

Planning Statement, including Design and Access Statement

Land at Oakhill School, Wiswell Lane, Whalley

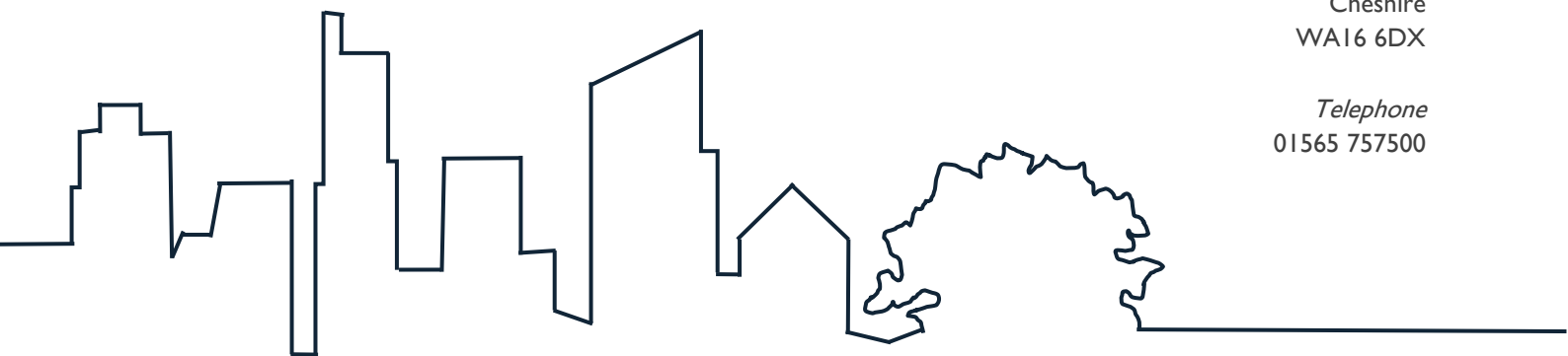
On behalf of Oakhill Investments

December 2018

Walsingham Planning

Brandon House
King Street
Knutsford
Cheshire
WA16 6DX

Telephone
01565 757500



knutsford@walsingplan.co.uk
www.walsinghamplanning.co.uk

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I INTRODUCTION

I.1 Walsingham Planning is instructed by Oakhill Investments to prepare this Planning Statement, including a Design and Access Statement, to support an application for full planning permission for the development of land to the southwest of Oakhill School, Whalley for housing.

I.2 The application is submitted in full and proposes;

“Erection of 8 dwellings with means of access, associated works and landscaping”.

I.3 The application submission comprises the following plans and documents:

Plans

- Site location plan;
- Topographical Survey
- Site Layout Plan (Entrance via College Complex);
- Site Layout Plan (Illustrative Purposes);
- Site Layout Plan (Entrance via THT & SQ Road);
- Plots 1-8 Elevations 1 of 2
- Plots 1-8 Elevations 2 of 2;
- Plots 1-8 Ground floor plan;
- Plots 1-8 First floor plan 7;
- Plots 1-8 Second floor plan;
- Plots 1-8 Section plan;
- Lighting plan

Documents

- Drainage Strategy;
- Ecological Appraisal;
- Arboricultural Impact Assessment;
- Flood Risk Assessment; and
- Transport Statement.

- 1.4 With regard to the structure of this report, Section 2 contains important background information, including a description of the site and its surroundings, a review of its planning history, and details of designations affecting the site. Section 3 contains a description of the development proposals and Section 4 provides a summary of relevant planning policy. In Section 5 we consider the principle of the development of the site for housing and Section 6 contains a Design and Access Statement. In Section 7 we consider the detailed planning issues raised by the scheme and Section 8 contains our conclusions.

2 APPLICATION BACKGROUND

Site

- 2.1 The application site extends to an area of circa 1.9 hectares and comprises a roughly rectangular shaped parcel of land in the southwest of the grounds of Oakhill School, together with an access road.
- 2.2 The main development site contains no buildings or structures and slopes gently from east to west. It is currently unused and comprises predominantly of grassland. Its last use was for grazing animals. A hedge interspersed with trees bisects the site northeast/ southwest.
- 2.3 Three of the boundaries of the site are very clearly defined. The northern boundary is defined by a conifer hedge, a car park and an artificial sports pitch. The western boundary is defined by a post and rail timber fence and hedgerow and the southern boundary is defined by a hedgerow interspersed with trees. The eastern boundary is not physical defined although it is presently marked out with security fencing.
- 2.4 Vehicular and pedestrian access to the site is currently from Wiswell Lane via a shared access to the school and its car park.
- 2.5 In terms of adjacent land uses, the site is bounded to the north by the school's car park and existing residential properties. To the northeast it is bounded by hard surfaced sports pitches and to the east by open land in the ownership of the school. To the south and southeast the site is bounded by existing housing and open land that forms part of the Lawsonstead housing development, which is the subject of a current planning application for residential development. To the west, the site is bounded by existing housing on Wiswell Lane.
- 2.6 The wider area around the school comprises predominantly of housing to the north, south and west and open land to the east. The site lies within the settlement of Whalley and to the northeast of its centre, which contains a wide range of local retail and community facilities, including a small Co-op supermarket, various bars and restaurants, a health centre, hairdressers, a primary school and church. The site also lies within walking distance of the railway station and a bus interchange.

Planning History

- 2.7 The site has a planning history of note and relevance to this planning application.
- 2.8 In 2016 outline planning permission was granted for the development of part of the application site for 6 dwellings (Ref. 3/2015/0715). All matters were reserved for future approval apart from means of access, which was approved from Wiswell Lane via the school grounds. The application site extended to 1 hectare and comprises land to the southeast of the school car park.
- 2.9 An application for reserved matters consent pursuant to the outline planning permission, and specifically, approval of layout, scale, appearance and landscaping, was subsequently made in 2016 (Ref. 3/2016/1148). Consent was granted on 16th January 2017 subject to nine planning conditions.
- 2.10 Whilst none of the planning conditions on the reserved matters consent have been discharged, the planning permission remains extant until 16th January 2019.
- 2.11 Planning permission has also previously been granted for the extension, floodlighting, resurfacing and perimeter fencing of the sports pitch to the north of the application site (Ref. 3/2015/0340/P). This permission has not been implemented however and has now lapsed. It is worth noting that the application site encompasses land to the south of the existing sports pitches that was to form an extension to them.
- 2.12 It is relevant to this planning application, that an application is currently lodged with the Council for the development of land to the south (Phase 2 Lawonstead) for 188 dwellings, together with means of access from A671 (Ref. 3/2018/0914). It is intended that if planning permission is granted for Phase 2 of the Lawsonstead development, the application scheme will be accessed through this development at such time as the new access roads are constructed and become operational.

Designations

- 2.13 On the Proposals Map that accompanies the emerging Housing and Economic Development DPD, which is in the process of being examined, the application site is identified as lying within the defined settlement of Whalley. Part of the site (which corresponds with outline planning permission 3/2015/0715) is also identified as a 'Committed Housing Site' under policy DSI.
- 2.14 The site is not in a conservation area and there are no listed buildings on or in close proximity of the site.
- 2.15 There are trees on the boundary around the perimeter of the site that are protected by a Tree Preservation Order. A group of trees and one single tree within the hedgerow that bisects are also protected by the TPO.
- 2.16 The site is in Flood Risk Zone I and thus is not considered to be at risk of flooding.

3 DEVELOPMENT PROPOSALS

- 3.1 The application seeks full planning permission for the erection of 8 no. 6 bedroom detached dwellings. It is proposed that the dwellings be accommodated on generous plots and arranged around a central communal landscaped area.
- 3.2 Two options are proposed for means of access to the site. Which access solution is adopted will depend on the timing of the proposed and adjacent development (Phase 2 of the Lawsonstead scheme).
- 3.3 It is considered likely that initially means of access to the site (both for construction and the future occupiers) will be taken from Wiswell Lane via the school and a new access road to the east of the school car park – an identical arrangement to that approved under outline planning permission Ref: 3/2015/0715. This will necessitate the removal (for a short period) of a number of existing cars parking spaces and remarking of the car park. Means of access from Wiswell Lane is however likely to be only temporary unless Phase 2 of the Lawsonstead development does not come forward. In these circumstances access to the development would continue to be from Wiswell Lane. It is however considered unlikely that this development will not come forward.
- 3.4 Assuming that planning permission is granted for Phase 2 of the Lawsonstead scheme (Ref. 3/2018/0914), access to the proposed development will be taken via this development. The scheme will provide two options with regard to means of access to the application scheme: (1) via a new traffic light-controlled junction onto the A671; and (2) onto Clitheroe Road via Springwood Drive. At this point, means of access from the application site through the school grounds to Wiswell Lane will cease and be closed and car parking provision reinstated.
- 3.5 The applicant would raise no objection in principle to a planning condition being imposed on any grant of planning permission for the development to secure the closure of this access following completion of the alternative means of access via the Lawsonstead development.
- 3.6 It is proposed that the access road within the proposed development is 5.5 metres in width with a 2-metre-wide pavement on its northern side. It is intended that a short section (to plot 8) be put forward for adoption with the remainder being private and subject to controlled

access. In order to link the site access road with site spine road in the adjacent development it will be necessary to remove a small section of hedgerow along the southern boundary.

- 3.7 The LPA is advised that the applicant is shortly due to entered into a legal agreement with THT and L&Q Developments LLP to enable the proposed development to be accessed via Phase 2 of the Lawsonstead scheme. The LPA can be confident therefore that this means of access to the site is deliverable subject to planning permission being granted for Phase 2 of the Lawsonstead scheme.
- 3.8 In the unlikely event that this development does not come forward, means of access to the proposed residential development would continue to be from Wiswell Lane via a private access road through the school grounds.
- 3.9 The application submission includes separate plans for each scenario, together with an illustrative site layout plan showing the proposed development linked to the Lawonstead scheme.
- 3.10 In terms of the scale of the dwellings, it is proposed they are part 3 storey and part 2 storey with a single storey linked double garage.
- 3.11 With regard to the external appearance of the dwellings, it is proposed that they be faced in through coloured render with a stone plinth and chimney and stone heads, cills and jams. Windows are to be powder coated aluminium. Grey slates are proposed as the roofing material.
- 3.12 Due to the generous size of the plots, each dwelling will have space for parking a minimum of four cars.
- 3.13 Existing boundary treatment to the western and southern boundaries will be retained with the planting supplemented as necessary. Along the northern boundary, it is proposed to erect a new 2-metre high acoustic fence, supplemented with planting along the existing bund to the all-sports pitches. Along the eastern boundary adjacent to the access road a 1.8 metre high timber fence is proposed.

- 3.14 It is proposed that boundaries between properties will be defined by 1800mm high close boarded fence. A 900mm/ 1800mm high stone wall is also proposed to the front of the properties with stone pillars delineating vehicular access.
- 3.15 In terms of drainage, it is proposed that surface water drain into the existing watercourse to the south of the site via an attenuation system. With regard to foul drainage, it is proposed to connect to the mains sewer via private pipework.

4 PLANNING POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “*if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Act, the determination must be made in accordance with the plan, unless material considerations indicate otherwise*”. Any issue that relates to the use and development of land is capable of being a material consideration, this includes government statements of planning policy.
- 4.2 The Development Plan applicable to the site comprises the Ribble Valley Core Strategy 2008 – 2028. There are a number of policies contained within this document that are relevant to the development proposals. These are considered in turn below.
- 4.3 Reference is also made to a number of other documents that are material to the Council’s determination of this planning application. These include the Housing and Economic Development Development Plan Document and the National Planning Policy Framework (NPPF).

Government Guidance

National Planning Policy Framework (July 2018)

- 4.4 The aim of the document is to ensure that there is a presumption in favour of sustainable development and that positive solutions are found to ensure economic development is brought forward. Paragraph 11 states that LPA’s should approve development proposals that accord with an up-to-date development plan without delay or where the policies that are most important for determining an application are out-of-date, grant planning permission unless (i) the application of policies in the Framework that protect areas or assets of particular importance provides clear reason for refusing the development proposed or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 4.5 Paragraphs 59- 79 of the NPPF deals with ensuring the delivery of a sufficient supply of new housing paragraph 59 the document sets out the Government’s objective of significantly boosting the supply of new homes. Specifically, it states that “*it is important that a sufficient*

amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”.

- 4.6 With specific regard to affordable housing, the NPPF makes it clear that *“provision of affordable housing should not be sought for residential developments that are not major development, other than in designated rural areas”.*
- 4.7 The important contribution that small and medium sized sites can make to meeting an areas housing requirement is highlighted at paragraph 68. LPA’s are encouraged to promote the development of a good mix of sites by identifying, through the development plan, land to accommodate at least 10% of their housing requirement on sites no larger than 1 hectare and *“by supporting the development of windfall sites through policies and decisions – giving great weigh to the benefits of using suitable sites within existing settlements for homes”.*
- 4.8 Paragraphs 73-76 sets out the requirement for LPA’s to maintain a five year supply of deliverable housing sites. Where delivery falls below 95% of the Local Planning Authority’s housing requirement over the previous three years, the authority is required to prepare an action plan to, amongst other things, increase delivery in future years.
- 4.9 Paragraph 117 details the Government’s intention that effective use should be made of land in order to meet the need for new homes and other uses, whilst safeguarding and improving the environment and ensuring safe and health living conditions. Amongst other things, it requires that support is given to the *“development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained”.*
- 4.10 The Framework also requires that development that makes an efficient use of land is supported.
- 4.11 With regard to design, the Framework identifies that good design is a key part of sustainable development and contributes to creating better places for people to live and work. New development is required to function well and add to the overall quality of the area; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sensitive to local character and create a strong sense of place, optimise the potential of the site and create a place that is safe, inclusive and accessible.

- 4.12 The Framework attaches great importance to ensuring development is sited in a sustainable location and that transport issues are considered at an early state. It is within this context that the Framework requires the potential impacts of development on transport networks to be addressed and opportunities to promote walking, cycling and public transport use to be pursued.
- 4.13 Specifically, it requires the following to be ensured:
- *“Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the development and its location;*
 - *Safe and suitable access to the site can be achieved by all users; and*
 - *Any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree”.*
- 4.14 Paragraph 109 states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.*
- 4.15 All developments that will generate significant amounts of movement should be required to provide a Travel Plan, and the application should be supported by a Transport Statement or Transport Assessment so that the likely impacts of the proposal can be assessed.
- 4.16 Guidance in respect of flooding is contained in paragraphs 155- 165. It requires development to be directed away from areas at the highest risk of flooding and that LPA's ensure development does not increase the risk of flooding elsewhere. Where appropriate, applications are to be supported by a site -specific flood risk assessment.
- 4.17 With regard to biodiversity, paragraph 175 sets out the principles that LPA's should apply when determining planning applications, which includes encouraging biodiversity improvements in and around developments.
- 4.18 Paragraph 178 is concerned with ground conditions. It requires that sites are suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

- 4.19 Paragraph 180 requires that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site to impacts that could arise from the development. LPA's are also required to ensure that new development can be integrated with existing facilities.

Development Plan

Ribble Valley Core Strategy 2008-2028

- 4.20 The overall development strategy for the Ribble Valley is set out in Policy DSI. This states that the majority of new housing development in the Ribble Valley will take place on a strategic site south of Clitheroe and the principle settlements of Clitheroe, Longridge and Whalley.
- 4.21 The policy goes on to state 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"*. It notes that specific allocations will be made through a separate allocations DPD.
- 4.22 Further detail is provided at Policy DMG2. This states that development proposals in the principal settlements (which includes Whalley) should *"consolidate, expand or round off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement"*.
- 4.23 Policy DS2 sets out the presumption in favor of sustainable development. It states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Specifically, it states that the Council will *"always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area"*.
- 4.24 Policy H1 is concerned with the provision of new housing. It states that land for residential development will be made available to deliver 5,600 dwellings in the period 2008 – 2028 equating to at least 280 dwellings per annum. Policy H2 states that *"planning permission will*

only be granted for residential development provided 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”.

- 4.25 Policy DM12 deals with transport considerations. It requires that new development is located to minimise the need to travel and that it incorporates good access by foot and cycle and has convenient links to public transport to reduce the need for travel by private car. *“Schemes offering opportunities for more sustainable means of transport and sustainable travel improvements will be supported”.*
- 4.26 Further guidance is provided in Policy DMG3. This states that considerable weight will be attached to the availability and adequacy of public transport and associated infrastructure in the determination of planning applications. Amongst other things it requires provision to be made for access to the development by pedestrians, cyclists and those with reduced mobility and appropriate access to the primary and strategic road network. All development proposals are required to provide adequate car parking provision and servicing space in accordance with adopted standards.
- 4.27 Policy DMG1 deals with design matters. It requires all development to be of a high standard of design; sympathetic to existing and proposed land uses in terms of size, intensity and nature as well as scale, massing, style, features and building materials and consider the density, layout and relationship between buildings. With regard to amenity considerations, the policy requires that the proposed development does not adversely affect the amenities of the surrounding area; provides adequate daylight and privacy distances; has regard to public safety and secured by design principles and considers air quality. In terms of access, consideration should be given to potential traffic and car parking implications and ensuring a safe means of vehicular access is provided which is suitable to accommodate the scale and type of traffic likely to be generated.
- 4.28 Policy DMG1 is additionally concerned with environmental matters and infrastructure. It requires consideration to be given to the environmental implications of development including any impact on protected species. It also requires any efficient use to be made of land. In terms of infrastructure, it requires regard to be had to the availability of infrastructure capacity.

- 4.29 Policy DME1 deals with the impact of development on trees. It requires that applications that are likely to have a substantial effect on tree cover are supported by an Arboricultural Survey and tree constraint plans. The policy states 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 includes an assessment of the impact of the density of development, layout of roads, access points and services on any affected trees”*. With regard to hedgerows, it states that *“the Borough Council will use planning conditions to protect and enhance hedgerows through the use of traditional management regimes and planting with appropriate hedgerow species mix”*.
- 4.30 Policy DME6 is concerned with water management. It states that development will not be permitted where the proposals would be at an unacceptable risk of flooding or would exacerbate flooding elsewhere. It goes on to require that development proposals include *“appropriate measures for the conservation, protection and management of water such that it contributes to preventing pollution of ground or surface water; reduces water consumption and reduces the risk of surface water flooding”*. All planning applications are required to include details for surface water drainage and means of disposal based on sustainable drainage principles.

Other Material Planning Considerations

Emerging Housing and Economic Development DPD

- 4.31 The Council are currently at the Examination in Public (Regulation 24) stage with the Housing and Economic Development DPD. As the document is at an advanced stage it must carry significant weight in the decision-making process.
- 4.32 On the amended Proposals Map that accompanies the Housing and Economic Development DPD, the application site is brought within the defined settlement boundary of Whalley. A significant part of the application is also identified as a ‘Committed Housing Site’ under Policy DSI.
- 4.33 The Housing Land Availability Schedule published in October 2018 summaries historic completions, housing land supply and sites that benefit from an extant planning permission. It is material to the Council’s consideration of this application that the document notes a shortfall

in delivery over the plan period of 576 dwellings and that the application site contributes 6 dwellings to the Council's evidenced five-year housing land supply.

5 LAND USE PRINCIPLES

- 5.1 The principle of the development of a large part of the application site for housing has been firmly established by virtue of outline planning permission Ref. 3/2015/0715 and reserved matters consent Ref. 3/2016/1148. This permission remains extant and could be implemented at any time subject to the discharge of pre-commencement planning conditions.
- 5.2 This part of the application is also allocated on the emerging Local Plan Proposals Map as a committed housing site and is noted as contributing 6 dwellings to the Council's five-year housing land supply. Given the current shortfall in housing delivery against the Core Strategy annual housing requirement (576 dwellings), the site is thus considered important to housing supply generally and in particular, the supply of new housing in Whalley.
- 5.3 Having regard to these facts, we are of the view that the development for housing of that part of the application site the subject of the allocation and extant planning permission is unequivocally acceptable in principle.
- 5.4 With regard to that part of the application site that lies outside of the committed housing site allocation and which is not subject to extant consent for housing, it is our view that development of this land for housing is also entirely acceptable as a matter of principle.
- 5.5 For the avoidance of doubt, the revised scheme proposes 8 dwellings and thus a net increase of 2 dwellings as compared to the extant scheme.
- 5.6 Having regard to the emerging Local Plan Proposals Map, the whole of the application site, including the unallocated land, falls within the defined settlement of Whalley. Whalley is one of three principal settlements in the Ribble Valley which Policy DSI states will accommodate the majority of housing development over the plan period. It is thus the focus for future residential development.
- 5.7 Guidance on suitable locations for new housing development in the principal settlements is set out in Policy DMG2. This states that development in Whalley should consolidate, expand or round off development so that it is closely related to the main built up areas, ensuring this

is appropriate to the scale of, and in keeping with, the existing settlement. Given the application site falls within the settlement boundary of Whalley (as detailed on the emerging Proposals Map) and will consolidate and round off development around Whalley, it is our view that the development proposals are wholly consistent with the Borough's development strategy and thus compliant with Policy DMG2.

- 5.8 It is also material to the Council's consideration of this scheme that the application site directly abuts and will physically link to a committed housing site to the south of the site (part of which has now been built out and part of which is the subject of a current planning application for residential development (Ref. 3/2018/0914)). The development is thus effectively a small extension to it.
- 5.9 Notwithstanding these facts, the land in question is not subject to any policies which would direct that the development of the site for housing should be restricted or prevented as a matter of principle i.e. it is not in the open countryside or designated green belt, it is not a nature conservation site, it is not important in terms of landscape character etc.
- 5.10 The site is also in a highly sustainable location within close proximity of local shops, services and community facilities and is accessible by a range of non-car modes of transport, including by bus from the local bus station and stops on Clitheroe Road and by rail from Whalley Railway Station.
- 5.11 Furthermore, the site is small in scale and exactly the type of site government guidance set out in the NPPF is encouraging LPA's to support. Indeed, paragraph 68 of the NPPF explicitly states that LPA's should support small scale windfall sites, giving "*great weight to the benefits of using suitable sites within existing settlements for homes*". Paragraph 117 also states that LPA's should support the development of underutilised land where it would meet identified needs for housing where housing land supply is constrained.
- 5.12 Significant weight should additionally be given in the determination this planning application to paragraph 59 of the NPPF, which makes it very clear that LPA's need to seek to boost the supply of new homes in their areas and ensure a sufficient amount and variety of land comes forward where it is needed.

- 5.13 Having regard to the information set out above, we consider the development of the application site for housing is acceptable in principle and specifically, that it is compliant with Policy DSI and DMG2 of the Core Strategy, together with government guidance contained in the NPPF.

6 DESIGN AND ACCESS STATEMENT

Amount

- 6.1 The application proposes the erection of 8 detached 6 bedroom dwellings with linked garages. Each dwelling is circa 431 sq m in size.
- 6.2 The amount of development proposed on the site is considered appropriate for its location and context having regard to adjacent development.

Layout

- 6.3 It is proposed that the scheme delivers 8 executive properties. As a result, each individual development plot is generous in size allowing for large gardens (front and rear) and spacious driveways.
- 6.4 The development has been laid out to enable the proposed dwellings to face / front onto a central communal feature area of open space, which also serves as a roundabout, creating a sense of community.
- 6.5 The properties have been sited in order to protect existing boundary trees and hedgerows, which will be retained as part of the development. The development has also been laid out to protect the existing hedgerow and tree group that bisects the site.
- 6.6 An existing bund along the northern boundary of the site is retained. It is proposed that this be heavily planted to afford the properties privacy and screening from the adjacent school site.

Scale and Massing

- 6.7 The dwellings are part three storey and part two storey with single storey garages.

Design and Appearance

- 6.8 It is proposed that the dwellings be faced in through coloured render with a stone plinth and chimney. Windows are proposed to be powder coated aluminium with stone head, cills and jams.
- 6.9 Grey slates are proposed as the roofing material.
- 6.10 Boundaries between properties will be defined by a 1800mm high close boarded fence and 900mm high stone wall.
- 6.11 Stone pillars are proposed to demark vehicular access to each property. Drives will be surfaced with decorative aggregate.

Landscaping

- 6.12 There is existing mature planting to part of the northern boundary, the southern and western boundaries of the site. This will be retained and supplemented as appropriate.
- 6.13 It is proposed to plant a number of new feature trees within the development and to landscape the existing bund along the northern boundary of the site with trees and shrubbery in order to screen the proposed development from Oakhill School.
- 6.14 The submitted plans show provide details of the proposed landscaping of the site.

Waste

- 6.15 An area for the storage of wheelie bins will be provided within the curtilage of each property. Provision will be made for 2 x 140 litre bins and 1 x 240 litre bin. It is envisaged that bins be collected from the kerb side outside each property.

Access

- 6.16 It is intended that vehicular access to the site will be via the adjacent THT and L&Q Developments scheme to the south and onto to the A671 via a new traffic light-controlled junction or Clitheroe Road via Springwood Drive. This development is currently the subject of an application for planning permission (Ref. 3/2018/0914) which it is understood is likely to be approved over the coming weeks.
- 6.17 It is intended that pedestrian access to the site will also be via this development.
- 6.18 The applicant will shortly be entering into a legal agreement with the adjacent landowner in respect of this means of access. The legal agreement enables the applicant to access their development via the THT and L&Q Developments spine / distributor roads.
- 6.19 In the unlikely event that this development does not receive planning permission or the road and pedestrian links have not been constructed by the commencement of construction and first occupation of the dwellings, vehicular and pedestrian access to the scheme is proposed via Wiswell Lane and an access road to the east of the school car park, an identical arrangement to that approved under the extant planning permission.

7 DETAILED PLANNING MATTERS

- 7.1 This section of the report discusses the detailed planning issues raised by the development proposals.

Design

- 7.2 It is intended that the proposed development be of a high design quality and create an attractive and exclusive residential development and one that is in keeping with its immediate context, which comprises generally of large detached homes set in substantial grounds.
- 7.3 Policy DMG1 of the Core Strategy details the Council's policy requirements with regard to design. It requires new buildings to be of a high standard of design and sympathetic in scale, massing, style, features and building materials to other development in the area. It also requires the layout of development to be in keeping with its context and for energy efficiency measures to be incorporated where feasible.
- 7.4 It is our view that the application proposals comply with these requirements and thus the Council's design criteria set out Policy DMG1. The scheme also adopts a similar design approach to the small residential development to the north of Oakhill School at the junction of Wiswell Lane with the A671, which was supported by the Council.
- 7.5 Accordingly, we consider the application scheme to be acceptable from a design perspective and compliant with Policy DMG1 of the Core Strategy.

Amenity Standards

- 7.6 In order to ensure that residential amenity is protected and new development does not lead to issues with overlooking and loss of privacy, it is generally accepted that facing habitable rooms are a minimum of 21 metres from each other and where habitable rooms face non-habitable rooms a minimum distance of 12 – 15 metres is achieved.

- 7.7 Within the proposed development itself, the only properties facing each other are plots 1 and 7. A separation distance of significantly in excess of 21 metres is achieved and as such, no amenity concern arises.
- 7.8 The rear elevation of plot 6 faces the side elevation of plot 8. However, these properties are circa 28 metres from each other. Accordingly, no issue of loss of privacy or overlooking arises here either.
- 7.9 In terms of the relationship between the proposed development and existing properties on Deer Park Crescent, not only is a distance of significantly in excess of 21 metres achieved between the existing and proposed properties, but the dwellings are also sited at an oblique angle such that they are not directly facing each other. They are also 'separated' by mature trees and hedgerow along the boundary.
- 7.10 With regard to the relationship between the proposed dwelling in plot 8 and proposed dwellings (plots 24-29) in the adjacent THT and L&Q Developments scheme, firstly these properties are sited at oblique angles to each other and secondly, a distance of significantly in excess of 21 metres is achieved between them. They are also separated and screened from each other by mature hedgerow. Accordingly, privacy is protected and there is no issue of overlooking.
- 7.11 Having regard to the information set out above, we are of the view that it has been clearly demonstrated that the proposed development will not adversely affect the residential amenity of adjacent occupiers on Deer Park Crescent and that the residential amenity of proposed occupiers of the application scheme and adjacent proposed residential development will also be protected,

Highways Matters

- 7.12 As is set out elsewhere in this Planning Statement, is proposed that vehicular access to the site is ultimately via Phase 2 of the Lawonstead development onto the A671 via a new traffic light-controlled junction or Clitheroe Road.
- 7.13 In the unlikely event that the remainder of the Lawonstead development does not come forward or the application scheme is commenced and occupied in advance of the site spine/distributor road in this development being completed and operational (including the

junction improvement on the A671), it is intended that vehicular access to the site would be via Wiswell Lane and an access road to the east of the school car park, an identical arrangement to that approved under the extant planning permission.

- 7.14 It is our view that either option is acceptable and is capable of accommodating the traffic generated by the proposed development without detriment to highway capacity or highway safety.
- 7.15 Accordingly, it is considered that the proposed development is compliant with part I of Policy DMG3 and paragraph 108 of the NPPF.

Accessibility

- 7.16 The application site is in a sustainable location within walking distance of local retail facilities, services and community facilities. The site is also accessible by various non-car modes of travel: by walking, cycling, bus and train.
- 7.17 In terms of access on foot, it is important to create direct, safe and attractive routes between where people live and where they need to travel to. The application scheme incorporates the provision of a 2 metre wide footway alongside the site access road which links directly to proposed footways with the adjacent residential development (Phase 2 of Lawonstead) the subject of a current planning application. These footways then link to existing footways which provide safe and direct access to local retail, service and community facilities in Whalley, together with Whalley Railway station and bus interchange.
- 7.18 In the event that Phase 2 of the Lawonstead development does not come forward a pedestrian link is proposed from the site alongside the new access road through the school grounds to link up with footways on Wiswell Lane.
- 7.19 With regard to access by cycling, Regional Cycle Route 90 and 91 of the Lancashire Cycleway pass close to the site, on Clitheroe and Station Road, and in this vicinity, are on-road cycle routes. The site can thus be considered accessible by cycling.
- 7.20 The nearest bus stops to the site are situated on Clitheroe Road and are circa 600 metres from the development via the adjacent Lawsonstead development. The bus stops are just outside of the recommended walking distance of 400 metres, however the distance is not

considered likely to be a barrier to those future occupants of the development seeking to utilise services on Clitheroe Road. Services from these stops provide access to a wide range of local destinations as well Clitheroe, Preston and Accrington.

- 7.21 Whalley bus station is also accessible on foot along Clitheroe Road and provides access to a range of local destinations as well Clitheroe, Accrington, Blackburn and Burnley.
- 7.22 The site is also accessible by train from Whalley Railway station. The station is managed by Northern Rail and lies on the Manchester to Blackburn and Clitheroe line. There are approximately two services per hour throughout the day to these destinations.
- 7.23 It is noteworthy, and in our view a material planning consideration to which substantial weight should be given in the determination of this planning application, that the current scheme for the site links directly to Phase 2 of the Lawsonstead development. This has the effect of improving the accessibility of the site to local shops, services and facilities and public transport as compared to the consented scheme. This is because walking distances to key facilities from the site are shorter via the adjacent development than a route via Wiswell Lane.
- 7.24 Having regard to the information set out above together with that contained in the Transport Statement, we conclude that the site is sustainably located and accessible and that it thus complies with Policy DMI2 and DMG3 of the adopted Core Strategy together with government guidance contained in the NPPF.

Car parking

- 7.25 The Council do not appear to have any adopted parking standards which set out a specific level of parking provision that new development is required to provide. There is therefore no standard against which the scheme can be assessed. However, Policy DMG3 requires that development proposals demonstrate adequate parking provision.
- 7.26 Due to the generous plot sizes, each property has parking for in excess of four cars. In the absence of a specific standard it is considered that this level of provision is more than adequate and therefore that the development proposals demonstrate the provision of adequate parking provision.

- 7.27 Accordingly, the application scheme is considered to comply with Policy DMG3 of the adopted Core Strategy.

Impact on Trees and hedgerows

- 7.28 There are a number of trees and hedgerows around the perimeter of the site. There is also a hedgerow containing a number of trees that falls within and bisects the site. The application is therefore accompanied by an Arboricultural Impact Assessment which assesses the quality of these trees and hedgerows and considers the impact of the proposed development on them.
- 7.29 The Assessment demonstrates that the proposed development will not impact on any of the trees around the boundaries of the site. The scheme will however require the removal of a short section of the hedgerow along the southern boundary of the site (10 metres length) in order to facilitate means of vehicular access to the site adjacent to the Lawonstead scheme.
- 7.30 With regard to the hedge that runs northeast / southwest through the site. The application scheme protects this hedgerow, together with the trees within it and in particular, those that are protected by a Tree Preservation Order.
- 7.31 The short section of hedgerow that needs to be removed is detailed on the plans contained in Appendix 2 of the Arboricultural Impact Assessment. These plans also detailed root and protection zones and the location and extent of tree protection fencing that will be installed during construction in order to protect the retained trees and hedgerows.
- 7.32 Having regard to the amount of hedgerow that will be removed and the quality of it, and balancing this against the benefits of the scheme in terms of the delivery of new housing and providing an improved means of access to the site, it is considered that the removal of a short section of hedgerow along the southern boundary is acceptable and justified. New planting with the proposed development will also mitigate for its loss.
- 7.33 The application proposals are accordingly considered to comply with Policy DME1 of the adopted Core Strategy.

Ecology

- 7.34 The application is supported by an Ecological Appraisal which considers the impact of the proposed development on ecology, including protected species.
- 7.35 With regard to protected species, the appraisal concludes that the site is unlikely to be used by badgers for foraging or commuting and it provides low quality set building habitat. As a result, badgers are unlikely to be impacted by the scheme.
- 7.36 With regard to amphibians, there are a number of sites within 2km where GCN and other amphibians have been recorded. There is considered to be sufficient habitat connectivity between hedges on the application site and these sites that amphibians could be using the hedgerows bounding the site for foraging, commuting or as resting places. Given that the majority of hedgerow is to be retained, the Ecological Appraisal concludes that the potential impact on GCN is very limited and relates only to the impact of removing a short section of hedgerow. It thus recommends Reasonable Avoidance Measures are undertaken during removal of the section of hedgerow.
- 7.37 In terms of bats, the habitat on the site is considered to be of low suitability for bat commuting and foraging. With regard to the section of hedgerow to be removed to create the new access road, this has been assessed as having low bat roost potential. Given that the remainder of the trees and hedgerow are to be retained no mitigation is deemed necessary. Notwithstanding this fact, it is considered that the new tree planting that is proposed within the scheme will mitigate for any loss of commuting and foraging habitat and that it will deliver biodiversity gain.
- 7.38 The proposal will result in the loss of a negligible amount of bird breeding and foraging habitat through the loss of scenic hedgerow. However, this loss is compensated for by the planting of new trees.
- 7.39 With regard to the habitats on the site, the appraisal identifies no habitats of particular value.
- 7.40 Having regard to the information contained in the Ecology Appraisal and summarised above, it is considered that the proposed development will have only a negligible negative impact on ecology given that the majority of the trees and hedgerow on the site are to be retained. The planting of new trees and hedgerow within the development will in any event more than

mitigate for any negative impact. Having regard to the level of planting proposed in comparison to the amount of hedgerow that will be removed, it is considered that the development will deliver biodiversity gain in the longer term.

- 7.41 Accordingly, it is considered that the application scheme complies with Policy DMG1 of the Core Strategy, together with paragraph 175 of the NPPF.

Noise

- 7.42 The extant planning permission was supported by a Noise Assessment. This was because land directly to the north of the application site within the school grounds had planning permission Ref. 3/2015/0340) for an extension to the existing artificial pitch, together with floodlighting.
- 7.43 This planning permission has now lapsed and there are currently no plans to extend the pitches. It is therefore considered unnecessary for the current application to be supported by a Noise Assessment.
- 7.44 It is also worth noting that part of the application site covers the area of land where the pitches were to be extended. As such, the previously consented scheme could never be built out in any event.
- 7.45 The artificial pitches are currently used only in connection with the provision of school sports and thus during school hours and term time. As a result, the sports pitches are unlikely to detrimentally impact on the residential amenity of the future occupiers of the proposed dwellings, particularly considering the distance between the pitches and proposed dwellings, the difference in levels and the proposed boundary treatment (2 metre high acoustic fence) and planting.
- 7.46 We therefore conclude that noise from the sports pitches is unlikely to be an issue with the amended scheme.

Flooding

- 7.47 As the site is in excess of 1 hectare, it is accompanied by a Flood Risk Assessment. This considers the risk of the site flooding as well as the risk of the proposed development causing flooding elsewhere.
- 7.48 The FRA shows that the site is located in Flood Zone 1. It is thus not considered to be at risk of flooding. The scheme has however been designed to ensure that surface water runoff from the site does not exceed greenfield runoff rates. The scheme has also been designed with a 40% allowance for climate change.
- 7.49 Accordingly, the application is considered to comply with Policy DME6 of the adopted Core Strategy as well as government guidance contained in the NPPF.

Drainage

- 7.50 The application is accompanied by a drainage strategy, this details the proposed surface and foul water drainage solutions for the site.
- 7.51 In terms of surface water drainage, it is proposed that this discharge into the existing watercourse along the southern boundary of the site. Prior to drainage into the watercourse, surface water will be attenuated. For plots 1 – 7 this is by means of an attenuation crates in the rear garden of each property. For plots 8 this will be via an attenuation pond in the garden of plot 8.
- 7.52 With regard to foul drainage, it is proposed that it be pumped via a private pipework to an adopted manhole and the main sewer in the adjacent Lawsonstead development.

8 CONCLUSIONS

- 8.1 In conclusion, it is considered that the proposed development of the application site for 8 no. 6 bedroom detached dwellings is acceptable as a matter of principle. Not only is a large part of the application site a 'Committed Housing Site' allocation on the emerging Local Plan Proposals Map, but it also has an extant planning permission for the development for 6 no. dwellings. It also forms part of the Council's 5 year supply of housing land.
- 8.2 Aside from this fact, on the emerging Local Plan Proposals Map the site also lies within the defined settlement of Whalley which is one of three principle settlements within the Ribble Valley where housing development will be directed to. Government guidance contained in the recently published revised NPPF additionally makes it clear that LPA's should look for opportunities to boost housing supply through grant planning permission for the development of appropriate sites.
- 8.3 The application scheme raises a number of detailed planning issues relating to a variety of matters. This Planning Statement, together with supporting technical reports, demonstrate that these various issues have been satisfactorily and robustly addressed and that the proposals comply with relevant planning policies contained in both the adopted Core Strategy and NPPF.
- 8.4 The proposed scheme is of a high design quality and will deliver an attractive residential development in a sustainable and accessible location. The current proposals also deliver improved vehicular access arrangements to the site via Phase 2 of the Lawsonstead development, which we consider to be a material planning consideration to which significant weight should be given in the determination of this planning application.
- 8.5 Paragraph 11 of the NPPF states that decision makers should approve development proposals that accord with an up-to-date development plan without delay and where policies that are most important to determining the application are out-of-date, grant planning permission

unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the proposed development, or any adverse impacts of doing so would be significantly and demonstrably outweighed by the benefits when assessed against the policies in the Framework taken as a whole.

- 8.6 In this case the application scheme accords with the adopted Core Strategy and emerging Housing and Economic Development DPD, including the associated amended Borough wide Proposals Map. Accordingly, we respectfully request that planning permission is granted for the proposed development without delay.