

Summary Planning Statement

October 2021

23 Whalley Road, Wilpshire BB1 9LQ

1.0. Introduction

This Summary Planning Statement is submitted to Ribble Valley Borough Council on behalf of TL Connections Ltd (hereafter referred to as the 'Applicant'), in support of a planning application for the:

"Proposed change of use and exterior alterations of a former photography studio (Use Class E) to three flats (Use Class C3) and associated infrastructure."

The application site (hereafter referred to as the 'Site') comprises an existing built development of a substantial 2/3 storey building.

The proposed floorplans and elevations submitted with the application demonstrate the ability to deliver with ease and within the space available a scheme that will integrate well with the existing surroundings.

This Statement sets out the context for the property, appraises the Site's location, key technical considerations and considers relevant up-to-date planning policy framework of relevance to the Site and summarises the case for the conversion.

The proposal responds directly to the need to deliver high quality housing in Ribble Valley and its suburbs in the short-term in a highly sustainable location.

2.0 The Site and Location

The property has since 1999 been utilised as a Photography Studio (including sales) with ancillary, printing and framing service. The building is laid out over three floors, although from the principal elevation it appears two-storey as the Site's topography decreases to the west. The overall floor area of the building extends to 185 sq.m. The property is supported

by 124 sq.m of land that includes off street parking to the front for in the region of three cars. The building has been vacant since at least March 2019. During this time, the owner has sought to sell or let the building with three separate agents for commercial reuse but there has been no interest.

A retail sales Photography Studio falls within the Use Class E Commercial, Business and Service.

The property is situated along Whalley Road a strategic route connecting Blackburn to Whalley, Clitheroe and beyond.

Just to the north and south are the closest bus stops that have a variety of frequent services (No's 22,856, 862, 722, 860), which serve Clitheroe Town Centre, Blackburn Town Centre, Roe Lee, Wilpshire and Mellor Brook. At Wilpshire/Ramsgreave just 900m is the nearest train station, accessible by footpath or bus with ease.

The principal elevation of the property facing Whalley Rd appears detached but in fact is connected to the rear (with No. 25) adjoining a two-storey building in an unusual terrace format. It comprises a lower ground floor, ground floor and first floor. The property ideally lends itself to the provision of an individual 2-bedroom flat on each floor (as proposed). The property fronts Whalley Rd, a main strategic route through Wilpshire. The adjoining building comprises windows in the eastern elevation. It is assumed this is residential. The property has an array of large windows to the eastern elevation and several small windows to the northern and southern elevations.

The property is accessed from the principle front elevation and a secondary access point to the lower ground floor along the southern elevation.

Along Whalley Rd adjacent and opposite are what appears to be other residential properties, these range in style from terraced to semi-detached to detached. To the north is Wilpshire Golf Club, immediately south just 100m away is a butchers and a kitchen/interior design business and the Wilpshire Hotel/public house. In Wilpshire (around 900m away) the area is

served by any more day to day facilities such as bakers, hair salons, barbers, convenience store (Co-Op), takeaways, dog groomers, the Rising Sun and car dealership. Salesbury Church of England Primary School is approximately 1Km away. There is also Ramsgreave Primary School and Roe Lee Park Primary School, both accessible and Pleckgate High just 1.6, from the Site.

The property is located in a highly sustainable area.

3.0 Technical Considerations

A detailed Design and Access Statement is submitted alongside the application. In summary the proposed three flats provide for and meet the national minimum floor space standards for internal amenity provision each 61sq.m or more. The application seeks improvements to the front elevation to remove the commercial aspects and replace with new doors and windows more befitting of residential properties. Externally a new access path is created with provision for three off street parking spaces. A large, stepped communal garden/amenity area is provided for the residents in addition secure and weatherproof cycle storage (for six cycles-two per flat) and separate visitor cycle stands are provided. There is sufficient waste storage area, for refuse and recycling that can easily be taken to the curb side for collection and returned.

Additional landscaping and boundary treatments are proposed to enhance the Site.

The Technical (Transport) Note submitted with the planning application assesses the sites sustainability, road safety, site accessibility and parking provision against policy and likely parking requirements. It concludes that the proposed development will not have a severe impact on the local highway network and there are no grounds for refusal.

The Noise Impact Assessment submitted with the planning application considers the external uses and any potential impacts on the proposed inhabitants. This concludes subject to recommendations on window specification and ventilation the internal residential amenity of the residents can be achieved. there are no acoustic grounds for refusal of the application.

A review of the Environment Agency's mapping system at gov.uk identifies the Site is not within a zone at risk of flooding. An assessment of the nearby Air Quality Management Areas has also been undertaken through the Department for Environment Food and Rural Affairs (DEFRA) and the site is not within an air quality management zone. The site is connected to the main drainage network.

There are therefore no relevant technical matters preventing the change of use of the building.

4.0 Planning Policy Overview

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) compliments this requirement.

The revised NPPF was updated in 2021 and sets out the Government's planning policies for England and how these are expected to be applied, alongside other national planning policies.

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 of the NPPF establishes that for decision taking this means:

- "approving development proposals that accord with an up-to-date Development Plan without delay; or

- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; [for example...land designated as Green Belt...designated heritage assets]) or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

The NPPF reiterates that planning law requires that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise against the policies of the NPPF as a whole.

Paragraph 11, footnote 7 of the NPPF establishes that, for applications involving the provision of housing, the policies which are most important for determining the application should not be considered up to date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites; it is acknowledged there is also however recent caselaw on this matter.

The Council's latest 5-year deliverable housing land supply paper is dated September 2019, this identifies that the council can demonstrate 6.6 years supply. It is worthy of note that since this last assessment, the Government has updated the standard methodology as to 'how' the 5-year deliverable supply should be assessed. Also given it is some two years since this assessment where new permissions have been granted and housing schemes have been delivered. Given the minor nature of the change of use planning application, and this figure is likely to have changed, therefore little consideration is given to it in the context of this application. The focus instead is on the strategic aspirations of the development Plan.

The Development Plan

The Council have an adopted Development Plan that is utilised for development management matters (assessment of planning applications).

For the purposes of this application, the Development Plan consists of the:

- Core Strategy 2008-2028 (adopted 2014) A Local Plan for Ribble Valley; and
- Housing and Economic Development Plan Document (DPD), 2019.

The Site is located within the settlement boundary of Wilpshire. The Site within the urban area does not benefit from any specific designations. Ribble Valley it is understood has 22 Conservation Areas, Wilpshire is not designated as a Conservation Area.

This Statement will therefore consider those policies of the Development Plan of most relevance. The design policies are considered in the Design and Access Statement.

Core Strategy

Policy DS1: Development Strategy advocates that the majority of housing development will be concentrated in the principal settlements, in addition development will be focused in Tier 1 villages which includes Wilpshire. The policies advise that for the plan period 66 new homes are required for Wilpshire, between 2008-2014, just 21 were identified as committed. The application proposals **comply** with policy DM1.

Policy DS2- Presumption in Favour of Sustainable Development, advocates the promotion of development that accords with the Development Plan. The application proposals are considered to **comply** with policy DM2.

Policy EN3- Sustainable Development and Climate Change- this policy requires developments to set out how sustainable development principles have been considered and incorporated within the development. A range of energy efficiency measures are proposed as set out in the Design and Access Statement. The application proposals **comply** with this policy.

Policy EN4- Biodiversity and Geodiversity- this policy encourages the opportunity through new development to enhance biodiversity. The landscaped amenity area of the application provides the opportunity to introduce new species such as berry rich plants to encourage biodiversity. The application **complies** with this policy.

Policy K2- Housing Balance- this policy promotes a mix of house types in developments. Whilst the application proposals just promote residential flats, this is due to the small minor scale of the scheme and the constraints of working with the building and thus it is difficult to provide a mix, what is important and relevant however is the provision of flats to the area will compliment the dwellinghouses prevalent in the area, providing greater opportunity and options to the local housing market provision. It is considered on this basis that the application therefore **complies** with the principals of this policy.

Policy H3-Affordable Housing-requires developments of five or more houses or on sites of 0.2hectres or more to deliver 30% affordable housing. The application proposal is for only three flats and on a site of 0.02hectare (200 sq.m), thus this policy is not relevant to the application.

Policy DM1- Planning Obligations advocates that these will be utilised to deliver development that meets the needs of communities and will be negotiated on a site-by-site basis. Given the very minor nature of the change of use it is not anticipated that planning obligations will arise. Policy DM1 general Consideration is considered in the Design and Access Statement and the proposed development is able to **comply** with the policy.

Policy DM2- Strategic Considerations-advocates that development shall be in accordance with the spatial vision which includes development in Tier 1 locations such as Wilpshire. The application **complies** with policy DM1.

Policy DMG3 -Transport and Mobility-advises it attaches considerable weight to the ability and availability of public transport and infrastructure to serve developments. The application is well located with good access to local facilities by non-car modes and encourages cycling through the provision of secure and weatherproof storage. The application **complies** with Policy DMG3.

Material Considerations

It is worthy of note (and thus material) that the Applicant's approach to the utilisation of a vacant building to create high quality new living accommodation, introduces a greater mix of uses in the area, contributing to Ribble Valley's, housing need, more footfall from the new residents frequenting the local shops and services of the local centre, thus contributing to the

vitality and viability of these local businesses is entirely in line with the Government's recent changes to legislation. The utilisation of vacant commercial floorspace, is at the forefront of the Government's recent changes in 2020 and most recently in August 2021 to the Use Class Order and the General Permitted Development Order, seeking to prevent long-term vacancy of shops and commercial premises is indeed central to legislative changes. Such an approach, even more important in current times, to assist with anticipated potential greater regeneration requirements and support for towns and villages following the impacts of the pandemic. Thus, this building is a prime example that has been vacant for more than two years but which is evidently capable of being reused for alternative residential accommodation. Indeed, the GPDO 2015 (as amended) Schedule 2, Part 3, Class MA allows the change of use of Class buildings to residential, subject to meeting a number of conditions including various prior approval matters. This measure does not allow for building operations (new windows etc). The building could be converted on the ground floor and first floor (and thus to two flats) under this measure as it could meet all the conditions and each of the prior approval requirements. Better use of the building can be delivered and greater window provision in turn enables a more amiable residential environment (thus the submission of this application). However, this a material consideration in the determination of this planning application.

5.0 Conclusion

The proposal responds directly to the opportunity to convert and regenerate a vacant building in the heart of the residential area. The application is promoted in an entirely preferable Tier 1 strategic location for future housing development and thus responds to the need to contribute to the identified need of the area.

The application is able to **comply** with all relevant Development Plan policies. In line with S38(6) of The Planning and Compulsory Purchase Act (2006), the application should therefore be approved as it is consistent with the Development Plan policy aspirations and no negative material considerations have been identified otherwise.

The Site is in a highly sustainable location with access to day-to-day facilities, with off-street parking available, new cycle storage provision but importantly ease of access to public transport.

There are no known constraints to delivery. The building has been vacant for some time and as an experienced developer the applicant has a team of construction and conversion specialists to deliver the development swiftly following the grant of planning permission.

The application is considered to comply with the aspirations of the Development Plan and national planning policy, thus in line with paragraph 11 of the NPPF, the presumption in favour of sustainable development applies and the Council are asked to **approve** the planning application accordingly.

End.

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