

Proposed development of 39 residential dwellings with associated landscaping, access and works

Land at Chatburn Road/Pimlico Link Road,  
Clitheroe

## **Planning and Affordable Housing Statement**

**Oakmere Homes**

**September 2019**

**smith&love**  
PLANNING CONSULTANTS

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# 1 Introduction

- 1.1 This Planning and Affordable Housing Statement has been prepared by Smith & Love Planning Consultants on behalf of Oakmere Homes ('the applicant'), in support of its full planning application for a development of 39 residential dwellings with landscaping, associated works and access from adjacent development site on land at Chatburn Road, Clitheroe.
- 1.2 This Planning and Affordable Housing Statement sets out the background and context for the application, providing a description of the site and surroundings, the proposed development scheme and a summary of the relevant policies of the statutory development plan. It assesses the merit of the proposals against the identified policies, national policy in the Framework 2019 and all other material considerations.
- 1.3 It demonstrates that the proposed development is in accordance with the relevant strategic development, housing and general technical and development management policies of the Ribble Valley Local Plan Core Strategy, and Government policy aimed at increasing the supply and range of housing.
- 1.4 Consequently, having regard to the development plan and all material considerations, there is a compelling case for planning permission to be granted without delay, in accordance with the presumption in favour of sustainable development at Paragraph 11(c) of the National Planning Policy Framework.

## Supporting information

- 1.5 This Statement should be read together with the following drawings, reports and supporting material submitted with the planning application;

a) Drawings:

- 067-SL-01: Site location plan
- 067-P-01: Proposed Site Layout
- 19B295: Existing Site Topographical Survey
- 067-P-02: Fencing Layout
- 067-P-03: External Materials Layout
- 067-P-04: Proposed Street Scenes and Sections
- 067-P-05: Proposed Affordable Housing Layout
- 067-BOW-P01: Bowfell House Type Plans
- 067-BOW-P02: Bowfell House Type Elevations
- 067-BOW-SPL-P01: Bowfell Split Level House Type Plans
- 067-BOW-SPL-P02: Bowfell Split Level House Type Elevations
- 067-CAL-P01: Caldew & Rothay Block Plans

- 067-CAL-P02: Caldew & Rothay Block Elevations
- 067-ENN-AG-P01: Ennerdale Att Garage Plans
- 067-ENN-AG-P02: Ennerdale Att Garage Elevations
- 067-GRA-P01: Grasmere House Type Plans
- 067-GRA-P02: Grasmere House Type Elevations
- 067-GRIZ-P01: Grizedale House Type Plans
- 067-GRIZ-P02: Grizedale House Type Elevations
- 067-HON-P01: Honister House Type Plans
- 067-HON-P02: Honister House Type Elevations
- 067-KIRK-P01: Kirkstone House Type Plans
- 067-KIRK-P02: Kirkstone House Type Elevations
- 067-LOW-P01: Lowther House Type Plans
- 067-LOW-P02: Lowther House Type Elevations
- 067-ROTH-P01: Rothay House Type Plans
- 067-ROTH-P02: Rothay House Type Elevations
- 067-THIRL-P01: Thirlmere House Type Plans
- 067-THIRL-P02: Thirlmere House Type Elevations
- 067-THIRL-SPL-P01: Thirlmere Split Level Plans
- 067-THIRL-SPL-P02: Thirlmere Split Level Elevations
- 067-WAS-SPL-P01: Wasdale Split Level Plans
- 067-WAS-SPL-P02: Wasdale Split Level Elevations
- SD-FT-02: 1800-1000mm High Timber Plot Divide Fence Details
- SD-FT-08 1800mm High Timber Feather Edge Fence Details
- SD-SW-03 1800mm Stone Wall with Timber Hit and Miss Infill Details

b) Documents:

- Application form and Certificate B
- Design and access statement
- Ecological assessment and Biodiversity off-set calculations by Envirotech Ltd
- Flood risk assessment by Reford Consulting Engineers
- Material House Types List by Oakmere Homes
- Planning and affordable housing statement by Smith & Love Planning Consultants
- Preliminary risk assessment by BEK Enviro Ltd
- SUDS and Highways management and maintenance plan by Reford Consulting Engineers
- Surface water and foul water drainage strategy by Reford Consulting Engineers
- Transport statement by DTPC
- Tree survey and Arboricultural impact assessment by PDP Associates

## 2 The site and surroundings

- 2.1 The application site measures approximately 1.8 hectares and comprises a single field. The site has a gentle slope down from the southern part of the site at Chatburn Road to the heavily treed northern boundary of the site.
- 2.2 The site is bound by a combination of dry-stone walling and some semi-mature trees to the frontage, semi-mature planting to the field boundary and a heavily wooded area prior to the railway embankment at the northernmost point of the site.
- 2.3 To the north of the site beyond the heavily treed area and the railway line are further mature trees, beyond which is the Hanson Cement Ribblesdale Works and the Tarmac Clitheroe Quarry site. To the east of the site beyond Pimlico Link Road is an area of open farmland. To the south of the site is a residential development by McDermott Homes known as High Beeches alongside the Clitheroe Community Hospital.
- 2.4 The adjacent site to the west has recently been granted consent for 30 dwellings by the same applicant. The development was consented under application reference 3/2017/0653 for 30 dwellings with associated access, landscaping and open space on 23 November 2018.



Figure 1: Aerial view of the site

- 2.5 The Clitheroe Royal Grammar School, the Community Hospital and the Link 59 business park are all within walking distance of the site. The centre of the town is located approximately 1km

to the south west and is accessible by a variety of means. It contains all the services and facilities associated with a principal settlement.

- 2.6 The closest bus stops are also located directly outside of the site on Chatburn Road. Residents will therefore have easy access to public transport facilities and the other locations served including Clitheroe town centre, Nelson, Blackburn, Preston and Skipton

### **Relevant planning history**

- 2.7 There is no known planning history directly related to the application site, however there have been planning permissions in the immediate vicinity. Those of most relevance to the proposed application are listed below;

<b>Application</b>	<b>Site</b>	<b>Development</b>	<b>Decision</b>
3/2017/0653	Land at Chatburn Road Clitheroe BB7 2EQ	Erection of 30 dwellings with associated access, landscaping and open space	Permission granted 23 <sup>rd</sup> November 2018
3/2017/0616	Former Clitheroe Hospital Chatburn Road Clitheroe BB7 4JX	Demolition of existing buildings and construction of 60 dwellings and associated infrastructure.	Permission granted 9 <sup>th</sup> February 2018

### 3 Proposed development

- 3.1 The planning application has been devised to enable full (detailed) planning permission to be granted for residential development for 39 dwellings with associated access, landscaping and open space.
- 3.2 The proposed development is described in detail in the Design and Access Statement and application drawings and is summarised below.
- 3.3 This planning application comprises a scheme of 39 no. residential dwellings providing a mix of one, two, three and four bedroom dwellings. The proposed mix is shown in the table below with the majority being four bedroom homes.

Size of Dwelling	Number of Dwellings	Bungalows	Semi-detached/Terraced	Detached
1 bedroom	2	0	2	0
2 bedroom	8	2	6	0
3 bedroom	3	0	3	0
4 bedroom	26	0	0	26
Total	39	2	11	26

- 3.4 The scheme proposes 13 affordable dwellings as part of the development. The affordable units are broken down as follows:
- 6No. Affordable Rented Properties
  - 5No. Unrestricted Shared Ownership Properties
  - 1No. Age restricted Shared Ownership Property (+55's only)
  - 1No. Age restricted property (+55's only)
- 3.5 The properties will all be faced in a mix of Edenhall Darlstone walling in natural split and K Rend Stirling White render. Several properties also feature a string course in a contrasting Darlstone.
- 3.6 There will be a uniform roof-scape throughout utilising Cupa H98 dark grey slates across all properties. Windows and fascias will be anthracite uPVC with artificial stone heads and sills and rainwater goods will be black uPVC.
- 3.7 The development is arranged around a road network from a single point of access which is via the adjacent site already in receipt of planning permission. No new vehicular access will therefore be required from Chatburn Road. A new pedestrian footpath is proposed from the site

to Chatburn Road and will give easy direct access to the bus stops on this section of Chatburn Road. Each property benefits from a rear garden with the majority also benefitting from front garden space. All properties are provided with either an integral garage and/or external parking spaces.

- 3.8 Occupation of the two bungalows will be restricted to older people aged 55 or over and this will be secured by planning obligation.

#### **Pre-application engagement**

- 3.9 The content, format and timing of the proposed development has been discussed with the local planning authority since April 2019 when a pre-application enquiry was submitted to the Council (ref: RV/2019/ENQ/00051).
- 3.10 Within their formal written feedback, the council have identified that Key Statement DS1 of the Core Strategy seeks to apportion new residential development to the principal settlements of Clitheroe, Whalley and Longridge. Within the open countryside, policies DMG2 and DMH3 confirm that new development is limited to a finite number of exceptions, including local needs housing (where a need has been identified).
- 3.11 Feedback from officers, has also confirmed that the site is immediately adjacent to the principal settlement and would go some way to helping sustain and boost the Council's 5 year supply. It is also acknowledged that this figure is not a maximum nor is it to be used as a ceiling when considering new development.
- 3.12 Therefore, subject to a suitably detailed supporting statement the Council considered that the proposal of this scale and nature would not significantly harm the development strategy for the Borough or unduly prejudice the housing distribution hierarchy detailed within Key Statement DS1.
- 3.13 It was reinforced within the advice that, it is not to say that all development adjacent to existing principal settlements will be supported and it will still be necessary to demonstrate that the scheme should be afforded weight which would forego the need to meet the requirements of Policy DMG2/DMH3.
- 3.14 The advice from the Council also confirmed that at the time a decision was still outstanding in relation to the Henthorn Road appeal (ref – 3/2018/0688). The scheme proposed 110 units at the southern edge of Clitheroe, beyond the settlement boundary. Whilst the scale and circumstances are not directly comparable, there are common and overlapping themes, with particular regard to accessibility distances and transport opportunities. The Henthorn Road decision scheme has since been granted consent on appeal.



- 3.15 Officer comments were also made in relation to affordable and older persons housing. Discussions with the council's Housing Strategy officer were recommended to ensure any proposals met the current demand in the area.
- 3.16 Officers have also confirmed that a range of supporting reports and documents should be provided with any forthcoming application including on transport, ecology, flood risk and drainage and site investigation work.
- 3.17 Officers have also explained the importance of achieving good quality design and using quality materials and landscaping in the scheme in addition to the scheme. In terms of house types it was recommended that a continuation of those to be used in the neighbouring scheme would represent a suitable approach to the identity and the overall appearance of the site.
- 3.18 All of the above points and officer advice provided by the local planning authority has been taken into consideration in formulating the development proposal and preparing the planning application.

## 4 Planning policy

- 4.1 Relevant policy is provided in the statutory development plan for Ribble Valley and in emerging development plan documents, the national planning policy framework and the planning practice guidance which are important material considerations.

### Development plan

- 4.2 This presently comprises the Local Plan for Ribble Valley: Core Strategy 2008 - 2028 which was adopted on 16<sup>th</sup> December 2014. In the absence of an up to date Proposals Map, the settlement boundaries which are currently used to apply the policies of the Core Strategy are those defined by the proposals map of the superseded Districtwide Local Plan 1991 - 2006, and which will remain in place until revised proposals maps are produced as part of the emerging Housing and Economic Development DPD (HEDDPD) which is currently being examined.
- 4.3 It is acknowledged however that in many instances, including at Clitheroe, these historic settlement boundaries are substantially out of date and consequently, the Council has resolved<sup>1</sup> to adopt the draft proposals map produced as part of the Regulation 18 HEDDPD consultation in August 2016 for development management purposes.
- 4.4 On this basis, it is considered that the up to date development plan context applying to the application site and proposed development, is that shown on the draft HEDDPD Proposals Map for Clitheroe - an extract of which is reproduced below with the site edged red. This approach is consistent with that taken by the Inspector in the allowed appeal at Henthorn Road, Clitheroe (APP/T2350/W/19/3221189) of 19<sup>th</sup> June 2019 (see Appendix 1 - paragraph 15) and the approval of application 3/2018/0924 by the Council on land southwest of Barrow for the development of 39 no. dwellings.

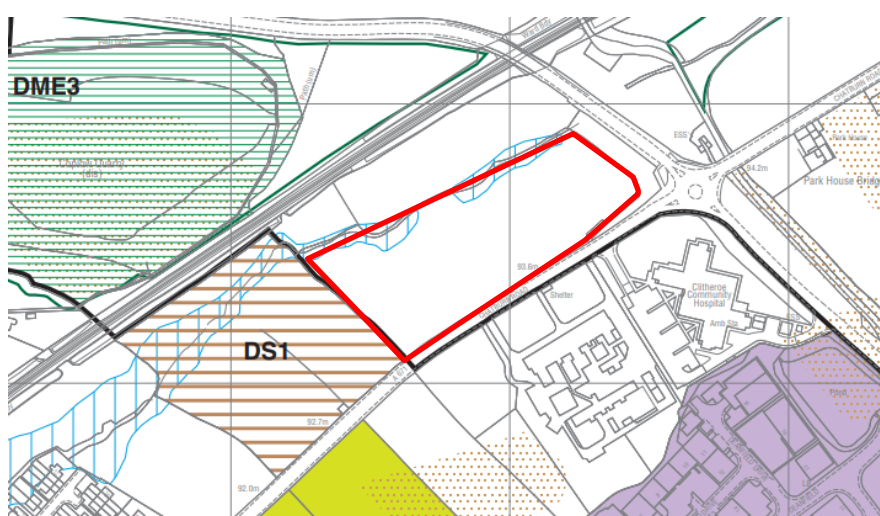


Figure 4: HEDDPD - draft Proposals Map for Clitheroe (extract)

<sup>1</sup> At the 15<sup>th</sup> December 2016 meeting of the Planning and Development Committee

4.5 On this basis, the application site therefore comprises land within the countryside outside of, but adjoining, the up to date settlement boundary for Clitheroe. The key development strategy policies of the Core Strategy to be applied to the planning application in this context are;

- Policy DS1 this sets out the settlement hierarchy strategy for the Borough. Clitheroe is identified as one of three Principal Settlements which are the highest order and most sustainable of the defined settlements, where new development will be focused.
- Policy DMG2 this confirms that development proposals in Clitheroe, Longridge and Whalley and Tier 1 Villages should consolidate, expand or round-off development so that it is closely related to the main built up areas and ensuring it is appropriate to the scale of and in keeping with, the existing settlement. The Core Strategy Glossary defines 'rounding-off' as the development of land within a settlement boundary; 'consolidation' as locating development so that it adjoins the main built up area of a settlement and, where appropriate, both the main urban area and an area of sporadic or isolated development; and 'expansion' allows for limited growth of a settlement which is in scale and keeping with the existing urban area.

4.6 Other relevant Core Strategy policies are;

- Policy DS2 Sustainable development
- Policy H1 Housing provision
- Policy H2 Housing balance
- Policy H3 Affordable and older person's housing
- Policy DMG1 General considerations for all development
- Policy DMG3 Transport and mobility
- Policy DME1 Protecting trees and woodlands
- Policy DME2 Landscape and townscape protection
- Policy DME3 Site and species protection and conservation
- Policy DME6 Water Management
- Policy DMH3 Dwellings in the open countryside and the AONB
- Policy DMB5 Footpaths and bridleways

### **Other material policy considerations**

#### **Emerging Housing and Economic Development DPD (HEDDPD)**

4.7 The Council began production of the HEDDPD in August 2016 (Regulation 18) with Publication (Regulation 19) in April 2017 and submission to the Secretary of State in July 2017 (Regulation

22). The Examination hearing sessions were originally scheduled for January 2018 but did not take place until November 2018 and January 2019. Main Modifications are proposed to the HEDDPD to include a housing supply buffer of 190 no. dwellings across five additional site allocations, and post-hearing public consultation was carried out between March and April 2019.

- 4.8 The proposed Main Modifications were discussed at the hearing sessions where the Inspector focused on the Council's housing land supply and the appliance of the Core Strategy policies DS1 and DMG2 in the determination of residential planning applications. The Council's case in response to objectors' comments that a greater reserve of additional sites should be allocated to provide increased headroom, was that no additional planned supply is needed in the draft HEDDPD because the Council's approach to settlement limits is a flexible one as Core Strategy policies allow windfall residential development on the edge of existing settlements.
- 4.9 The appliance of Core Strategy policies was debated and at the Inspector's request, officers provided details of planning applications granted for residential development within sustainable locations but outside of the defined settlement boundaries, at times when a five year housing land supply existed, to demonstrate how Core Strategy are applied flexibly within the Borough to ensure that the supply of new homes is 'significantly boosted'. This is confirmed in Section 1 Paragraph 5 of the Main Modifications consultation document which states; (as underlined);
- The Council has subsequently revised its Housing Land Supply Evidence (September 2018) and holds the view that it can demonstrate a 5 year supply of housing as required by Government guidance. The previous (July 2018) consultation was predicated upon the need to ensure sufficient land was identified to meet 5 year supply, however the Council is mindful to ensure that there is sufficient flexibility in the HEDDPD to secure a stable and robust supply position which is capable of being delivered. This is achieved by flexible policies in the Core Strategy that enable development to be brought forward in a sustainable manner and by way of a reserve of allocated sites. Consequently the Council is proposing a number of additional sites are allocated to allow flexibility.
- 4.10 As such, it must be recognised that following the Examination hearing sessions and as set out in the proposed Main Modifications document, Policy DMG2 of the Core Strategy should not be applied in isolation and nor should it be interpreted in such a way that would entirely restrict the development of all new open market dwellings in the countryside adjoining settlement boundaries.

#### **Five year housing land supply**

- 4.11 The most recent assessment of the five year housing land supply position in Ribble Valley is provided in the allowed appeal decision (APP/T2350/W/19/3221189) at Henthorn Road, Clitheroe of 19<sup>th</sup> June 2019 (see Appendix 1 - paragraph 38).

- 4.12 The Inspector concluded that the supply is 5.07 years. Whilst this constitutes a supply above five years, such that policies for the supply of housing as set out in the Core Strategy remain up to date and the tilted balance in paragraph 11d of the Framework is not engaged (as the Inspector confirms at paragraph 39), the supply is extremely marginal and vulnerable to change. It therefore remains the case that additional housing supply is required to achieve a robust five year supply position, and planning applications for new housing development that will contribute to boosting the five year supply, should be given significant positive weight.
- 4.13 Aside from the degree of positive weight that should be given to the proposed bungalows on this basis, the Henthorn Road appeal confirms that the ability to demonstrate a housing land supply exceeding five years is not a constraint to development due to;
- the acknowledged need to boost supply across the Borough given the marginal supply figure of just 5.07 years;
  - the strategic housing requirement being a minimum and not a ceiling, and;
  - the flexible approach the Council is committed to taking towards settlement boundaries and suitable windfall housing development which must be permitted to come forward on the basis that Policy DMG2 must be applied positively (as confirmed in the HEDDPD Main Modifications) and regardless of the existence of a housing land supply in excess of five years.

### **Strategic Housing Market Assessment (SHMA)**

- 4.14 Although the original 2008 SHMA and its 2013 update are both now dated, they highlight that a key housing priority for the Council over the current plan period and beyond, is to meet the accommodation needs of the ageing population in Ribble Valley and fast-growing number of older-person households. They highlight that the Borough lacks sufficient specialist housing stock that is suitable for older people, and that there is high demand for open market bungalows and a shortage in locations where older people wish to remain living independently for as long as possible within their communities.
- 4.15 Section 11.3 of the 2008 SHMA considers the housing requirements of older people in Ribble Valley in detail. It recognises that as people live longer the quality and availability of suitable housing becomes a key factor in determining their quality of life as they spend increasing time at home. In this respect, the housing market must not only meet their needs but also match their expectations and aspirations.
- 4.16 Based on 2001 data<sup>2</sup>, the SHMA explains that almost one quarter (23%) of the Borough population of 53,962 is aged over 60 and 4.3% is aged over 80. The proportion of older-person households in the Ribble Valley (25.8%) is higher than the northwest region (24.0%) and residents have a higher life expectancy than the UK average. The majority of older people

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<sup>2</sup> Data from the 2001 Census

(77.1%) live in owner occupied accommodation and many have equity in their homes, and most wish to be able to continue living independently in their own home for as long as possible. The SHMA indicates that the over-65 population is forecast to increase by over 8,700 before 2029.

- 4.17 The SHMA was informed by stakeholder engagement which recorded a perceived lack of suitable housing developments for older people in Ribble Valley who want to 'downscale' from their current home, and it recommended that further consultation was carried out to explore the available options for older people and their housing preferences in terms of property type, size, location, price and tenure.
- 4.18 The SHMA recommendations to address the specialist housing requirements of the ageing population are therefore recognised in the Core Strategy (Policies H2, H3 and DMH1) which acknowledges that providing housing for older people has, and continues to be, a long-standing priority for the Council, and that the housing market has not kept pace with demand and delivered the type/s and choice of accommodation older people prefer and expect in sufficient scale. In the most recent available Annual Monitoring Report of 2017, Core Strategy Indicator 17 which measures the success of Policy H2 against a target of 'achieving a positive net increase in older persons' accommodation', shows that specialist housing (e.g. bungalows and over 55 housing) represented less than 1% of the total housing permissions approved for that monitoring period.

#### **Ribble Valley Corporate Strategy 2015 - 2019**

- 4.19 This confirms that Priority 5 of the Council's corporate objectives is to match the supply of new homes with identified housing needs. The Council aims to meet the housing needs of all sections of the community in Ribble Valley and specifically, to implement measures to address the specific housing needs of older people.

#### **National Planning Policy Framework 2019**

- 4.20 This sets out the Government's planning policies for England and how they should be applied. It requires local planning authorities to apply a presumption in favour of sustainable development which means, as paragraph 11c explains, that development which accords with an up to date development plan should be approved without delay. Relevant sections of the NPPF include;

Paragraph 7      The purpose of the planning system is to contribute to the achievement of sustainable development;

Paragraph 11     The presumption in favour of sustainable development lies at the heart of the Framework. For decision-taking this means approving development where it accords with an up-to-date development plan, or where there are no relevant development plan policies or where the policies which are most important for determining the application are out-of-date, granting permission unless

adverse impacts would significantly and demonstrably outweigh the benefits, or policies in the Framework indicate development should be restricted.

The supporting technical reports accompanying the application demonstrate that the proposed development will not result in unacceptable adverse impacts that would significantly and demonstrably outweigh its benefits. The application site is also not the subject of any of the designations referenced in Footnote 6 of the Framework and therefore there are no policies which indicate the presumption should not be applied.

- Paragraph 59 A key objective of the Framework is to significantly boost the supply of homes by ensuring a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are met and that land with permission is developed without unnecessary delay;
- Paragraph 61 The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent and people wishing to commission or build their own homes).
- Paragraph 64 Where major development involving the provision of housing is proposed, planning decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development; a) provides solely for Build to Rent homes; b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students); c) is proposed to be developed by people who wish to build or commission their own homes; or d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.
- Paragraph 73 Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of either 5%, 10% or 20% to ensure choice and competition in the market for land and where a planning authority wishes to demonstrate an annual five year supply position statement or via a recently adopted plan, or there has been significant under delivery over the previous three years.

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- Paragraph 102 Transport issues should be considered from the earliest stages of development so the potential impacts of development on transport networks can be addressed and to encourage opportunities to promote walking, cycling and public transport use.
- Paragraph 109 Development should only be prevented 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;
- Paragraph 117 Planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions;
- Paragraph 122 Development should make efficient use of land taking into account the need for different types of housing and other development and the availability of suitable land; market conditions and viability; availability and capacity of infrastructure; the scope to promote sustainable travel; the desirability to maintain the character and setting of an area or promote regeneration; and the importance of creating well-designed, attractive, healthy and safe places;
- Paragraph 124 Development should achieve good design and create high quality buildings and places;
- Paragraph 165 Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate;
- Paragraph 175 When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- Paragraph 178 Development sites should be suitable for proposed use/s taking account of ground conditions and any risks arising from land instability and contamination.
- 4.21 In determining planning applications, the 2019 Framework expects local planning authorities to;
- Paragraph 38 Approach decisions in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers



at every level should seek to approve applications for sustainable development where possible;

Paragraph 54 Consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition, and;

Paragraph 56 Planning obligations must only be sought where they meet tests of being; a) being necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.

## 5 Planning assessment

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to the development plan as a whole, and states that 'if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise'. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development. These requirements are embodied in the 2018 Framework which is a principal material consideration and should be given substantial weight.

5.2 On this basis, the key issues to be considered in determining the planning application are;

- The principle of development
- Housing land supply
- Affordable housing provision (Affordable Housing Statement)
- Environmental and technical considerations;
  - Biodiversity
  - Flood risk and Drainage
  - Land Quality
  - Transport
  - Trees

### The principle of development

5.3 The Paragraph 15 of the NPPF is clear that the planning system should be genuinely plan-led with succinct and up-to-date plans providing amongst other things; a framework for addressing housing needs and other economic, social and environmental priorities.

5.4 The Development Plan for Ribble Valley presently comprises the Local Plan for Ribble Valley: Core Strategy 2008 - 2028 which was adopted on 16<sup>th</sup> December 2014. In the absence of an up to date Proposals Map, the settlement boundaries which are currently used to apply the policies of the Core Strategy are those defined by the proposals map of the superseded Districtwide Local Plan 1991 - 2006, and which will remain in place until revised proposals maps are produced as part of the emerging Housing and Economic Development DPD (HEDDPD) which is currently being examined.

5.5 It is acknowledged however that in many instances, including at Clitheroe, these historic settlement boundaries are substantially out of date and consequently, the Council has resolved<sup>3</sup> to adopt the draft proposals map produced as part of the Regulation 18 HEDDPD consultation in August 2016 for development management purposes.

5.6 On this basis, it is considered that the up to date development plan context applying to the application site and proposed development, is that shown on the draft HEDDPD Proposals Map

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<sup>3</sup> At the 15<sup>th</sup> December 2016 meeting of the Planning and Development Committee

for Clitheroe - an extract of which is reproduced below with the site edged red. This approach is consistent with that taken by the Inspector in the allowed appeal at Henthorn Road, Clitheroe (APP/T2350/W/19/3221189) of 19<sup>th</sup> June 2019 (see Appendix 1 - paragraph 15) and the approval of application 3/2018/0924 by the Council on land southwest of Barrow for the development of 39 no. dwellings.

- 5.7 In the context of this approach, Policies DS1 and DMG2 of the Core Strategy are the most relevant policies for use in determination of the principle of this development. Policy DS1 sets out the settlement hierarchy strategy for the Borough. Clitheroe is identified as one of three Principal Settlements which are the highest order and most sustainable of the defined settlements, where new development will be focused.
- 5.8 Policy DMG2 of the Core Strategy confirms that development proposals in Clitheroe, Longridge and Whalley and Tier 1 Villages should consolidate, expand or round-off development so that it is closely related to the main built up areas and ensuring it is appropriate to the scale of and in keeping with, the existing settlement.
- 5.9 The Core Strategy Glossary defines 'rounding-off' as the development of land within a settlement boundary; 'consolidation' as locating development so that it adjoins the main built up area of a settlement and, where appropriate, both the main urban area and an area of sporadic or isolated development; and 'expansion' allows for limited growth of a settlement which is in scale and keeping with the existing urban area.
- 5.10 The development is for 39 dwellings on the final parcel of land to the north of Chatburn Road prior to its junction with the roundabout at Pimlico Link Road. The proposed addition of 39 additional dwellings will be viewed as an extension to the previously consented scheme on the adjacent site (ref: 3/2017/0653) as the scheme will utilise an access through this site negating a requirement for a further access off Chatburn Road. This approach will ensure that the development is viewed as an expansion to the urban area.
- 5.11 The addition of 39 dwelling is entirely in keeping with the scale and the character of not only the surrounding area but also with the wider Clitheroe urban area. The development will be located in an area that is currently undergoing a change in character due to other developments in the local area including on the south side of Chatburn Road with the McDermott Homes scheme at High Beeches and the redeveloped Clitheroe Community Hospital.
- 5.12 The application site is located within a sustainable location and within walking distance of the Clitheroe town centre. In addition, the nearest bus stops to the site are located opposite the site and therefore residents will be able to obtain easy access to public transport facilities and the other locations served including Clitheroe town centre, Nelson, Blackburn, Preston and Skipton.
- 5.13 The proposed development in this case represents an expansion to the urban area as it represents limited growth that is within scale and keeping with the existing urban area. As such,

the Council should be able to support the principle of residential development on the site in accordance with Policies DS1 and DMG2 of the Core Strategy and therefore confirming that the non-conformity with Policy DMH3 of the Core Strategy is inconsequential in this instance.

### **Housing land supply**

- 5.14 In addition to the significant benefits the proposed age-restricted bungalows will deliver in terms of meeting the specific housing needs of retired and older people in Ribble Valley, the scheme will also assist in meeting the overall strategic housing need for the current plan period, including any residual requirement at Barrow, as well as boosting the short-term five year supply. These benefits are discussed below.
- 5.15 In terms of the overall Borough-wide housing requirement, sufficient land must be made available so that a minimum of 5,600 net additional dwellings are delivered between 2008 and 2028. Evidence<sup>4</sup> presented by the Council to the HEDDPD examination hearings in January 2019 confirms that 2,362 net dwellings had been delivered at December 2018, leaving a minimum residual requirement of 3,238 dwellings - i.e. an average of 340 dpa to 2028. Representors have criticised the ability of the committed and planned supply to deliver the residual requirement within time, calling for greater headroom to be provided by including an increased number of additional housing site allocations in the proposed Main Modifications to the plan. The Council response is that no additional site allocations are necessary as the Core Strategy Policies DS1 and DMG2 will be applied flexibility to permit suitable windfall development within and adjoining Tier 1 village settlement boundaries, as explained earlier in Section 4 of this Statement.
- 5.16 The proposed development of 39 no. dwellings adjoining the settlement boundary of a principal settlement will therefore make a valuable contribution to meeting the residual Borough-wide housing requirement in accordance with the approach intended by the Council.
- 5.17 The proposed dwellings will also make a useful contribution to boosting the current five year housing supply position between 1<sup>st</sup> October 2018 and 30<sup>th</sup> September 2023 and are likely to be fully built-out during this time due to expected high demand. The Council hoped to demonstrate a supply of 6.1 years as reported in the September 2018 position statement, but this was reduced to 5.75 years at the beginning of the public inquiry for the Henthorn Road, Clitheroe appeal (APP/T2350/W/19/3221189) and confirmed to be further reduced to just 5.07 years supply in the Inspector's decision on 19<sup>th</sup> June 2019.
- 5.18 This figure is barely above the minimum 5 year supply requirement and therefore extremely vulnerable to change and the Borough will easily fall into deficit should expected delivery from identified sites slip by a slight margin. Additional supply from an increased number of sources,

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<sup>4</sup> Housing and Economic Development DPD Examination - Housing Position Paper of 5<sup>th</sup> December 2018

and particularly small to medium unconstrained sites, is urgently needed to achieve a more robust supply and the proposed development will do this. This boost, and the overall contribution it will make towards meeting the Borough housing requirement, must be given significant weight in its favour.

### **Affordable housing provision (Affordable Housing Statement)**

5.19 The development of 39 dwellings will include the provision of 30% (12 No.) affordable housing units as required by Key Statement H3 of the Core Strategy. In addition, an element of housing for older people is also to be provided with exact details and locations to be discussed with the local authority in due course.

5.20 The proposed affordable unit breakdown, as shown on submitted drawing 067/P/05 is as follows:

- 6No. Affordable Rented Properties
- 5No. Unrestricted Shared Ownership Properties
- 1No. Age restricted Shared Ownership Property (+55's only)
- 1No. Age restricted property (+55's only)

5.21 The provision of the required number of affordable homes therefore ensures that the proposal will be in accordance with Key Statement H3 of the Core Strategy.

### **Environmental and technical considerations**

5.22 This Statement now progresses to assess the suitability of the site for residential development in relation to the environmental and technical matters as set out below:

- Biodiversity
- Flood Risk and Drainage
- Land Quality
- Transport
- Trees

#### **Biodiversity**

5.23 Envirotech undertook an Ecological Appraisal of the site in August 2019. A data search and desk study of the site and an area within 2km of the site were undertaken to establish the presence of protected species and notable habitats.

5.24 The site was then visited on the 1st and 12th August 2019. A full botanical survey of the site was initially undertaken and this was followed by surveys to establish the presence or absence

of bats, amphibians, nesting birds, brown hares, otters, water vole and badgers at the site or in proximity such that they may be affected by the proposed development.

- 5.25 With regards to the botanical survey, the plant species assemblages recorded across the core development area are all common in the local area and are considered to be of low ecological value. Higher potential habitats on or adjacent to site boundaries are to be retained or improved.
- 5.26 Low numbers of common bat species were recorded foraging over the site. Higher potential foraging habitats occur locally. No bats were recorded roosting on or near site. It is proposed that some roosting provision for bats will however be incorporated into the new houses on site.
- 5.27 Birds are likely to utilise the tree line and woodland on site boundaries for nesting between March and September. Any vegetation clearance should therefore be undertaken outside of this period.
- 5.28 No other notable or protected species were recorded on the site.
- 5.29 In terms of mitigation measures, the implementation of a program to control Himalayan balsam at the site would be beneficial. This plant can be pulled from the ground with ease. Annual removal in this way, before the plants begin to set seed, would be beneficial in reducing its prevalence within the site and adjacent land, in turn providing more opportunities for native ground flora than currently occur.
- 5.30 Due to the presence of Himalayan balsam at the site appropriate measures should be taken with regards to the movement of soil over and from the site. Viable seed can remain in the soil for some time, movement of which may facilitate its spread.
- 5.31 New planting within the site should enhance structural diversity. Any new hedgerow or linear tree planting across the core development area would be beneficial in providing potential commuting routes. New roosting provision for crevice dwelling bats should be incorporated into the buildings on site or bat boxes could be erected in retained trees.
- 5.32 The development therefore raises no wider issues and is compliant with Core Strategy Policy DME3.

### **Flood Risk and Drainage**

- 5.33 A Flood Risk Assessment has been undertaken by Reford Consulting Engineers and is submitted as part of this planning application. The Flood Risk Assessment (FRA) is compliant with the requirements set out in the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (NPPG) in relation to Flood Risk and Coastal Change and describes the existing site conditions and proposed development. It assesses the potential

sources of flooding to the site from tidal, fluvial, groundwater, surface water and other sources, taking a risk-based approach in accordance with National Policy.

- 5.34 The Environment Agency flood zone mapping identifies the proposed development site lies within Flood Zones 1, except along the line of the watercourse where Flood Zones 2 and 3 are identified. The area of the site to be developed lies wholly within Flood Zone 1.
- 5.35 As it is only proposed to develop the area of the site that lies within Flood Zone 1, the risk of fluvial flooding is very low. Furthermore, there are no recorded instances of historic flooding at the site. The risk of flooding from canals, reservoirs and other artificial sources is low. The flood risk from groundwater is also low.
- 5.36 The Environment Agency Risk of Flooding from Surface Water map indicates the site is at a very low risk of surface water flooding, except for along the line of the watercourse that lies parallel to the site's northern boundary where a low risk is identified.
- 5.37 The risk from sewer flooding and pluvial runoff is low and the risk of flooding from the development drainage is low. This Flood Risk Assessment confirms that the development proposals would be acceptable from a flood risk perspective.
- 5.38 Alongside the Flood Risk Assessment, a Surface Water and Foul Water Drainage Strategy prepared by Reford Consulting Engineers Ltd has also been submitted as part of the application. The Drainage Strategy describes the existing site conditions and proposed development. It assesses the potential impact of proposals on existing sewers and includes a proposed strategy for the provision of new drainage to serve the proposed development.
- 5.39 In terms of surface water, the nature of the geology of the site means that infiltration back into the ground is not feasible. In line with common practice, surface water runoff from the proposed development should mimic those from the existing site. It is therefore intended that surface water runoff from the developed site will be attenuated and discharge into the watercourse that flows parallel to the northern boundary of the site.
- 5.40 The surface water flow from the development will be controlled such that the peak surface water runoff for the 1 in 1 and the 1 in 100 year rainfall events will not exceed the pre-development runoff rate for the same event.
- 5.41 The following design criteria have been applied to the surface water drainage design:
- An additional 10% has been added to the residential areas when designing the pipe network to allow for development creep;
  - The surface water drainage network has been designed such that the peak surface water runoff for the 1 in 1 and the 1 in 100 year rainfall event will not exceed the pre-development runoff rate for the same event;
  - No flooding from sewers for 1 in 30 year;

- No risk of flooding to the site or downstream from the site between 1 in 1 year and up to 1 in 100 year plus 30% for climate change.

- 5.42 A preliminary surface water drainage design has been carried out for the proposed development within which attenuation will be provided using oversized pipes and manholes.
- 5.43 With regards to foul water drainage it is proposed that foul water discharges from the site will be to an onsite foul pumping station located at the end of the access spine road and the foul water pumped to the public foul sewer that runs within Chatburn Road.
- 5.44 A Sustainable Drainage and Highway Management and Maintenance Plan also produced by Reford Consulting Engineers has been submitted with the application. It confirms that A Management Company will be commissioned to maintain the development in terms of highways, car parking areas, drainage, landscaping, open space etc. An annual levy will be raised by the said company from each householder for the upkeep and future maintenance of the said infrastructure.
- 5.45 Taking all of the above into account, it has been demonstrated that the proposed development is in accordance with Core Strategy Policy DME6.

### **Land Quality**

- 5.46 A Preliminary Risk Assessment has been undertaken by BEK Geo-Environmental Consulting Engineers and submitted with the application. The assessment has been carried out to identify potential risks associated with contamination and ground gas with respect to the development of the site for residential use. An engineer from BEK visited the site on 17 July 2019 to carry out a site walkover/inspection.
- 5.47 The Assessment confirms that *“there a few number of potential risks associated with contamination and ground gas have been identified with respect to the proposed change of use to residential”*.
- 5.48 The Risks have been identified to human health, flora and property (including services) and site investigation is required to determine shallow ground conditions and quantify the potential risks identified.
- 5.49 The Assessment recommends the following works be undertaken:
- Site investigation - to characterise the shallow ground conditions it will be necessary to carry out site investigation works. The site investigation should comprise the excavation



of a series of trial pits to prove nature and thickness of any made ground present and characterise the natural strata.

- Chemical Testing - Following a review of ground conditions encountered, a selection of samples will be tested for the contaminants of concern listed in Table 1 of this report. If visual or olfactory evidence of contamination is encountered (including any made ground) during the site investigation then it may be necessary to undertake additional testing.
- Ground Gas - Risks from ground gas associated with the nearby landfill are considered to be low based on previous site investigation works in the area. Confirmation should be sought that Boulder Clay is laterally continuous across the site to mitigate ground gas mobilisation. Full radon protection measures will need to be incorporated into all new builds at the site.

## Transport

- 5.50 The application is accompanied by a Transport Statement prepared by DTPC. The Statement provides information on the scope of traffic and transport planning aspects of the development proposals.
- 5.51 The Transport Statement details relevant existing national and local planning policy as well as providing an assessment of the existing highways conditions around the site. The Statement also deals with matters of existing sustainable transport options including by foot, by cycle and by public transport.
- 5.52 In concluding the Statement confirms that “*the scheme accords with local and national policy to work towards reducing trips whilst acknowledging the sites urban location*”. The Statement also confirms that the site is a sustainable location for development and the proposed road layout within the development accords with good practice.
- 5.53 Traffic flows have been assessed and the location has no capacity issues based on a robust view of the flows and no capacity issues are expected to arise. As such the scheme would have little or no impact on the local network
- 5.54 As such it is considered that there are no reasons why the scheme should not be approved from a transport point of view, the residual impacts are not considered severe as per policy but low level/minor in nature.
- 5.55 Taking the above into account, the development is in accordance with DMG3 of the Core Strategy.

## Trees

- 5.56 PDP Associates have undertaken a Tree Survey on site and alongside the results of the survey they have produced an Arboricultural Impact Assessment (AIA) for submission as part of the application. The survey was undertaken in early April 2019 in accordance with *British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction – Recommendations*. The survey is concerned, primarily, with the assessment and survey of the trees growing within, or on the boundary of the site only, and aims to assist with the integration, where feasible, of the existing trees with the proposed development.
- 5.57 A total of 19 individual trees, one hedge and seven groups of trees were identified by the survey. Of those identified, 16 trees were classified as Category B Trees (Moderate Quality), nine trees were classified as Category C (Trees of low quality) and two trees were classified as Category U trees (Trees of poor quality).
- 5.58 From an arboricultural point of view the category C trees should not influence the potential development of the site however, wherever possible Category B trees should be retained and fully protected in accordance with the details contained in Appendix E of the AIA. Category A trees' retention is considered to be essential.
- 5.59 No trees are proposed for felling or removal as part of the application. Mitigation for the impact of the development will be provided in the form of protective fencing in advance of the commencement of the development to safeguard the root systems of retained trees.
- 5.60 Taking the above into account, the development is in accordance with DME1 of the Core Strategy.

## **6 Summary and conclusion**

- 6.1 This Planning Statement has been prepared to accompany an application for full planning permission for the erection of 39 dwellings with associated infrastructure works, car parking, landscaping and open space on land north of Chatburn Road.
- 6.2 The proposed development of 39 dwellings will be viewed as an extension to the previously consented scheme on the adjacent site (ref: 3/2017/0653).
- 6.3 The development is to be located on the final parcel of land to the north of Chatburn Road prior to its junction with the roundabout at Pimlico Link Road and can be considered as an expansion to the urban area in the context of Core Strategy Policies DS1 and DMG2.
- 6.4 The proposed development of 39 no. dwellings adjoining the settlement boundary of a principal settlement will therefore make a valuable contribution to the council's five-year housing land supply.
- 6.5 The development includes for 12 No affordable houses and an element of housing for older people in compliance with Key Statement H3 of the Core Strategy.
- 6.6 In addition, no environmental or technical matters have been identified that would prevent development. The site occupies a highly accessible location and the development comprises sustainable development that can be supported by the Council. On this basis, the proposal is in full accordance with the aims of the development plan and as a result should be supported.

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