

# **FORMER CLITHEROE HOSPITAL, CHATBURN ROAD, CLITHEROE**

Full Planning Application for 60 no. Dwellings

## **PLANNING STATEMENT INCORPORATING AFFORDABLE HOUSING STATEMENT**

June 2017

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## Report Control

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## 1 INTRODUCTION

1.1 PWA Planning is retained by NHS Property Services Limited and McDermott Developments ('the applicant') to progress a planning application for the demolition of the existing buildings and proposed development of 60 no. dwellings ('the proposed development') on land at Chatburn Road, Clitheroe ('the site'). This Planning Statement seeks to assess and conclude on the acceptability of the proposed development in terms of relevant local and national planning policy and any relevant material considerations.

1.2 The planning application is made to Ribble Valley Borough Council ('the Local Planning Authority', herein referred to as the LPA) as a full planning application and relates to the red edge application site boundary defined on the Location Plan (ref. A094939-001). The description of development as shown on the submitted application form is:

### **Demolition of existing buildings and proposed construction of 60no. dwellings including associated infrastructure**

1.3 The site comprises the buildings of the former Clitheroe Hospital, which are now vacant and unused. It is considered that the site represents an excellent opportunity for sustainable residential development within the settlement boundary of Clitheroe. The site is prime brownfield development land and although there was a resolution by the LPA in 2012 to grant planning permission for redevelopment scheme which included retention of the onsite buildings, these attempts have been unsuccessful there has been no developer interest in bringing this scheme forward, hence the current proposals to remove the existing buildings and redevelop the site in its entirety. The current proposals are also supported by independent viability advice received by the Council from CP Viability in February 2017. This assessed the retention and residential conversion of the former workhouse building proposed in the 2012 application and concluded that these proposals are not viable, even if no affordable housing or other S106 contributions are provided as part of the scheme.

1.4 An outline planning application for up to 50 dwellings on the same site was submitted to the Local Planning Authority (LPA) on 16<sup>th</sup> December 2016 and was withdrawn on 23<sup>rd</sup> May 2017 (ref. 3/2016/1185). The application which is the subject of this Planning Statement seeks to address the issues raised during the course of the previous application.

1.5 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. This Planning Statement will demonstrate that the proposals accord with the provisions of the relevant policies of the Development Plan, and moreover that there are other significant material considerations which indicate that planning permission ought to be granted. In addition, the Statement will seek to demonstrate that there are no technical reasons which could hinder the grant of planning permission.

1.6 This Planning Statement, alongside a review of the site history and relevant policies, provides a description of the proposed development together with an appraisal of the planning merits of the scheme as a whole.

1.7 This Statement should be read in conjunction with the submitted application package, which includes the following documents:

- 1APP Form and Certificates
- Location Plan
- Site Layout
- Street-scenes Plan
- Transport Assessment
- Landscape Proposals plan
- Arboricultural Method Statement
- Pre-Development report
- Tree Constraints plan
- Tree Categorisation plan
- Tree Schedule
- Design and Access Statement
- Extended Phase 1 Habitat Survey
- Protected Species Survey
- Updated Bat Survey and Mitigation Strategy
- Phase 1 Geo-Environmental Survey
- Ground Investigations Report
- Heritage Statement
- Flood Risk Assessment
- Noise Assessment
- Viability Report
- Sustainability Report

1.8 The remainder of this statement is structured as follows:

- Section 2 – Site Description
- Section 3 – Proposed Development
- Section 4 – Technical Considerations
- Section 5 – Planning Policy Review
- Section 6 - Planning Policy Assessment
- Section 7 - Conclusions.

## 2 SITE DESCRIPTION

- 2.1 The site extends to 2.01 hectares and is roughly square in shape. The site comprises the vacant grounds of the former Clitheroe Hospital and is located to the north east of Clitheroe town centre on land to the south of Chatburn Road.
- 2.2 The majority of the site is occupied by the buildings associated with the former Clitheroe Hospital. Access to the site is off Chatburn Road; there are two entrances at present, one on either side of the site frontage. The north-eastern most entrance is immediately next to the new hospital entrance. A loop road runs around the buildings and includes adjacent areas of hardstanding. There is a formal garden to the front of the site. The remainder of the site consists of overgrown gardens, mature trees and hedgerows make up the perimeter, with further trees and hedgerows within the site itself. In November 2016, a Tree Preservation Order was made which formally protects the trees towards the front of the site.
- 2.3 It is understood that the buildings originally formed the Clitheroe Union Workhouse, together with a separate but associated hospital block which were built between 1870 and 1873. Two of the buildings (originally a Workhouse and Infirmary) are considered to be non-designated heritage assets and are recorded in the National Record of the Historic Environment (1435994) and Lancashire Historic Environment Record (PRN30402). The buildings have been altered significantly over the years which has degraded their heritage value. An attempt to list the buildings was rejected by English Heritage in 2008.
- 2.4 The site is surrounded by pasture fields to the north and west, the new Clitheroe Community Hospital to the east and light industrial units to the south.
- 2.5 Clitheroe town centre is located approximately 1.5km to the south west of the site. Clitheroe is the main business and commercial centre in the area with a wide range of shops and services. Regular bus services pass the site and connect to the town centre. Clitheroe train station provides direct services to Manchester with a journey time of just over one hour.

### Planning History

- 2.6 The site has been subject to a planning history search and the following has been identified:
- 3/2008/0878 – Outline application for residential development (52 dwellings) open space, roads access and related infrastructure – refused
  - 3/2012/0785 – Outline application for demolition/part demolition of existing hospital, residential development (57 dwellings), associated access, parking, open space and related infrastructure – resolution to grant planning permission, application later disposed
  - 3/2016/1185 – Outline application (all matters reserved save for access), for demolition of existing structures and construction of up to 50 dwellings – withdrawn.

### 3 PROPOSED DEVELOPMENT

- 3.1 The application seeks full planning permission for demolition of the existing buildings and complete redevelopment of the site to provide up to 60 dwellings with associated access, landscaping and public open space. Developer contributions would comprise an affordable housing provision of 20% and a £101,000 education contribution to Lancashire County Council (LCC).
- 3.2 The proposed housing mix is as follows:
- 12no. 2 bed dwellings (all of which are 'lifetime' homes)
  - 33no. 3 bed dwellings (4no. of which would be bungalows)
  - 15no. 4 bed dwellings
- 3.3 The wider scheme will include the following:
- Creation of a mix of dwelling types and sizes, including detached and semi-detached houses, bungalows and lifetime homes in a well-designed development;
  - Sufficient space for large rear gardens and front gardens at the majority of properties;
  - Access off Chatburn Road – the existing access at the north-western edge of the site will provide vehicular and pedestrian access to the site. The internal road will be roughly U-shaped, terminated in two turning heads towards the south east and south west corners of the site which will link all properties with Chatburn Road;
  - Open green space at the site frontage – the retention of the former hospital lawns and majority of mature trees located on the northern boundary of the site creates a wide strip of public open space giving the site an attractive mature green buffer and a sense of arrival, connecting the site with surrounding green areas. The open space includes a pond in the northeast corner of the site that will help enhance biodiversity;
  - Landscaping proposals – as above, the former lawns and mature trees at the site frontage will be retained, with the exception of those affected by knotweed. Other trees and hedgerows will be retained and reinforced wherever possible. Individual dwellings will have various boundary treatments, including brick walls and board fencing. It is proposed to provide hedge planting along the western boundary to create a soft boundary between the rear gardens of the dwellings and the existing open space, as well as forming a green link between the site and the open fields. Feature planting will be carried out along the length of the access roads within the site;
  - Adequate parking provision at each dwelling, including private garages and driveways for the larger dwellings and designated parking bays for the smaller dwellings.
- 3.4 The Design and Access Statement submitted with this application provides further information regarding how the design of the site layout was developed and about the house types, materials and landscaping proposals.

#### **Pre-Application Discussions**

- 3.5 The applicants attended a pre-application meeting with the LPA on 25<sup>th</sup> April 2017 to discuss the proposals. This was followed by a formal written response from the LPA on 10<sup>th</sup> May 2017. A copy of the response is provided as Appendix A. To summarise the response covered the following:
- Regarding application 3/2016/1185 (since withdrawn) the applicants are advised to review the consultation responses and the case officer comments once the application has been determined.

- The principle of the development on this site is considered acceptable and in line with relevant policies given that it is proposed on a brownfield site and is within a principal settlement.
- The response states that the LPA has a 5.3 year housing land supply (based on October 2016 figures), and whilst the housing requirement for Clitheroe has already been exceeded by 81 dwellings, rising to 140 is this proposal is allowed, the LPA consider such an over provision would not cause harm to the development strategy.
- Regarding affordable housing, the pre-application response advises that the housing mix must accord with local planning policy which would require 30% of the units to be affordable. Further to this, 15% of the units will be sought to provide for older people. Within this 15% figure, a minimum of 50% would be affordable and would be included within the overall affordable housing threshold of 30%. The remaining 50% (of the 15% older people's element) will be for market housing for older people. The response concludes that the LPA are only likely to support housing development on the site if it delivers a suitable housing mix regarding affordables with additional provision made for over 55's accommodation and bungalows.
- The pre-application response acknowledges the applicants' proposal to apply the use of the Vacant Building Credit, but stresses that the authority would need to be satisfied that the development resulted in adequate public benefit principally due to the loss of the existing buildings on site of which there has been considerable objection over the years.
- There is significant public support for the retention of the former hospital buildings. The LPA reproduces the consultation responses from Clitheroe Town Council, the Lancashire Archaeological Advisory Service and the Victorian Society provided for the recently withdrawn planning application. The response advises early engagement with these groups and states that a viability assessment and detailed justification would need to be submitted as part of any subsequent application to demonstrate why the buildings could not be retained or why some features/elements could not be reused. The response concludes that although the former workhouse building and infirmary are not listed and are not within a conservation area, they are of significant historical and local interest and as such it is the Council's preference that these buildings remain. It should therefore be clearly demonstrated that the loss of the buildings is necessary to achieve substantial public benefits that outweigh the harm or loss, with regard to para. 135 of the NPPF.
- The response confirms with regards to design and appearance that this should be sympathetic to existing and proposed land uses and recommends retention of the tree lined frontage. Recommended rear garden and amenity space is reiterated.
- The Council are comfortable that the proposed development would not adversely impact on the residential amenity of neighbouring properties. The potential for neighbouring land uses to impact upon the proposed development should be addressed through submission of a noise assessment which considers the impact from the industrial units to the rear and the highway to the front of the site.
- With regards to ecology, the retention of the site frontage, including the trees and stone wall is recommended. Any application should address how the impact on trees will be mitigated and should provide an updated phase 1 habitat and detailed species survey of existing buildings. Biodiversity off-setting for the two local nature reserves in Clitheroe will be made a condition of any planning permission. The response raises concerns with regards to the proximity of the attenuation ponds to the protected trees and advises that these be removed from the scheme.

- In regard to Highways, the LPA advice is that highways improvements at the nearby roundabout and the site access point are likely to be required. LCC recommended that the speed limit in front of the site be reduced to 30 mph as part of the most recent application at the site.
- There is a requirement to provide Public Open Space (off-site) as well as contributions towards off-site recreation and sports provision services. LCC will also request an education contribution. Contributions towards biodiversity will be made a condition of any planning permission.

*Affordable Housing and Financial Contributions*

- 3.6 It is proposed to offer an affordable housing provision of 20% (equating to 12no on-site units) and an education contribution of £101,000. A Viability Appraisal has been undertaken which assesses the proposed development in light of current market conditions and considers various viability scenarios. The assessment suggests that the proposed development would be viable based on the affordable housing and contributions proposed, but that further commitments would render the scheme unviable.
- 3.7 An assessment of the proposed contributions against the relevant policies of the Development Plan and other material considerations is provided in Section 5 of this Planning Statement.



## 4 TECHNICAL CONSIDERATIONS

- 4.1 This planning application is supported by a number of technical reports which demonstrate that the proposed development can be implemented without significant adverse impacts arising from any site constraints. This section of the Planning Statement provides a summary of each of the relevant supporting documents in connection with the proposed development. This summary should be considered alongside the full and comprehensive submission documents. How the findings of these reports relate to planning policy is dealt with in Section 5 of this statement.

### **Heritage**

- 4.2 A Heritage Statement has been prepared to accompany this planning application which identifies and describes the significance of heritage assets affected by the proposed development upon that significance, including any contribution made by their settings. An archaeological desk-based assessment was not deemed necessary as there are no recorded archaeological sites within the site. The assessment has had regard to the definition of heritage assets as set out in the National Planning Policy Framework (NPPF):

*“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).”*

- 4.3 There are no World Heritage Sites, Listed Buildings, Conservation Areas, Registered Battlefields, Registered Parks and Gardens or Scheduled Monuments located within or in the immediate vicinity of the application site. There are two listed buildings and one Scheduled Monument located within the 1km study area of the assessment however given their separation distance from the site, no impacts on their setting are identified. Clitheroe Conservation Area is located to the south of the site, approximately 1.2km away. At this distance, no impacts on its setting are identified.
- 4.4 There are two non-designated heritage assets within the site boundary; the Clitheroe Union Workhouse and the Infirmary Building. The Heritage Statement contains a detailed appraisal of the heritage significance of these assets, including their settings. The outbuildings on site have also been assessed. To summarise:

### **Former Workhouse**

- 4.5 The former Workhouse is an Italianate building, built of grey coursed limestone rubble with sandstone dressings and slate roofs. The workhouse is two-storey and has a corridor plan with central outshot and short single-storey end wings. The front elevation has a central entrance pavilion with twin round arched windows above the bay windows and central window with a shouldered arch. A modern disabled access ramp and steps is located at the main entrance. The rear elevation is architecturally much plainer than the front, comprising of a mix of original and later additions that partially conceal the original rear elevation from view.

### **Former Infirmary**

- 4.6 The former infirmary is a separate block that runs parallel to the former workhouse towards the rear of the site. It is of a similar construction to the former workhouse but simpler in its detailing. The former infirmary is built of grey coursed limestone rubble with sandstone dressings and slate

roofs. The front elevation is dominated by an attached, almost centrally-placed, large, rendered, modern three-storey combined lift shaft tower and entrance. Immediately to the left of this addition, is a gabled projection with tripartite windows to both floors, the ground floor window of which is now largely masked by the addition of a later timber and glass porch. The windows are all rectangular and sill bands to both floors run the length of the front elevation. Two modern disabled access ramps have been added. The rear elevation has a plainer architectural design. It has two centrally-placed projecting gabled stair outshots and two smaller rectangular outshots modified on the upper floor to accept modern fire escapes.

### ***Outbuildings***

- 4.7 The assessment finds that the surviving single-storey original and historic outbuildings are of minimal architectural interest and include a porter's lodge with attached generator room and storerooms; a woodshed or gardener's store; a mortuary with modern cold units; and a bin store with modern up and- over doors.

### ***Setting***

- 4.8 The former workhouse is positioned within a designed front garden. This consists of a central path (currently blocked off) lined with trees on either side leading up to the main front entrance and a path leading across the front of the former workhouse with areas of predominantly lawn on either side of the central axis. Trees also line the low stone boundary front wall. Secondary accesses are located at the northern and southern ends of the site, which are also lined with trees on the site frontage. These extend around to the former infirmary at the rear of the site. This general arrangement is shown on historic maps from onwards 1886 and has survived largely unchanged despite the construction of various original, historic and modern outbuildings at the rear of both the main buildings. The historic relationship of the land on the western side of the application site with the main site of the former Clitheroe Union Workhouse and Infirmary is more uncertain. The earliest historic maps do not indicate a close association between the parcels of land but early 20th century maps suggest a relationship. The western part of the application site is currently divided into two distinct areas, separated by an overgrown hedge and some trees.

### ***Overall Heritage Significance***

- 4.9 The complex of buildings was assessed for listing by English Heritage (now Historic England) in 2008, but was rejected. The reasons for this were:
- The former workhouse, hospital block and surviving original outbuildings have been executed in a relatively modest architectural style.
  - The former workhouse is a late example of a 'corridor type' workhouse and as such it does not display any innovative or historical developments in its construction.
  - The addition of somewhat brutal lift shafts to both of the main buildings has significantly compromised the aesthetic appeal of the respective elevations of these buildings, whilst other additions to the rear of the former workhouse have further compromised its original plan.
  - Demolition of some original buildings and the construction of modern health care buildings and link corridors have significantly altered the original layout of the workhouse complex.
- 4.10 Whilst the buildings do not meet the criteria for statutory designation, they are considered to be of local heritage significance. Overall the Heritage Assessment finds that the Workhouse and Infirmary are of low (local) heritage significance and are non-designated heritage assets, whilst the

outbuildings are of no to negligible heritage significance and are not considered to be heritage assets.

- 4.11 An assessment of the impact of the proposed demolition of the buildings and the redevelopment of the site has been undertaken. This finds that the majority of buildings and other structures on the application site are not heritage assets, therefore their loss does not give rise to any negative impacts or adverse effects. The proposed demolition of the former Workhouse and Infirmary involves the permanent loss of two non-designated heritage assets. Whilst this would give rise to a substantial negative impact, when their level of heritage significance (low/local) is combined with the magnitude of their demolition, this gives rise to a minor adverse effect, which is towards the lower end of the scale of adverse effects.

#### **Transport, Traffic and Access**

- 4.12 A Transport Assessment (TA) has been undertaken for the proposed development. It is noted that the local highway authority (LCC) stated during the course of the most recent application that the proposed development was acceptable in highway and transport terms, subject to conditions. Although the number of dwellings has increased by 10no, in transport and highway terms, all other aspects, including the proposed access arrangements, remain the same as for the previous application.
- 4.13 The TA takes into consideration the local highway network, existing background traffic flows and personal injury accident data for local roads. The traffic impact assessment undertaken as part of the TA finds that the proposals are forecast to generate 34 two-way trips during the weekday morning peak and 33 two-way trips during the weekend evening peak hour, which is equivalent to only one additional vehicle every two minutes. The highest increase in traffic that the development is expected to result in at junctions included within the study area is 2.4%, which is not considered significant. Junction capacity assessments undertaken at the proposed site access show that the proposed junction can more than accommodate the estimated traffic that will be generated by the proposals.
- 4.14 The assessment also assesses the accessibility of the site by sustainable transport modes including on foot, by bicycle and by public transport. It is considered that the site is well located in the context of surrounding land uses and has various employment, educational and community facilities, retail, and leisure facilities all located within reasonable walking and cycling distance. The proposed development site is very close to bus stops that provide regular services to Clitheroe town centre, Whalley, Preston, Burnley and a number of other areas in the vicinity of the site. These services provide the opportunity for future residents of the proposed development to travel by public transport for a number of trip purposes.

#### **Ecology**

- 4.15 This planning application is supported by an Extended Phase 1 Habitat Survey, Protected Species Survey and a Bat Survey and Mitigation Strategy.
- 4.16 The purpose of the Phase 1 is to identify any potential ecological constraints to the proposed development at the earliest opportunity, in order to minimise future delays to potential works and provide advice as to how works on site will avoid breaching any UK or European nature conservation legislation. The Phase 1 made recommendations for further work in respect of great crested newts,

reptiles, roosting bats (in buildings) and foraging and commuting bats – the results of which are presented in the Protected Species Survey report. The Phase 1 found that, provided mitigation measures are employed, no further work would be required with regards to nesting birds, roosting bats (in trees), badgers, common toads, hedgehogs, foxes and invasive species. Best practice and enhancement measures were presented in the Phase 1 which fed into the final design of the proposed development.

- 4.17 The Phase 1 survey and Protected Species Survey submitted with this application are unchanged from the version submitted with the most recent planning application, dated December 2016. The Protected Species Survey report presents the findings of further survey work undertaken in respect of great crested newts, bats and reptiles.
- 4.18 With regards to newts, presence/likely absence surveys were undertaken which recorded no great crested newts within the ponds surveyed, therefore no further survey, licensing and mitigation for this species is required. No reptile species were recorded to be present within the site therefore no further survey or mitigation is required.
- 4.19 With regards to bats, the Protected Species Report summarises the results of the various surveys reported in the Bat Survey and Mitigation Strategy report. It is concluded that a European Protected Species (EPS) license from Natural England will be required to legally proceed with works to several of the buildings on site. It is recommended in the Protected Species Survey report that the surveys summarised in that report are valid until 12<sup>th</sup> May 2017 and that should a license application be delayed beyond this time, then further survey work would be required. As such, the bat survey presents the further survey work undertaken in May 2017. The bat survey goes on to suggest that at least one further bat activity survey is required at the site to inform an application for an EPS license, and, pending the results of that survey, further work may be required on specific locations.
- 4.20 The bat survey report concludes that it is possible to implement reasonable actions for the protection and long-term conservation of the roosting bats associated with the site, and redevelopment at the site will provide an opportunity to secure suitable habitats for roosting bats at the site in the long term.

### **Noise**

- 4.21 A noise survey has been undertaken to establish the existing noise environment at and around the application site. The noise report provided with this planning application presents the findings of the survey.
- 4.22 The assessment finds that the proposed development is not expected to have an adverse impact on health or quality of life. In line with pre-application advice provided by the LPA, the assessment has considered noise from neighbouring land uses, including Chadburn Road to the front of the site and the industrial units to the rear. It is considered that all adverse impacts on health and quality of life (relating to noise) can be mitigated through implementation of a glazing and ventilation strategy.
- 4.23 With regards to tranquility, an assessment of the existing tranquility level of the site has been undertaken and identified that the site is not highly prized for its tranquility and recreational value in terms of noise. The proposed development is considered to have a negligible effect on local access to areas of greater tranquility. Short and long term noise measurements were undertaken within

the south western and south eastern parts of the site opposite the nearby business park. It has been demonstrated that road traffic noise is the dominant noise source throughout the site and no businesses would be adversely affected by the proposed development.

### **Protected Trees**

- 4.24 The trees towards the front of the site are subject to a Tree Preservation Order (TPO), made in 2016. The proposed development has been designed having regard to the need to protect these trees.
- 4.25 A tree survey has been undertaken in line with *British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations*. The survey finds that the site can be roughly split into three sections with regards to trees. The northern area of the site which provides its frontage has high amenity value because of the road and hospital and has an abundance of high quality 'Category A' trees with 40 years plus contribution. Three of the trees on the frontage are affected by knotweed and are therefore recommended for removal. The southern portion of the site has a few high-quality trees and hedges and a couple of orchards. A disused and unmanaged area of land in the west of the site houses some of the largest mature trees on site, here several trees require removal and others require further attention.
- 4.26 The survey finds that the retention and protection of the trees located to the north and front area of the site is essential due to there being some very high quality individual trees, groups of trees and avenues of trees, including those covered by the TPO. It is considered imperative that these areas are protected and that the site is monitored throughout the duration of the construction. A new road would be located over the rooting areas of the remaining trees in this area of the site. The rooting areas of these will need to have a cellular confinement system installed prior to any construction which will then allow plant machinery access and the new road surface to be installed.
- 4.27 The protection of all these trees during the construction procedure will be required in order to prevent root damage to some of the conflicting tree Root Protection Areas. The implementation of a 'No-Dig' methodology and expert arboricultural supervision during works in these highly sensitive areas is recommended. An Arboricultural Method Statement is provided which sets out these approaches in more detail.

### **Flood Risk and Drainage**

- 4.28 A Flood Risk and Foul Drainage Assessment (FRDA) has been undertaken in respect of the proposed development. The flood risk assessment assesses the existing flood risk to the site and establishes a management regime for surface water runoff from the site such that flood risk to adjoining areas is not exacerbated. The foul drainage assessment reviews the existing foul water drainage systems within and adjacent to the site and identifies the peak flows from the proposed development. The assessment also identifies points of connection to the public sewer system via a pre-development application to United Utilities in relation to the proposed peak foul flows from the development.
- 4.29 The site is shown on the EA Statutory Flood Maps for Planning as being entirely within Flood Zone 1 where the risk of flooding is at its lowest. It is considered that the site is at low risk from flooding from fluvial sources, overland flows, sewers, groundwater and reservoir failure. An area of the site is identified as being at risk of surface water flooding, however the proposed surface water drainage measures for the site will ensure that this risk is sufficiently mitigated.

- 4.30 With regards to foul water drainage, United Utilities has confirmed that there is a point of connection with adequate capacity within the receiving network to accommodate the proposed development.
- 4.31 The FRDA makes a number of recommendations. These include that finished floor levels of the new buildings are to be set at 150mm above the average ground level to ensure that in the event of exceedance events causing overland flows within the development, no flooding of the properties will occur; that the site is to be graded such that overland flows proceed through the site towards the watercourse to the north east of the site; that on completion, a regular inspection & maintenance regime is to be provided together with details of who will be responsible for the inspection and maintenance of the proposed SUDs components; and that a legal agreement should be obtained with the riparian owner should a new surface water sewer be laid along Chatburn Road and discharging into either the existing culverted watercourse within Chatburn Road or alternatively to the existing outfall. Land Drainage Consent from the LLFA will be necessary in order to discharge to the watercourse.

#### **Ground Conditions and Land Contamination**

- 4.32 A Phase 1 Geo-Environmental Desk-Top Study and a Ground Investigation Report have been undertaken for the site.
- 4.33 The Phase 1 study found that the site has limited historical potential contaminative issues and for the proposed future end use it is not considered that the site would pose a significant risk. The contamination risk posed by off-site and on-site sources to all receptors are considered to be generally low. Exceptions to this include the risk posed by fuel tanks to controlled water and ground gas originating from the made ground deposits which are considered to pose a low to moderate risk to human health. The study recommended that ground investigation would be needed to refine its findings to support a full planning application.
- 4.34 The Ground Investigation Report found that the site is considered to pose a low to moderate risk to future end users. The risk to future site users from elevated levels of some materials and chemicals within the soils is moderate and would require mitigation during construction. The risk from the accumulation of vapours in the vicinity of the former boiler room/above ground tank is considered low to moderate. Excavations of this area of the site should be validated by a qualified environmental consultant to confirm that any associated contamination has been removed.

#### **Conclusions**

- 4.35 It is not considered that there are any technical or environmental considerations which would preclude the grant of planning permission for the proposed development. The acceptability of the proposals with regards to planning policy is covered in Section 5 of this statement.



## 5 PLANNING POLICY REVIEW

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

*“Where in making any determination under the Planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”*

5.2 The statutory Development Plan for the application site comprises the Ribble Valley Core Strategy 2008 – 2028 (adopted 2014) and the proposals maps which accompanied the Districtwide Local Plan 1998. The proposals maps are due to remain in place until they are superseded by revised maps produced as part of the Housing and Economic Development DPD.

5.3 Planning policy documents that comprise ‘material considerations’ in this instance include:

- National Planning Policy Framework (NPPF);
- National Planning Practice Guidance (NPPG);
- Evidence base for the Core Strategy

5.4 This section will consider the Proposed Development against the provisions of the Development Plan before turning to the relevant material considerations.

### DEVELOPMENT PLAN

5.5 The site is not subject to any allocations within the Development Plan and as such no site specific development management policies relate to the site. The extract below is from the proposals map which shows that the site is located within the settlement boundary of Clitheroe (depicted by thick black dashed line).

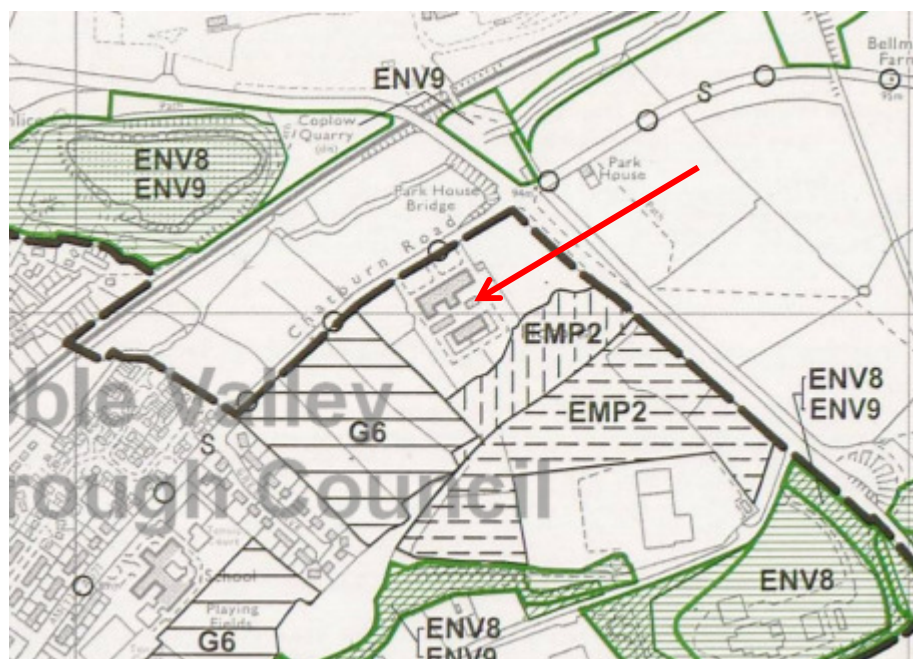


Figure 1: Extract from Proposals Map

5.6 The following Development Plan policies considered to be relevant to the proposed development are as follows and are summarised below:

- Key Statement DS1: Development Strategy;
- Key Statement DS2: Presumption in Favour of Sustainable Development;
- Key Statement EN4: Biodiversity and Geodiversity;
- Key Statement EN5: Heritage Assets;
- Key Statement H1: Housing Provision;
- Key Statement H2: Housing Balance;
- Key Statement H3: Affordable Housing;
- Key Statement DMI1: Planning Obligations;
- Key Statement DMI2: Transport Considerations;
- Key Statement DMG1: General Considerations;
- Key Statement DMG2: Strategic Considerations
- Key Statement DME1: Protecting Trees and Woodlands;
- Key Statement DME4: Site and Species Protection and Conservation
- Key Statement DME4: Protecting Heritage Assets;
- Key Statement DME6: Water management; and
- Key Statement DMB4: Open Space Provision.

5.7 **KS DS1: Development Strategy** seeks to provide a strategy through which development opportunities will be created for economic, social and environmental well-being. The policy identifies Clitheroe as one of the locations where new housing development will be located. The policy states that the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to provide facilities to serve the development, and the extent to which development can be accommodated within the local area.

5.8 **KS DS2: Presumption in Favour of Sustainable Development** is reflective of the core theme of the NPPF where by the LPA will take a positive approach that reflects the presumption in favour of sustainable development when considering development proposals. Planning applications which accord with the Local Plan will be approved without delay, unless material considerations indicate otherwise.

5.9 **KS EN4: Biodiversity and Geodiversity** aims to conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats wherever possible. The policy states that proposals that adversely affect a site of recognised environmental or ecological importance will only be permitted where a developer can demonstrate that the negative effects of a proposal can be mitigated, or as a last resort, compensated for. For those sites that are not statutorily designated, compensation could be managed through a mechanism such as biodiversity off-setting via conservation credits.

5.10 **KS EN5: Heritage Assets** states that there will be a presumption in favour of the conservation and enhancement of heritage assets and their settings, in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits. This will be achieved through (inter alia):



- *“Recognising that the best way of ensuring the long-term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.*
- *Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.*
- *Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.*

5.11 **KS H1: Housing Provision** seeks to ensure that sufficient land for residential development will be available to deliver 5,600 dwellings, at an estimated annual average of at least 280, over the plan period 2008 to 2028.

5.12 **KS H2: Housing Balance** states that planning permission will only be granted for residential development providing it can be demonstrated that it delivers a suitable mix of housing that accords with the projected future household requirements and local need across the Ribble Valley as a whole as evidenced by the Strategic Housing Market Assessment. Determination of planning applications for residential development will be informed by the most recent Housing Needs Surveys, Addressing Housing Needs statement and the most recently adopted SMHA, to identify the type, tenure and size of residential dwellings, required at different locations throughout the borough as well as reference to relevant housing market information.

5.13 **KS H3: Affordable Housing** requires that within the settlement boundaries of Clitheroe on housing developments of 10 or more dwellings, an element of affordable, local needs housing will be required on all schemes, with a provision of 30% units on site sought. Where thresholds are not met, the policy states that the LPA will use open book viability assessments within its consideration of affordable housing provision. The LPA will only consider a reduction in this level of provision, to a minimum of 20% where supporting evidence, including a viability appraisal, fully justifies a lower level of provision to the LPA’s satisfaction. The policy states that:

*“Providing housing for older people is a priority for the Council within the Housing Strategy. Within the negotiations for housing developments, 15% of the units will be sought to provide for older people on sites of 10 units or more. Within this 15% figure a minimum of 50% would be affordable and be included within the overall affordable housing threshold of 30%. The remaining 50% (i.e. the remaining 50% of the 15% older people’s element) will be for market housing for older people.*

*All affordable housing provided must be made available to those in housing need and will remain affordable in perpetuity.*

*Developers will be expected to provide affordable housing on site as part of the proposed development unless Ribble Valley Borough Council and the developer both agree that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site. Older people’s housing should meet the Lifetime Homes standard as a minimum.”*

5.14 **KS DMI1: Planning Obligations** states that this mechanism will be used to deliver development that contributes to the needs of local communities and sustainable development. Contributions can

either be in kind or in the form of financial contribution with a clear audit trail of how monies will be spent and in what time. The following order of priority is set out for obligations:

- Affordable housing
- Improvements required for highways safety that cannot be covered by condition of S278 Agreement
- Open Space
- Education.

The policy states that where there is a question of viability, the LPA will require an open book approach to be taken when agreeing development costs.

- 5.15 **KS DMI2: Transport Considerations** seeks that new development is located to minimise the need to travel and should incorporate good access on foot and cycle with convenient links to public transport to reduce the need for private car use. In general, schemes offering opportunities for more sustainable means of transport and sustainable travel improvements will be supported.
- 5.16 **KS DMG1: General Considerations** aims to help deliver the vision for the area and gives the LPA an overarching series of considerations that the LPA have regard to in achieving quality development. These include with regards to design, access, amenity, the environment and infrastructure. The aim of the policy is to deliver the vision for the area and assist in achieving quality development.
- 5.17 **KS DMG2: Strategic Considerations** states that development should be in accordance with the core strategy development strategy and should support the spatial vision. The policy advises that development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring that it is of an appropriate scale and in keeping with existing development.
- 5.18 **KS DME1: Protecting Trees and Woodland** states that there will be a presumption against clearance of broad-leaved woodland for development proposals. The LPA encourages tree planting to ensure tree cover is maintained in the future. The policy states that where an application is likely to have a substantial effect on tree cover, a detailed arboricultural survey and tree constraint plans will be required. The LPA will ensure that the visual, botanical and historical value, together with the useful and safe life expectancy of tree cover are important factors in determining planning applications. This will include an assessment of the impact of the density of development, layout or roads, access and other services on any trees.
- 5.19 **KS DME3: Site and Species Protection and Conservation** seeks protection for all levels of ecological sites and species, including those of local interest and any acknowledged nature conservation value of sites or species.
- 5.20 **KS DME4: Protecting Heritage Assets** states that the LPA will make a presumption in favour of the conservation and enhancement of heritage assets and their settings. With regards to buildings of local heritage significance, the policy states that development within their settings which cause harm to the significance of the asset will not be supported. The policy makes reference to the demolition of listed buildings, but not to non-designated heritage assets.

5.21 **KM DME6: Water Management** seeks to protect from flooding and states that development will not be permitted where it would be at unacceptable risk of flooding or where it would exacerbate flooding elsewhere. Applications for new development are required to include appropriate measures for the conservation, protection and management of water.

5.22 **KS DMB4: Open Space Provision** requires that on all residential sites over 1ha, the layout will be expected to provide adequate and usable public open space.

#### **National Planning Policy Framework**

5.23 The NPPF is a material consideration in planning decisions as per Paragraph 2 of the Framework and Section 38(6) of the Planning and Compulsory Purchase Act 2004.

5.24 The golden thread running throughout the NPPF is the Government’s presumption in favour of sustainable development (**Paragraph 14**) whereby proposed developments which correctly balance the requirements of economic, social and environmental issues should be granted planning permission unless there are strong reasons that permission should not be granted. The NPPF strongly supports housing development.

5.25 Sustainable development is broadly defined in Paragraph 7 of the Framework as having three dimensions; namely economic, social and environmental. Paragraph 17 sets out the core planning principles which include the need to:

- *“Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs...”*
- *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings...*
- *Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable...”*

5.26 **Paragraph 17** sets out the core planning principles of the NPPF. Amongst these are that planning should *“proactively drive and support sustainable economic development to deliver the homes...and thriving local places that the country needs”* and that it should *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.

5.27 Section 6 of the NPPF has regard to delivering a wide choice of high quality homes. **Paragraph 47** states that local planning authorities should look to boost their supply of housing significantly, including thorough identifying key sites critical to delivery, annually updating a supply of specific deliverable sites sufficient to provide 5 years’ worth of housing against their housing requirements and illustrating the expected rate of housing delivery through a housing trajectory for the plan period. **Paragraph 49** calls for housing applications to 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. **Paragraph 50** states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing, identify the size, type and

tenure required and, where affordable housing is required, set policies for meeting this need, unless off-site provision or a financial contribution of broadly equivalent can be roughly justified.

- 5.28 Section 12 deals with conserving and enhancing heritage assets. **Paragraph 126** calls on local planning authorities to plan positively for the conservation and enjoyment of the historic environment, including assets at most risk through neglect or decay. **Paragraph 131** states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness. **Paragraph 132** refers to designated heritage assets and states that the more important an asset, the greater weight should be given to its conservation. **Paragraph 135** relates specifically to non-designated heritage assets. It states that the effect of an application on the significance of such assets should be taken into account during determination. In weighing applications that affect non-designated assets directly or indirectly, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.29 With regards to promoting sustainable transport, **Paragraph 32** calls for all developments that generate a significant amount of movement to be supported by a Transport Statement or Transport Assessment. According to **Paragraph 34**, decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and where the use of sustainable travel modes is maximised. **Paragraph 38** states that where practical, particularly with large scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.
- 5.30 **Paragraph 100** deals with flood risk and states that development should be directed away from the areas at highest risk of flooding, and where development in such areas is necessary, it should be made safe without increasing the flood risk elsewhere. **Paragraph 103** states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.
- 5.31 **Paragraph 111** relates specifically to the reuse of brownfield land. It states that planning policies and decisions should encourage the effective use of land by re-using land that has previously been developed, providing it is not of high environmental value.
- 5.32 With regards to conserving and enhancing the natural environment, **Paragraph 118** states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles, including; if significant harm resulting from a development cannot be avoided, adequately mitigated or compensated for then permission should be refused; that development proposals where the primary objective is to conserve or enhance biodiversity should be permitted; and where opportunities to incorporate biodiversity in and around developments should be encouraged.
- 5.33 With regards to decision making, **Paragraphs 186** and **187** encourage a positive approach to foster the delivery of sustainable development. Local planning authorities should look for solutions rather than problems.

### **National Planning Practice Guidance**

- 5.34 The NPPG provides further guidance to applicants and decision makers with regards to a number of topics. The individual technical reports provided with this planning application refer to the relevant NPPG.

## 6 PLANNING POLICY ASSESSMENT

### Principle of Development

- 6.1 **Key Statement H1** has regard to housing provision and states that land for residential development will be made available to deliver 5,600 dwellings, estimated at an average annual completion rate of 280 dwellings per year over the plan period 2008 to 2028. The Council's most recent Annual Monitoring Report dated August 2016 states that between 2008 and 2015, an average of 173 dwellings were delivered per year, meaning the Council is not meeting their annual target by quite some margin. It is clear that there is a need to increase delivery of dwellings in order to meet the targets set out in the Core Strategy.
- 6.2 In their pre-application advice dated 10<sup>th</sup> May 2017, the LPA advised that they have a 5.3 year housing land supply (as per published figures in their Housing Land Availability Schedule (HLAS), October 2016) and as such they consider their Development Plan policies are up to date. However, subsequent to the publication of the October 2016 HLAS, the LPA has recalculated their housing land supply and has estimated the supply to represent 4.99 years at the base date of 30<sup>th</sup> September 2016. This recalculation is detailed in a Memo dated 18<sup>th</sup> January 2017 with regards to planning application 3/2016/0974/P, see Appendix B.
- 6.3 In the absence of an updated HLAS, it is unclear what the current housing land supply situation is in the borough. Regardless of this, it must be acknowledged that the housing requirement set out in the Core Strategy is a minimum figure, not a maximum. The Core Strategy proportions a total of 1,280 houses to be built in Clitheroe during the plan period (up to 2028) and whilst the LPA's figures show that the housing requirement for Clitheroe has already been exceeded, this does not preclude the granting of planning permission for other residential schemes.
- 6.4 The site is located within the settlement boundary of Clitheroe which is categorised as one of the principal settlements in **Key Statement DS1** and **DMG2**. These policies seek to ensure that new residential development is located within the three principal settlements of Clitheroe, Whalley and Longridge, the strategic site at Standen, or in one of the nine Tier 1 villages outlined in the Core Strategy.
- 6.5 Given that this is a proposal for redevelopment of a brownfield site within the boundary of a principal settlement, the provision of additional housing here would not harm the development strategy, regardless of the current housing land supply position in the borough. In addition to this, the delivery of 60 dwellings would positively contribute to the Council's housing targets, assisting in meeting some of the shortfall in delivery during the plan period. The principle of the development is therefore considered acceptable.

### Affordable Housing and Financial Contributions

- 6.6 It is proposed to offer an affordable housing provision of 20% (equivalent to 12no on-site units) and an education contribution of £101,000. A Viability Appraisal has been undertaken which assesses the proposed development in light of current market conditions and considers various viability scenarios. The assessment suggests that the proposed development would be viable based on the affordable housing and contributions proposed, but that further commitments would render the scheme unviable.

- 6.7 The LPA has suggested in their pre-application response that they would seek an affordable housing provision of 30%, subject to viability in line with **Key Statement H3**.
- 6.8 It is the applicant's view that the LPA should take into account the Vacant Buildings Credit (VBC) when setting their requirement for affordable housing units on previously developed sites such as this. *Paragraph: 021 Reference ID: 23b-021-20160519* of the *National Planning Policy Guidance on Planning Obligations* is clear that national policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.
- 6.9 Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A 'credit' should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.
- 6.10 This means affordable housing contributions should be sought on the **net increase in development floorspace only**. In this instance, the total floor area of the existing buildings is 42,765 sq.ft, whilst the total floor area to be created is 57,080 sq.ft. The net increase in development floor space is 14,315 sq.ft and it is on this amount that the affordable housing contributions should be sought. This equates to approximately **6 affordable units**:
- 14,315 x 0.3 / 750 = 5.72**
- (net increase in floorspace in sq ft x 30% affordable housing provision / average floor space of affordable house in sq ft)
- 6.11 In their pre-application response, the LPA acknowledged that the applicant wished to use the VBC to reduce the number of affordable units on the site. Despite the national guidance on the subject, the LPA have stated that whilst the VBC could be applied, they would need to be satisfied that the development resulted in adequate public benefit due to the loss of the existing buildings on site of which there has been considerable objection to over the years, and hence the full 30% on-site affordable housing provision is sought by the LPA, subject to viability.
- 6.12 The Viability Appraisal has concluded that it is only viable to provide 20% affordable housing and an education contribution of £101,000.
- 6.13 It is considered that the reduction in the affordable provision from 30% as requested by the LPA to 20% as proposed is justified. It is noted that the LPA has also requested contributions in respect of ecological enhancement and public open space. Given the results of the Viability Appraisal and the proposal for 20% affordable housing and the education contribution, the applicant is not offering



any further contributions, even if it were possible for the LPA to justify that such requests are reasonable and compliant with the CIL regulations.

- 6.14 With regards to the education contribution, LCC's response to the most recent planning application for the site determined that they would not seek contributions for primary school places. They did however seek contributions for 5 secondary school places, amounting to £101,000. The number of dwellings has increased from 50 in the last scheme to up to 60 as now proposed, however the housing mix has also changed to include more 3-bed dwellings than previously, and no 5-bed dwellings at all. It is still considered that the proposed development would yield approximately 5 secondary spaces and therefore a contribution of £101,000 is considered appropriate.
- 6.15 The applicant is of the view that in line with national planning guidance, the VBC should be used to calculate the amount of affordable housing required on site. In this instance, a total of 6 affordable units would suffice to meet the guidance. Notwithstanding this, the applicant is conscious of the LPA's view that, given the public interest in the buildings to be lost, any redevelopment of the site should provide adequate public benefit. To this end, the applicant is prepared to offer 20% (12 no. on-site affordable units) in line with the findings of the Viability Appraisal for the development. This complies with the requirements of **KS H3** which states that where the 30% threshold cannot be met, the LPA will revert to a viability assessment and will consider a reduction to 20%.
- 6.16 The applicant is also prepared to pay the £101,000 education contribution requested by the LPA. It is therefore the applicant's view that the proposed financial contributions, which go above and beyond that required by policy, provide adequate public benefit in line with the LPA's advice. The benefits of the proposed development will be covered in more detail in the Planning Balance towards the end of this section of the Planning Statement.

### **Technical Considerations**

- 6.17 As summarized in section 4 of this Planning Statement, the application is supported by a number of surveys and reports which demonstrate the acceptability of the proposed development with regards to relevant technical and environmental considerations. Compliance with the policies relating to these considerations is provided below.

### **Heritage**

- 6.18 The protection of heritage assets in the borough are addressed in **Key Statements EN5** and **DME4** of the Core Strategy. Both policies state that there will be a presumption in favour of the conservation and enhancement of heritage assets and their settings. **EN5** states that such conservation and enhancement will be in a manner appropriate to the significance of their heritage value, their important contribution to local character, distinctiveness and sense of place, and to wider social, cultural and environmental benefits. **Paragraph 135** of the NPPF is particularly relevant here as it specifically relates to the effect of development proposals on the significance of non-designated heritage assets, stating that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.
- 6.19 The application site contains two non-designated heritage assets; the former workhouse building and the infirmary building. The Heritage Assessment which accompanies this planning application assesses the significance of these assets in detail and finds that both buildings are of low (local)



heritage significance, whilst the outbuildings on site are of no to negligible heritage significance and are not considered to be heritage assets.

- 6.20 The assessment finds that the demolition of the outbuildings would not give rise to any negative impacts or adverse effects since these buildings are of no heritage significance. The proposed demolition of the former workhouse and infirmary involves the permanent loss of two non-designated heritage assets. Whilst this is assessed to give rise to a substantial negative impact, when their level of heritage significance (low/local) is combined with the magnitude of their demolition, this gives rise to a minor adverse effect, which is towards the end lower end of the scale of adverse effects.
- 6.21 The complex of buildings was assessed for listing in 2008 and was rejected for the reasons set out in section 4 of this Planning Statement. Nonetheless, it is acknowledged that the buildings are of some local interest and significance and that their demolition is at odds with the aims of **EN5** and **DME4** which provide a presumption in favour of conserving and enhancing heritage assets and their settings. It is however important to note that there are material considerations relevant to the proposed development that need to be considered, principally the NPPF.
- 6.22 **NPPF Paragraph 132** states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation; the more important the asset, the greater the weight. This paragraph requires that any harm or loss would need *clear and convincing justification*. The hospital buildings are not designated heritage assets and as such there is no requirement to comply with this policy. Nonetheless, in their pre-application response the LPA has stated that their removal should be justified.
- 6.23 As stated above, the demolition of the non-designated heritage assets would have a minor adverse effect, which is at the lower end of the scale of adverse effects. The assets themselves are considered to have a low (local) level of heritage significance.
- 6.24 Turning to the justification for their demolition, the applicant has provided a viability assessment which considers the retention of the buildings and their conversion as part of the residential development of the site. The assessment finds that a scheme which retains the non-designated heritage assets as part of the redevelopment of the site would not be viable, even when assuming that no affordable housing is provided and no further financial contributions are made by the developer. Once affordable housing and other contributions are taken into consideration, retention of the buildings becomes even less viable.
- 6.25 **Paragraph 135** requires a balanced judgement when weighing applications that directly affect non-designated heritage assets, which has regard for the scale of any harm or loss and the significance of the heritage asset. As mentioned above, the viability of retaining the buildings on site has been looked at in detail. It is clear that, even when providing no affordable housing and no further contributions, the costs associated with the refurbishment and redevelopment of the buildings for residential use would render such a scheme unviable. The proposed development would provide a number of benefits to the local area which, when coupled with the need to deliver housing in the borough, and specifically the need to deliver affordable housing, would significantly outweigh the loss of the non-designated heritage assets considered to be of low heritage significance. The

benefits of the proposal are covered in more detail in the Planning Balance section later in this statement.

### ***Transport, Traffic and Access***

- 6.26 The Transport Assessment submitted with this application demonstrates that the level of traffic generated by the proposed development would not be significant and that the new junction proposed at the site access can more than accommodate the estimated traffic that will be generated by the proposals.
- 6.27 **KS DM12** requires that new development be located to minimise the need to travel and should incorporate good access on foot and cycle with convenient links to public transport to reduce the need for private car use. The policy goes on to state the schemes offering opportunities for more sustainable means of transport will be supported. The proposed development is located approximately 1km north of Clitheroe town centre and therefore access on foot would be readily available. Given the location of the site within the settlement boundary and given the nature of Clitheroe as the principle town in the area, a variety of services and facilities are available on foot or by cycle, including health care, employment, retail and education. There are bus stops in close proximity to the site which provide regular services to Clitheroe town centre, Whalley, Preston and Burnley and a number of other destinations in the area.
- 6.28 It is considered that the proposed development complies with **DM12** and the relevant sections of the NPPF, namely **Paragraph 32**.

### ***Ecology***

- 6.29 **Key Statements EN5** and **DME4** seek protection for ecological assets and encourage biodiversity and geodiversity. **EN5** in particular states that any proposals which adversely affect a site of recognised environmental or ecological importance will only be approved where it can be demonstrated that the negative effects of a proposal can be effectively mitigated.
- 6.30 The planning application is supported by an extended Phase 1 Habitat Survey, Protected Species Survey and Bat Survey and Mitigation Strategy. The Phase 1 survey makes various recommendations to ensure that any impacts could be mitigated to acceptable levels. In addition, further survey work was recommended in relation to newts, reptiles and bats. The Protected Species surveys found that no additional work or mitigation with regards to newts and reptiles is required. Any common toad or hedgehogs found should be carefully captured and released into suitable vegetation. With regards to nesting birds, works should be undertaken outside of the bird nesting season on any buildings or vegetation with nesting bird potential. Regarding bats, the survey report concluded that it is possible to implement reasonable actions for the protection and long-term conservation of the roosting bats associated with the site, and that redevelopment of the site will provide an opportunity to secure suitable habitats for roosting bats at the site in the long term.
- 6.31 The proposed development is considered to comply with **EN4** and **DME4** of the Core Strategy, and the relevant provision of the NPPF, in particular **Paragraph 118**.

### ***Noise***

- 6.32 **Key Statement DMG1** has regard to the general considerations which the LPA should consider when determining an application, including that development must not adversely affect the amenities of

the surrounding area. The NPPF (Paragraph 123) states that noise should be avoided which could give rise to significant adverse impacts on health and quality of life as a result of new development and that any such impacts should be mitigated.

- 6.33 A noise survey has been undertaken to establish the existing noise environment at and around the application site. The assessment finds that the proposed development is not expected to have an adverse impact on health or quality of life. With particular regard to the impact on future users of the site from the road to the front of the site and from the industrial units to the rear, it is considered that any impacts could be mitigated in line with **DMG1** and **Paragraph 123** of the NPPF.

#### ***Flood Risk and Drainage***

- 6.34 **KS DME6** relates to water management within the borough and states that development will not be permitted where the proposal would be at an unacceptable risk of flooding or exacerbate flooding elsewhere. The policy goes on to state that applications for development should include appropriate measures for the conservation, protection and management of water such that development contributes to the prevention of pollution and the reduction in risk of surface water flooding.
- 6.35 A FRDA has been undertaken in respect of the proposed development. This finds that the site is located entirely within Flood Zone 1 where the risk of flooding is at its lowest. It is considered that the site is at low risk from flooding from fluvial sources, overland flows, sewers, groundwater and reservoir failure. Isolated areas within the south-eastern part of the site are identified as being at risk of surface water flooding, however the proposed surface water drainage measures for the site will ensure that this risk is sufficiently mitigated.
- 6.36 With regards to foul water drainage, United Utilities has confirmed that there is a point of connection with adequate capacity within the receiving network to accommodate the proposed development.
- 6.37 The conclusions of the FRDA are that the proposed development would not increase the risk of flooding elsewhere and would not put the proposed future residents of the site at risk. The FRDA makes a number of recommendations as set out in Section 4 of this Statement. It is considered that the proposed development complies with **KS DME6** and NPPF **Paragraph 100**.

#### ***Trees***

- 6.38 **KS DME1** has regard to protecting trees and woodland and states that there will be a presumption against clearing broad-leaved woodland for development purposes. The policy also requires that any applications likely to have a substantial impact on tree cover will require a tree survey.
- 6.39 A tree survey has been undertaken with regards to the proposed development. This considers the location and condition of the on-site trees and makes recommendations for where development should take place in relation to the trees, where it should be avoided, and any mitigation measures required to ensure that trees are protected. The Design and Access Statement provided with this planning application provides further information with regards to how the scheme has been designed to ensure that as many trees are retained as possible.
- 6.40 In line with **DME1**, the proposed development is not considered to have a substantial effect on protected trees; the trees towards the front of the site which are subject to TPO will be retained,

with the exception of T20, T21 and T22 which are recommended for removal due to the presence of knotweed. In line with comments from the LPA at pre-application stage and with regards to the previous planning application, the importance of the historic vegetation along the site frontage is retained and protected.

6.41 The proposal is considered to comply with **DME1**.

#### ***Ground Conditions and Land Contamination***

6.42 The planning application is supported by a Phase 1 Geo-Environmental desk-top study and a Ground Investigation report for the site. These investigations demonstrate that any risk from contamination could be effectively mitigated to ensure that future end users of the site are not put at risk. **KS DMG1** required that the LPA consider environmental implications and that suitable mitigation measures are introduced to address any potential implications. The proposed development is considered to comply with this policy.

#### ***Sustainable Development***

6.43 The NPPF puts the presumption in favour of sustainable development at its heart. **Paragraph 7** sets out the three dimensions of sustainable development; economic, social and environmental, and explains that the planning system should perform a number of roles in relation to these dimensions.

#### ***Environmental***

6.44 The NPPF requires that new development contributes to, protects and enhances our natural, built and historic environment, helping to improve biodiversity, use natural resources wisely and minimise waste. The proceeding section of this Planning Statement has detailed the various technical and environmental implications of the proposed development, and assesses them against the relevant local and national planning policies. It is considered that, following mitigation, there are no unacceptable environmental impacts associated with the proposed development.

#### ***Economic***

6.45 The NPPF recognises the economic role of new development in contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.

6.46 The proposed development would deliver 60 new dwellings which would provide an economic boost to the local area in a number of ways. During the construction phase, it is likely that local contractors will be employed, and that those working on construction will spend money in the local area to the benefit of other local businesses. After construction, the occupants of the development will support local businesses and use local services and facilities, thus maintaining their long-term viability. It is considered that the provision of a high-quality housing development in this location will create an attractive place to live and so will support inward investment to the local area and wider borough. The provision of affordable housing as part of the scheme will allow local people, who may otherwise struggle to find a good home, to remain in Clitheroe to the benefit of the local economy.

#### ***Social***

6.47 The NPPF outlines the social role that new development can play in achieving sustainable development, including through supporting strong, vibrant and healthy communities, and by providing the supply of housing required to meet local needs of present and for future generations.

6.48 The proposed development is located to take advantage of existing services and amenities in Clitheroe, such that these facilities can be reached on foot, cycle and by public transport. These facilities include those in relation to education, including several primary and two secondary schools, health care, including doctors and dentist surgeries, retail services which comprise a variety of independent and high street shops, leisure facilities, places of worship and employment opportunities. The proposed development would contribute to the vibrancy of the local area and would encourage a higher level of usage of sustainable modes of travel.

6.49 It is proposed that the scheme would incorporate 20% affordable housing provision. Given the vacant buildings credit which should be applied to this proposal, and taking into account viability, it is considered that the provision of this amount of affordable housing goes above and beyond policy requirements. This provision would assist in meeting local need for good quality attainable housing for local people. An education contribution of £101,000 is also proposed to support local educational needs.

### **The Planning Balance**

6.50 The NPPF is clear that local planning authorities should aim to significantly boost the supply of housing and that housing applications should be considered in the context of the presumption in favour of sustainable development. The LPA has a duty to determine planning applications in line with the development plan, unless material considerations indicate otherwise.

6.51 This Planning Statement and the supporting technical reports demonstrate that there are no technical or environmental reasons why the proposed development should not be approved. With the exception of **Core Strategy Key Statements EN5** and **DME4**, the proposed development is considered to comply with the development plan. In this instance, it is considered that there are important material considerations that must be taken into account when considering the acceptability of the proposed development.

6.52 The principle of the proposed development is considered acceptable. The scheme would see the redevelopment of a brownfield site within the settlement boundary of one of Ribble Valley's principal settlements, in which residential development is encouraged in line with **KS DS1** and **DMG2**.

6.53 The proposed development would assist the borough in achieving its housing delivery targets in line with **KS H1**. The scheme would deliver a high-quality housing development which includes the provision of 20% affordable dwellings, and includes 4 no bungalows and 12 no lifetime homes to cater for older residents. The applicant is prepared to deliver 12 no affordable homes as part of the scheme, which, when taking into account the existing buildings on site and application of the Vacant Buildings Credit, is double what is required by national planning guidance. The affordable housing offer of 20% following a viability assessment fully complies with **KS H3**.

6.54 The proposed development is considered to deliver on the three strands of sustainable development. There would be no adverse environmental effects as a result of the proposed scheme, as demonstrated by the various technical assessments submitted with this planning application. The site is located sustainably to take advantage of a variety of amenities and services which can be easily reached by a number of sustainable modes of travel. Economically, the proposals

would provide a boost to the local economy and in the long term to assist in sustaining local business and facilities. The proposed development would provide an attractive place to live with excellent links to the centre of Clitheroe and beyond, improving the vibrancy of this part of the town in line with the social aims of sustainability.

- 6.55 The proposed development would be in conflict with **EN5** and **DME4** since it would involve the loss of two non-designated heritage assets, namely the workhouse and the infirmary buildings. The proposal also involves the loss of a number of outbuildings which have no heritage significance. The workhouse and infirmary are considered to be of low (local) heritage significance. This is demonstrated by the decision of English Heritage to reject a request to list the buildings. Whilst their demolition would result in a substantial negative impact, their low significance combined with the magnitude of their demolition is considered to give rise to a minor adverse effect, which is towards the lower end of the scale of adverse effects.
- 6.56 The viability assessment provided with this application clearly demonstrates that there is no scenario where retention and conversion of the buildings is viable. Even without the provision of any affordable housing or other financial contributions, retention of the buildings as part of the redevelopment of the site would not be viable.
- 6.57 Paragraph 135 of the NPPF requires that in weighing applications that directly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and significance of the heritage assets. In this instance, it is considered that the loss of two assets of low value resulting in a minor adverse impact is significantly outweighed by the benefits of the proposed development which are considered to be:
- Delivery of a high quality residential development in a sustainable location;
  - Boost to housing delivery in the borough;
  - Provision of a housing mix to meet local needs, including bungalows and lifetime homes, including the provision of 12no affordable units;
  - Efficient reuse of a brownfield site;
  - Boost to the local economy during construction and in the long-term; and
  - Retention of the site frontage which includes mature vegetation and majority of trees covered by TPO.
- 6.58 It is acknowledged that the proposed development would be in conflict with the policies in the development plan which relate to heritage. However, it is considered that the benefits of the proposed development significantly outweigh this conflict with particular regard to the advice provided in NPPF Paragraph 135 and the general presumption in favour of sustainable development which is at the heart of the NPPF and as advocated by the development plan.
- 6.59 The public benefit associated with the proposed development is significant. The delivery of the 12no. affordable units goes above and beyond what is recommended in national planning guidance and in light of the Vacant Buildings Credit which should be applied to this proposal. Furthermore, the provision is compliant with the development plan once viability is taken into consideration.
- 6.60 The applicant considers that the proposed development provides sufficient public benefit to warrant the demolition of the non-designated heritage assets and the redevelopment of the site. The proposal constitutes sustainable development, and although there is a minor conflict with the

development plan, there are significant material considerations which outweigh this conflict and the minor harm as a result of the proposed development. Therefore, in line with the NPPF, the proposed development should be approved without delay.

## **7 CONCLUSIONS**

- 7.1 PWA Planning has been retained by McDermott Homes to progress a planning application for the proposed development of up to 60 no. dwellings on land at Chatburn Road, Clitheroe. The proposal would see the redevelopment of a brownfield site occupied by the former Clitheroe hospital buildings and its grounds.
- 7.2 The scheme could be developed with minimal impacts to the surrounding environment. Mitigation measures would be employed to further reduce the impacts of the proposals.
- 7.3 Significant benefits would result from the scheme. The proposed development would deliver a high-quality housing development in a sustainable location in line with the LPA's development strategy. The scheme would assist in boosting the borough's housing figures and would deliver a mix of housing types and tenure including affordable units, lifetime homes and bungalows. It would also provide an economic boost to the area.
- 7.4 With specific regard to the affordable housing provision, the delivery of 12 no. units goes beyond that required by national planning guidance following application of the Vacant Buildings Credit and is in compliance with the development plan given the viability information provided by the applicant.
- 7.5 The benefits of the scheme are an important material consideration which are considered to significantly outweigh the loss of two non-designated heritage assets considered to be of low value. In line with the Development Plan and the NPPF, the LPA is therefore asked to approve this application without delay.