



12 JUL 2012	
FOR THE	ATTENTION OF

For office use only	
Application No.	320120617 P
Date received	
Fee paid £	Receipt No:

Council Offices, Church Walk, Clitheroe, Lancashire. BB7 2RA Tel: 01200 425111 www.ribblevalley.gov.uk

Application for Outline Planning Permission with all matters reserved.
Town and Country Planning Act 1990

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title:	Mr	First name:	John	Surname:	Ashcroft		
Company name:							
Street address:	Huntingdon Hall			Telephone number:	Country Code	National Number	Extension Number
	Huntingdon Hall Lane						
	Dutton			Mobile number:			
Town/City:	Preston			Fax number:			
County:				Email address:			
Country:							
Postcode:	PR3 2ZT						
Are you an agent acting on behalf of the applicant? ☒ Yes ☐ No							

2. Agent Name, Address and Contact Details

Title:		First Name:	Mike	Surname:	Gee		
Company name:	Janet Dixon Town Planners Ltd						
Street address:	10A Whalley Road			Telephone number:	Country Code	National Number	Extension Number
				Mobile number:			
Town/City:	Clitheroe			Fax number:			
County:	Lancs			Email address:			
Country:							
Postcode:	BB7 1AW						
				mike@jdixontownplanners.co.uk			

3. Description of the Proposal

Please describe the proposal:

Outline planning application for residential development (seven dwellings)

Has the building or works already been carried out? ☐ Yes ☒ No

4. Site Address Details

Full postal address of the site (including full postcode where available)

Description:

House:		Suffix:	
House name:	Land off		
Street address:	Clitheroe Road		
	Barrow		
Town/City:	Clitheroe		
County:			
Postcode:	BB7 9AQ		
Description of location or a grid reference (must be completed if postcode is not known):			
Easting:	373548		
Northing:	437736		

5. Assessment of Flood Risk

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

☐ Yes ☒ No

If Yes, you will need to submit an appropriate flood risk assessment to consider the risk to the proposed site.

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

☐ Yes ☒ No

Will the proposal increase the flood risk elsewhere?

☐ Yes ☒ No

How will surface water be disposed of?

☒ Sustainable drainage system

☒ Main sewer

☐ Pond/lake

☒ Soakaway

☐ Existing watercourse

6. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☒ Yes ☐ No

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

Officer name:

Title: First name: Rachael Surname: Stott

Reference:

Date (DD/MM/YYYY):

19/06/2012

(Must be pre-application submission)

Details of the pre-application advice received:

See Planning, Design and Access Statement

7. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

☐ Yes ☒ No

8. Site Area

What is the site area?

00.45

hectares

9. Residential Units

Does your proposal include the gain or loss of residential units?

☒ Yes ☐ No

9. Residential Units (continued)

Market Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Houses				5	
Flats/Maisonettes					
Live-Work units					
Cluster flats					
Sheltered housing					
Bedsit/Studios					
Unknown					

Proposed Market Housing Total

5

Intermediate Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Houses					
Flats/Maisonettes					
Live-Work units					
Cluster flats					
Sheltered housing					
Bedsit/Studios					
Unknown		2			

Proposed Intermediate Housing Total

2

Overall Residential Unit Totals

Total proposed residential units	7
Total existing residential units	0

Market Housing - Existing

320120617P

	Number of bedrooms				
	1	2	3	4+	Unknown
Houses					
Flats/Maisonettes					
Live-Work units					
Cluster flats					
Sheltered housing					
Bedsit/Studios					
Unknown					

Existing Market Housing Total

0

Intermediate Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Houses					
Flats/Maisonettes					
Live-Work units					
Cluster flats					
Sheltered housing					
Bedsit/Studios					
Unknown					

Existing Intermediate Housing Total

0

10. All Types of Development: Non-residential Floorspace

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

☐ Yes ☒ No ☐ Unknown

11. Employment

If known, please complete the following information regarding employees:

	Full-time	Part-time	Equivalent number of full-time
Existing employees	0	0	0
Proposed employees	0	0	0

12. Hours of Opening

If known, please state the hours of opening for each non-residential use proposed:

Use	Monday to Friday		Saturday		Sunday and Bank Holidays		Not Known
	Start Time	End Time	Start Time	End Time	Start Time	End Time	

13. Industrial or Commercial Processes and Machinery

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

N/A

Is the proposal for a waste management development?

☐ Yes ☒ No

14. Existing Use

Please describe the current use of the site:

Grassed area

Is the site currently vacant? ☐ Yes ☒ No

Does the proposal involve any of the following?

If yes, you will need to submit an appropriate contamination assessment with your application.

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

Land where contamination is suspected for all or part of the site? ☐ Yes ☒ No

A proposed use that would be particularly vulnerable to the presence of contamination? ☐ Yes ☒ No

15. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ☒ Yes ☐ No

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

☒ The agent ☐ The applicant ☐ Other person

16. Certificates (Certificate A)

Certificate of Ownership - Certificate A

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

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

Title: Mr First name: Mike Surname: Gee

Person role: Agent Declaration date: 12/07/2012 ☒ Declaration made

16. Certificates (Agricultural Land Declaration)

Agricultural Land Declaration

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

Agricultural Land Declaration - You Must Complete Either A or B

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

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

If any part of the land is an agricultural holding of which the applicant is the sole tenant the applicant should complete part (B) of the form by writing 'sole tenant - not applicable' in the first column of the table below

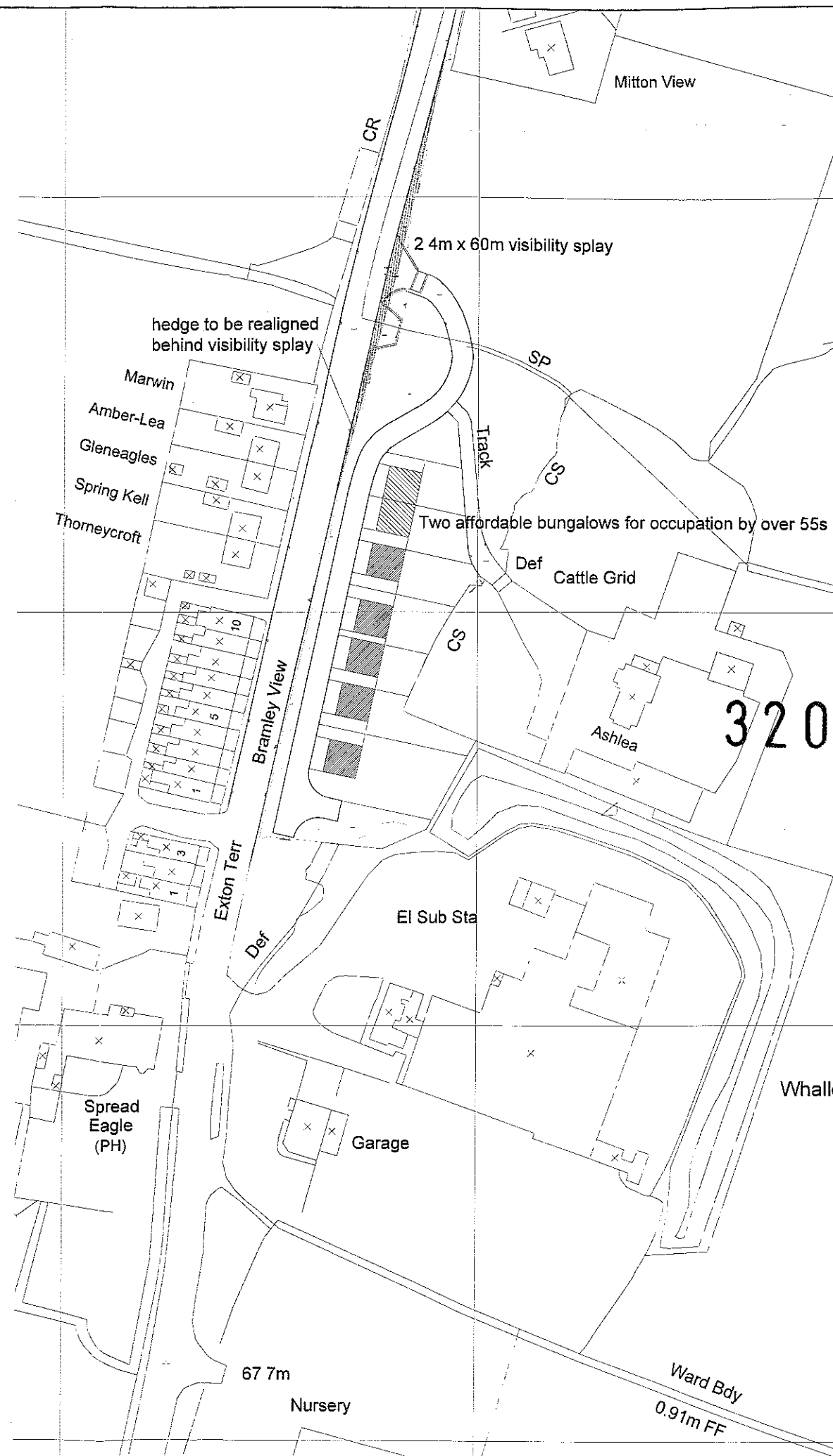
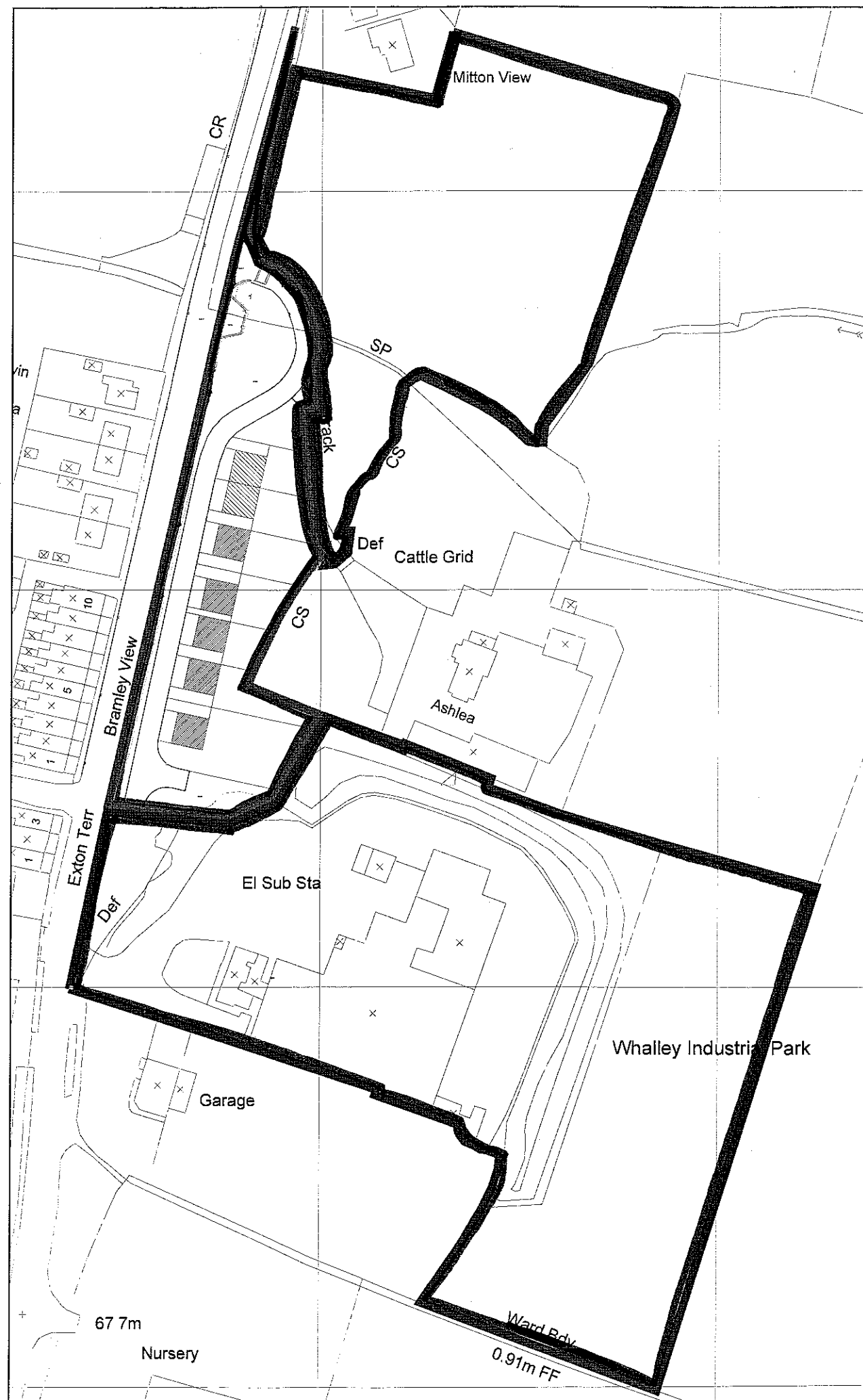
Title: Mr First Name: Mike Surname: Gee

Person role: Agent Declaration date: 12/07/2012 ☒ Declaration Made

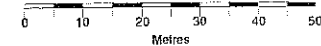
17. Declaration

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

Date 12/07/2012



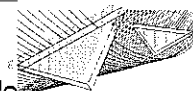
Notes
All Dimensions to be checked on site. Walls shown on plans are not to be assumed to be solid & should be checked for thickness construction, load bearing capacity & stability



ABBREVIATIONS

320120617P

Rev.0 Description. Issued



TriCAD
Solutions Ltd.
BUILDING & LAND SURVEYORS

2, Berkshire Close | Wilshire | Blackburn | Lancashire | BB1 9NG
tel 01254 614055 fax 01254 209754 e-mail sales@tricadsolutions.co.uk

Site Address
Clitheroe Road
Barrow

Project Description
Proposed New Dwellings

Drawing Title
Site Locations Plan &
Indicative Site Layout

Scale 1:1250@A3	Date 20/06/2012	Drawn By MD
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Drawing Number
TRI-0880_02

320120617P

**OUTLINE PLANNING APPLICATION
TO
RIBBLE VALLEY BOROUGH COUNCIL
BY
JOHN ASHCROFT
FOR
RESIDENTIAL DEVELOPMENT (7 DWELLINGS)
AT
LAND OFF CLITHEROE ROAD,
BARROW, LANCASHIRE**

PLANNING, DESIGN AND ACCESS STATEMENT

JULY 2012

Janet Dixon

**Mike Gee BA(Hons) MRTPI
Janet Dixon Town Planners Ltd.
10A Whalley Road
Clitheroe
Lancashire
BB7 1AW**

01200 425051

1. INTRODUCTION

1.1 This Planning, Design and Access Statement is in support of an outline planning application submitted by John Ashcroft for the residential development (seven dwellings) of land at Clitheroe Road, Barrow. It should be read in conjunction with the following:

- the application plans showing the location of the site and an indicative layout for the development;
- a draft planning obligation relating to the provision of affordable housing and a contribution towards and wheeled bin provision.

2. THE PROPOSAL

2.1 This outline application to which this application relates proposes a residential development of seven dwellings. The application seeks approval in outline only. The means of access, layout, appearance, scale, landscaping and associated details are reserved for future consideration.

2.2 An indicative layout plan showing how the site could be developed is submitted with the application. The indicative layout plan shows:

- seven dwellings are proposed (5 detached and 2 semi-detached bungalows);
- vehicular access would be via an upgraded existing access (currently serving Ashleigh) from a point on the site's Clitheroe Road frontage;
- the dwellings would be arranged along one side of a cul-de-sac formed off Clitheroe Road and running parallel to it, with the dwellings facing Clitheroe Road;
- other than as required for the formation of the visibility splay, the hedgerow along the site's Clitheroe Road frontage would be retained. A replacement hedge would be planted behind the short stretch of hedgerow to be removed to form the visibility splay; and
- two dwellings (the semi-detached bungalows) would be 'affordable' (representing 30% of the total) and made available exclusively for the over-55s, to help meet the housing needs of the area.

3. APPLICATION SITE AND SURROUNDINGS

3.1 The site is located on the southern side of the settlement of Barrow. The application site extends to some 0.45ha. The site is maintained as a grassed area.

There are no trees at the site. A maintained hedge runs along the greater length of the Clitheroe Road site frontage. A post and rail fence and a low stone wall bounds the northern end of the site's Clitheroe Road site. Other site boundaries are either undefined or marked by a fence. Land levels across the site slope down very gently towards the south. There are no buildings or structures on the land. There is an existing vehicular access onto the land from Clitheroe Road, which forms the drive to Ashleigh. Clitheroe Road has a speed limit of 40mph in the vicinity of the application site.

- 3.2 The application site is bounded to the west by Clitheroe Road. On the opposite side of Clitheroe Road is housing (terraced and semi-detached properties), which face the application site. To the south of the application site are Whalley Industrial Park (on the east side of Clitheroe Road) and the Spread Eagle PH and Berkins' delicatessen and gift shop (on the west side of Clitheroe Road). To the east of the site is a large detached property, Ashleigh. To the north of the site is an open grassed area beyond which is further housing. The group of properties in the vicinity of the application site are collectively known as Lamb Roe.
- 3.3 More generally, Barrow is a village with a mix of housing, including traditional stone terraced cottages and modern housing development of suburban character, and a modern Business Park. There is a good range of local services and facilities, beyond those referred to above. They include Barrow Primary School (0.85km from the application site), a general (Co-operative) store (1.0km from the application site), a church, a pub, a mobile library, several take-aways / restaurants and many businesses providing local employment opportunities. Bus services run along Clitheroe Road at frequent intervals during the day, providing direct connections to Clitheroe and Whalley (every 15 minutes) and other destinations such as Preston, Blackburn and Skipton (service intervals of 30 to 60 minutes). More extensive shopping, community and public transport (including rail) services and facilities are to be found in Whalley, some 1.5km to the south and Clitheroe, some 4km to the north.

4. PLANNING HISTORY

- 4.1 There is no relevant planning history relating to the site.

5. PLANNING POLICY

- 5.1 The relevant parts of the Development Plan for the purposes of this application are the North West of England Regional Spatial Strategy to 2021 (published in September 2008) and the saved Policies of the Ribble Valley Local Plan (adopted in June 1998).

North West of England Regional Spatial Strategy to 2021

- 5.2 Although the Localism Act 2011 provides for abolition of Regional Spatial Strategies, they remain in place for the time being. The North West of England Regional Spatial Strategy (RSS) 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. The following saved policies of the RSS are relevant to the proposal.
- 5.3 Policy DP1 (Spatial Principles) – sets out principles that underpin the RSS and to which all sub-regional and local plans and strategies and all individual proposals, schemes and investment decisions should adhere to. The principles include promoting sustainable communities and environmental quality.
- 5.4 Policy DP2 (Promote Sustainable Communities) – sets out the means by which sustainable communities may be fostered, including the relationships between homes, workplaces and services, conserving heritage and promoting safety.
- 5.5 Policy DP7 (Environmental Quality) – states that environmental quality should be protected by, among other things, promoting good quality design.
- 5.5 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 equates to 161 per year.

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- 5.6 Policy L5 (Affordable Housing) - expects plans and strategies to set out requirements for affordable housing.

Ribble Valley Local Plan

- 5.7 The following saved policies of the adopted Ribble Valley Local Plan (which was adopted in June 1998 and written to plan for development over the period 1991-2006) are relevant to the proposal.
- 5.8 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.
- 5.9 Policy G4: Settlement Strategy – within specified villages (including Barrow) planning permission will be granted for proposals falling within certain categories, including the use of infill sites not defined as essential open spaces.
- 5.10 Policy G5: Settlement Strategy – outside the main settlements and village boundaries planning consent will only be granted for small scale developments which fall within specified categories, including sites to be developed for local needs housing.
- 5.11 Policy H20: Affordable Housing – states that on sites other than infill sites within the village boundaries and on land identified as open countryside planning permission will only be granted for 100% affordable needs housing developments;
- 5.12 Policy H21: Affordable Housing – requires details of the methods by which the accommodation will be sold or let, managed and retained as suitable for its original purpose.
- 5.13 Policy RT19: Footpaths – development that prejudices footpaths which meet various criteria will not be permitted.

- 5.14 Policy T1: Transport – a list is provided of criteria to which the Council will attach considerable weight in deciding planning applications. 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.
- 5.15 Policy T7: Parking Provision – requires all development proposals to provide adequate car parking and servicing space.
- 5.16 The Local Plan Proposals Map identifies the application site as land outside of (but close to) a main settlement / village boundary (Policy G4) and within open countryside (Policy G5).

National Planning Policy Framework

- 5.17 The relevant policies and provisions of the national Planning Policy Framework (NPPF), published in March 2012, are identified below.
- 5.18 The NPPF clearly states *'that the purpose of the planning system is to contribute to the achievement of sustainable development'* (paragraph 6). Paragraph 197 confirms that *'in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development'*. Paragraph 14 states that a presumption in favour of sustainable development is at the heart of the NPPF. It goes on to say that *'for decision-taking this means:*
- *Approving development proposals that accord with the development plan without delay; and*
 - *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole; or*
 - *specific policies in this Framework indicate development should be restricted'*.

- 5.19 An elaboration of the Government's view of what sustainable development means in practice for the planning system is detailed later in the NPPF. Relevant parts are referred to at paragraph 5.23 below.
- 5.20 The NPPF (paragraphs 2, 11, 12 and 196) confirms that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise, ie the development plan is the starting point for decision making.
- 5.21 The NPPF highlights the importance of development plans being kept up to date (paragraph 12). Decision taking in the absence of an up to date development plan is addressed at paragraph 14 (see 5.18 above). At paragraph 214 it is confirmed that *'for 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a degree of conflict with this Framework'*. Paragraph 215 continues by stating that *'in other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to the degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater weight that may be given)'*. Paragraph 49 provides further guidance on the matter. It states *'housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'*.
- 5.22 Paragraphs 2, 8, 13, 196 and 212 confirm that the NPPF is a material consideration in planning decisions.
- 5.23 The main body of the NPPF addresses the components of sustainable development. Those most relevant to the appeal are:
- 'promoting sustainable transport' – decisions should take account of whether safe and suitable access to the site can be achieved for all people and development should only be refused where the residual impacts of development are severe (paragraph 32);

- 'delivering a wide choice of high quality homes' – local planning authorities are expected to boost the supply of housing (paragraph 47). In this regard, local planning authorities should '*identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements*'. Paragraph 47 goes on to require an additional 'buffer' of 5% to ensure choice and competition in the market for land. Local planning authorities should increase the 'buffer' to 20% where there has been a record of persistent under delivery of housing;
- 'requiring good design' – developments should add to the quality of the area, and reinforce local distinctiveness;
- 'meeting the challenge of climate change, flooding and coastal change' – it is expected that '*inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk*' (paragraph 100) and that '*when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere*' (paragraph 103);
- 'conserving and enhancing the natural environment' – in deciding planning applications local planning authorities should aim to conserve and enhance biodiversity by applying various principles including resisting development resulting in the loss or deterioration of irreplaceable habitats (paragraph 118);
- 'conserving and enhancing the historic environment' – the significance of any heritage asset that may be affected by a proposal should be identified and assessed. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset (paragraph 128).

6. LOCAL DEVELOPMENT FRAMEWORK EVIDENCE DOCUMENTS

Ribble Valley Borough Council Strategic Housing Market Assessment

- 6.1 The Council's Strategic Housing Market Assessment (SHMA) was published 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. The

lack of affordable housing may be beginning to create problems for the indigenous workforce and the local economy. In short, the SHMA points to a need to increase the supply of market housing and to provide more social housing.

Ribble Valley Borough Council Settlement Audit

- 6.2 The Council's Settlement Audit published in 2007 shows Barrow to have a population of 658 within 275 households. It refers to the range of facilities available in the village, including a primary school, a shop, a restaurant / cafés. Some 12 businesses are said to be present in the village.

Ribble Valley Borough Council Annual Monitoring Report

- 6.3 The Council's 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 / Ribble Valley 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 on Affordable Housing sets out detailed requirements for the provision of affordable housing across the Borough, that the Memorandum is a material planning consideration on which further policy will be developed as the LDF progresses.

7. EMERGING LOCAL DEVELOPMENT FRAMEWORK

Ribble Valley Local Development Framework

- 7.1 The Ribble Valley Borough Council is at the publication stage of its Core Strategy. The Council has been engaged in a process of evidence gathering and produced a six page Core Strategy Issues and Options Consultation leaflet in late 2007. In August 2010, a Core Strategy consultation document was published. The consultation document included three optional strategies for the distribution of housing development, along with key statements on a variety of planning issues and draft development management policies. The consultation document confirmed the level of housing provision to be at least 161 dwellings per year (ie as per the housing provision levels contained in the approved Regional Spatial Strategy), and the requirement for affordable housing to be 30% of site yield. A

further round of consultation took place in July / August 2011. The consultation document included an additional five optional strategies for the distribution of housing development, along with revisions to the key statements on a variety of planning issues and the draft development management policies. The consultation document re-confirmed the level of housing provision to be at least 161 dwellings per year (ie as per the housing provision levels contained in the approved Regional Spatial Strategy), and the requirement for affordable housing to be 30% of site yield. During 2011 the Council commissioned Nathaniel Lichfield and Partners (NLP) to prepare an evidence based report to assist it in further consideration of the issue of housing land requirements. The Council published the report for consultation in late 2011. The NLP report presented a range of housing requirement figures for the next 20 years based on a number of scenarios. 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, the Council's Planning and Development Committee resolved to adopt a housing requirement figure of 200 dwellings per year for the Core Strategy plan period 2008 – 2028.

- 7.2 The optional strategies for the distribution of housing development as included in the August 2010 Core Strategy consultation document made provision for housing within the Borough's villages (ie including Barrow) of between 300 and 900 dwellings. In turn, the additional options included in the July / August 2011 consultation made provision for either non-specified numbers of dwellings in the villages or 310 and 620 dwellings.
- 7.3 A publication draft of the Core Strategy was approved by the Council's Planning and Development Committee at its meeting on 4 April 2012. The document was published for consultation in early May 2012. The draft provides for 3007 dwellings over the plan period to 2025, additional to those dwellings for which planning

permission had been granted at 1 October 2011. The planned distribution for those dwellings is as follows:

- Standen Strategic Site (edge of Clitheroe) – 1040;
- Clitheroe – 348;
- Longridge – 560;
- Whalley – 243; and
- Other settlements – 816.

7.4 With the exception of the Standen site no site allocations are made. These are to follow in a Site Allocations DPD. The Council has not published a consultation draft Site Allocations DPD. In so far as the Core Strategy document refers to any relevant development management statements or policies, they generally re-affirm those contained in the Local Plan and the 'Addressing Housing Needs in Ribble Valley – Housing Policy' document. The Core Strategy will be subject to further public consultation before submission in late 2012 to the Secretary of State for examination.

8. OTHER RELEVANT POLICY DOCUMENTS / INFORMATION

Addressing Housing Needs in Ribble Valley – Housing Policy

8.1 The document was approved by the Council's Health and Housing Committee on 19 January 2012. It replaces the Council's previous affordable housing policy document (Affordable Housing Memorandum of Understanding). 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 to the 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, the requirements relate only to sites of 30 units or more.

Housing Needs Survey

- 8.2 The Council published the results of Housing Needs Survey for Wiswell and Barrow Parishes and Whalley Parish in 2011. The survey reports indicate continuing and varied unmet housing needs, including issues of access to suitable accommodation due to (un)affordability and a need for accommodation suitable for the elderly.

Housing Land Supply

- 8.3 There has been a longstanding recorded shortage of housing land within the Borough:
- at April 2009 there was a total supply of 244 units, equating to a 1.3 years' supply based on RSS provision levels;
 - at October 2010 there was a total supply of 532 units, equating to a 2.9 years' supply based on RSS provision levels;
 - at October 2011 there was a total supply of 640 units, equating to a 3.3 years' supply based on RSS provision levels.
- 8.4 More recently, the Council published a housing land supply update to April 2012. This shows a total supply of 955 units, equating to a 5.2 years' supply based on RSS provision levels.

9. CONSULTATION

- 9.1 The Lancashire County Council Highways Officer has been consulted. He advised that a 2.4 by 60 metre visibility splay would normally be expected for a development of the size proposed having access onto a 40mph road.
- 9.2 Discussions have been held with the Council's Strategic Housing Officer. She confirmed there was a waiting list for affordable accommodation and to meet the

specific needs of the elderly in the area. She confirmed that provision of the following would satisfy the requirements for affordable housing at the site:

- two bungalows to be sold at a discounted price of 40% below market value;
- occupancy of the two bungalows to be restricted to the over 55s;
- local connection criteria to be enforced; and
- no requirement for eligibility criteria as the scheme would provide for 'downsizing'.

10. DESIGN AND ACCESS

10.1 This section of the report comprises the formal Design and Access Statement.

10.2 Use: The proposal is to develop the site for housing, with associated garden areas and access way. The proposed use has been selected as it would be the most complementary use to nearby housing.

10.3 Amount: Seven dwellings are proposed. The scale of development has been determined having regard to the configuration of the site and the density / form / layout of development in the area.

8.4 Design and Layout: The details of design are reserved for subsequent approval at the reserved matters stage. However, the applicant is committed to ensuring a high standard of design. An indicative layout plan is submitted with the application. This shows a cul-de-sac to be formed off Clitheroe Road with single-sided frontage houses. The general arrangement of the proposed houses has been determined having regard to the configuration of the site, a desire to visually relate the development to the Clitheroe Road frontage and the density / form / layout of development in the area.

8.5 Materials: The details of materials are reserved for subsequent approval at the reserved matters stage. However, the external facing materials to be used in the construction of the properties would be complementary to the character and traditions of the area, including stone / brick / render walls and slate grey roofs.

8.6 Scale: The details of the scale of the development are reserved for subsequent approval at the reserved matters stage. However, it is anticipated that the proposed dwellings would be of two-storey scale, consistent with other dwellings in the vicinity.

8.7 The detached houses would be expected to be within the following size parameters:

- Approximate Eaves Height – from 4.8m to 6.0m;
- Approximate Ridge Height – from 6.8m to 8.5m;
- Approximate Width Range – from 7.5m to 9.5m;
- Approximate Depth Range – from 7.5m to 9.5m.

8.8 The semi-detached bungalows would be expected to be within the following size parameters:

- Approximate Eaves Height – from 2.4m to 3.0m;
- Approximate Ridge Height – from 4.4m to 5.0m;
- Approximate Width Range – from 7.5m to 9.5m;
- Approximate Depth Range – from 7.5m to 9.5m.

8.9 Landscaping: The details of landscaping are reserved for subsequent approval at the reserved matters stage. However, a replacement native hedgerow is proposed behind the visibility splay to replace the short length of hedgerow that would be lost to the visibility splay. To assist in absorbing the development into the local landscape, trees and other landscaping would be provided as part of the development.

8.10 Access: The details of access are reserved for subsequent approval at the reserved matters stage. However, a single upgraded vehicular access point would be provided off Clitheroe Road, at the existing access point as shown on the indicative layout plan which accompanies the application. The access arrangement has been determined having regard to visibility requirements, the avoidance of a multiplicity of access points and the existing gap in the roadside hedgerow. Level access would be provided into each of the dwellings.

11. PLANNING ASSESSMENT

11.1 Having regard to the nature of the proposal, its context, relevant national and local planning policies, the main planning issues for consideration, are as follows:

- the status of the adopted Ribble Valley Local Plan having regard to the NPPF and housing land supply;
- assessment of adopted Local Plan policies relating to the appeal site and Chatburn;
- highways, access and accessibility;
- layout, design and landscape impact;
- affordable housing;
- neighbour amenity;
- flood risk;
- nature conservation / ecology;
- heritage;
- unilateral undertaking content; and
- other matters.

Each of these issues is addressed in turn below.

The status of the adopted Ribble Valley Local Plan having regard to the NPPF and housing land supply

- 11.2 The usual starting point for decision making is the Development Plan (see paragraph 5.20 above). However, it is evident from published documents (see paragraph 8.3 above) that over the period 2009 to 2011 there was a persistent under delivery of housing land with less than a five year supply of housing land within the Borough. A 5.2 year supply of housing land is now claimed by the Council (see paragraph 8.4 above). However, that calculation includes no assessment of site deliverability and, as such, is an unreliable figure.
- 11.3 As an example of the unreliability of the Council's housing land supply calculation, we have considered the planning permission for 270 dwellings at the Henthorn Road site (granted planning permission on appeal in March 2012). The site is not owned by a housing developer and the permission is in outline. Given these factors, the scale of the proposal and the nature of the local housing market, it is our assessment (which has been confirmed by the applicant for that development) that there is no realistic prospect of the whole site being deliverable within a five year period. There will be lead-in times to dwelling completions associated with marketing the site, obtaining approvals to the reserved matters and pursuant to

various conditions, and site preliminaries. At an absolute maximum, there would be an optimistic house completion rate of 50 units per year. At best, there would be between 120 and 200 dwellings delivered at the Henthorn Road site within a five year period. That is, an absolute minimum of 70 units would remain to be delivered at the site after the five year period and, therefore, should not be included in the five year supply of 'deliverable' permissions. Accordingly, the supply calculation would, more realistically, show less than a five year supply of 'deliverable' housing land.

- 11.4 Notwithstanding the submissions made above, the NPPF expects (as noted at paragraph 5.23 above) local planning authorities to provide an additional buffer of 5% to the five year supply. In cases of persistent under delivery of housing (as evidently the case in Ribble Valley – see paragraph 8.3 above) an additional buffer of 20% is required. The effect of applying these additional buffers is that there would be a considerable under-supply of 'deliverable' housing land. In any event, it should be noted that there is no local or national planning policy basis upon which to resist development even if there is a five year supply of deliverable housing sites.
- 11.5 Given the provisions of NPPF (see paragraph 5.21 above), and having regard to the above, the relevant Local Plan (adopted in 1998) policies for the supply of housing and the specific Local Plan policy designations relating to the application site can not be considered up to date or consistent with the NPPF. Accordingly, it is submitted that it would be inappropriate to consider the proposal in the context of the specific Local Plan policy designations relating to the application site. Rather, greater weight should be given to the policies of the NPPF and its presumption in favour of sustainable development. Also, whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits associated with the development, in particular the delivery of additional and needed housing.

Assessment of adopted Local Plan policies relating to the appeal site and Chatburn

- 11.6 Notwithstanding the conclusion reached in the previous section in respect of the status to be accorded to the Local Plan, the Local Plan policies relating to the application site and Barrow are reviewed and further consideration given to how appropriate it is to consider the proposal against Local Plan policies.

11.7 The site lies outside of (but is close to) the settlement boundary of Barrow. As such, it is subject to Local Plan policies G5 and H20, which seek to limit development outside of settlement boundaries. These policies do not preclude housing development. However, to accord with the policies any housing development would be restricted to that intended to meet a proven local need. The scheme proposed is, in part (two units) for affordable local needs housing. However, to secure funding and delivery of this, market housing is also proposed at the site. The weight to be given to these policies has to be weighed against other considerations. Irrespective of any lack of a five year supply of housing land the Council acknowledges that the Local Plan period (1991 – 2006) has now long-expired. The contextual circumstances and policies have since changed since adoption of the Local Plan in 1998. There is a need for further land releases for housing beyond the Local Plan settlement boundaries.

11.8 In more detail, and in addition to the housing land supply factors reasons referred to in the previous section, the reasons why the specific Local Plan policies G5 and H20 should not be given any significant weight in deciding the application are set out below:

- where the site has a clear relationship to an existing settlement and substantial grouping of properties, as is the case with the application site, the approach outlined in paragraph 3.1 of the Addressing Housing Needs in Ribble Valley – Housing Policy is the appropriate policy basis to determine the amount of affordable housing to be provided (ie 30% of site yield);
- the Local Plan only provides for development needs for the period up to 2006. That the Local Plan is 'out of date' has been confirmed by the Council. A report to the Council's Planning and Development Committee on 17 June 2010 acknowledged that there is *'very limited capacity (for development and growth) within existing tightly drawn settlement boundaries and (there are) 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 would require the release of extensive areas of greenfield land;
- 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 (2001-2016) and, in turn, by the RSS adopted in 2008, which provided for higher levels of housing growth in the Borough. Whilst the RSS is to be revoked it relies upon the only independently examined and approved evidence base for the level of housing provision to be made in the Borough for the period 2021; and

- on the basis of latest evidence, and for the purposes of its Core Strategy, the Council has adopted a higher housing provision figure (200 dwellings per year) than within the RSS.

11.9 In the circumstances outlined, it is more appropriate to look beyond the site specific Local Plan policies cited above and consider the wider development strategy. The Local Plan sets out a hierarchy of settlements. Policy G4 provides for development within the villages including Barrow. It is, thus, clear that the small scale and the general location of the proposal (ie adjoining the settlement area of Barrow) accords with the overall development / settlement strategy for the Borough as set out in the Local Plan. Indeed, this is exactly the approach the Council adopted in recently deciding planning applications for similarly sized developments on nearby sites (planning application reference numbers 3/2011/0776 and 3/2011/0784).

11.10 It is significant to note that the proposal is consistent with the emerging Core Strategy in respect of the spatial distribution of housing development, as detailed at paragraph 7.3 above. This envisages 816 dwellings in 'other settlements' (of which there are 32 listed in the Local Plan at Policy G4). Of those 'other settlements', Barrow is one of the larger 'other settlements' and has a range of facilities as documented at paragraph 3.3. As such, and whilst no Site Allocations DPD has yet been prepared (or in prospect), it is reasonable to expect that Barrow would attract some growth in housing numbers, to accompany the planned employment growth. The proposal is of insufficient scale to in any way be considered premature or prejudicial to the emerging Core Strategy or any future Site Allocations DPD.

11.11 To conclude, Policies G5 and H20 can no longer be regarded as an appropriate basis for an assessment of the appeal proposal. The proposal does, however, accord with the overall development strategy for the Borough as set out in the Local Plan and the emerging Core Strategy.

11.12 Against this background, what also becomes central to the decision-making process is the statement at paragraph 14 of NPPF (see paragraph 5.18 above) and not the specific but out-of-date provisions of Local Plan Policies G5 and H20. That is, the proposal should be considered against the presumption in favour of sustainable development and planning permission should be granted unless there are specific adverse impacts that outweigh the benefits or that specific policies in the NPPF indicate that the development should be restricted. Such issues drawn from NPPF policies and relevant aspects of sustainable development are examined in the subsequent sections.

Highways, Access and Accessibility

11.13 The traffic generated by the proposed development would be low and have no detrimental impact on the conditions, operation or road safety of the local highway network in the vicinity of the site. The access onto Clitheroe Road would have adequate visibility.

11.14 Access to a range of local services and facilities by foot or cycle is good. Also, there are bus services running along Clitheroe Road (with bus stops near to the southern edge of the site at and opposite the Spread Eagle PH) providing regular connections to Clitheroe, Whalley and other destinations. Thus, these modes provide an alternative to travel by private car. The site is in an accessible and sustainable location for a housing development, having ready access to public transport and with a range of local services and facilities. The Council is evidently of this view given its recent decisions on other proposals, as referred to at paragraph 11.9.

Layout, Design and Landscape Impact

11.15 The Design and Access section of this Statement describes the proposal and the submitted indicative layout. All matters of detail are reserved for subsequent consideration and the access, layout and design shown are for illustrative and indicative purposes only.

11.16 Briefly, the main considerations that underpinned the design process were:

- the need to respond to the character of the locality. The two-storey scale of the proposed dwellings reflects the predominant scale of property in the locality. There is a mix of development styles in the area. The detailed design of the dwellings would draw from local design characteristics and utilise the same range of materials to ensure it harmonises with the area;
- the need to respond to the road frontage hedgerow at the site. In doing so, it is most appropriate to have a single (rather than multiple) point(s) of access. This approach is also advantageous from a highway safety perspective;
- the need to respond to the alignment of the public footpath. The development has been designed to ensure that the line of the public footpath (which crosses the northern part of the site near to the existing / proposed point of access) would be unaffected.

11.17 Whilst the proposed development would be readily seen from Clitheroe Road, it would appear well integrated with adjoining and nearby built development. It would not appear as a discordant feature in the local landscape. Indeed, in maintaining a green frontage to the site the visual impact of the proposed development is suitably mitigated.

11.18 To conclude, the layout and design of the development represents a considered and appropriate response to the characteristics of the site and its context. The proposed development would be complementary to and integrate well with the locality without undue harm to the general character, appearance or visual amenities of the area and the wider landscape.

Affordable housing

11.19 The provision of affordable housing is a key ambition of the Council, as expressed through the Ribble Valley Sustainable Community Strategy. The Housing Needs Survey for Whalley, Wiswell and Barrow Parishes and the local housing waiting list indicate a continuing and unmet need for affordable units and accommodation for the elderly. This was confirmed in discussions with the Council's Strategic Housing Officer at the pre-application stage.

- 11.20 The Council's Strategic Housing Officer confirmed the requirement for affordable housing to be delivered as part of the development as outlined at paragraph 3.1 of the Addressing Housing Needs in Ribble Valley – Housing Policy, ie on developments of five or more dwellings or sites of 0.1ha or more the Council will seek 30% affordable units on site.
- 11.21 The proposal provides for two affordable bungalows, ie 30% of the total site yield. It is proposed that the two units be made available to approved elderly persons on a discounted price (by 40% off market price) basis. The mix has been discussed and agreed with the Council's Strategic Housing Officer and is consistent with the Council's policy. Delivery of the affordable housing is secured through the provisions of the draft planning obligation submitted with the application.
- 11.22 To conclude, the affordable housing provision meets the requirements of relevant local and national policy and, in particular, the Council's 'Meeting Housing Needs in Ribble Valley – Housing Policy' document. It also contributes to the wider achievement of sustainable development, which underpins planning policy, by ensuring that the needs of local communities are satisfied.

Neighbour Amenity

- 11.23 The proposed development is on a site near to other housing. The amenities of the occupiers of nearby housing deserve due consideration. The proposed housing would face other housing on the opposite side of Clitheroe Road. The proposed houses would have a facing window to facing window distance of some 24.5 metres (to the existing terraced dwellings at Bramley View, Clitheroe Road) and of some 27.5 metres (to the existing semi-detached dwellings on Clitheroe Road). These distances exceed normal minimum interface distances. Ashleigh, the detached dwelling to the east of the site, is well screened to view and its facing windows would be some 55 metres from those of the proposed houses. Accordingly, the proposed development would have no harmful impact on the amenities of existing residents, by reason of loss of outlook, loss of privacy, overbearing or overshadowing. The traffic generation associated with seven dwellings would be low and would have no discernible impact on the amenities of the occupiers of any nearby houses.

Flood Risk

- 11.24 The site lies within the Environment Agency Flood Risk Zone 1 (a less than 1 in 1,000 annual probability of river or sea flooding). That is, within an area of low flood risk to which NPPF expects development to be directed (see paragraph 5.23 above). With appropriate surface water drainage arrangements, which may be dealt with by way of condition, the development would not increase flood risk elsewhere.

Nature conservation / Ecology

- 11.25 The site is not designated as one having any wildlife / ecological value or significance or subject to any designation, either at the local or national level. It comprises a maintained (mown) grassed area and, as such, is of extremely low value for wildlife. Accordingly, the proposal would result in no detriment to nature conservation / ecological interests.

Heritage

- 11.26 There are no heritage designations or features of heritage interest relating to the site or its locality. Accordingly, the proposal would result in no detriment to heritage interests.

Planning Obligation Content

- 11.27 In addition to the provisions for affordable housing (see paragraph 11.21 above), the draft planning obligation submitted with this application makes provision for a contribution towards the provision wheeled bins (as now sought by the Council). The terms and provisions of the draft planning obligation would satisfy the statutory provisions set out in regulation 122 of the 2010 Community Infrastructure Levy Regulations. In particular, they would be necessary to make the development acceptable in planning terms, are directly related to the development, and fairly and reasonably related in scale and kind to the development.

12. CONCLUSION

- 12.1 The site lies near to, but beyond, the Local Plan settlement boundary of Barrow within an area designated as subject to countryside policies, as shown by the adopted Local Plan. As such, the site's development for housing would represent a

departure from Local Plan Policy G5 and H20. It has been demonstrated that there are sound planning reasons why these policies should not prevail. The site is well related to the settlement of Barrow and the Local Plan period (to 2006) has now long expired and no longer an appropriate basis for consideration of this proposal. The Borough has persistently under-provided for housing land and, in our assessment, continues to have less than a five year supply of housing land. The Council has acknowledged that the provision of adequate housing land to meet needs would require the release of greenfield sites beyond the Local Plan settlement boundaries.

- 12.2 Having regard to the provisions of the NPPF, the persistent under-supply of housing land within the Borough and the absence of an up-to-date Local Plan, the presumption in favour of sustainable development should apply and consideration given to whether there are any adverse impacts associated with the development which would significantly and demonstrably outweigh the benefits. Such considerations and impacts have been assessed and it is demonstrated that the proposal is appropriate and acceptable in planning terms.
- 12.3 The development would assist in boosting the supply of housing in a sustainable and accessible location, being well located in relation to local services and facilities, and in a manner which is compliant with the NPPF and the development strategies of both the adopted Local Plan and the emerging Core Strategy. The Council in recently deciding to grant planning permission for two other similarly sized developments in the locality (planning application reference numbers 3/2011/0776 and 3/2011/0784) accept that this is in appropriate and sustainable location for new housing development.
- 12.4 It is submitted that:
- the low levels of trip generation attributable to the proposal would be accommodated without detriment to highway operation or safety;
 - the access arrangements would provide for adequate visibility and the safe movement of traffic;
 - the scale, layout and design of the proposal would be complimentary to and integrate well with the locality;

- there would be no harm to the amenities of local residents;
- the proposal would cause no harm to interests of nature conservation and the historic environment; and
- the proposal would deliver an appropriate level and type of affordable housing to help meet local needs and satisfy policy requirements.

12.6 As set out in this Statement, we consider the proposal constitutes sustainable development, for which there is a national planning policy presumption in favour, and there are no adverse impacts which would outweigh the benefits of the development. For these reasons, the Council is respectfully invited to grant outline planning permission for this development proposal.

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DATED

2012

RIBBLE VALLEY BOROUGH COUNCIL

- AND -

JOHN ASHCROFT

DRAFT (12 JULY 2012)

AGREEMENT

Under Section 106 Town and Country Planning Act 1990

relating to property known as

Land at Clitheroe Road, Barrow

Head of Legal & Democratic Services
Ribble Valley Borough Council
CLITHEROE

THIS AGREEMENT is made the _____ day of _____ Two thousand and twelve **BETWEEN RIBBLE VALLEY BOROUGH COUNCIL** of Council Offices Church Walk Clitheroe Lancashire BB7 2RA (hereinafter called "the Council") of the one part and **JOHN ASHCROFT** of Huntingdon Hall, Huntingdon Hall Lane, Dutton, Preston, Lancashire, PR3 2ZT (hereinafter called "the Owner") of the second part

WHEREAS

- 1) The Council is the local planning authority for the purposes of the Town and Country Planning Act 1990 (as amended) for the area within which certain land and property known as Land at Clitheroe Road, Lamb Roe, Barrow, Clitheroe (hereinafter called "the Property") shown edged red on the plan attached hereto is situated_____
- 2) The Owner is the owner of the freehold estate of the Property which is registered at HM Land Registry with Absolute Title under Title Number LA*****
- 3) The Owners have by written application dated the 12 July 2012 applied to the Council for permission to develop the Property as detailed in the plans and particulars deposited with the Council under reference 3/2012/****
- 4) The Council is satisfied that the development disclosed by the said particulars is such as may be approved by the Council under the said Act subject to the Owners and the Mortgagee entering into this Agreement under Section 106 of the Town and Country Planning Act 1990_____

NOW THIS DEED WITNESSETH as follows:

1. **THIS** Agreement is made as a Deed in pursuance of Section 106 of the Town and Country Planning Act 1990 (as amended) and is a planning obligation for the purposes of that Section enforceable by the Council with the intent to bind the property and bind the Owner to observe and perform the covenants restrictions and obligations set out in the Schedule hereto_____
2. **THE** expressions "the Council" and "the Owners" shall include their respective successors in title and assigns PROVIDED THAT no such person (including the

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parties hereto) shall be liable for any breaches occurring after they have disposed of their interest in the property or the relevant part of parts thereof_____

3. **THE** Owners hereby covenant with the Council to pay on demand the Council's reasonable costs of and incidental to the preparation and completion of this Agreement_____
4. This Agreement is made as a Deed and is a Local Land Charge registered under the Local Land Charges Act 1975.

IN WITNESS whereof the parties have executed as a Deed the day and year first before written_____

THE SCHEDULE

1. The Owners hereby covenant with the Council that the said Property shall be permanently subject to the restrictions regulating the development thereof as hereafter contained and the purport and intent of such covenants shall be registered upon the Title of the Owners at HM Land Registry by way of an appropriate entry on the Charges Register of title number LA.....
2. The Owners hereby agrees to provide to the Council within 3 months of the date hereof an Official Copy of the Register as evidence that such registration has been completed.
3. The said covenants referred to in the preceding clause are as follows:
 - 3.1 that the two bungalows of the seven dwellings to be built, shall not be sold by the Owners other than to an Approved Person as defined at Clause 5 below and the sale price shall be at a 40% discount to the Open Market Value.
 - 3.2 that the Owner does not occupy the bungalows.
 - 3.3 that in respect of the sale of the house that on each and every disposal that the sale price of the house shall be not less than 40% below the Open Market Value at the time of completion of construction of the house in the first instance and at the time of sale in other cases and details of the Open Market Value and the proposed

sale price shall be submitted to the Council for approval prior to any sale taking place and such approval shall not be unreasonably withheld or delayed.

4. "Open market value" in clause 3 above shall mean the best price at which the interest in the house might reasonably be expected to be sold by private treaty at the date of valuation assuming the willing seller and a reasonable period within which to negotiate the sale and should be established by a qualified independent chartered surveyor not acting for either party in the transaction.

5 The Approved Person shall fulfil the criteria in the following order of priority:-

5.1 Firstly buyers who can demonstrate a housing need requirement for the type of House who are over 55 yrs in order of priority either

5.1.1 currently living in the Parish of Whalley or Wiswell for more than 10 years
or

5.1.2 currently living in the Parish of Whalley or Wiswell and have done so continually for between 5 to 10 years or

5.1.3 currently living in the Parish of Whalley or Wiswell and have done so continually for a minimum of 12 months or

5.1.4 currently permanently employed in the Parish of Whalley or Wiswell for a minimum of 12 months and are employed for a minimum of 18 hours per week paid or unpaid or

5.1.5 Persons who at least one of the adult applicants have next of kin who have lived in the Parish of Whalley or Wiswell continually for a minimum of five years. Next of kin for the purposes of this clause shall be defined as mother, father, brother, sister or adult dependant children or

5.1.6 Persons who are former residents of the Parish of Whalley or Wiswell who have been forced to move from the Parish because of a lack of affordable housing in the Parish

5.2 Secondly buyers who can demonstrate a housing need requirement for the type of House who are over 55 yrs in order of priority either

5.2.1 currently living in the Parishes of Read, Sabden, Little Mitton and Billington and Langho for more than 10 years or

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- 5.2.2 currently living in the Parishes of Pendleton, Read, Sabden, Little Mitton and Billington and Langho and have done so continually for between 5 to 10 years or
- 5.2.3 currently living in the Parishes of Pendleton, Read, Sabden, Little Mitton and Billington and Langho and have done so continually for a minimum of 12 months or
- 5.2.4 currently permanently employed in the Parishes of Pendleton, Read, Sabden, Little Mitton and Billington and Langho for a minimum of 12 months and work for a minimum of 18 hours per week paid or unpaid or
- 5.2.5 Persons who at least one of the adult applicants have next of kin who have lived in the Parishes of Pendleton, Read, Sabden, Little Mitton and Billington and Langho continually for a minimum of five years. Next of kin for the purposes of this clause shall be defined as mother, father, brother, sister or adult dependant children or
- 5.2.6 Persons who are former residents of the Parishes of Pendleton, Read, Sabden, Little Mitton and Billington and Langho who have been forced to move from the Parish because of a lack of affordable housing in the Parish
- 5.3 Thirdly buyers who can demonstrate a housing need requirement for the type of House who are over 55 yrs in order of priority either
- 5.3.1 currently living in the Borough of Ribble Valley for more than 10 years or
- 5.3.2 currently living in the Borough of Ribble Valley and have done so continually for between 5 to 10 years or
- 5.3.3 currently living in the Borough of Ribble Valley and have done so continually for a minimum of 12 months or
- 5.3.4 currently permanently employed in the Borough of Ribble Valley for a minimum of 12 months and work for a minimum of 18 hours per week paid or unpaid or
- 5.3.5 Persons who at least one of the adult applicants have next of kin who have lived in the Borough of Ribble Valley continually for a minimum of five years. Next of kin for the purposes of this clause shall be defined as mother, father, brother, sister or adult dependant children or
- 5.3.6 Persons who are former residents of the Borough of Ribble Valley who have moved from the Borough because of a lack of affordable housing in the Borough

- 5.4 The owner shall market the property to households in the parish of Whalley and Wiswell for 2 months, neighbouring parishes for 2 months and within the borough for 2 months.
- 5.5 In the event that the Owners are unable to dispose of the House to an Approved Person because it is unable to find a person who meets the definition of Approved Person in this Agreement then the Owners shall use reasonable endeavours to market the House to a potential Approved Person for a period of at least six months. If at the end of the period of six months in which the House has been marketed and no Approved Person has been identified then the Owners may dispose of the House to a person who is not an Approved Person. The six month marketing period shall begin from the date that the Council is notified in writing that marketing is to commence.
- 5.6 The Council shall confirm its approval or otherwise to the proposed Approved Person within 5 working days from the Owners giving notice to the Council. Any Mortgagee shall prior to seeking to dispose of the Affordable Housing Units pursuant to any default under the terms of its mortgage or charge shall give not less than [2] months' prior notice to the Council of its intention to dispose and:
- (a) in the event that the Council responds within [1] months from receipt of the notice indicating that arrangements for the transfer of the Affordable Housing Units can be made in such a way as to safeguard them as Affordable Housing then the Mortgagee shall co-operate with such arrangements and use its best endeavours to secure such transfer
 - (b) if the Council does not serve its response to the notice served under paragraph 5.6 (a) within the [1] month then the Mortgagee shall be entitled to dispose free of the restrictions set out in paragraphs 3 to 5.5 of the First Schedule
 - (c) if the Council or any other person cannot within [2] months of the date of service of its response under paragraph 5.5(a) secure such transfer then provided that the Mortgagee shall have complied with its obligations under paragraph 5.5(a) the Mortgagee shall be entitled to dispose free of the restrictions set out in paragraph 3 to 5.5 of the First Schedule

PROVIDED THAT at all times the rights and obligations in this paragraph 5.6 shall not require the Mortgagee to act contrary to its duties under the charge or mortgage and that the Council must give full consideration to protecting the interest of the Mortgagee in respect of moneys outstanding under the charge or mortgage

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- 5.7 Not more than three of the market units shall be occupied before the two Affordable Housing Units are completed and ready for occupation
- 5.8 The owner will prior to the occupation of the second of the housing units pay a contribution of £630.00 to the Council for the provision of wheeled bins for each of the housing units

THE COMMON SEAL OF RIBBLE)

VALLEY BOROUGH COUNCIL was)

hereunto affixed to this Deed in the)

presence of:)

Mayor

Chief Executive

SIGNED AS A DEED BY

JOHN ASHCROFT

IN THE PRESENCE OF:-