



PLANNING & AFFORDABLE HOUSING STATEMENT

LAND OFF MITTON ROAD, WHALLEY

DEMOLITION OF 34NO. EXISTING DWELLINGS AND THE ERECTION OF 50NO. DWELLINGS WITH NEW VEHICULAR ACCESSES, LANDSCAPING AND OTHER ASSOCIATED WORKS.

ON BEHALF OF PROSPECT HOMES

Date: January 2021

Pegasus Reference: (GL/AD/P20-1340/R001v2)

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1. INTRODUCTION & SUPPORTING DOCUMENTS

Scope and Purpose

- 1.1 This Planning Statement has been prepared by Pegasus Group on behalf of Prospect Homes in support of a full planning application for the redevelopment of the land at Milton Road Whalley (comprising 1-14 Queen Mary Terrace, BB7 9JS; 15-32 Bridge Terrace, BB7 9JX; two additional detached properties, Trentbille and Woodlands; and associated undeveloped land).
- 1.2 Prospect Homes are seeking to redevelop the site by demolishing the 34 existing dwellings and erecting 50 new build dwellings (generating a net increase of 16 dwellings), with three new access points from Milton Road.
- 1.3 This Planning Statement draws together the key technical information from the plans and reports submitted with the application, and tests the proposals against the relevant planning policies and material considerations within the National Planning Policy Framework and Local Development Plan.
- 1.4 This statement is submitted in support of a full planning application proposing the:
"Demolition of 34no existing dwellings and the erection of 50no. dwellings with new vehicular accesses, landscaping and other associated works."

Application Submission

- 1.5 The following plans and documents are submitted in support of the application in accordance with the pre-application response received on 2nd September 2020 from Ms Laura Eastwood (see section 2 for more detail), and the requirements of the local validation checklist (dated 27th June 2019):
 - Location Plan (Ref: MR/W-SJS-LP01);
 - Planning Layout (B&W and Colour Versions) (Ref: MR/W-SJS-LP01);
 - Block Plan Parcel A (Ref: MR/W-SJS-BP01);
 - Block Plan Parcel B (Ref: MR/W-SJS-BP02);
 - Boundary Treatments Layout & Booklet (Ref: MR/W-SJS-BT01);
 - Materials Layout (Ref: MR/W-SJS-ML01);
 - Finished Floor Level Layout (Ref: MR/W-SJS-FFL01);
 - Refuse Layout (Ref: MR/W-SJS-RL01);
 - Site Sections B&W (Ref: MR/W-SJS-SS01);
 - Site Sections Colour (Ref: MR/W-SJS-SS02);
 - Landscape Plans (Ref 18544 Rev A)

- Drainage Layout (Ref: 200903-EDGE-XX-XX-DR-C-2001- P02), prepared by Edge Consulting;
- Planning & Affordable Housing Statement (Ref: R001) prepared by Pegasus Group;
- Local Housing Need & Demand Assessment (Ref: R002), prepared by Pegasus Group;
- Design and Access Statement (Ref: MRW/DAS/01), prepared by Eden Rose Consulting;
- Transport Statement (Ref: 3126.03), prepared by Eddisons;
- Tree Survey Report & Plans (Ref: PD/6399/TSR/REV A), prepared by TBA;
- Preliminary Ecological Assessment (Ref: SE0909-01_PEA_G01a_BP), prepared by Biora;
- Ecological Constraints and Opportunities Plan (ECOP) (Ref: SE0909-02_ECOP_GS), prepared by Biora;
- Bat Survey Report (Ref: SE0909-03_F01a_BAT_BP), prepared by Biora;
- Outline Bat Mitigation Strategy (Ref: SE0909-03_F01b_BMS_AS), prepared by Biora;
- Schematic Drainage Layout (Ref: 200903-EDGE-XX-XX-DR-C-2001 P04), prepared by Edge Consulting Engineers;
- Existing Drainage Area (Ref: 200903-EDGE-XX-XX-DR-C-2003 P01), prepared by Edge Consulting Engineers;
- Greenfield Run Off Tool prepared by Edge Consulting Engineers;
- NW SUDS Pro Forma prepared by Edge Consulting Engineers;
- Noise Assessment (Ref 102403) prepared by Miller Goodall; and
- Viability Assessment, prepared by Roger Hannah.

Report Structure

1.6 The remainder of this report includes the following sections:

- Section 2 introduces the site and surrounding area;
- Section 3 describes the proposed development;
- Section 4 details the relevant national and local planning policy;
- Section 5 provides an assessment of the proposal against the relevant policies; and
- Section 6 provides a summary and conclusions.

2. SITE AND APPLICATION BACKGROUND

Application Site and Immediate Surroundings

- 2.1 The land and houses are located to the west of Mitton Road, to the north of Whalley, which is a large village within Ribble Valley.
- 2.2 The site currently comprises two terraces of houses, 1-14 Queen Mary Terrace and 15-32 Bridge Terrace, two additional detached properties (Trentbille and Woodlands) to the south, and additional undeveloped land in between these properties and to the rear.
- 2.3 These parcels of land have been declared surplus to requirements of the Mersey Care NHS Foundation Trust.
- 2.4 The two main terraces of houses are north and south of Pendle Drive and west of Mitton Road (B6246) which is accessed by the A59. The northern terrace is known as Bridge Terrace and is made up of 6 x 2 bedroom houses and 12 x 3 bedroom houses split into three terraces. The southern terrace is known as Queen Mary Terrace, which comprises 14 x 3 bedroom houses. All of these properties have front and rear gardens and have pedestrian access from Mitton Road. All vehicle access is via Pendle Drive. The two additional detached properties are further south around the junction with Calderstones Drive and maintain the same building line, but with larger plots and gardens.
- 2.5 Adjacent to and directly behind the houses on Bridge terrace are parcels of undeveloped land. The main triangle of land is laid to lawn and includes 9 x single garages and extends to 0.48 hectares (1.2 acres). An additional parcel of land which is overgrown and directly south of 15 Bridge Terrace offers an additional parcel of land with development potential and extends to 0.23 hectares (0.57 acres). Together the parcels total 0.72 hectares (1.77 acres).
- 2.6 All of the site is located with Flood Zone 1, which has the lowest probability of flooding.
- 2.7 The area surrounding the site is generally residential in character with housing located to the south on Mitton Road and west along Pendle Drive, however there are also some light industrial uses along Mitton Road to the east.

Surrounding Area

- 2.8 The site lies adjacent to existing residential development on the edge of Whalley which has a population of 3,629 people in the 2011 census, and is classed as one of three 'Principal Settlements' in the top tier of Ribble Valley's settlement hierarchy (alongside Clitheroe and Longridge).
- 2.9 Whalley is primarily residential in nature with some independent local retail amenities as well as cafes, restaurants and small businesses.

- 2.10 Whilst the site is closely related to the urban area of Whalley it is actually classed as being within Calderstones, which is a separate 'Tier 2 Village' in the third tier of the hierarchy. That said, in reality it functions as a residential suburb of Whalley given all of Whalley's shops and services are within walking distance. This character is reflected in the fact that the former Calderstones Hospital has been redeveloped for over 300 houses over the last 20 years, most recently by Taylor Wimpey, and the area now contains over 600 houses in total, which is clearly of a scale associated with a larger and more sustainable settlement.
- 2.11 Whalley is situated circa 15 minutes by car from the centre of Clitheroe and circa 30 minutes by car from the centre of Blackburn, which is 11km to the south. Blackburn provides a more established retail offering with national retail operators at 'The Mall' alongside leisure facilities in the town including a Vue cinema. Manchester City centre is accessible by rail from Whalley train station with an approximate journey time of 30-45 minutes, with Northern operating trains hourly.
- 2.12 In terms of education provision, there are two primary schools (Whalley C of E Primary School and Oakhill College) both within a 20 minute (1 mile) walk from the site. There are two secondary schools (Oakhill College and St Augustine's High School) within a 20 minute (1 mile) walk from the site.
- 2.13 The site is therefore in a sustainable location due to the ease of access to services and public transport.

Pre-application Feedback

- 2.14 The applicant has been in dialogue with Officers at Ribble Valley Borough Council over validation requirements and application strategy via a pre-application meeting on 30th July 2020, with written feedback received on 2nd September and enclosed at **Appendix 1**, and summarised below.
- 2.15 The principle for residential development was considered acceptable considering the site is already in residential use for 32 properties (since confirmed as 34). However, given the site is in Calderstones, which is technically a Tier 2 village, adopted policy requires that the scheme demonstrates how the additional houses (currently 16) will meet a local need and provide a suitable mix of housing. This has been addressed within this statement and the associated Local Housing Need Assessment.
- 2.16 The design of the site submitted for the pre-application response showed a standard 2 storey detached house types. This was considered acceptable as there is no prevailing style of architecture in the surrounding local area.
- 2.17 The layout and density of the site was considered to be an improvement on the existing arrangement on the site as it would open up the frontage of the site giving better natural surveillance and permeability. The layout would include some loss of vegetation however this has been considered in a replacement landscaping scheme.

- 2.18 Due to the number of vacant dwellings on the site as well as hedges on the boundary it was considered that an ecological survey would be required to support this application.
- 2.19 It was not considered that residential amenity would be a concern as the plans included the required facing distances of 21m between facing windows and 14m between a window and a wall.
- 2.20 The housing mix presented for the pre-application was for 49 dwellings, comprising 43 x 4 bed and 6 x 3 beds. It was considered that did not represent a suitable mix, as was overly dominated by 4 beds. As such, the housing mix has been altered to provide more balance, which is explained further in this statement.
- 2.21 The response also stated that the scheme should provide 30% affordable dwellings from the total proposed amount (49 at the time). This was based on the misapprehension that the existing dwellings were affordable rent properties, which is not the case.
- 2.22 Indeed the existing freeholder has categorically confirmed that these properties have never been encumbered with any S106 agreement or restriction on title that the houses must be used in perpetuity as affordable housing for key workers. As far as the Mersey Care NHS Foundation Trust is aware, any of these houses could be passed to a local estate agent and let to anyone at a Market Rent. This position is set out in more detail in a letter at **Appendix 2** (from the Mersey Care NHS Foundation Trust, dated 23rd September 2020).
- 2.23 Notwithstanding this, the Council's adopted policy position on this matter (at Appendix 1 of the Addressing Housing Needs document) confirms that in respect of replacement/ redevelopment schemes, the 30% affordable provision is only applicable to the net additional dwellings; and this position was subsequently agreed and confirmed in writing on 24th September 2020 (see attached email from Laura Eastwood at **Appendix 3**).
- 2.24 For the proposed scheme, the uplift is 16 dwellings generating a 30% affordable requirement of 5 dwellings. However, the supporting viability assessment has confirmed that this should be reduced 20% affordable, or 3 dwellings, in line with Key Statement H3 (see section 5 for more explanation).
- 2.25 In addition, the response states that 15% of the units should be offered for older persons and 50% of this offer should be affordable. Subsequent discussions confirmed that the older person housing requirement could be met through bungalows or regular housing that was compliant with Part M4(2) of Approved Document M (volume 1 2015) of The Building regulations 2010 (as set out in the email from Stephen Kilmartin on 24th September 2020, attached at **Appendix 4**).

3. PROPOSED DEVELOPMENT

3.1 Prospect GB are seeking to redevelop the site by demolishing the 34 existing dwellings and erecting of 50 new build dwellings (generating a net increase of 16 dwellings), with three new vehicular access points from Milton Road together with associated infrastructure and landscaping.

3.2 In line with the pre-app comments requesting a more balanced mix (than the predominantly 4 bed scheme presented at pre-app stage) the following mix is proposed:

Bedrooms	No Proposed	%
3	20	40%
4	30	60%
Total	50	

3.3 These are split across 2 parcels, with Parcel A comprising 32 dwellings to the north of Pendle Drive, with Parcel B comprising 18 dwellings to the south of Pendle Drive.

3.4 This mix includes 3 x 3 bedroom affordable properties equating to 20% of the net additional dwellings. It also includes 6 properties that are M4(2) compliant and therefore suitable for the older people, and these include the 3 affordable dwellings (see section 5 for more detail).

3.5 A single vehicular access to Parcel A is proposed via a new single priority junction off Milton Road between plots 25 and 26. The main vehicular access to Parcel B is proposed via another priority junction off Milton Road adjacent to Milton Road adjacent to plot 34, with a second private drive access to plots 48-50 sited further south.

3.6 In line with local authority highway standards, all proposed plots benefit from off-road parking with either side driveway parking or upfront parking for a minimum of two cars for 3 bedroom properties and three cars for 4 bedroom properties. All 4 bedroom properties will have a garage, either integral or detached depending on house type design. The garages are of adequate size to park a vehicle.

3.7 In respect of materials, textured red bricks are proposed to match existing housing stock in the area.

4. PLANNING POLICY

- 4.1 This section sets out the material planning policy considerations for the development proposal provided in the adopted Development Plan, National Planning Policy Framework and other supplementary guidance.

The Adopted Development Plan

- 4.2 The adopted Development Plan applicable to the site comprises of:
- Ribble Valley Core Strategy (December 2014);
 - The Housing and Economic Development Plan Document (HED DPD - adopted 15th October 2019).
- 4.3 The Core Strategy replaced the Districtwide plan on adoption in 2014, however the Policy Map was not actually updated until the adoption of the HED DPD in 2019, See policy map below:

Figure 1 - Planning Policy Map Extract



- 4.4 The site is located within the settlement boundary of Calderstones.

Core Strategy 2008 – 2028 (Adopted December 2014)

- 4.5 The Ribble Valley Core Strategy was adopted in December 2014 to guide development from 2008 until 2028. It sets out the overall strategy for development, supported by relevant documents.
- 4.6 **Key Statement DS1: Development Strategy** sets out the settlement hierarchy strategy and identifies the housing distribution for settlements in Ribble Valley. It outlines that the majority of new housing should be concentrated in the three principal settlements, of Clitheroe, Longridge and Whalley (and the strategic site at Standen).
- 4.7 Development is then focussed on nine 'Tier 1' villages, considered the most sustainable of the remaining 32 defined settlements. In the 23 remaining 'Tier 2' villages, development will need to meet proven local needs or deliver regeneration benefits.
- 4.8 Calderstones is designated as a Tier 2 Village settlement, but as noted previously it is effectively a suburb of Whalley, given the proximity of Whalley's shops and the fact that it has seen significant residential growth in recent years (beyond what you would expect from a traditional 'tier 2' village).
- 4.9 **Key Statement DS2: Presumption in Favour of Sustainable Development** states that when the Council is considering development proposals it will take a positive approach that reflects the National Planning Policy Framework.
- 4.10 **Key Statement EN3: Sustainable Development and Climate Change** states that the Council will seek to ensure that all development meets an appropriate recognised sustainable design and construction standard where viable to do so, in order to address both the causes and consequences of climate change. All development should optimise energy efficiency by using new technologies and minimising the use of energy through appropriate design, layout, material and landscaping and address any potential issues relating to flood risk.
- 4.11 **Key Statement EN4: Biodiversity and Geodiversity** states the Council will seek wherever possible to conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats and help develop green corridors.
- 4.12 **Key Statement H1: Housing Provision** states that land will be made available to deliver 5,600 dwellings with a dwellings per annum figure of 280 across the plan period of 2008 – 2028. The council added that housing need and land availability will be monitored
- 4.13 **Key Statement H2: Housing Balance** planning permission will be granted for residential development so long as it provides a mix of housing that accords with future and local needs across the local authority based upon evidence from recent surveys and assessments.
- 4.14 **Key Statement H3: Affordable Housing** developments of more than 5 dwellings, outside Clitheroe and Longridge, will be expected to provide 30% affordable housing on site.

- 4.15 The Council will only consider a reduction in this level of affordable provision, to a minimum of 20%, where this is justified by a viability appraisal (which will be an open book viability assessment, provided at the developer's cost).
- 4.16 The policy also requires provision of housing for elderly people, comprising 15% of units on sites of 10 or more, with half of these being affordable (so 7.5 % of total) and to would be included in the overall affordable housing requirement.
- 4.17 **Policy DMI1: Planning Obligations** states that Planning Obligations will be used as a mechanism to deliver development that contributes to the needs of local communities and sustainable development. Contributions can either be in kind or in the form of financial contribution with a clear audit trail of how any monies will be spent and in what time frame.
- 4.18 **Policy DMI2: Transport Considerations** states new development should be located to minimise the need to travel. Also it should incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car. Major applications should always be accompanied by a comprehensive travel plan.
- 4.19 **Key Statement DMG1: General Considerations** sets out that development must be of a high quality and sympathetic in terms of design, access, amenity, environment and infrastructure.
- 4.20 **Key Statement DMG2: Strategic Considerations** states that development should be in accordance with the core strategy and support the spatial vision. Development proposals in principal settlements (including Whalley) and Tier 1 villages, 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.
- 4.21 Within the tier 2 villages and outside the defined settlement areas development must meet at least one of six considerations, including:
- 1) The development should be essential to the local economy or social well-being of the area;
 - 3) The development is for local needs housing which meets an identified need and is secured as such.
- 4.22 **Policy DMG3: Transport and Mobility** states that decisions on development proposals will attach considerable weight to the availability and adequacy of public transport. All major proposals should offer opportunities for increased use of public transport. All proposals will be required to provide adequate levels of car parking.
- 4.23 **Policy DME1: Protecting Trees and Woodlands** states where applications are likely to have a substantial effect on tree cover, the borough Council will require detailed arboricultural survey information and tree constraint plans including appropriate plans and particulars.

- 4.24 **Policy DME2: Landscape and Townscape Protection** states that applications should not harm the landscape or characteristic of the local area. The policy goes on to say that the council will seek to enhance the local landscape wherever possible and will consider the potential cumulative impact of development where development has already taken place.
- 4.25 **Policy DME3: Site and Species Protection** states that developers are encouraged to consider incorporating measures to enhance biodiversity where appropriate that will complement priority habitats and species identified in the Lancashire BAP.
- 4.26 **Policy DMH1: Affordable Housing Criteria** states where proposals involve the provision of affordable housing units, the residential development must be expressly for the following groups of people:
- 1) First time buyers currently resident in the parish or an adjoining parish
 - 2) Older people currently resident in the parish or an adjoining parish
 - 3) Those employed in the parish or an immediately adjoining parish but currently living more than 5 miles from their place of employment
 - 4) Those who have lived in the parish for any 5 of the last 10 years having left to find suitable accommodation and also with close family remaining in the village
 - 5) Those about to take up employment in the parish
 - 6) People needing to move to the area to help support and care for a sick, older person or infirm relative.

Housing and Economic Development – Development Plan Document (October 2019)

- 4.27 Ribble Valley's Housing and Economic Development Plan Document (the HED DPD) was adopted on 15th October 2019 and allocated housing and employment sites to meet the residual requirements from the Core Strategy. No additional sites were allocated in Whalley or Calderstones.

National Planning Policy Framework

- 4.28 The National Planning Policy Framework (NPPF), published in February 2019 outlines the Government's core objectives for the planning system.
- 4.29 Paragraph 8 confirms that achieving sustainable development means that the planning systems has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:
- **An economic role** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improve productivity; and by identifying and coordinating the provision of infrastructure;

- **A social role** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible local services and open spaces that reflect current and future needs and support communities' health, social and well-being; and
- **An environmental role** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 4.30 Paragraph 11 confirms that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with the development plan without delay, and where policies are out of date, granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Decision Making

- 4.31 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way and should seek to approve applications for sustainable development where possible.
- 4.32 Paragraph 47 goes on to state that planning law requires that applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

Delivering a wide choice of high quality homes

- 4.33 Paragraph 59 confirms that to support the Government's objective of significantly boosting the supply of homes, 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.

Making effective use of land

- 4.34 Paragraph 117 of the NPPF states that Planning policies and 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.
- 4.35 This is important in the context of the current proposals which seek to use the existing site more efficiently replacing 34 existing dilapidated dwellings with 50 new build dwellings.

Achieving well-designed places

- 4.36 Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable

development, creates better places in which to live and work and helps make development acceptable to communities. It is further set out that it is important that developments function well and add to the overall quality of the area. Developments should be sympathetic to local character and establish a strong sense of place.

5. ASSESSMENT OF DEVELOPMENT

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act, 2004 confirms that if regard is to be had to the development plan for the purpose of any determination, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Principle of Development

- 5.2 The site is in existing residential use within the urban area and therefore the principle of residential development is established, as confirmed in the Council's pre-application response, which accepts some form of residential redevelopment of the site, subject to the policy requirements set out below.
- 5.3 Core Strategy Policy DS1 sets out the strategic vision for the borough and confirms that new development should be focussed on the principal settlements including Whalley, and it is arguable that this is applicable to this site, as it is effectively a suburb of Whalley given the proximity the shops and services within Whalley, and the large amount of residential growth in recent years (including the redevelopment of the Calderstones Hospital) demonstrating that it is a sustainable location for growth.
- 5.4 That said, the site does technically fall within the separate Tier 2 Village of Calderstones, where Policy DS1 confirms that new development must either meet a local need or provide a regeneration benefit. Policy DMG2 goes on to say that within the tier 2 settlements development must meet 'local needs' housing (i.e. affordable).
- 5.5 However, these policies are considered largely out of date, given the adopted Core Strategy is now over 5 years old, and does not align with several key provisions of the 2019 NPPF, including:
- The need to approve applications for sustainable development where possible (as per paragraph 38) – with this site in a demonstrably sustainable location and in existing residential use;
 - Allowing a sufficient amount of land to come forward to significantly boost housing supply (as per paragraph 59)– which this proposal will clearly contribute to;
 - The efficient use of land and increased densities (as per paragraphs 117 and 122) – which this proposal achieves by replacing 34 existing dilapidated and mostly terraced houses with 50 new build, mostly detached dwellings.
- 5.6 As such policies DS1 and DMG2 can only be given limited weight.
- 5.7 Ultimately, the 'presumption in favour of sustainable development' at paragraph 11 of the NPPF confirms that where policies are out of date, decision makers should grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, and we consider these impacts and benefits in due course.

- 5.8 However, notwithstanding the NPPF's requirements, and the site's effective location in a principal settlement, where residential development is prioritised, we first address the more prescriptive requirements for development in Tier 2 Villages; as the proposals will generate clear regeneration benefits, and there is evidence for local need and demand for the housing proposed.

Regeneration Benefits

- 5.9 The redevelopment of this site will replace the existing terraced properties which are largely empty and in an extremely dated and dilapidated state, with modern new build dwellings in a more attractive configuration (with a mix of detached and semi-detached house types replacing the existing terraces. New access points will replace the existing unadopted rear access which will also improve safety and accessibility. As such it is clear that the proposals will generate significant regeneration benefits for the site.

Local Housing Need / Demand

- 5.10 As illustrated by the submitted Local Housing Need and Demand Assessment, the evidence base (dating back to 2008) illustrates a continued demand for larger aspirational homes in the borough.
- 5.11 Whilst these aspirational detached properties are not representative of the requirements of the general population, there is nevertheless a demand for such housing. The NPPF is clear that the planning system should deliver housing choice to meet the requirements of different groups in society and does not prioritise the requirements of any one group over another.
- 5.12 Whalley, given its proximity/ accessibility to the Enterprise Zone in Samlesbury and other employment areas, represents a suitable location to deliver such housing, and won't lead to an imbalance of existing stock, given the range of property types and sizes in the area.
- 5.13 Failure to meet this identified demand for larger housing may result in a housing market imbalance, leading to adverse social, economic and environmental impacts.
- 5.14 Finally, this development will boost delivery within the Whalley area which has been suppressed in recent years given its relatively low apportionment in the adopted Core Strategy; particularly when compared to the other principal settlements of Clitheroe and Longridge.
- 5.15 Therefore the proposed homes reflect an identified household requirement and will contribute to the provision of mixed communities within Ribbles Valley in accordance with Core Strategy Key Statement H2.
- 5.16 This Local Housing Need and Demand assessment also demonstrates that the proposed affordable and older persons housing will align with the localised requirements of the Whalley area/ parish.

Housing Mix

- 5.17 We now consider the Council's policies on housing mix and tenure, including affordable and elderly provision.
- 5.18 In line with the Council's pre-application request for a more balanced housing mix, with less focus on 4 beds, the following mix is proposed, comprising 60% 4 bed and 40% 3 bed, across 9 different house types ranging from 915 sq ft up to 1,715 sq ft.

Figure 2- Proposed Housing Mix

Accommodation Schedule		
Housetype	Sqft	No.
32A	915sqft	6
31DE	1012sqft	7
33D	1255sqft	7
3 Bed Total		20
41D	1191sqft	5
42D	1251sqft	3
T2D	1284sqft	4
44D	1404sqft	10
46D	1596sqft	5
47D	1715sqft	3
4 Bed Total		30
Site Total		50

- 5.19 The three affordable properties are 3 beds in the 32A housetype.
- 5.20 Therefore, it is considered that the proposed development delivers a suitable mix of housing, which meets local requirements in line with Key Statement H2.

Affordable Housing Statement

- 5.21 As confirmed in section 2 and Appendix 2, the 34 existing dwellings on the site are not affordable housing and have never had any form of affordable restriction on them. As such they could be let to anyone at market rent.
- 5.22 Section 2 and Appendix 3 have also confirmed that the Council's 30% affordable requirement from Key Statement H3 is only applicable to the 16 net additional dwellings proposed (as per Appendix 1 of the Council's Addressing Housing Needs document 2012). This generates a requirement for 5 affordable properties.

- 5.23 However Key Statement H3 does allow this requirement to be reduced to 20% (for developments of 5 or more dwellings outside Clitheroe and Longridge) as long as it is justified within a viability appraisal.
- 5.24 In this instance, Prospect Homes has submitted a Viability Assessment, prepared by Roger Hannah, which concludes that based on the current calculations of costs, and a policy compliant level of S106 contributions, 30% affordable housing provision is not viable and should be reduced to 20%.
- 5.25 Accordingly, 20% of the 16 net additional dwellings proposed generates a requirement for 3 affordable units, and these are included on-site, with 3 x 3 bedroom properties within the 32A housetype.
- 5.26 Discussions are ongoing with Registered Providers in respect of their tenure requirements for these units; however if an off-site contribution is considered more appropriate in this instance then this can be addressed during the application determination period, in consultation with the Council's Housing Officer.
- 5.27 As such the proposals accord with Key Statement H3 in respect of affordable housing.

Older People's Housing

- 5.28 In line with Key Statement DMH1, providing housing for older people is a priority for the Council within the housing strategy, with a requirement for 15% of the units to be offered for older persons and 50% of these being affordable.
- 5.29 Therefore, based on the current scheme of 50 dwellings (16 net additional) the requirement for housing for older people is as follows:
- $16 \times 15\% = 2$ older persons dwellings
 - $16 \times 7.5\% = 1$ older persons affordable dwellings.
- 5.30 In terms of the design criteria Key Statement DMH1 states that older people's housing needs to reach Lifetime Homes standard. This standard has been superseded by the National Housing Technical Standards adopted in March 2015 which requires compliance with Part M4(2) of Approved Document M (volume 1 2015) of The Building regulations 2010.
- 5.31 Further correspondence with the Council (see Appendix 4) has confirmed that the older person housing requirement can be met through bungalows or regular housing that is compliant with Part M4(2).
- 5.32 In this case there are 6 dwellings within the proposed scheme (plots 1-4, and 20-21), comprising house type 32A, which are M4(2) compliant and can be easily reconfigured for elderly accommodation as required.

5.33 Furthermore, 3 of these 6 properties in the 32A housetype are affordable, and as such the scheme provides 37.5% older persons dwellings and 18.75% older persons affordable dwellings.

5.34 As such the proposed development exceeds the policy requirement for elderly market housing (more than doubles it in fact) in line with Key Statements DMH1 and H3.

Design

5.35 Key Statement DMG1 sets out that development must be of a high quality and sympathetic to issues of design, access, amenity, environment and infrastructure.

5.36 The proposal is for a standard 2 storey semi-detached and detached house types and there is no particular prevailing style of architecture in the immediate locality. Good quality examples of the existing housing stock in the village of Whalley has influenced the choice of elevations and materials on the proposed plots, as set out in the associated Design and Access Statement.

5.37 In keeping with the existing housing stock, textured red bricks are proposed for use on the development. A complimentary smooth brick or buff artstone will be used as a detail to accentuate elevational components. House types will draw on some or all the following components:

- Lean-to GRP tiled porch roof canopies;
- Stooled end brick cills or buff coloured artstone below windows in main facing brick;
- Red brick splayed soldier course above windows;
- Red brick feature string course and plinth course;
- Black composite timber effect highly secure front doors (garage doors where applicable to match);
- White UPVC casement windows;
- IG doors in heritage colours; and
- Black rainwater goods.

5.38 The proposed layout would be an improvement on the existing arrangement as it would open up the frontage of the site giving better natural surveillance and permeability. Furthermore it will redevelop and upgrade the existing properties which are in a dated and dilapidated state.

5.39 The proposed layout would, however, necessitate the loss of mature vegetation to the boundary with Whalley Road so some replacement planting has been incorporated to soften the visual impact of this, this is discussed in further detail below.

5.40 The proposed density at 69 dph is high, but not unusual for an urban area, and has been sensitively designed to maintain adequate separation distances and generous amounts of private amenity space for each of the properties, whilst there are larger public open spaces within the surrounding

area, notably the park immediately west of the site. As such the proposals align with Key Statement DMG1.

- 5.41 In addition they represent a more efficient use of land than the existing development, increasing the site capacity by 47%, in line with paragraph 117 of the NPPF.

Sustainability

- 5.42 We now consider the impacts and benefits of the scheme, first assessing its sustainability against the three pillars set out in paragraph 8 of the NPPF:

Economic and Social

- 5.43 The proposed residential development will bring numerous economic benefits to the area both during the construction phase and operational benefits once the 50 dwellings are fully built and occupied. For example, the proposed development could support up to 144 temporary jobs both on-site and in the wider economy, during the estimated 12-month build phase. The development could also generate over £8.4million in economic output (measured in gross value added) for the regional economy during the construction phase.
- 5.44 Once built and fully occupied, the households are estimated to generate expenditure in the region of £1.34million per annum. While not all of this spend will be in the local area, it is reasonable to assume that a substantial proportion will be retained within Ribble Valley.
- 5.45 Additional residents in the village will certainly help to maintain the vitality and viability of Calderstones and nearby Whalley, by supporting local business and service providers.
- 5.46 The dwellings are also estimated to generate £250,000 in first occupation expenditure over an 18-month period and over £93,000 per annum in additional Council Tax revenue for Ribble Valley Borough Council.
- 5.47 Additionally, as discussed above, the proposal will provide a mix of housing, including elderly housing, that addresses a local housing need. This will provide a social benefit as it will go towards ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. The development is also well located to be accessible to services which will promote the well-being of the residents.
- 5.48 These economic and social benefits are individually and cumulatively substantial and in accordance with the NPPF, must be accorded significant weight.

Environmental

- 5.49 The site will provide environmental benefits by providing good architecture, layout and appropriate landscaping. The scheme would be sympathetic to the local character and incorporates a good level of open space. The proposal is an effective use of space by providing accommodation in a

development that protects and enhances the natural and built environment. The development will improve the setting of the area by as the existing buildings are currently vacant and in a state of disrepair.

- 5.50 The proposed dwellings will be located on previously developed residential land so will set well in the surrounding environment. It is considered that the site will not contribute to the change of the overall character, openness and appearance.
- 5.51 These environmental benefits are substantial and in accordance with the NPPF, must be accorded significant weight.

Other Technical Matters

- 5.52 We now review the other technical matters and supporting reports to assess the impacts and benefits generated by the scheme, as required by the NPPF.

Highways

- 5.53 Policy DMG3 states that decisions on development proposals will attach considerable weight to the availability and adequacy of public transport. All major proposals should offer opportunities for increased use of public transport. All proposals will be required to provide adequate levels of car parking.
- 5.54 A Transport Statement was prepared by Eddisons in support of this planning application. This concludes that:
- The site benefits from being located in a sustainable location with linkages to the local services and amenities situated in Whalley.
 - The proposed developments are well located to encourage journeys by bus via a number of bus services available in the vicinity of the site;
 - The proposed development can be accessed by a safe and efficient manner off the B6246 Mitton Road
 - The proposed development will have a minimal impact on the operation of the local highway network
 - There is no evidence to suggest that the proposals would have an adverse effect on road safety or the number of accidents in the vicinity.

- 5.55 In conclusion, the proposals for the residential developments will provide a sustainable development in transport terms and planning permission should be granted in accordance with the Framework, as well as the access considerations in policy DMG1 and Policy DMG3 set out above.

Ecology / Trees

- 5.56 Policy DME1 states where applications are likely to have a substantial effect on tree cover, the borough Council will require detailed arboricultural survey information and tree constraint plans including appropriate plans and particulars.
- 5.57 Trevor Bridge Associates Ltd (TBA) were instructed by Prospect GB to undertake a pre-development arboricultural survey of trees and significant vegetation.
- 5.58 This highlighted a number of high quality trees which have been retained and integrated with the proposed layout, whilst recommending the removal of several lower quality trees and hedgerows to accommodate the proposed development.
- 5.59 Policy DME3 states that developers are encouraged to consider incorporating measures to enhance biodiversity where appropriate that will complement priority habitats and species identified in the Lancashire BAP.
- 5.60 A Preliminary Ecological Appraisal (PEA) report was conducted by Biora on behalf of Prospect GB, with their findings summarised below:

Figure 3 – Summary of Ecological Findings:

Site Characteristics and Surroundings					
Statutory designated sites within 2 km					0
Non-statutory designated wildlife sites within 2 km					14
Non-statutory designated wildlife sites within application boundary					0
Protected habitats within application boundary					Broadleaved woodland, hedgerow
Buildings within application boundary					34
Waterbodies within application boundary					0
Waterbodies within 500 m of application boundary					2
Protected Species Recorded					
	By desk study (within 2 km)		By field survey		
Great crested newt	Yes		No, limited foraging habitat		
Bats	Yes		No, but suitable habitat		
Otter	Yes		No		
Water Vole	No		No		
Badger	Yes		No, limited foraging habitat		
Reptiles	No		No, limited foraging habitat		
Breeding birds	Yes		No, but suitable habitat		
Species	Local	County-wide	Regional	National	International
Breeding Birds	Moderate				
Badger	Low				
Bats	Moderate				
Reptiles	Low				
GCN					
Otter					
Water Vole					

- 5.61 The report states that all buildings on site were assessed as having Moderate and Low bat roosting potential. As these buildings are proposed to be removed, then they should be subjected to internal inspections when it is safe to do so. They also require surveys to establish presence/absence of roosting bats in these structures. Buildings with Moderate BRP should be subject to at least two bat surveys (one bat survey for Low potential buildings) to confirm the presence/absence of roosting bats in these structures. If bats emerge or re-enter during these surveys, then additional surveys

will be required to characterise the roost. Buildings assessed as having Negligible bat roosting potential can be dismissed from further survey.

- 5.62 Biora have recommended the provision of a bat roosting structure on site, and this has been included to the rear of plot 49, to mitigate against any harmful impacts upon any roosting bats in the existing dwellings. The applicants have been informed by Biora that this structure will be sufficient and means the application will comply with Policy DME3 as the developers are incorporating measures to enhance biodiversity where appropriate that will complement priority habitats and species, in this case Bats.
- 5.63 Accordingly, subject to the mitigation measures set out in the attached reports and summarised above, there are no arboricultural or ecological constraints preventing the redevelopment of this site and as such the scheme complies with policy DME3.

Residential Amenity

- 5.64 All plots are set back from the highway to deliver the space for individual planting provided by the developer. Plot boundaries in front gardens will be delineated by soft landscaping features including hedgerows and new tree planting.
- 5.65 All plots benefit from their own amenity space with enclosed rear gardens defined by 1.8m high close board fencing or brick screen walls between plots and the public realm or highways (as set out on the Boundary Treatments Layout and Details pack that accompanies the application).
- 5.66 Hedgerow planting is proposed to the front and side boundaries of plots abutting the existing highway network to ensure visual and physical separation between public and private space.
- 5.67 Therefore, the proposal provides adequate levels of private amenity and therefore accords with Key Statement DMG1.

Geotechnical

- 5.68 A Site Investigation was conducted by Coopers and identified that the ground conditions require further testing and remediation works prior to residential development. This however can be agreed by an adequately worded condition.
- 5.69 Therefore, in line with policy DMG1 (General Considerations) the development has considered design, access, amenity, environment and infrastructure.

Drainage

- 5.70 All of the site is located with Flood Zone 1, which has the lowest probability of flooding. A Schematic Drainage Strategy has been prepared by Edge Construction Engineering.
- 5.71 Therefore, the proposal accords with Key Statement EN3 Sustainable Development and Climate Change as the development meets an appropriate recognised sustainable design and construction.

6. DRAFT HEADS OF TERMS

6.1 The Agreement will be between:

- Ribble Valley Borough Council - Council Offices, Church Walk, Clitheroe, Lancashire BB7 2RA;
- Prospect GB Ltd, Unit 5 Meridian Business Village, Hansby Drive, Liverpool, L24 9LG.
- Mersey Care NHS Foundation Trust, Executive Office, Mersey Care NHS Foundation Trust, Building V7, Kings Business Park, Prescot, L34 1PJ.

Development

- 6.2 Full application for the demolition of 34no existing dwellings and the erection of 50no. dwellings with new vehicular accesses, landscaping and other associated works.

Obligations

- 6.3 In order to comply with the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), each obligation will need to be justified as necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.

Affordable Housing

- 6.4 As noted in section 5, 20% affordable housing provision is proposed on-site, equating to 3 dwellings, based on a Viability Assessment prepared by Roger Hannah.

Education

- 6.5 An education assessment will be provided by Lancashire County Council through the application consultation process. The contribution will be calculated based on the proposed bedroom mix (which generates the expected pupil yield), and a cost per place for primary and secondary school provision.
- 6.6 This is considered alongside other committed developments in the area, then compared to existing capacity in nearby schools and to see if new provision is required. For a full application this will be confirmed during the application determination process.

Off-Site Recreation

- 6.7 The Council require a contribution to off-site recreation of £216.90 per person based on the following occupancy ratios (relevant to the current proposals):
- 3 bed unit – 2.5 people
 - 4 bed unit – 3.1 people

7. CONCLUSION

- 7.1 This Planning Statement has been prepared by Pegasus Group on behalf of Prospect Homes in support of a full planning application for the redevelopment of the existing properties and associated land at Mitton Road Whalley.
- 7.2 Prospect Homes are seeking to redevelop the site by demolishing the 34 existing dwellings and erecting of 50 new build dwellings (generating a net increase of 16 dwellings), with three new access points from Mitton Road. These include 3 affordable properties, and 6 that are suitable for older people.
- 7.3 The proposed development will provide significant benefits to the area, providing a range and mix of housing in a sustainable location, through the efficient use of brownfield land, in accordance with the NPPF.
- 7.4 Although technically a tier 2 village, where only local need housing is supported, the site is effectively a suburb of Whalley, which is one the 3 main settlements and growth areas in the Borough. This is reflected by the site's proximity to a number of shops and services, and the scale of residential growth in the vicinity over the last 20 years.
- 7.5 Notwithstanding this, this statement and other supporting documents have demonstrated that the proposals will meet local need, and will contribute towards the economic, social and environmental objectives of sustainable development, without generating any significant impacts.
- 7.6 On balance therefore, in accordance with paragraph 11 of the NPPF, there are no adverse impacts which outweigh the benefits of the proposals and as such there is a presumption in favour of development and permission should be granted for these proposals

APPENDIX 1 – PRE-APPLICATION RESPONSE – 03/09/2020



RIBBLE VALLEY BOROUGH COUNCIL

Officer:	Laura	Council Offices Church Walk Clitheroe Lancashire BB7 2RA
Email:		
Our Ref:	RV/2020/ENQ/00062	
Proposal:	Demolish 32 existing properties and build 49 new.	
Location	Mitton Road	
Date of site visit		
Date:	2 nd September 2020	

Pre-Application Enquiry Response

Dear Graham,

I write further to your submission of a request for pre-application advice at land at Mitton Road on behalf on Prospect (GB) Ltd and following our meeting on 30th July 2020. The enquiry seeks the Council's views on the demolition of 32 existing dwellings and construction of 49 new dwellings.

Relevant Core Strategy Policies:

Policy DS1: Development Strategy
Policy DS2: Sustainable Development
Policy EN3: Sustainable Development and Climate Change
Policy EN4: Biodiversity and Geodiversity
Policy H1: Housing Provision
Policy H2: Housing Balance
Policy H3: Affordable Housing
Policy DMI1: Planning Obligations
Policy DMI2: Transport Considerations
Policy DMG1: General Considerations
Policy DMG2: Strategic Considerations
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 DMH1: Affordable Housing Criteria

- National Planning Policy Framework (NPPF)

Principle of Development:

The site is located adjacent to the former Calderstones Hospital Site and the proposal seeks to redevelop the site of 32 houses that were occupied by hospital employees. Core Strategy Policy DS1 sets out the strategic vision for the borough and development within the tier 2 settlements, of which Calderstones is one, must either meet a local need or provide a regeneration benefit. Policy DMG2 goes on to say that within the tier 2 settlements that development must meet certain tests one of which is that the development should meet local needs housing.

It is accepted that the site is already already in a residential use and a new residential use in principle would be an acceptable use of the site. However, the demolition/loss of 32 affordable rent properties, let to key workers in an area of high demand and high income to house price ratio, must be factored into the assessment of the benefits of the new proposal.

All 32 of the existing properties were originally let to households that worked for the NHS trust, and the rent was at a reduced market rent. Of the households remaining all currently work for the trust or have worked in the past.

Over the past 10 years, there has been gradual deterioration of all the 32 properties which has forced many tenants to leave due to the lack of security and the reminder that the sale of the units was imminent. This has meant many households have left the properties, many have registered on the RVBC housing waiting list and have been rehoused. During this time the Council have tried to secure a sale of the units to a Registered Provider, to ensure existing tenants could remain and the housing stock could be retained as affordable units. In February tenants were served notice to leave. RVBC have continued to advise and assist the remaining households and are currently working with 3 of the households that remain.

The proposal put forward is for 49 properties, 42 of which are 4 bed detached. Whilst the redevelopment of the site in some form is accepted. It must be demonstrated how these houses will meet a local need and provide a suitable mix of housing to ensure compliance with policy DMG2 and H2.

Design:

The proposal presented shows standard 2 storey detached house types, there is no particular prevailing style of architecture in the immediate locality and I have no particular objections to the design subject to the use of suitable materials and landscaping.

Layout:

The proposed layout would potentially be an improvement on the existing arrangement as it would open up the frontage of the site giving better natural surveillance and permeability. However, the proposed layout would necessitate the loss of mature vegetation to the boundary with Whalley Road so some replacement planting would be required to soften the visual impact of this.

The density proposed appears acceptable and each dwelling would have adequate amenity space.

Ecology / Trees:

The site is currently occupied by a number of dwellings, a number of which are vacant as well as mature hedges to the boundary. An ecological survey should be carried out to assess the potential of the site for protected species as well as providing details of any mitigation and biodiversity net gain measures proposed. The new dwellings should incorporate bat and bird boxes and the landscaping should include measures to allow permeability through the site for wildlife.

Residential Amenity:

The proposal appears acceptable in terms of residential amenity, the layout should aim to achieve a minimum facing distance of 21 metres between facing windows and 14 metres between a window and a wall. This may be reduced where sufficient screening or topography allows.

Highways:

Lancashire County Council provide a separate chargeable preapplication advice service for highway matters and I would encourage you to engage in this particularly given that new accesses are proposed to be formed from Whalley Road.

Each dwelling should also be provided with an electric vehicle charging point that should be installed prior to occupation of each unit. The 3 bed properties should be provided with at least 2 off street parking spaces and the 4 bed should have 3 spaces.

Housing Mix and Affordable Housing:

The scheme presented is for 49 dwellings, 43 of which are 4 beds and 6 of which are 3 beds.

The Council will seek to secure a minimum of 30% affordable housing contribution from the total proposal of 47 units, a contribution of 14 units. This offer is still a significant overall loss of valuable affordable rent properties. The majority of the affordable offer should be provided as affordable rent as all the units were rental which would result in a significant change of tenure in the locality if all the site shifts to home ownership. In addition 15% of the units should be offered for older persons and 50% of this offer should be affordable.

As mentioned above development in the less sustainable settlements should meet a local need or provide a regeneration benefit and all developments should provide a suitable mix of housing based on the most up to date Strategic Housing Market Assessment. The proposed scheme consists of predominantly 4 bed properties, this does not represent a mix of house types so it would need to be demonstrated how this would accord with policy H2.

Financial Contributions:

In addition to the affordable housing requirement we would expect a contribution to education based on an up to date assessment from LCC's education section.

A contribution to off site recreation of £216.90 per person based on the following occupancy ratios

- 1 bed unit – 1.3 people
- 2 bed unit – 1.8 people
- 3 bed unit – 2.5 people
- 4 bed unit – 3.1 people
- 5+ bed unit – 3.5 people

Other Matters:

Due to recent changes in planning legislation the Council must now seek the formal agreement of the applicant (or their agent) to impose pre-commencement conditions, should it be minded to grant planning permission.

Therefore, you may wish to consider providing a greater level of information at the outset for the Council to assess, in order to avoid the need for such conditions. A provisional validation checklist is provided below, however I'm sure you appreciate that requests for further technical information may be made by third party consultees during the application which cannot necessarily be anticipated at this stage. The below link is to the Council's recently adopted Validation checklist.

<https://www.ribblevalley.gov.uk/downloads/file/12209/draft-validation-checklist-march-2019>

Conclusion:

The redevelopment of the site in some form is acceptable however amendments or justification would be required in or for it to be an acceptable scheme in terms of the Council's Core Strategy Policies.

Submission Requirements:

Should you proceed to submission of a formal application, based on the nature of the proposal/site constraints identified above, it is my opinion that the Local Planning Authority would require the following information to accompany such an application:

- Design and access statement
- Planning statement
- Affordable housing statement
- Ecological report
- Arboricultural impact assessment

Please note this aforementioned required information may not be exhaustive and is provided on the basis of the level of information submitted. Failure to provide required information is likely to result in an application being made invalid until such information is received or potentially refused on the basis of insufficient information.

Please also be advised that Lancashire County Council provide a separate, chargeable pre-application service for highway related matters and drainage matters. You should contact the County Council directly to discuss any such issues - <https://www.lancashire.gov.uk/business/business-services/pre-planning-application-advice-service/pre-planning-application-highways-advice-service>

<https://www.lancashire.gov.uk/business/business-services/pre-planning-application-advice-service/pre-planning-application-flood-risk-and-land-drainage-advice-service/>

The above observations have been provided on the basis of the level of information submitted and the comments contained within this response represent officer opinion only, at the time of writing, without prejudice to the final determination of any application submitted. Should you wish to discuss any of these matters further please do not hesitate to contact me.

Yours Sincerely

Laura Eastwood
Principal Planning Officer

APPENDIX 2 – MERSEY CARE NHS FOUNDATION TRUST LETTER – 23/09/2020



Mersey Care
NHS Foundation Trust

Community and Mental Health Services

Executive Office,
Mersey Care NHS Foundation Trust
Building V7,
Kings Business Park
Prescot
L34 1PJ

Laura Eastwood
Principal Planning Officer
Ribbles Valley Borough Council
Council Offices
Church Walk
Clitheroe
Lancashire
BB7 2RA

23 September 2020

Dear Ms Eastwood

LAND & HOUSES ON MITTON ROAD - INCLUDING 1-14 QUEEN MARY TERRACE AND 15-32 BRIDGE TERRACE, CLITHEROE, LANCASHIRE ("THE PROPERTY")

Mersey Care NHS Foundation NHS Trust ("The Trust") is currently 'under offer'; to Prospect Homes following a marketing campaign in late 2019 to dispose of the land and houses on Mitton Road, Whalley. As the current freeholder of the Property, our selected developer has shared the pre-application response that you have provided on 02 September 2020 for application reference RV/2020/ENQ/00062. As an NHS Trust it is not our place to comment on technical town planning matters. We will leave Prospect Homes and their consultants to address these comments. Where we do feel obliged to respond is linked to the incorrect comments you have made in relation to the status of the Property as being affordable housing for key workers. This letter therefore responds to the following points

1. Rental Values
2. Demand & Condition

3. The Council's desire to acquire the Property

1. Rental Values

Whilst we are delighted that you have acknowledged that the principle of residential use is considered acceptable, we disagree that the redevelopment of the Property would result in the loss of affordable rented properties. The houses on Mitton Road have never been encumbered with any S106 agreement or restriction on title that the houses must be used in perpetuity as affordable housing for key workers. As far as the Trust is aware, any of these houses could be passed to a local estate agent and let to anyone at a Market Rent. By way of background, the Trust had the whole of the Whalley site transferred to them when Calderstones NHS Trust was dissolved and all property assets were transferred via a statutory transfer. The internal corporate knowledge is therefore limited, but what is clear is that any current difference between passing rent and market rental levels of the houses is down to the fact that letting the residual houses was not the core business of the current Estates & Facilities team so no thought was given to the possibility of implementing rent reviews particularly when the houses were identified for disposal. Whilst the Trust has not managed or actively pursued reviewing the rent of each property, we have taken the opportunity to carry out high level comparison of the rents of the most recently occupied houses against what is currently available on Rightmove in Whalley. We set out below the level of rents that are being/were paid:

Property Address	Rent Per Calendar Month ("PCM")
6 Queen Mary Terrace	£540
12 Queen Mary Terrace	£525
15 Bridge Terrace	£540
27 Bridge Terrace	£580
29 Bridge Terrace	£570
31 Bridge Terrace	£570
32 Bridge Terrace	£580

A search on Rightmove will show a range of rents for 2 and 3 bedroom houses, the majority of which are based on second hand stock. We agree that one would expect to see a range of rents in a location like this linked to the age and condition of property. The current evidence suggests that based on the range currently available on the market, the Trust is receiving in most cases, rents in excess of what is available. By way of example, a simple search at the date of this letter identifies an unfurnished house on Railway View described as being "mid terrace with off road parking" and located a similar distance from Whalley and now let at £550pcm. We therefore believe that it can easily be demonstrated that the Trust's houses, based on the location and distance from Whalley village; current fit out; specification and condition, that the Trust is receiving a Market Rent and not an affordable rent as described by you.

In conclusion;

the Property is not an affordable product; is not restricted or encumbered to be affordable housing and the rental levels being paid are akin to Market Rent.

2. Demand and condition.

You have stated that due to the lack of maintenance and upkeep of the Property that the Trust has forced many tenants to leave. This incorrect statement does not show any understanding of the trend across the NHS where the demand for staff to live 'on site' has diminished. A recent survey by the Royal College of Nursing has also highlighted this. NHS staff have therefore turned to the private sale or rental market to secure a home. It is perhaps more pertinent in the mental health sector where staff are faced with a challenging work life/ environment and they require some physical and psychological distance away from the place that they work. As stated above it is not the core business for any NHS Trust to own, manage or let residential accommodation. The lack of sufficient demand therefore does not warrant much needed financial resource to be diverted away from the clinical front line to the refurbishment of property. In fact, a capital receipt from the sale of this Property will help the Trust to maintain and enhance its clinical estate to deliver much needed healthcare facilities across the Trust's portfolio

Of the households remaining at the Property, you have highlighted that all currently work for the Trust or have worked in the past. We would like to correct this statement as only one tenant is an active member of staff and the Trust therefore does not see that it should be offering houses to those who no longer work for them

Whilst you have stated that some of the tenants in the Property have come forward for your assistance to be rehoused, some of them came forward to acquire their own Property during the marketing campaign last year. During the recent marketing campaign, mortgage offers were secured with evidence of the deposits required to meet the offer prices for the house. Due to the fact that the Trust did not receive offers on all of the houses by single occupants the best route forward was to sell all of the units as a single lot. The reason for highlighting this is that one of the remaining tenants bid to purchase their property during the marketing campaign so must have access to the funds necessary to move on into private accommodation and therefore it is not for an NHS body to continue to accommodate people who no longer work at the Trust and can clearly afford to move out. In fact, one household has revealed that they have an offer in for a house and will relocate when they complete in approximately 9 weeks.

In conclusion; It is not the core business for any NHS Trust to own, manage or let residential accommodation. A capital receipt from the sale of this Property will help the Trust to maintain and enhance its clinical estate which supports the Trust's core business. Furthermore, only one of the remaining tenants is an active Trust staff

member and another tenant has demonstrated that they do have the means to acquire a suitable property.

3. The Council's desire to acquire the Property

You have commented that the Council tried to secure a sale a sale of the Property. This is correct, however, again we feel it is important to set out some of the history of this interaction to provide valuable context to the comments that you have made. Initial interest was put forward a couple of years ago by Moss St Vincent via Colin Hirst. At that point in time there was no discussion about how much they would pay. Subsequently Moss St Vincent's did put forward a bid of £4.2m before our agent, Montagu Evans was appointed. This bid was based on zero due diligence and was highly caveated. There was no confidence that the offer on paper would translate into a transaction.

Like any Public Sector organisation, the Trust must secure best value for the sale of their assets. This is enshrined in Health Building Note 00-08, or more colloquially known as NHS Estatecode. Moss St Vincent's were informed them that they were not classed as a Priority Purchaser and for a sale to proceed the Trust required an open and transparent marketing process to demonstrate value for money for the Public Purse. This was understood by the Moss St Vincent's representative and they were invited to bid late last year with the rest of the market. Moss St Vincent's were provided with marketing collateral and access to the on-line information pack. Viewings were carried out by them with and their contractors. A bid was issued by the deadline and was sub £1m. Their offer was based on full demolition of all the houses with a new build scheme. The Trust received 16 offers and Moss St Vincent's offer was completely out of kilter with the tone of the rest of the market. At this point their offer was dismissed.

In conclusion the body representing the Council on the acquisition was given an equal opportunity to perform and acquire the Property, however the offer put forward did not represent best value in accordance with NHS Estatecode.

We trust that this letter helps clarifies the Trust's position in relation to the inaccurate assumptions made about the affordable status of this Property. We understand that Prospect Homes will have to provide some affordable housing associated with their redevelopment proposals and that this should be based on the uplift in the number of dwellings that currently exist. There are currently 32 dwellings and therefore the scheme proposal of 49 dwellings suggests that they will provide 5 units (which is 30% of the 17 extra units being constructed). We understand that this is in accordance with your Housing Needs Assessment dated January 2012 Appendix 1, point 2, at page 8 states that:

"Where dwellings are to be re-developed/replaced, the net additional dwellings created will determine the required provision".

Your policy seems clear that our selected developer is proposing a policy compliant scheme. The Trust is therefore supportive of the developer in its aspirations to improve and enhance this corner of the Whalley Hospital site with good quality homes. We would therefore like the Council to support the development of this site in a positive way and help deliver a much needed capital receipt for the NHS.

Yours sincerely

A rectangular area of the document has been redacted, obscuring the signature of Elaine Darbyshire. The redaction is a solid grey block.

Elaine Darbyshire
Executive Director of Communications and Governance

APPENDIX 3 – COUNCIL EMAIL RE BASIS FOR AFFORDABLE HOUSING– 24/09/2020

Graham Lamb

From: Laura Eastwood
Sent: 24 September
To: Graham Lamb
Subject: RE: Mitton Road Pre-App - Basis for calculating S106 and affordable housing contributions

Afternoon Graham,

Thank you for your email and further to my written response

We have discussed the affordable housing offer internally with respect to whether it would be based on the net additional or full amount and whilst the demolition is effectively a loss of affordable units ultimately we have to base our position on the policy. Our Addressing Housing Needs document sets out the way we would make the assessment and our opinion is that is what we must apply.

Policy DMH1 Sets out the affordable housing criteria which is 30% in this case is 5.1 dwellings and the proposal to maximise the contribution amount with 4 beds is welcomed.

I don't recall saying there is no demand for bungalows, but in any case as Stephen has advised the building regulation requirement which we require for the over 55s accommodation (15% of the net increase in dwellings and 50% of which are affordable) is M4(2) and some over 55s may be put off by dwellings with upper floor accommodation.

Hope this helps

Kind regards

Laura Eastwood MRTPI | Principal Planning Officer
Ribble Valley Borough Council
www.ribblevalley.gov.uk

From: G >
Sent: 24
To: Laur <>
Cc: John
Subject: RE: Mitton Road Pre-App - Basis for calculating S106 and affordable housing contributions

Hi Laura,

I spoke with John yesterday regarding this matter and he ultimately supported our position in respect of affordable provision (being based on the net additional dwellings i.e. 17, rather than the full 49), although highlighting that members and consultees may see things differently given historic use of the site.

We have evidence from the landowner over how the status and usage of the housing has changed over time which supports our position, so will consider how we feed this into the process to address that issue.

APPENDIX 4 –COUNCIL EMAIL RE ELDERLY HOUSING REQUIREMENT– 24/09/2020

Graham Lamb

From: Stephen Kilmar
Sent: 24 September 2015
To: Graham Lamb
Cc: John Macholc
Subject: RE: Building Reg requirement for elderly housing provision in Ribble Valley?

Graham,

I don't think 'adaptable' in isolation would be considered to meet the definitions which are as follows:

"Bungalow" means a unit of accommodation that provides a principle bedroom and bathroom at ground floor, in addition to and without compromising kitchen/dining and living room provision, all of which shall be designed to meet national space standards. All internal and external arrangements of the unit of accommodation / dwelling shall also accord with specifications and requirements of category 2 housing as defined in M4(2) of Approved Document M (volume 1 2015) of The Building regulations 2010 (or any subsequent revisions). For the avoidance of doubt the ground floor accommodation shall possess the ability to be habitable without necessitating the need for access to upper floor accommodation by the user.

This definition is enshrined within Section 106 agreements to ensure that proposals for bungalow housing for those aged over 55 are suitable for occupation for those that may experience mobility impairment in later years and to ensure residential units provide ground floor accommodation that possesses the ability to be habitable without necessitating the need for access to upper floor accommodation by the primary user/occupier. In essence a primary double bedroom at ground floor level and an adequate sized bathroom to also accommodate the above requirements without compromising other primary habitable rooms or floorspace.

With the definition of accommodation for those aged 55 and over being as follows:

A unit of accommodation/dwelling that shall not be occupied by a person under the age of 55 years except that in circumstances of a married couple or civil partnership at least one person in the married couple or civil partnership is not less than 55 years of age. The internal arrangements of the unit of accommodation/dwelling shall accord with the specifications and requirements of category 2 housing as defined in M4(2) of Approved Document M (volume 1 2015) of The Building regulations 201 (or any subsequent revisions).

It really depends on what you are being asked to provide as there is of course a hybrid definition of a 'bungalow for those over 55' which is the bungalow definition with an added age occupation restriction mechanism.

As you will appreciate we would prefer that such bungalows are 'true' bungalows. True bungalows would clearly meet the need for individuals who want/require bungalow accommodation but may be put off by the presence of first floor accommodation. In essence, having a first floor may actually appear less desirable for the target group/demographic and preclude the dwelling being purchased/rented by the target group/demographic because they have no need for first floor accommodation which will be largely redundant.

In the absence of knowing whether the proposal is full or in outline (including the mix/tenure) I am unable to provide a detailed response.

I trust this answers your query.

Regards

Stephen Kilmartin