referred to.

7. OTHER RELEVANT LOCAL POLICY DOCUMENTS / INFORMATION

Draft National Planning Policy Framework

- 7.1 The Draft National Planning Policy Framework (dNPPF) contains a number of references to the presumption in favour of sustainable development and the need to support economic growth, as heralded by the Ministerial Statement of 23 March 2011 on 'Planning for Growth'. The dNPPF reflects the Government's up to date position on development and provides a clear indication of the Government's 'direction of travel' in the formulation and implementation of its planning policy. As such, full regard and significant weight should be given to the general principles and guidance contained within the dNPPF.
- 7.2 Paragraph 14 states that '*at the heart of the planning system is a presumption in favour of sustainable development*'. It goes on to state that '*local planning authorities should ... grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date*'. In turn, that '*all of these policies should apply unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*'.

- 7.3 At paragraph 19 the dNPPF states that *'decision-takers at every level should assume that the default answer to development proposals should be "yes", except where this would compromise the key sustainable development principles set out in this Framework'*.
- 7.4 The general theme is continued at paragraph 53 where it is stated that *'the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development'*.
- 7.5 The dNPPF, at paragraph 107, very clearly sets out *'the Government's key housing objective is to increase significantly the delivery of new homes ... this means ... increasing the supply of housing'*. In increasing the supply of housing local planning authorities should (paragraph 109) *'identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. The supply should include an additional allowance of at least 20 per cent to ensure choice and competition in the market for land'*.
- 7.6 The dNPPF sets out the Government's position in relation to a range of planning considerations and factors that should be taken into account by those deciding planning applications and appeals. In the main, these pick up on topics and themes addressed in existing PPS and PPG, eg opportunities for sustainable transport modes, accessible local services, affordable housing, design, open space, flood risk, heritage, and the natural environment.

8. CONSULTATION

- 8.1 The applicant consulted with the Council and other agencies at an early stage in the formulation of proposals for the site. The results of those consultations are summarised below.

Ribble Valley Borough Council

- 8.2 A number of meetings have been held with Planning and Housing Officers, where the following advice has been provided.

- 8.3 October 2011 – Planning Officer – it was confirmed that the site lies on the edge of, but outside of, the settlement boundary of Whalley. Ribble Valley does not have a deliverable 5 year supply of housing land and, thus, any development would have to be assessed with reference to PPS3, specifically paragraph 69. It was considered that the site is closely related to a service centre and adjacent to the settlement boundary. As such, the advice was that the proposals would satisfy the criteria set out in paragraph 69 of PPS3. Detailed advice on the requirements for affordable housing and other matters was also provided. The written response provided in December 2011 is attached at Appendix B.
- 8.4 January 2012 - Housing Strategy Officer – the proposals for a development specifically aimed at meeting the housing needs of the elderly was positively received.
- 8.5 December 2011 – Planning Officer – the methodology for a sequential test was discussed. Details are provided within the Sequential Test Statement.

Lancashire County Council Highways

- 8.6 December 2011 – Highways Officer – the methodology of the Transport Assessment was discussed as well as access design standards to be used and sustainable transport measures that should be considered. Details are provided within the Transport Assessment.

Whalley Parish Council

- 8.7 January 2011 – comments from the Parish Council on a draft layout for the site were sought. The Council's response is attached at Appendix C.

9. PLANNING ASSESSMENT

The main issues for consideration in this case are:

- principle of the development;
- housing supply;
- highways, access and accessibility;
- landscape impact;
- layout and design;

- affordable and local needs housing;
- neighbour amenity;
- heritage;
- flood risk and drainage;
- implications of the Draft National Planning Policy Framework; and
- other matters.

9.1 Each of these issues is addressed in turn below.

Principle

9.2 The site lies outside of the settlement boundary of Whalley (Policy G5). It is subject to open countryside policies (Policy H2). However, there are a number of sound reasons why no weight should be accorded to Policies G5 and H2 in relation to this development proposal. In short, the proposal related to land immediately adjacent to the settlement boundary, it is now beyond the Plan period and circumstances have changed. In more detail, the reasons are:

- the Local Plan only provides for development needs for the period up to 2006. There is unambiguous evidence available of the need to accommodate further housing growth in the Borough. There has also been a clear acceptance of this by the Council and acknowledgement that there will be a need for the release of greenfield land for housing development to meet future needs;
- circumstances have changed considerably since preparation of the Local Plan. The Local Plan was prepared in the context of the then current Lancashire Structure Plan (1991-2006). That document has since been superseded by the Lancashire Structure Plan Review (2001-2006) and, in turn, by the RSS adopted in 2008. The RSS provides the most up to date and examined evidence base on the level of housing provision to be made in the Borough for the period to 2021. This provision level has been confirmed by the Council, as referred to at 6.5 above. In addition, the latest evidence available to the Council suggests that there is a still higher housing requirement figure for the twenty years 2008 - 2028; and
- measured against the RSS housing provision levels the Borough only has 3.3 years supply of housing land. The Local Plan contains no allocated housing sites. This clearly demonstrates the inadequacy of provision within the Local

Plan for housing development. No progress has been made with a replacement LDF Housing Allocations DPD. The implications of this shortfall of housing land are considered more fully in the following sections 9.7 – 9.10.

- 9.3 The report to the Council's Planning and Development Committee on 17 June 2010 acknowledges that there is *"very limited capacity (for development and growth) within existing tightly drawn settlement boundaries and no further (Local Plan) allocations of housing land in particular to be brought forward"*. The report also states that Core Strategy options developed so far will require the release of extensive areas of greenfield land.
- 9.4 Against this background, what becomes key in terms of Development Plan policy is the overall settlement strategy as envisaged in the Local Plan and the principles to which development should adhere.
- 9.5 The Local Plan sets out a hierarchy of settlements, with development mainly directed by Policy G2 towards the main settlements including Whalley. It is, thus, clear that the general location of the proposal accords with the overall development / settlement strategy for the Borough as set out in the Local Plan. The proposal is of insufficient scale to be in any way considered inconsistent with the overall Local Plan development / settlement strategy, nor premature or prejudicial to the emerging Core Strategy. In any event, it is significant to note the general scale / location of the proposed development is consistent with the optional strategies for the spatial distribution of housing development as set out in the Core Strategy consultation documents and as most recently presented to the Council's Planning and Development Committee.
- 9.6 To conclude, Policies ENV3 and H2 can no longer be regarded as an appropriate basis for an assessment of the application. The proposal accords with the overall development strategy for the Borough. Thus, subject to compliance with other planning policy / principles (as dealt with in subsequent sections) and PPS3 (in relation to housing under-supply), the proposal should be regarded as acceptable in principle.

Housing Supply

- 9.7 There is a national policy requirement for local authorities to maintain a continuing five year supply of housing. Indeed, emerging national policy indicates that the five year supply should include an additional allowance of at least 20 per cent to ensure choice and competition in the market for land. The only evidence based and independently examined figures for housing provision are as prepared for the RSS. It is significant that the RSS for housing provision levels for Ribble Valley were supported by the Borough Council.
- 9.8 Reports to the Council's Planning and Development Committee acknowledges the above and confirms that the RSS housing figures be adopted as the strategic basis for housing land provision in the Borough. Latest evidence commissioned by the Council concluded the average dwelling requirements should be in the range of 190 to 220 dwellings per annum between 2008 and 2028.
- 9.9 There is an undoubted severe under-supply of housing land within the Borough, measured against the RSS housing provision levels. As such, there is an added presumption in favour of the application. Paragraph 71 of PPS 3 states that proposals should be considered favourably having regard to the policies of PPS3 and, in particular, the provisions of paragraph 69.
- 9.10 Paragraph 69 of PPS3 specifically refers to the following criteria. The manner in which the proposal accords with the criteria is then assessed:
- achieving high quality housing – as detailed in the Design and Access Statement, this scheme has been designed to respond to the characteristics of the site and integrate well with the locality. Furthermore, the site is accessible and well connected to public transport and community facilities and services, with the main shopping street in Whalley within 170 metres of the site. The development provides for a treed amenity open space area alongside the river, linked to the public footpath network;
 - ensuring a good mix of housing – the proposal provides for a variety of housing to appeal to and meet the needs of a mix of elderly households. In particular, the proposal has been tailored to meet needs identified within the Council's SHMAA, Housing Needs Survey and affordable housing policy. The proposal

delivers 30% affordable housing and all units would be designed to the Lifetime Homes Standard and be made available for elderly households. This would complement and assist in re-balance the housing provision within Whalley and the wider Borough, which evidentially fails to meet the needs of the elderly;

- suitability of the site for housing – the site's suitability for housing is demonstrated by compliance with the Council's overall settlement strategy, as indicated by the Local Plan and more recent consultation relating to the Core Strategy. As previously detailed the site is highly accessible to services, facilities and public transport making it most suitable for a housing development, especially one specifically designed to meet the needs of the elderly;
- uses land effectively and efficiently – whilst the site is a greenfield one policy (national and local) recognises that not all development can be accommodated on brownfield land. Indeed, based on available evidence, the RSS set a target of 65% housing development on brownfield land. The June 2010 re-issued version of PPS3 makes no reference to national minimum densities. The proposal is for a density of 27.5 dwellings per hectare. This density makes effective use of the site, consistent with the need for the development to reflect the characteristics of the site and its surroundings;
- ensuring the development is in line with planning for housing objectives – the proposal reflects the need and demand for housing in, and the overall settlement strategy for, the area. In particular, the development provides housing for the elderly for which there is a clear unmet need. It does not undermine wider policy objectives, eg housing market renewal.

Highways, Access and Accessibility

- 9.11 A Transport Assessment accompanies the application. It concludes that access to and from the site by public transport, cycle and by foot is good and therefore these modes provide an alternative to travel by private car. The traffic likely to be generated by the development is low, especially given the target elderly resident population. As such, the proposed development would have a minimal impact in terms of highway safety and traffic impact. Access would be from Accrington Road via a simple T-junction and have adequate visibility, radii etc to meet relevant design standards.

Landscape Impact

- 9.12 A Landscape and Visual Impact Assessment has been carried out to assess the development's impact on the character and appearance of the locality and the wider landscape.
- 9.13 The assessment concludes that the proposal would be located on a site bounded on three sides by development and linking to the settlement of Whalley to the west and the former poultry houses. The overall effect on the landscape character is mitigated by the capacity of the study area to absorb a development of this scale due to existing adjacent development. In addition to the primary mitigation measures of siting, significant secondary mitigation are proposed. The scheme includes for a 16 metre wide band of buffer planting to add to the existing riverside vegetation, as well as a comprehensive landscape scheme to soften the development as a whole. This will develop over time and soften the overall impact of the development on the landscape. The visual impact at year 15 is classed as slight/moderate. Additional consideration has been given to selection of visually appropriate materials, primarily stone walls and slate roofing materials, to minimise the visual impact.
- 9.14 The assessment concludes that the site may only be viewed from specific locations, either distant or local. From these locations the proposed development would be viewed in the context of other development and, often, filtered by existing development and stands of trees and hedgerows. As such, the development would not appear visually intrusive nor would it appear as an uncharacteristic or inappropriate element in the wider landscape.

Layout and Design

- 9.15 The application is accompanied by a Design and Access Statement. This more fully describes the scheme and the process that has led to the submitted layout. However, with the exception of the access arrangements, all matters of detail are reserved for subsequent consideration and the layout and design is for illustrative and indicative purposes only.

9.16 Briefly the main considerations that have underpinned the design process are the need:

- to respond to the characteristics of the site and the character of the locality. There is much evidence of development of a modern suburban character in the area. However, traditional property is characterised by a restricted palate of materials including stone, render and slate. The development would utilise the same set of materials to ensure it harmonises with the traditions of the area;
- to create a site layout which promotes pedestrian activity, with a 'loop route' and footway connections to the public footpaths and the footway into Whalley;
- to make the most of the existing tree and hedgerow cover within the site, which is bolstered and improved through the proposals;
- to complement the river frontage with provision of a treed amenity open space and which would filter views into the development;
- to retain the public footpaths as part of the development and integrate them with the proposed layout;
- to locate the taller two storey buildings in the north east corner of the site, taking advantage of levels changes to provide effective screening;
- to provide appropriate spacing to neighbouring dwellings;
- to satisfy unmet needs for elderly persons' accommodation; and
- to help address the identified needs for additional long-term parking for Whalley.

9.17 To conclude, the layout and design of the development represents a considered and appropriate response to the characteristics of the site and its context.

Affordable and local needs housing

9.18 In the first instance, it should be noted that the provision / delivery of affordable housing is a key ambition of the Council, as expressed through the Ribble Valley Borough Council Local Plan, Ribble Valley Sustainable Community Strategy and reaffirmed in other policy documents including the Addressing Housing Needs policy document and the recent consultation exercise on the Core Strategy. The applicant is committed to the provision of affordable housing as part of the development and, thus, will assist in the Council meeting its ambitions. Issues of

need, type / tenure / size of accommodation being provided, the means of delivery and the content of the section 106 draft agreement (submitted with the application) are addressed below.

Housing Need

- 9.19 The evidence base is detailed in section 6.3 of this Statement. The evidence base draws on a number of sources. It clearly shows that at the Borough and the Parish levels there is a very substantial demand and unmet need for affordable housing, including housing specifically designed for the elderly.
- 9.20 The Housing Strategy Officer welcomed the proposed housing mix, which includes 11 affordable bungalows and 12 affordable retirement apartments, comprising 30% of the proposed site yield. All units (affordable and market) would be built to Lifetime Homes Standard and would only be available to the elderly with the draft legal agreement regulating occupancy. In addition, all market units would in the first instance be made available solely to Ribble Valley residents. This would assist local residents who wish to move from larger homes in the area, thus freeing accommodation for families.
- 9.21 To summarise on evidence of need, there is clearly a continuing and unmet need for both affordable housing in the area and housing to meet the needs of the elderly. This has been confirmed by reference to available evidence and in discussions with the Council's Housing Strategy Officer. Indeed, the evidence base has been used by the Council to establish its requirements for affordable housing in the Addressing Housing Needs policy document which would be delivered through this proposal

Type, tenure, size etc of the accommodation being provided

- 9.22 The proposal provides for 23 affordable housing units of one and two bedrooms. It is proposed that the units be made available on a shared ownership basis. The proposal has been discussed with the Council's Housing Strategy Officer and Symphony Housing Association (the applicant's preferred partner). It should be noted that the Council's Housing Strategy Officer has long expressed a wish to see the development of elderly person's, but none has been provided for within current market housing schemes or those with planning permission. The affordable units

are to be provided as indicated by the plan which accompanies the section 106 agreement. The affordable housing proposed represents 30% of the site yield, to comply with relevant national and local planning and housing policy.

Means of delivery

- 9.23 The units will be delivered through a Housing Association. Symphony Housing Association is the applicant's preferred partner. The scheme has been worked up in close co-operation with officers from the Housing Association. To secure delivery of the affordable housing a draft section 106 legal agreement is submitted along with this application. The heads of the agreement are detailed at section 10. The terms of the agreement reflect those set out in Local Plan Policy H19 and other recent obligations entered into by the Council.

Conclusion

- 9.24 The delivery of affordable housing is a key ambition / priority of the Council. The proposal, which includes affordable housing to be delivered through a Housing Association, would assist the Council in meeting that ambition. In accordance with national advice, the Council has set out its requirements for affordable housing based on its own evidence. Council Officers have confirmed there to be a continuing unmet need for affordable housing in the area. Regard has been had to the considerable parish level and Borough wide evidence base on affordable housing needs. The type, size, tenure etc of the affordable housing reflects identified needs and has been discussed with the Council's Housing Strategy Officer. The means of securing the delivery of the affordable housing is clearly set out. The development proposal would be in a sustainable location, being well located in relation to public transport, local services and facilities, would deliver a high-quality scheme and a mix of housing (including 30% affordable units and 100% accommodation for the elderly) in accordance with PPS3. The proposal conforms to all relevant policies of the Local Plan and the Addressing Housing Needs policy document, and the principles for acceptable / appropriate development as contained in national planning policy. In short, the proposal would contribute to the wider achievement of sustainable development, which underpins planning policy by ensuring that the needs of local communities are satisfied.

Neighbour Amenity

- 9.25 The proposed development is situated alongside an established housing area at Woodfield Way and the amenities of the occupiers of nearby housing deserve due consideration. The rears of the properties on Woodfield Way face the application site, with intervening rear garden areas. The illustrative plans show there to be a minimum of 21 metres between the rear facing windows on Woodfield Way properties and the facing windows of the proposed development. This would comply with normal interface standards and no detriment to the amenities of the occupiers of the Woodfield Way properties would arise by reason of overlooking, loss of privacy or overbearing impacts, especially given the nature of the bungalows proposed.

Heritage

- 9.26 The submitted Heritage Appraisal examines the heritage values and significance of the Conservation Area and the possibility that these might be harmed by the proposed development. It is concluded that there is no risk of direct physical harm. In respect to harm to the setting of the Conservation Area, the likelihood of this is minimal, given that the proposed development would be physically detached from the Conservation Area and the Area is already surrounded by a large amount of 20th century housing development. Where the Conservation Area and development site are in closest proximity at Accrington Road, the road itself provides an effective buffer zone between the two. In any event, in this specific location it is the fabric of the late 19th century terrace that is conserved and not its setting.

Flood Risk and Drainage

- 9.27 A Flood Risk Assessment (FRA) accompanies the application. The site is located in Flood Zones 1 and 2, with some 60% of the units to be delivered within that part of the site identified as Flood Zone 1. Surface water run-off will be throttled to not exceed natural run-off rates. Thus, the development would not result in an increase in surface water run-off and, thus, flood risk elsewhere. Site levels adjacent to the river are to be lowered to increase flood capacity, whilst site levels elsewhere within the site are to be raised so that building slab levels would be above the requisite flood level.

- 9.28 In accordance with PPS25 a sequential test has been carried. The test was based upon the type of development proposed and using agreed criteria and the Council's evidence of potentially available sites. This assessment has revealed that there are no alternative suitable sites for the proposed development. The site identified represents the most suitable, available site to meet the need for the proposed development. It is therefore concluded that the sequential test is satisfied. An exception test was not required for the proposed development as residential uses are classified within PPS25 as an acceptable use of land within flood zone 2.

Implications of the dNPPF

- 9.29 As described elsewhere, the Ribble Valley Local Plan is out of date. It was adopted in 1998, intended to provide for housing until 2006, and was drawn up to accord with a now superseded Structure Plan (the now relevant replacement document being the Regional Spatial Strategy, which provides for significantly higher annual housing provision levels). As such, this is precisely the type of case that the dNPPF is seeking to address and to indicate that planning permission should be granted. It has been demonstrated through this Statement and the applicant's other submissions that no undue or adverse impacts would arise as a result of the proposed development. In any event, even if there were to be judged to be 'adverse impacts', they would not 'significantly and demonstrably outweigh the benefits'. Neither would the development compromise the sustainable development principles set out in the dNPPF. More particularly, and in view of the clearly evidenced shortage of housing land within Ribble Valley, there is a considerable benefit in bringing forward the development to assist in an increased delivery of homes as advocated by the dNPPF. This gives significant and added weight to the case to allow the appeal and to grant planning permission.
- 9.30 It is set out elsewhere, and evidenced by the Local Authority, that there is less than a five year supply of deliverable housing land within Ribble Valley. More specifically, the last monitoring undertaken by the Council indicated a supply of 3.3 years, measured at October 2011. This clearly falls well short of the expectations of the dNPPF, not only in not having a five year supply but also the additional requirement for an allowance of at least 20 per cent.

- 9.31 As also set out elsewhere, the application site was assessed as part of the Council's SHLAA and demonstrated that the site is available, achievable and deliverable within the 0-5 year period. The only substantive constraint is the lack of a planning permission. Should a planning permission be granted the site would be available and contribute positively to increasing the supply of housing land.
- 9.32 Having regard to the dNPPF, the lack of an adequate supply of housing within Ribble Valley and the credentials of the application site the appellant's case that planning permission should be granted is re-affirmed.
- 9.33 To conclude, a number of aspects of the dNPPF have been shown to be relevant to and have a bearing on this appeal. The dNPPF builds (rather than conflicts with) existing planning policy guidance and indicates a clear 'direction of travel' in Government planning policy; most notably, in respect of the presumption in favour of sustainable development and increasing the supply of housing land in support of economic growth. Clearly, the dNPPF is a material consideration and, in view of the above, should be given significant weight in determining the application. Finally, it should be noted that the proposal is consistent with both the general principles and detailed considerations advanced through the dNPPF.
- 9.34 The principles advanced in relation to each of the topic areas referred to in the dNPPF, in combination, define what may be regarded as sustainable development (for which the dNPPF states the default answer should be 'yes'). These are factors that have been taken into account in the formulation of the proposal and are examined in more detail elsewhere in section 9. As such, the dNPPF re-affirms the applicant's case that planning permission should be granted.

Other Matters

- 9.35 With regards to infrastructure provision, the GP surgery in Whalley has already made provision within its facilities for future housing growth in Whalley. The proposal is specifically directed at accommodation for the elderly and, as such, would not generate demand for additional school place. Thus, with no impact on service provision no contribution towards enhanced services would be required.

- 9.36 There are recognised parking problems within Whalley as specifically articulated within the Whalley Parish Plan. Accordingly, and given the site's convenient location to the centre and the Plan's aspiration to see more provision made for parking to serve Whalley, the proposal includes for a 25 space car park to meet the general needs of Whalley.
- 9.37 The applicant has had regard to the comments made by the Parish Council. The various issues are addressed elsewhere within this Statement. A copy of the applicant's response to the Parish Council is attached for information at Appendix D.
- 9.38 An Arboricultural Impact Assessment is submitted with the application. This shows that, in general, all planting within the site or on its boundary is mature, poorly maintained and with a minimal useful life expectancy. Regardless of whether the site is developed, much of the vegetation would disappear over the next 20 years through natural loss. The development offers an opportunity to implement a considered management regime which will prolong the life and the aesthetic qualities of the existing planting. Combined with reinforcement planting of the site's boundaries, the aesthetic and ecological value will increase. It is in the developer's interest to retain what planting they can as it helps provide a mature and aesthetically pleasing setting. By using the protective elements dictated by British Standard 5837, no significant damage should take place to retained trees during the construction phase and the retained trees should flourish in the long-term. Any tree works must conform to BS3998:1989 "Recommendation for Tree Work", and as modified by more recent research and best practice.
- 9.39 An Ecological Survey Report is submitted with the application. No evidence was found of any protected species occurring on the site or the surrounding areas which would be negatively affected by the proposed site development. Enhancement of the site through landscaping, tree planting alongside the river and the new pond would result in significant ecological improvement of the site.
- 9.40 The applicant is committed to securing at least 10% of the predicted energy requirements from decentralised and renewable or low carbon sources. It is

envisaged that this would be delivered by one or a combination of the following means – air source heat pumps, ground source heat pumps and solar PV cells.

10. SECTION 106 AGREEMENT

10.1 A draft section 106 agreement is submitted with the planning application. It secures the delivery of affordable housing, the availability of all housing only to the elderly and appropriate financial contributions to address specific impacts. The key heads of the agreement in relation to affordable are detailed below:

- Elderly accommodation – the occupancy of all units is restricted to the elderly;
- Affordable units – defined as set out at 9.18 – 9.24 above and on the plan accompanying the agreement;
- Shared ownership occupancy – shared ownership leases shall only be granted to an approved person who will occupy the property as their permanent residence. The minimum share to be purchased shall be 10%, with the option to purchase additional shares in units of 10%, thus providing for 'staircasing' of ownership;
- Housing Association – provision for the disposal of affordable units to Symphony Housing Association;
- Phasing – phasing of release of market housing linked to commencement / completion of affordable units;
- Perpetuity – all affordable housing to be retained as such in perpetuity;
- Approved persons - a person who meets various eligibility criteria relating to local connections, with first availability to Whalley Parish residents and, subsequently, adjoining parish residents and, ultimately, to Ribble Valley Borough residents.

10.2 Other provisions of the draft section 106 agreement cover:

- Transport contribution – payment of an appropriate contribution towards sustainable transport measures; and
- Wheeled bin contribution – payment of an appropriate contribution towards the provision of wheeled refuse and recycling bins to serve the development.

10.3 The draft agreement has been drawn up in compliance with the Government's Community Infrastructure Levy Regulations and policy advice.

11. CONCLUSION

11.1 The site lies immediately adjacent to, but beyond, the Local Plan settlement boundary. Its development for housing would represent a departure from Policies G5 and H2 which seek to limit development. However, there are very sound planning reasons why these policies should not prevail. The Local Plan period (to 2006) has now long expired. The site adjoins the settlement boundary of Whalley. All evidence indicates, and the Council recognises, a need to accommodate further housing growth. The Borough finds itself with a considerable under-supply of housing land, contrary to Government requirements as set out in PPS3 and the dNPPF, which the Council acknowledges can only be met through development of greenfield sites. The site has been identified as suitable, achievable and deliverable for housing development through the Council's SHLAA. The development proposal would be in a sustainable location, being well located in relation to local services and facilities, would deliver a high-quality scheme and a mix of housing (including 30% affordable units and 100% accommodation specifically designed for the elderly) in accordance with PPS3. The proposal conforms to all other relevant policies of the Local Plan and the more recently published Addressing Housing Needs in Ribble Valley policy document, and the principles for acceptable / appropriate development as contained in other national planning policy. In particular, the development would:

- have a safe access and generated traffic would be within the capacity of (and allow for the continued safe operation of) the local highway network;
- be well integrated with and cause no harm to the character of the local landscape;
- be of an appropriate layout and design having regard to local characteristics;
- provide a treed amenity space, alongside the river;
- have a good physical relationship to existing housing, causing no detriment to the amenities of occupiers;
- have no detrimental impact on heritage assets, including the Whalley conservation area;
- retain, wherever possible, existing planting at the site and supplement it with extensive new planting;
- be appropriately designed in terms of flood risk and drainage;

- utilise adequate infrastructure to support the development / provision made as part of the development proposal;
- address recognised parking problems within Whalley, through the provision of a 25 space car park.

11.2 For the reasons set out in this Statement, the Council is respectfully invited to grant outline planning permission for this development proposal.

12. APPENDICES

- A. SHLAA Site 049 Assessment Sheet;
- B. RVBC pre-application advice letter dated 2 December 2011;
- C. Consultation response from Whalley Parish Council;
- D. Applicant's reply to Whalley Parish Council.

STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2008

Site Details

320120179P

Suggested By...

Site Ref: 049
 Site Location: East of Woodfield View, Accrington Road
 Town/Village: Whalley
 Current Land Use: Farmland
 Neighbouring Use: Residential, farm, river
 Visual Prominance: Very prominent
 In Operational Employment Use: No
 Green/Brown field: Greenfield

Name: Janet Dixon Town Planners

Potential Capacity: 34.4

Gross Area (Ha.): 2.82

Net Area (Ha.): 0.86

Availability		Achievability		Deliverability	
Site Availability:	0 - 5 Years	Is the Site Achievable:	Yes	Is the Site Deliverable:	INCLUDED IN 5-YEAR SUPPLY
Is the Site Available:	Yes				

Availability Comments: The site is either unregistered or has one registered owner and is therefore available

Achievability Comments: There is a reasonable prospect that housing will be developed on the site.

Sustainability Scoring Criteria

S1. Main Development Location:	3	S12. Within Conservation Area:	5
S2. Previously Developed:	1	S13. Impact on Listed Building/Setting:	5
S3. Covered by Essential Open Space:	5	S14. Impact on Scheduled Ancient Monument or Setting:	5
S4. Lead to Loss of Employment Land:	5	S15. In Archaeological Hazard Area:	5
S5. Car Parking at Minimum Level:	5	S16. Site Contains a TPO:	5
S6. Is Majority in Green Belt:	5	S17. Nature Conservation Area:	3
S7. Suitable Infrastructure:	1	S18. Development Adversely Impacts on Surrounding Uses:	3
S8. Can Infrastructure be Adapted:	5	S19. Any Bad Neighbour Land Uses:	3
S9. Within Landfill Consultation Zone:	5	S20. Consultation Zone for High Pressure Pipelines:	5
S10. Constrained by Topography:	3		
S11. Risk of River Flooding:	1		
S21. Other Constraints:	CBH site, track runs through the site, farm close by		Final Criteria Score: 78

Has the Site been Excluded: No

Reason for Exclusion: N/A

Any other Comments: CBH site, track runs through the site, farm close by. Net area due to advice from environment agency (flood zone)



Site 49 East of Woodfield View, Accrington Road, Whalley

Scale: 1:2500 SD7336SW Do not scale from this plan © Crown Copyright. All rights reserved Licence No. 100018641 March 2009

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RIBBLE VALLEY BOROUGH COUNCIL

please ask for: SARAH WESTWOOD
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my ref: SW/EL/RV/2011/ENQ/00351
your ref:
date: 2 December 2011

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Dear Mr Gee

LAND AT ACCRINGTON ROAD, WHALLEY

I write with regard to the above pre-application advice which requests this Council's view on proposals for the use of land as described above for the erection of approximately 90 dwellings. We met on 25 October and as promised here is a full response following our discussions that day. For ease of reference, I shall break down my response into headings and where appropriate give you the contact details of specialists who have advised me on individual matters.

Principle of development and relevant planning policy

Having reviewed the information that you sent regarding this matter, colleagues in the policy section have made the following observations.

To begin it is important to note that we would encourage a site of this scale to be promoted through the Local Development Framework (LDF), work on which is currently underway. A preferred Development Strategy option for the Core Strategy (and subsequently the LDF as a whole) is not far from being determined and once selected, work on the Housing and Economic Development DPD can progress rapidly which will look to specific sites for allocation/development (when I received this response from colleagues it was anticipated that a preferred option would have been determined before the end of the year ready for further consultation. There is a report going to Planning and Development Committee in December on this matter and I would advise you to look at that document alongside the comments offered here). However, it is appreciated that LDF production takes time and that adoption prior to 2012 is unlikely. Therefore, the current situation and policies of the adopted saved Districtwide Local Plan must be considered at this stage to assist with this current request for pre-application advice.

Under the adopted Districtwide Local Plan the site falls outside but adjacent to the settlement boundary and is designated Open Countryside (Policy ENV3 and Policy G5). Given that the site falls wholly within the open countryside, Policy ENV3 states that in the open countryside development will be required to be in-keeping with the character of the landscape area and should reflect local vernacular style features and building materials. Proposals to conserve, renew and enhance landscape features will be permitted, providing regard has been given for the characteristic landscape features of the area.

As the proposals are for the development of 90 residential units, Planning Policy Statement 3: Housing (PPS3) must be considered. Paragraph 72 of PPS3 states that where LPAs cannot demonstrate a 5-year supply of deliverable housing land, paragraph 69 should be considered in deciding planning applications. As at 1 October 2011, Ribble Valley can only demonstrate a 3.3 year supply of housing. Therefore, in assessing the proposals in relation to paragraph 69, Local Planning Authorities should consider:

- achieving high quality design,
- ensuring developments achieve a good mix of housing ,
- the suitability of a site for housing, including its environmental sustainability,
- using land effectively and efficiently; and
- ensuring the proposed development is in line with planning for housing objectives

An important consideration in assessing these proposals is bullet point 3 of para 69 (as above), which relates to the need for Local Planning Authorities to have regard to the suitability of a site for housing, including its environmental sustainability, as well as bullet point 5, which requires that development consider planning for housing objectives. Paragraph 10 and 36 of PPS3 discuss this further and state that housing developments should be in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure.

It is considered that although the site would be located on land designated as open countryside, it is adjacent to the settlement boundary of Whalley and therefore closely related to a service centre which can offer these facilities and access, which is in line with planning for housing objectives and considered a suitable site for housing. Therefore, based upon the information received to date, the proposals satisfy the criteria set out in paragraph 69 of PPS3.

In relation to the issue of a 5-year supply of deliverable housing sites, it is important to note that the situation is subject to rapid change. At the present time, the overall housing requirement for Ribble Valley is determined by the Regional Spatial Strategy (RSS) however Government advice has highlighted that the RSS is soon to be abolished and as a result it will fall upon LPAs to determine what the housing requirement should be for their own borough, albeit determined upon strong and robust evidence. As a result, in preparation for this abolition and having regard to the time frames involved in consulting upon and adopting new housing numbers for use in determining planning applications and working on the Strategic Development Plan, Ribble Valley Borough Council has recently instructed Nathaniel, Litchfield and Partners (NLP) consultants to undertake some work on assessing what the overall requirement for housing land should be in the borough. This work is now complete and subject to public consultation. Therefore as a result it must be considered that dependent upon the outcome of this consultation, the five-year supply position is subject to change.

It will also be important to consider any potential visual impact of the scheme. Policy H2 of the adopted Districtwide Local Plan discusses this in greater detail and states that the impact of proposals on the countryside will be an important consideration in determining all planning applications. Development should be appropriately sited and landscaped. In addition, scale, design, and materials used must reflect the character of the area, and the nature of the enterprise. I will pass comment on this elsewhere within this response.

In terms of potential change in policy, I am aware that work is progressing well on the Core Strategy Development Strategy options, LDF Development Management Policies and Key Statements document, as well on a revised Memorandum of Understanding on Affordable Housing, now titled 'Addressing housing need in Ribble Valley'. You are advised to keep a close watch on our website and Committee agendas for progress on these or contact the Regeneration and Housing Team direct.

In the absence of a detailed layout for the site, I can advise that following amendments to PPS3 in June 2010, where the national density standards were abolished, paragraph 16 of PPS3 continues to be applicable which states that matters to consider when assessing design quality include the extent to which the proposed development is well integrated with, and complements, the neighboring building and the local area more generally in terms of scale, density, layout and access.

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Affordable Housing

As you are aware, in respect of affordable housing requirements we have a document in place called the Affordable Housing Memorandum of Understanding (AHMU), which is a material planning consideration and is intended to be both complementary with and supplemental to the relevant policies contained within the Districtwide Local Plan. That document seeks to ensure that on market sites a percentage of affordable housing is provided to meet an identified need. As stated, your site is closely related to the settlement boundary and in such an instance, having regard to the current 5 year housing land supply situation and requirements of PPS3, the Council would adopt the approach outlined in paragraph 3.1 of the AHMU, i.e. *in all other locations in the borough [not Clitheroe or Longridge], on developments of 3 or more dwellings (or sites of 0.1 hectares or more irrespective of the number of dwellings) the council will seek 30% affordable units on the site.* This approach is taken because of the particular location of the site in relation to the identified settlement boundary and not because it is a qualifying development under the saved settlement strategy of the Districtwide Local Plan. The Council would therefore require a minimum of 30% of the site (under current proposals) to be for affordable housing which meets an identified local need.

It was clear from our discussions that you are proposing a scheme in its entirety for the over 55yrs. This has been discussed with Rachael Stott, the Council's Housing Strategy Officer and she has commented that the 90 units should be split between Shared Ownership and rental. The usual local connection, phasing and eligibility will be required which I believe you will be aware of given other developments and S106 Agreements we have worked on together recently. The waiting list for sheltered in Whalley can evidence the need for the type of accommodation suggested and it is advised that should this matter be taken forward by way of a formal application you contact Rachael direct to clarify her exact requirements for inclusion in a draft S106 agreement (you will remember that a draft agreement is required to validate such applications).

Trees/ecology/biodiversity

From my visit to site it appears that the land in question is greenfield and thus any subsequent application should be accompanied by a Phase 1 Habitat Survey and, where their presence is known or suspected, protected species surveys. These should be conducted by a suitably qualified ecologist at an appropriate time of year. These surveys will guide the development and where necessary identify any mitigation measures that may be required to compensate for any habitat/species loss. Mitigation should be on a like-for-like basis, ensuring that the area and quality of habitat and/or species population is equal to that which would be lost as a result of the development. Further information on species protection and habitat protection is provided later within this letter as part of the response from the Environment Agency.

It is also noted that there are trees/hedgerow within and bordering the site. As part of any submission you will need to provide an arboricultural survey and a tree constraints plan that accurately plots the location of all trees/hedgerow, their root protection areas and clearly identified if they are to remain or be lost as a result of development. Further advice on this can be obtained from David Hewitt if required.

Highways

Martin Nugent was not at our meeting but had provided some detailed comments concerning the pre-app information provided as follows:-

- 1 I have assessed my initial Planning Contributions on the basis of an Accessibility Score of 20 for this site. With 30% of the dwellings to be affordable, this allows for 27 dwellings at £1,200 and 63 at £1,800. This gives a total of £145,800.
- 2 The access to the site should be located to maximise visibility.
- 3 The design of the proposed access should satisfy LCC Specification for Construction of Estate Roads. To this end the access specifications should follow the basic parameters of a 5.5m minimum access width, 6m junction radii and 2m footways on either side of the approach.

4. The Speed Limit(s) on Accrington Road should be revised. I would welcome the following, a) 40mph from A671 at Spring Wood through to the east of the site frontage, b) 30mph to the east of the site and along the site frontage, c) contribute to the introduction of a 20mph limit through the village, with a transition point at the westerly edge of the site frontage
5. It may be appropriate to introduce measures to improve compliance with the revised speed limits, for example with interactive signage.
6. A future TA will need to indicate trip generation and distribution, along with an assessment of the impact of anticipated vehicular traffic on Accrington Road, at the King Street mini roundabout.
7. Consider a TRO prohibiting waiting on Accrington Road, similar to that recently introduced at Sydney Avenue opposite.
8. Footpaths 27 and 28 border the site to the south and east. While they do not enter the site, they must be maintained throughout any construction period, with no alteration to their path or accessibility.
9. Is it proposed to have the access road and internal layout adopted? If so, we can make preparations for Section 38/Advance Payments Code.
10. A range of bus stop locations are accessible within a 400m radius of the centre of the site. However, it would be beneficial to relocate the stop immediately to the east of Queen Street and place it towards the westerly edge of the development site. This location would allow for the introduction of appropriate road markings, street furniture and possible footway improvements.
11. Alastair Simpson has also referred to the following possible improvements:-
 - a) A tarmac riverside cycle path from the eastern boundary of the site to Calder Vale along the line of FP27
 - b) A toucan crossing at the junction by Spring Wood.
 - c) With a number of proposals being considered in the Whalley area, a contribution from each to an environmental improvement scheme in the centre of Whalley costing around £500,000 to improve conditions for pedestrians. This could be similar to the scheme in Garstang Town Centre, where widened footways have been provided with heritage paving.

Design/Layout/Visual Amenity/Heritage Asset

After visiting the site I am mindful of the fact that it lies outside the settlement boundary but immediately adjacent to it. There is an existing residential development that abuts its western side boundary and also some units set across the road to the north. The land in question is set lower than the roadside and falls away towards the River Calder. You did have an indicative potential illustrative layout at our meeting which did show adequate separation distances from existing dwellings. Areas of landscaping/open space were shown on the site's western boundary with the retention of hedgerow/tree planting to the eastern extreme. Similarly the hedgerow to Accrington Road appeared to remain intact but this will be dependent upon required sightlines. Without detailed information on the gradients of the land and potential scales of development it is difficult to offer specific design advice. However, you seem to be providing a mix of house types/sizes and there was mention of both independent living and a block of apartments. There was also mention made of the potential to provide a car park which could be used by the village – this would be something that I am assuming your clients would fund/manage

The site is outside Whalley Conservation Area and the study area for the Lancashire Extensive Urban Survey: Whalley Town Assessment. However, I have spoken to Adrian Dowd about the proposed development of this site and he considers that Conservation Area setting and views in/out are material and very relevant in this case (see Policy ENV16). The Whalley Conservation Area Appraisal refers – most notably in regard to Whalley's characteristic riverside location (including weir), enclosure by hills and its open green spaces. The compoundment of the 'busy traffic' issue identified in the Appraisal is also a material consideration.

We would expect you to have considered these issues in your submitted PPS5 Policy HE6 'Heritage Statement' to accompany any submission and would also refer you to the draft EH guidance on 'The Setting of Heritage Assets' (2011).

<http://www.english-heritage.org.uk/publications/heritage-assets-draft/>

I have also consulted with Doug Moir at LCC Archaeology Unit who has commented that a recent desk-based assessment of a nearby site has suggested that the area around Whalley has a small potential to contain previously unknown archaeological deposits dating to the prehistoric and/or Roman periods. A staged approach to investigating the site (geophysical survey & trial trenching) was suggested and accepted as an appropriate means of dealing with the archaeological potential of the site.

Consequently it is unlikely that LCAS would require any pre-determination work, although the applicant may wish to consider this as a means of removing the risk of encountering archaeological remains that might result in considerable expense, but rather that we would recommend that such work could be carried out post-permission as a condition of any planning permission.

I would suggest that given the sensitivities of the site in relation to the Conservation Area as part of any submission a landscape/visual assessment is carried out and provided in support of your application. This will need to fully explore the potential visual impact of the development of this parcel of land on views into and out of the Conservation Area and on the character and appearance of the village. It is a site that would expand the developed edge of the settlement further along Accrington Road and consideration needs to be given to the impact which such schemes of incremental growth are having on the historic pattern of development of this settlement. Without such detailed information it is difficult to comment any further than this at this time and I would draw your attention to another EH document 'Seeing the history in the view' (2011) which suggests the responsibilities for undertaking a phase B assessment of the impact of a proposed development on heritage significance within a view lies with the developer (PPS5 HE6.2). In considering views it is suggested that you view this site from the Nab along with other vantage points for views into and out of the Conservation Area.

Public Open Space

On a development of this size there will be a requirement for public open space under Policy RT8 of the DWLP.

The Council do not have a set formula for working out the size of such an area and this would be dictated to a degree by the type of accommodation to be provided on site. Ultimately the decision would be yours with a justification to be given for the approach taken in any submission. It is not the Council's intention to take on any future management/maintenance responsibilities associated with such areas and you would have to work out how this would happen. I am mindful this is a site for the over 55yrs but there will still be a requirement for adequate and useable open space.

Renewables

The Council would condition that the proposal should secure at least 10% of the predicted energy requirements from decentralised and renewable or low carbon sources unless it can be demonstrated, having regard to the type of development or design, that this is not feasible or viable.

Lancashire County Council Planning Contributions

Further to the consultation with regard to the above proposed development, this consultation response outlines the Planning Contribution request for Lancashire County Council Services based upon the Policy Paper 'Planning Obligations in Lancashire'.

Transport

There is likely to be a contribution request for sustainable transport measures in relation to this proposed development. This however, has not yet been determined. To discuss this further, please contact Mark Hornby tel 01254 828052 or Martin Nugent tel. 01254 828060.

Education

The initial observations of LCC education officers was that the latest information available at this time was based upon the 2011 annual pupil census and resulting forecasts.

Based upon the latest assessment, LCC would be seeking a contribution for 4 primary school pupils and 20 secondary school pupils.

Calculated at 2011 rates, this would result in a claim of:

Primary places: 4 @ $(£12,257 \times 0.9) \times 1.1072 = £48,855$
Secondary places: 20 @ $(£18,469 \times 0.9) \times 1.1072 = £368,080$
Total contributions: **£417,663**

NB: Dependent upon the outcome of the pending developments the total primary claim could increase to a maximum of the full pupil yield for this development i.e. 32 pupils. The same would also apply to the secondary claim. In this case the contribution claim would be as follows:

Primary places: 32 @ $(£12,257 \times 0.9) \times 1.1072 = £390,843$
Secondary places: 23 @ $(£18,469 \times 0.9) \times 1.1072 = £423,292$
Total contributions: **£814,135**

This response was received on the basis that it would be a development generating pupil numbers. It would seem somewhat illogical to request a contribution on a development that would be submitted for the over 55yrs and tied to this by way of a formal legal agreement should planning consent be forthcoming.

Waste Management

The County Council makes vital major investments in waste management infrastructure for reasons of environmental protection and sustainability. Also, the necessity to secure the County Council's budget position as a waste disposal authority, through investing in an early switch away from land filling, has become all the more apparent, since the recent announcement on the rise in landfill tax in this year's National Budget. Every District in the County is being provided with advanced treatment facilities to treat waste prior to land filling, either directly or via purpose designed transfer stations. Since each and every new house, wherever it is in the County, has to be provided with this basic service and the Council has to comply with significant new requirements relating to the management of waste, it is considered that the Council is justified in requesting a contribution towards waste management. Based upon the Policy Paper methodology for Waste Management, the request is **£43,200**.

Environment Agency

Have considered the site in question, and as part of any subsequent planning application, the following issues will need to be considered:-

Flood Risk

The majority of the site is located within Flood Zone 2, which is defined by Planning Policy Statement 25 Development & Flood Risk (PPS25) as having a medium probability of flooding. PPS25 states that more vulnerable development may be appropriate in Flood Zone 2 provided that there were no alternative sites available for development at a lower risk of flooding (the Sequential Test) and the site satisfies the requirements of the Exception Test. It would be for the local planning authority to determine whether the site satisfies the Sequential Test and consider parts a) and b) of the Exception Test. We would comment on the proposals in relation to part c) of the Exception Test, i.e. is the development safe.

Any subsequent planning application will need to be accompanied by a Flood Risk Assessment (FRA). The FRA would need to demonstrate that the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. We have modeled the risk of flooding from the adjacent watercourses and we have predicted flood levels adjacent to the site for a range of flood events. The FRA should therefore include a topographic survey of the site to allow a comparison between the predicted flood levels and existing ground levels.

The landowner/applicant is advised to submit an information request to us for flood level information to help them undertake their FRA. Information requests can be sent via e-mail to the following address nwnorthpreston@environment-agency.gov.uk and a charge will be payable. In the event that the applicant can demonstrate to us that the site satisfies the requirements of part c) of the Exception Test, they will also need to demonstrate that surface water run-off from the site can be restricted to existing rates.

Surface water run-off can be attenuated through the use of Sustainable Drainage Systems (SUDS). Support for the SUDS approach to managing surface water run-off is set out in paragraph 22 of PPS1: Delivering Sustainable Development and in more detail in PPS25 at Annex F. Paragraph F8 of the Annex notes that "Local Planning Authorities should ensure that their policies and decisions on applications support and complement Building Regulations on sustainable rainwater drainage". These not only attenuate the rate of surface water discharged to the system but help improve the quality of the water. They can also offer other benefits in terms of promoting groundwater recharge and amenity enhancements. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands.

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SUDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it must be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at a scale where uncontrolled surface water flows would otherwise exceed the local greenfield run off rate. Flow balancing should seek to achieve water quality and amenity benefits as well as managing flood risk.

Further information on SUDS can be found in:

- PPS25 page 33 Annex F
- PPS25 Practice Guide
- CIRIA C522 document Sustainable Drainage Systems-design manual for England and Wales
- CIRIA C697 document SUDS manual
- The Interim Code of Practice for Sustainable Drainage Systems

The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on both the Environment Agency's website www.environment-agency.gov.uk and CIRIA's website www.ciria.org.uk.

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the River Calder, which is designated as a Main River watercourse. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without prior consent of the Agency. Our consent will not be forthcoming for any development within 8 metres of the top of the bank of the River Calder and any subsequent layout should take this into account.

There is also an unnamed watercourse along the eastern boundary of the site. Any works to the watercourses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, require the prior formal Consent of the Environment Agency under

Section 23 of the Land Drainage Act 1991 Culverting other than for access purposes is unlikely to receive Consent, without full mitigation for loss of flood storage and habitats

Foul Drainage

The development should comply with Planning Policy Statement 23: Planning & Pollution Control (PPS23) and Annex 1 of PPS23. As such, and in accordance with DETR Circular 03/99 "Planning requirements in respect of the use of non-mains sewerage incorporating septic tanks in new development", the first presumption must always be to provide a system of foul drainage discharging into a public sewer and consultation with United Utilities is strongly recommended prior to the submission of any planning application.

The installation of private sewage treatment facilities within publicly-sewered areas is not normally considered environmentally acceptable because of the greater risk of failures leading to pollution of the water environment compared to public sewerage systems. This is supported by government guidance on non-mains drainage in DETR Circular 03/99 (paragraphs 3 and 4) which stresses that the first presumption must be to provide a system of foul drainage discharging into a public sewer. Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered.

The applicant should thoroughly investigate the possibility of connecting to the foul sewer by taking the following steps:

- Formally approach the sewerage undertaker regarding a connection under Section 106 or a requisition under Section 98 of the Water Industry Act (WIA) 1991
- Serve notice for connection under Section 106 of the WIA 1991 if the sewerage undertaker has refused connection.
- Provide details of the reasons given by the sewerage undertaker if it has refused connection under section 98 or section 106 of the WIA 1991 and confirmation that they have appealed against this decision.
- Demonstrate that it is not reasonable to connect to the public foul sewer.

Under the terms of the Environmental Permitting Regulations 2010, an Environmental Permit is required from us for any proposed sewage or trade effluent discharge to any inland freshwaters, coastal waters or relevant territorial waters. Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991 and we may refuse to issue a discharge consent for private treatment facilities in such circumstances.

Aquatic Habitat

The site is bordered by the River Calder and an unnamed tributary to the east and the proposed development could potentially have a detrimental impact on the value of the aquatic habitat. We also have records of protected species in the area.

An ecological survey of the site should be undertaken prior to the submission of any application and prior to the development of detailed plans for the site to enable an assessment of the level of risk posed by the development and to judge whether the proposals would meet the requirements of Planning Policy Statement 9 (key principles 1i) requiring planning decisions to be "based on up to date information about the environmental characteristics of their areas". The detailed design, construction, mitigation and compensation measures should be based on the results of a survey carried out at an appropriate time of year by a suitably experienced surveyor using recognised methodology.

The survey and risk assessment should:

- identify any rare, declining, protected or otherwise important flora, fauna or habitats within the site;
- assess the importance of the above features at a local, regional and national level;
- identify the impacts of the scheme on those features;

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- demonstrate how the development will avoid adverse impacts; and
- propose mitigation for any adverse ecological impacts or compensation for loss

The layout of the proposal should be such that a buffer zone is retained between the watercourses and the development. The buffer zone should be determined based on the results of the ecological survey and this zone should be without structures, hard standing, footpaths, fences or overhanging development such as balconies and should not include domestic gardens or formal landscaping

United Utilities

There has been no response from United Utilities to this pre application request. What I can say is that historically they have raised issues with developments on Greenfield sites within Whalley on the basis that there was insufficient capacity at the Whalley Waste Water Treatment Works. I know they have been doing some modeling work on this but I am not certain as the outcome of that study. Should you wish to take this matter forward I suggest that you contact them direct in order to establish their views in this respect.

Miscellaneous

We have a new Pennine Architectural Liaison Officer covering our area who may take a more proactive role in passing comment on secure by design matters. Her contact details are Barbara Thornber tel: 01282 472554 email Barbara.thornber@lancashire.pnn.police.

The Council's position on wheeled bins is that we impose a standard charge of £90 to developers to cover the administration and delivery costs in providing the standard three 140 litre wheeled bins to each household within new build developments. This would form part of any legal agreement along with affordable housing provisions and any other necessary financial contributions for transport or other matters that become apparent during an application's progression.

I trust the above is self-explanatory and offers a comprehensive overview of issues surrounding your site. To summarise, there are concerns about this scheme's relationship with the Conservation Area and this impact would be a significant part of any consideration in determining a future application. The views given represent officer opinions only given without prejudice to the final determination of any application submitted. I stress they are a reflection of the Council's views at the date this letter was written and may be subject to change in the future having regard to progress on the LDF

Yours sincerely

SARAH WESTWOOD
SENIOR PLANNING OFFICER

Mr M Gee
Janet Dixon Town Planners Limited
10A Whalley Road
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BB7 1AW

320120179P
Whalley Parish Council

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8th February 2012



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Janet Dixon Town Planners Ltd
10a Whalley Rd
Clitheroe
BB7 1AW

Dear Ms Dixon

Land of Accrington Road, Whalley

The parish council wish to make the following observations regarding your consultation exercise for the above proposed development

1. Whilst the development will not place additional strain upon the existing educational provision, the same cannot be said regarding the existing medical practice. The impact on the surgery with citizens requiring additional medical facilities will require extra provision.
2. The parking spaces available for residents are inadequate
3. The parish council welcome the provision of a public car park. However, the number of spaces available for motorists will barely ease the congestion to the village which the extra provision of housing will have engendered.
4. Concern is expressed with a road layout that enters Accrington Road directly opposite Sydney Avenue. At the moment cars are parked on both sides of the road making access to Accrington Road especially difficult and at times dangerous. As noted in 3. above, car park provision will not eradicate this problem.
5. United Utilities need to increase the scope and efficiency of the waste disposal systems before any additional housing is considered.
6. The proposal is obviously on the flood plain of the Calder. The parish council need to be assured that the proposed development encompasses flood prevention schemes which at the moment are not apparent.

Yours sincerely,

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APPENDIX D

16 February 2012

Mr F Holland
Clerk to Whalley Parish Council
16 The Dales
Langho
Blackburn
BB6 8BW

Dear Mr Holland

PRE- PLANNING APPLICATION CONSULTATION RETIREMENT HOUSING DEVELOPMENT, ACCRINGTON ROAD, WHALLEY

Thank you for your letter dated 8 February 2012 in response to our pre-application consultation.

The applicant and the various technical advisers have carefully considered the Parish Council's comments and I have been asked to respond.

First of all, I should point out that the scheme has been reduced in scale, with 40 retirement apartments being proposed rather than the 60 shown on the scheme we consulted you upon. I trust the applicant's decision to reduce the scale will be welcomed by your Council.

With regards to the specific points within your letter, I would comment as follows:

1. Your comment that there would be no additional strain on education provision is noted. Indeed, this was one of the key reasons for the applicant deciding to seek to meet the recognised needs for elderly persons' accommodation. With regards to medical provision, our clear understanding is that the medical practice in Whalley has already made the necessary requirements to manage the extra capacity required from new housing development in the area;
2. The parking spaces provided for residents are in line with the relevant standards;
3. We are pleased to note that you welcome the provision of a car park to serve Whalley. Given the close proximity of the application site to the centre of Whalley, we do not consider that there would be any appreciable demand for parking within

Whalley. Thus, we believe there would be a significant net gain in parking provision for Whalley to help address the problems identified within your Parish Plan;

4. The new entrance to the site would not be directly opposite Sydney Avenue. The junction layout has been designed in discussion with the County Highways Officers. They have agreed the scheme having regard to the normal safety considerations. In this connection, the applicant has confirmed to the Highways Authority a willingness to fund an extension to the 30mph area to assist in slowing traffic as it enters Whalley from the east;
5. Our understanding is that United Utilities can accommodate additional foul water flows for a development considerably larger than that proposed. Should this not be feasible or practicable the applicant has made provision for an alternative private foul water treatment plant;
6. It is acknowledged that part of the site lies within Flood Zone 2, with the remainder within Flood Zone 1. However, national planning policy clearly states that housing development is appropriate within both Flood Zones 1 and 2. Nevertheless, and in recognition of the site's location adjacent to the River Calder and the size of the application site, a Flood Risk Assessment and Drainage Study has been commissioned. This report has been submitted with the application to demonstrate that the development is compatible with its location. In summary, surface water storage would be provided within the development and flows from the site throttled to avoid any increase in surface water run-off (indeed, this measure would have the effect of reducing surface water run-off). Also, some reduction in ground levels near to the river would increase flood capacity.

I trust the above information is of assistance to you and provides your members with some reassurance.

The planning application has been submitted today. No doubt the Borough Council will formally seek your Council's formal observations in due course. Should you require any further information, or wish to discuss any matters arising please contact me.

Yours sincerely

Mike Gee BA(Hons) MRTPI