

**Steven Abbott Associates LLP**  
Chartered Town Planners

## **PLANNING STATEMENT**

R Cornish and A Ferguson (as Trustees), The Standen Estate

Outline Planning Application for Residential Development  
on Land at Littlemoor, Clitheroe

April 2012



## **CONTENTS**

1. INTRODUCTION .....	3
2. THE SITE AND SURROUNDING AREA .....	5
3. PLANNING POLICY CONTEXT .....	7
4. THE PROPOSED DEVELOPMENT .....	23
5. EVALUATION OF PROPOSALS .....	25
6. SUMMARY AND CONCLUSIONS .....	33

## **1. INTRODUCTION**

- 1.1. This statement is submitted in support of an outline planning application for the residential development of land to the north and west of Littlemoor, Clitheroe. All matters are reserved, with the exception of the proposed means of access.
- 1.2. The proposed development will be for up to 49 dwellings with associated roads, open space, landscaping and related elements.
- 1.3. The site is part of the Standen Estate, which is a major land owner in the Ribble Valley, particularly in and around Clitheroe.
- 1.4. A formal pre-application consultation process was undertaken with the Local Planning Authority by Steven Abbott Associates LLP on behalf of the applicants in October 2011, which resulted in a letter from the Local Planning Authority dated 13<sup>th</sup> December 2011. The letter is included within the Statement of Community Involvement, which is attached as Appendix 1. The issues raised by the Local Planning Authority in that letter are addressed in this statement or in the supporting information referred to below.
- 1.5. The application is supported by the following documents, in accordance with local and national guidance:
- Statement of Community Involvement (Appendix 1 to this statement);
  - Design and Access Statement (produced by Taylor Young) ;
  - Transportation Assessment (produced by Royal Haskoning UK Ltd);
  - Topographical Survey (produced by Survey Operations)
  - Ecological Survey and Assessment (produced by ERAP Ltd);
  - Arboricultural Survey and Report (produced by Trevor Bridge Associates);
  - Noise Impact Assessment (produced by Royal Haskoning Ltd)

- Air Quality Assessment (produced by Royal Haskoning Ltd)
- Flood Risk Assessment (produced by AMEC Ltd)
- Services Statement (produced by AMEC Ltd).

1.6. The remainder of this statement is set out as follows:

- Section 2 The site and surrounding area;
- Section 3 Planning policy context;
- Section 4 The proposed development;
- Section 5 Evaluation of proposals;
- Section 6 Summary and conclusions.

## **2. THE SITE AND SURROUNDING AREA**

- 2.1. The site has an area of 1.75 ha (4.3 acres) and is located within the Clitheroe settlement boundary (as indicated on the Ribble Valley Districtwide Local Plan Proposals Map) towards the south east edge of the town.
- 2.2. The irregularly shaped site is located to the north of Littlemoor House, Holly Lodge and the site of the former Primrose/Barkers Nursery, which has an extant outline planning permission for residential development including a nursing home. To the west of the site is a recently redeveloped petrol filling station and convenience store which fronts onto Whalley Road. The petrol filling station site is at a significantly higher level than the adjacent part of the application site and has a large close boarded fence above a retaining wall on its boundary with the application site. Within the application site on this boundary are a number of semi-mature trees which were planted around ten years ago.
- 2.3. To the north-west is a small cul de sac of traditional terraced houses (Little Moor View). On the north eastern boundary of the site is a stone wall, beyond which is a footpath and, to the north, a recent housing development known as Copperfield Close. To the south and east of Copperfield Close is a single rugby pitch which is used by Clitheroe RUFC. The pitch is separated from the application site by the footpath and the stone wall described above.
- 2.4. Beyond the immediate boundaries of the application site, the character of the surrounding area is predominantly residential, with a mixture of newer properties (Copperfield Close) and more mature properties elsewhere. The dwellings which front onto Whalley Road are almost exclusively terraced, while those to the east of Littlemoor Road are generally semi-detached or detached.
- 2.5. To the rear and east of the properties on Littlemoor adjacent to the application site are open fields in agriculture use. These fields are owned by the applicants and are farmed by tenant farmers.

- 2.6. The application site generally slopes gently from Littlemoor down towards its western boundary. It is in agricultural use and is currently used for grazing cattle. There is no public access into the site. The Littlemoor frontage consists of a mature hedge approximately 1.5m in height, with a field gate mid way along. There are a number of mature and semi-mature trees and hedges on the field boundaries and none of significance within the field. The arboricultural survey submitted with this application provides a full description of each of these trees.
- 2.7. Access to Whalley Road and to the town centre beyond, is via the footpath referred to above.

### 3. PLANNING POLICY CONTEXT

- 3.1. The local, regional and national planning policy context is currently in the midst of a significant period of transition, with the publication of the National Planning Policy Framework (NPPF) on 27 March 2012 and the enactment of the Localism Act in November 2011 (although not every part or section of the Act came into force then).
- 3.2. Annex 1 to the NPPF states that for twelve months following the date of publication of the NPPF, *“decision takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. In other cases and following this 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”*
- 3.3. Due weight may also be given to relevant policies in emerging plans, according to the stage of preparation of the emerging plans, the extent to which there are unresolved objections to those plans and the degree of consistency of the relevant policies to the policies in the NPPF.
- 3.4. As the Ribble Valley Districtwide Local Plan was adopted in June 1998, its saved policies can only be given any weight if they are consistent with the NPPF policies. Those which are not consistent with the NPPF can be given only minimal weight.
- 3.5. The Ribble Valley Core Strategy has now reached the publication draft (regulation 27) consultation stage, with the document due to be published for public consultation in late April 2012. The Core Strategy incorporates the development strategy for the borough, together with development management policies. When it completes its passage through the necessary consultation and examination procedures, it will, together with the forthcoming Site Allocations Development Plan Document, replace the existing local plan and will constitute the local development plan for Ribble Valley. At present limited weight can be given to the policies within the Core Strategy.

- 3.6. Regional Spatial Strategies will be finally revoked in the near future, in accordance with the provisions of section 109 of the Localism Act 2011.
- 3.7. Consequently, the planning policy context for this application currently consists of the following documents:
- The saved policies of the Ribble Valley Districtwide Local Plan 1998, insofar as these are consistent with the National Planning Policy Framework.
  - The North West of England Plan – Regional Spatial Strategy to 2021 (until it is revoked).
  - The emerging Ribble Valley Core Strategy and its evidence base.
  - The National Planning Policy Framework.
- 3.8. Relevant policies from each of these are detailed below.

**The Ribble Valley Districtwide Local Plan**

- 3.9. The local plan was adopted in June 1998 and was programmed to run until mid 2006, to match the timescales of the Lancashire Structure Plan Review. The Structure Plan Review no longer forms any part of the development plan. The consultation and background research which informed the local plan's strategy and policies began in January 1994, some 18 years ago
- 3.10. In September 2007 a number of the local plan policies were saved in accordance with the transitional powers of the Planning and Compulsory Purchase Act 2004. The most relevant of these are addressed below, together with the broader statements contained within the document.
- 3.11. The local plan is taken to be the land use expression of Ribble Valley Borough Council's mission statement, which says:



*“our aims are to identify, develop and promote the social, economic, cultural and physical well-being of the community of Ribble Valley in the most efficient, effective and economic manner consistent with the rural nature of the area.”*

- 3.12. The broad statement is developed further by a series of aims and objectives relating to the environment, the economy and quality of life. The objectives most relevant to the current proposal are as follows:

**Environment**

- To safeguard all open land from unnecessary development;
- To promote an increase in the total tree cover in the district and increase the proportion of trees/woodland in a healthy condition;
- To maintain and enhance hedgerows;
- To direct development in a way that minimises the use of private car transport;
- To protect the best and most versatile agricultural land;

**Quality of Life**

- To meet housing and employment needs in the Borough by the allocation of land as necessary;
- To make specific provision for locally generated housing needs;
- To provide for special needs housing;
- To ensure all residents have good access to the countryside, sports and entertainment facilities, shops, health care and all other facilities;
- To offer residents of the area and enterprises within the area a clear indication of the likely future pattern of development.

### **Policy G1 – Development Control**

- 3.13. The policy requires all developments to provide a high standard of building design and landscape quality. A criteria-based approach will be taken to the determination of planning applications. Thirteen criteria are listed in the policy and in certain cases other additional factors may be taken into account. Each of these criteria has been taken into account in bringing forward the proposals contained in this application.

### **Policy G2 – Settlement Strategy**

- 3.14. Development is to be directed mainly towards land within the main settlement boundaries as defined on the proposals map. Within Clitheroe, the scale of development which is stated to be appropriate is the consolidation, expansion and rounding off of the town, which in all cases must be on sites which are wholly within the settlement boundary and must be appropriate to the town's size and form. The application site lies wholly within the settlement boundaries of Clitheroe and the proposed residential development of it is considered to be a rounding off and consolidation of the town.

### **Policy G6 – Essential Spaces**

- 3.15. The policy contains a presumption against development on land designated as essential open space unless such development *"does not compromise the visual quality and value of general openness or the recreational value of the site or unless warranted by overriding material considerations in the public interest"*. The application site is at the southern end of a much larger area of essential open space, part of which has now been developed (Copperfield Close). The other parts of the wider area of Policy G6 designated land consist of formal sports facilities in the form of the adjacent rugby pitch and the cricket ground to the north of that.
- 3.16. The supporting text to the policy states that the areas of essential open space were designated to have regard to *"the need to protect the sites from unnecessary developments in order to preserve the characteristics of the plan area; to protect sites which have a significant amenity value due to visual quality of the site and to preserve sites of important*

*recreational open space.*” Unlike the two sports field areas to the north, the application site has no recreational use or function. The application site does not have any significant amenity value in Policy G6 terms and it is impossible to establish what criteria were used or judgement made to identify the site as having any such site specific value when this process was undertaken in the early 1990s. In any event, this policy is not considered to be consistent with the policies in the NPPF, which requires any policies on open space matters to be based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. This issue is addressed further in section five of this statement.

#### **Policy G11 – Crime Prevention**

- 3.17. Development proposals are required to fully take account of the need to design, lay out and landscape development in a manner which reduced the risk of crime. The outline proposals which are submitted in this application have been discussed with the Pennine Architectural Liaison Officer and take into account the “Secure by Design” principles.

#### **Policy EN6 – Agricultural Land**

- 3.18. The best and most versatile agricultural land is to be safeguarded. The application site is classified as Grade 3.

#### **Policy EN7 – Species Protection**

- 3.19. The policy seeks to prevent any adverse effects of development on any protected wildlife species. An ecological survey has been carried out for the application site which shows that no such protected wildlife species will be adversely affected by the development. The ecological survey and report are submitted with this application.

#### **Policy H19 – Policy Applied to Large Developments in the Main Settlements and Allocated Sites (Affordable Housing)**

- 3.20. The policy now needs to be read with the Council’s document “Affordable Housing Memorandum of Understanding” and the June 2011 document “Addressing Housing Need

in Ribble Valley.” The former document establishes a threshold of 10 or more dwellings or sites of 0.5 ha or more for the provision of affordable housing on new residential developments. On schemes which meet or exceed this threshold, the Council will seek affordable housing provision at 30% of the total units on the site.

- 3.21. The preferred type of tenure in Clitheroe and Longridge is currently social rented units. The Memorandum of Understanding also requires that a draft Section 106 agreement detailing the affordable housing arrangements must be submitted with all planning applications for development which generate a requirement for affordable housing.
- 3.22. The “Addressing Housing Need in Ribble Valley” document maintains the target of 30% of affordable housing on qualifying sites but adds a requirement of 15% housing on sites of 30 units or more to be for the elderly, of which half should be affordable and which will be included within the overall target of 30% affordable housing. The remaining half of the elderly accommodation can be sold or rented at market values, although these units will be restricted to ownership/occupation by residents with a local connection.
- 3.23. The submitted proposals accommodate the required need for both affordable housing and housing to serve the needs of the elderly. A total of 15 affordable dwellings will be provided, consisting of a mix of bungalows and houses provided as shared ownership and affordable rented to meet the requirements of the Council’s Strategic Housing Officer. Heads of terms of the proposed S106 agreement are included as Appendix 2 to this statement.

#### **Policy RT8 – Open Space Provision**

The policy requires all residential sites of over 1 hectare to provide on-site public open space. The standard of provision is set out in policy RT9, which is not a saved policy and therefore the Local Planning Authority considers that applicants should determine and seek to justify an appropriate level of open space. The submitted illustrative layout shows an area of open space adjacent to the rugby field which is considered to be appropriate for this scale of development in this location, particularly as there are existing open space and children’s play facilities close to the site.

### **Policy T1 – Development Proposals**

- 3.24. This policy provides a general transport and mobility background against which development proposals will be assessed. Each development proposed will be considered against eight broad criteria including the adequacy of public transport to serve the development, the relationship of the site to the primary route network, and the accessibility for the site by pedestrians, cyclists and those with reduced mobility. The submitted Transportation Assessment addresses these issues in some detail. Since that document was produced, a proposal to reduce the speed limit on the northern end of Littlemoor and Littlemoor Road (and many other roads in Clitheroe and elsewhere in the borough) has been introduced by Lancashire County Council. When this is confirmed, it will reduce the speed limit in this area to 20 mph, from the existing 30mph and will thus significantly slow the average speed of traffic in the area of the application site.

### **Policy T7 – Parking Provision**

- 3.25. All developments are required to provide adequate car parking. The supporting text to the policy recognises that the nature of Ribble Valley as a large rural district is such that it is essential to recognise that car use will be a principal way of getting to work, shopping and visiting leisure facilities.

### **The North West of England Plan: Regional Spatial Strategy to 2021**

- 3.26. The Government has signalled its intention to revoke all regional spatial strategies under powers provided by the 2011 Localism Act as part of its planned decentralisation of planning policy. For the present time the North West Regional Spatial Strategy forms a part of the development plan for Ribble Valley and the following policies remain of some relevance to the submitted application.

### **DP1 Spatial Principles**

- 3.27. A number of stated principles underpin the RSS including the promotion of sustainable communities and promoting environmental quality. The provision of up to 49 dwellings on a highly sustainable urban site entirely accords with these principles.

- 3.28. Policies DP2 to DP9 elaborate on each of the principles. Policy DP4 (Making the Best Use of Existing Resources and Infrastructure) states that priority should be given to developments in locations consistent with the regional and sub-regional spatial frameworks as set out in the RSS. Again, the proposed development of up to 49 dwellings on this highly sustainable urban site entirely accords with these policies.

#### **RDF2 Rural Areas**

- 3.29. This aims to focus development in rural areas in Key Service Centres, which will act as service centres for the surrounding areas. Development within such centres should be of a scale and nature appropriate to fulfil the needs of local communities for housing, employment and services.
- 3.30. In Ribble Valley, the three Key Service Centres are Clitheroe, Longridge and Whalley, although the September 2008 Settlement Hierarchy document identifies Clitheroe as *“the most significant settlement within the Borough, with the best provision of services and facilities.”* This hierarchy was accepted by the Inspector in the recent appeal decision in respect of land at Henthorn Road, Clitheroe, by Gladman Developments Ltd (hereafter referred to as the Gladman appeal).

#### **L4 Regional Housing Provision**

- 3.31. This policy identified the average annual housing requirement for each local planning authority area for the period 2003-2021. The annual figure for Ribble Valley is 161 dwellings or 2,900 dwellings for the RSS period. Revised future levels of provision are discussed later in this statement.

#### **Emerging Policies and Evidence Base**

##### **Ribble Valley Core Strategy – A Local Plan for Ribble Valley 2008 - 2028**

- 3.32. The regulation 25 (Draft Core Strategy) public consultation took place between August and October 2010. As a result of the response to this exercise a further consultation took place between June and August 2011, setting out some additional alternative options. In

December 2011 a report was presented to members of the Ribble Valley Planning and Development Committee on the direction of travel/outline approach of the Core Strategy. This latter document identified a strategic site to the south of Clitheroe as the focus for residential development in the Borough for the plan period (up to 2028) with residual development in Clitheroe and elsewhere. The strategic site is in the ownership of the applicant but the current application has no direct relationship with the larger strategic site.

- 3.33. The regulation 27 (Publication Version) public consultation on the Core Strategy will take place from mid-April 2012, based upon the strategic site option identified above. It is currently intended that the Core Strategy will be adopted by the end of 2012.
- 3.34. A report was presented to the Planning and Development Committee on 4<sup>th</sup> April 2012 to agree the preferred option and the publication of the Core Strategy Regulation 27 Draft for Public Consultation. The following emerging key statements are considered to be relevant to this application.
- 3.35. Housing Provision – land for residential development will be made available to deliver 4,000 dwellings estimated at an average annual completion rate of at least 200 dwellings per year for the period 2008 – 2028. A ‘plan-monitor-manage’ approach will be adopted to track the rolling five year supply.
- 3.36. Housing balance – planning permission will only be granted for residential development if it can be demonstrated that it delivers a suitable mix of housing that accords with projected requirements and local needs.
- 3.37. Affordable housing – 30% provision of affordable housing will be required on sites of 10 dwellings or more or 0.5 ha or more.
- 3.38. Planning Obligations – planning obligations will be used to deliver development that contributes to the needs of local communities and sustainable development. Obligations will be sought in the following order of priority:

- Affordable housing

- Highway safety improvements
- Open space
- Education

3.39 Transport considerations – new development should be located to minimise the need to travel.

3.40. Although these key statements are unlikely to become formal planning policies before this application is determined, the submitted proposals are considered to be entirely in accordance with them.

3.41. Due to the longer time scales of the Core Strategy process, the current application is likely to be determined on the basis of the saved local plan policies, national planning policies (which are discussed below) and other material planning considerations. The emerging Core Strategy and its related development management policies will be given increasing weight in the determination of this application as the consultation and examination process proceeds. The evidence base in support of the Core Strategy, which is detailed below, is also relevant in establishing the continued and urgent need for housing in the Borough.

3.42. The latest available Annual Monitoring Report for Ribble Valley is for the one year period running to 31<sup>st</sup> March 2011. Within that document it is stated that RVBC had a 2.9 year supply of housing land. As at 1<sup>st</sup> October 2011, this supply had increased to 3.3 years, still well below the requirement to demonstrate a 5 year supply of available and deliverable housing sites.

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

3.43 The report was adopted in December 2008 and is based upon local research and analysis of the housing markets. In the conclusions to the document, it is confirmed that Ribble Valley has a relatively small social housing stock and low numbers of smaller houses. The Borough has an older age profile than adjacent authorities and this is likely to increase in the future.



### **Strategic Housing Land Availability Assessment Report (SHLAA)**

- 3.44 The report was adopted in December 2009 and followed Government guidance in identifying the amount and general location of land for possible future development in the Borough. 308 sites were initially identified, of which 133 did not meet the SHLAA methodology criteria. The remaining 175 sites were assessed in detail to indicate when they might come forward for development.
- 3.45. The application site was included in the SHLAA assessment and was given the site reference 015. The site proforma is attached to this statement as Appendix Three. The site is shown to have a potential capacity of 69.6 units, is considered to be available in the first five years of the housing provision period and is included in the five year supply. In the site details section of the proforma, the site's visual prominence is indicated as *"Localised-surrounded by development."* Its final criteria score is 78 (out of 100).

### **Defining a Local Housing Requirement**

- 3.46. In a RVBC report dated November 2011, a report by consultants Nathaniel Lichfield and Partners on the Ribble Valley Housing Requirement was summarised and made available for public consultation. The purpose of the main study was to identify the potential scale of future housing requirements for Ribble Valley based upon established housing, economic and demographic factors, trends and forecasts. The output of the study will assist the Council in its Local Development Framework and related planning policy documents.
- 3.47 Based upon the work of the consultants, a number of reports were presented to members of the Planning and Development Committee and Full Council. The most recent of these meetings was that of the Planning and Development Committee which took place on 2<sup>nd</sup> February 2012. At that meeting, members agreed that, for the purposes of the Core Strategy, the housing requirement for the plan period would be set at the middle of the range suggested by the consultants, namely 4,000 dwellings, or 200 dwellings a year. This figure would be formally reviewed within 5 years or less of the adoption of the Core Strategy. This figure has been translated into the Core Strategy. The Gladman appeal Inspector accepted that the housing requirement figure for Ribble Valley *"should be not less*

*than 200 dwellings per annum” and there was “certainly credible and robust evidence to suggest that figure should be much higher...”*

#### **Review of Local Plan Policy G6 – Essential Open Spaces**

- 3.48 A report was presented to the Planning and Development Committee on 8<sup>th</sup> December 2011, *“to consider whether the designation remained relevant and to identify issues where circumstances had changed or other considerations needed to be taken into account.”* The reason for undertaking the review was *“due to the fact that these sites were identified in the previous plan making process.”*
- 3.49 A list of criteria was used for the review. These consisted of an evaluation of the visual quality of each site, an assessment of the contribution each site made to the townscape of the area, or enhancement of the setting of important buildings and its importance as an area of recreational open space.
- 3.50. Representations on behalf of the applicants were submitted as part of the consultation exercise undertaken in respect of the review of Policy G6. These representations noted that the assessment of the wider allocated G6 area at Littlemoor/Littlemoor Road did not distinguish the differences between the three constituent parts of the allocated area, other than noting the three uses. Furthermore, it was not clear how the visual quality of the applicants land had been assessed.
- 3.51. The representations also noted that the SHLAA proforma sheet had assessed the visual prominence of the site as *“Localised – surrounded by development,”* whereas other assessed sites elsewhere in Clitheroe had been identified as being *“very prominent.”*
- 3.52. The report to committee made specific reference to the application site and stated that *“in the context of the original designation it would be a site to be excluded from development to prevent an oversupply of housing sites coming forward, however, within the current context of meeting housing requirements may not be a site for which an absolute exclusion from considering development would be maintained. The site would warrant further detailed consideration.”* (Our underlining)

- 3.53. The report went on to acknowledge the local plan policy was the starting point to consider any planning applications on G6 land. *“The issue that then has to be determined is the degree of weight that is attached to the Saved Policies given the datedness and context of the Plan’s formulation when measured against the considerations of recent policy. The principal material consideration being that the Council’s position relative to the housing land supply and the text contained in Planning Policy Guidance Note 3 – Housing.”* (sic) *“Once the position is attained where a clear 5-year supply exists then the basis of decision taking is different and greater regard can be given to the relevance of the Saved Policies. In effect we have (a) situation for the time being where each case will be looked at upon its merits and the G6 Policy designation will be one of a number of considerations going forward.”*
- 3.54. The recommendations of the report were approved by the committee. As noted above, this policy is not considered to be consistent with the policies within the NPPF and little weight should therefore be given to it, particularly in the context of the acknowledged housing land supply shortfall.

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

- 3.55 Paragraph 2 states that the NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The document is based upon the presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay and, where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole or specific policies in the Framework indicate development should be restricted.
- 3.56. The latter point is elaborated upon by a footnote which states *“for example, those policies relating to sites protected under the Birds and Habitats Directives and/or designated as Sites of Special Scientific Interest, land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or Broads Authority),*

*designated heritage assets; and locations at risk of flooding or coastal erosion.”* None of these types of protection apply to the application site (see comment below – paragraph 3.62 - in respect of Local Green Spaces).

- 3.57. Part 6 of the NPPF relates to housing and requires local planning authorities to use their evidence base to ensure that the Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. Ribble Valley cannot presently demonstrate a five year supply of deliverable housing sites, a point which was accepted by the Local Planning Authority at the Gladman inquiry and referred to by the Inspector, who went on to say that *“therefore there is an in principle policy imperative to release more sites for housing now to redress that need.”* An additional buffer of housing land must also be identified, either 5% for those authorities which have consistently delivered adequate housing sites, or 20% (i.e. another year’s supply) for those which have *“a record of persistent under delivery of housing”*. It is not yet clear how such persistent under delivery will be defined, but Ribble Valley has not met its annual requirements since 2005-2006 and it therefore seems likely that it will need to identify an additional 20% supply to meet the NPPF requirements.
- 3.58. Paragraph 49 requires housing applications to be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing will not be considered to be up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
- 3.59. A wide choice of high quality homes should be provided, seeking to meet the needs of different groups in the community including older people.
- 3.60. Part 7 of the NPPF concerns achieving good design in new development and requires developers to work closely with those affected by their proposals to evolve designs that take into account the views of the community. The public consultation events which took place have resulted in amendments to the layout and design of the dwellings to reflect the views of those who commented on the initial scheme.

- 3.61. Paragraph 73 requires local planning authorities to undertake robust assessments of open space, sports and recreation facilities to identify the specific needs of the local community. Such a robust assessment has not been carried out in Ribble Valley.
- 3.62. Paragraphs 76 to 78 relate to the identification of green areas which may be given special protection. These Local Green Spaces should be identified through local and neighbourhood plans. A Local Green Space designation *“will not be appropriate for most green areas or open space”* (paragraph 77) and should only be used where the green space is in reasonably close proximity to the community it serves and where it *“is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife.”* The application site is a privately owned area of grazing land with no public access and none of the attributes referred to in this definition.
- 3.63. Part 10 of the NPPF concerns climate change, flooding and coastal change. In terms of flooding, paragraphs 100 and 101 require housing development to be steered toward areas with the lowest risk of flooding. The site is within Flood Zone 1 (low risk) and the submitted Flood Risk Assessment demonstrates that the site can be developed without increasing the risk of flooding elsewhere.
- 3.64. The site contains no heritage assets and its development has been designed to take into account the existence and setting of the listed building (Littlemoor House) adjacent to it.
- 3.65. The final section of the NPPF concerns decision-taking and requires decision takers at all levels to *“seek to approve applications for sustainable development where possible.”* Pre-application engagement is encouraged and this has been embraced by the applicant’s development team.
- 3.66. Paragraph 204 requires that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, are directly related to the development and fairly and reasonably related in scale and kind to the development. Appendix Two sets out the Heads of Terms for the proposed Section 106 planning obligation.

- 3.67. In summary, the proposed residential development of the application site is considered to comply entirely with the policies and guidance of the NPPF.

## **4. THE PROPOSED DEVELOPMENT**

4.1. The development proposals and the design process which led to them are described in the Design and Access Statement. However, in brief, the illustrative proposals consist of the following elements:

- A single vehicular access to the site from Littlemoor at a point slightly to the east of the existing field gate.
- Two additional pedestrian/cycle access points: one towards the eastern end of the Littlemoor frontage and a second to the northern end of the site adjacent to Little Moor View and the footpath which runs from Littlemoor to Park Street.
- A looped access road within the site serving the majority of the dwellings, with a secondary, shared access, carriageway towards the east of the site serving approximately 9 dwellings. A third short spur will serve those dwellings adjacent to the rugby field boundary. These dwellings would face the rugby field.
- A parking area at the south east corner of the site (adjacent to the rugby field) which would serve residents of the houses on the opposite side of Littlemoor, who presently park on the highway.
- Up to 49 dwellings, consisting of 8 bungalows, 19 semi-detached/terraced houses, 10 detached houses and 12 further semi-detached houses (2 ½ storeys).
- The 2 ½ storey houses would be located on the western and south western boundaries of the site, adjacent to the petrol filling station and the former Barkers Nursery site.
- The bungalows would be located to the south of Little Moor View and to the north of Littlemoor House.
- An area of open space adjacent to the rugby field.

- A landscaped buffer to the north of Littlemoor House.
- Trees retained on the periphery of the site.
- Additional tree planting throughout the development.



## **5. EVALUATION OF PROPOSALS**

5.1. As noted in the introduction to this statement and in the Statement of Community Involvement (Appendix 1), the applicants engaged with the Local Planning Authority in a formal pre-application consultation process in October 2011. The Local Planning Authority's formal response was contained in a letter dated 13<sup>th</sup> December 2011. The issues raised in that letter have been comprehensively addressed in this statement or in the supporting documents which are submitted with the application.

5.2. The issues raised by the Local Planning Authority are addressed in the following way:

- Principle of development and relevant planning policy – Planning Statement.
- Affordable housing – Planning Statement.
- Trees/ecology/biodiversity – Tree Survey and Report and Ecology Survey and Report.
- Highways – Transportation Assessment.
- Design/layout/visual amenity/heritage assessment – Design and Access Statement and Planning Statement.
- Public Open Space – Design and Access Statement and Planning Statement.
- Renewables – Planning Statement.
- Lancashire County Council Contributions:
  - Transport – Transportation Assessment
  - Education – Planning Statement
  - Waste Management – Planning Statement

- Environment Agency
  - Flood Risk – Flood Risk Assessment
  - Foul Drainage – Planning Statement
  - Land Quality – Planning Statement
- United Utilities – Services Study
- Miscellaneous
  - Noise Impact Assessment – Royal Haskoning Limited
  - Air Quality Assessment – Royal Haskoning Limited
  - Secure by Design – Design and Access Statement
  - Wheeled Bins – Planning Statement

5.3. The issues relevant to this Planning Statement are addressed below.

**Principle of Development**

- 5.4. The application site is located within the urban area of Clitheroe, indicated by the settlement boundary on the local plan proposals map. Within existing urban areas, the Local Plan considers rounding off and consolidation to be acceptable.
- 5.5. The site is also part of a larger area identified as Essential Open Spaces under Local Plan Policy G6 and the Local Planning Authority has stated that it is for the applicant to consider the relative weight to be given to Policy G6 in relation to other considerations, such as the local significant shortfall in housing supply in the Borough.
- 5.6. The Local Planning Authority appears to accept that Policy G6 is now very dated and was formulated during a time when housing development in the Borough (and the wider region) was being very tightly controlled. Indeed, the research which underpins the

policy was carried out some 18 years ago and is now of questionable relevance. The 2011 review of the Policy G6 sites did not remove the designations but did accept that the weight to be given the policy would have to be considered on a site by site basis in the determination of any planning applications on such land.

- 5.7. Within section two of this Planning Statement, it has been noted that the application site has no public access or any form of recreational use, unlike the remainder of the Policy G6 land in this area to the north. It has also been noted that the site is not visually prominent and that this fact has been incorporated into the SHLAA proforma for the site.
- 5.8. Therefore, in the absence of any recreational or visual value of the site, it is considered that the site does not perform any of the functions which would identify it as an essential open space which should be protected from development. Indeed, the original designation appears to have been a strategic tool (in the Clitheroe town context) which affected a large tract of land regardless of the character of its constituent parts.
- 5.9. Furthermore, the “third arm” of the policy also allows for the possibility of a Policy G6 site being developed if it is *“warranted by overriding material considerations in the public interest.”* Such an overriding material consideration must be the housing supply position which currently exists in Ribble Valley. With an identified housing supply of only 3.3 years at the current Regional Spatial Strategy level of 161 dwellings a year and an even greater shortfall at the revised and locally-derived level of 200 dwellings a year, the Borough clearly has a major housing supply issue to address, as accepted by the Gladman appeal Inspector.
- 5.10. The site appears within the 5 year supply in the Ribble Valley SHLAA and whilst this is not determinative in terms of a planning application, it does give a clear indication that the Local Planning Authority believes the site to be available, achievable and deliverable.
- 5.11. National policy, provided in the NPPF, is clear that, in the absence of a five year supply of deliverable housing sites, planning applications for housing development should be considered in the context of the presumption in favour of sustainable development. The application site is certainly a very sustainable site, within the main settlement in Ribble

Valley, the development of which would be in line with the housing and spatial objectives and planning policies for the area. The Gladman appeal Inspector, it should be noted, considered the Henthorn Road site, which is outside the settlement boundary, to be sustainable

- 5.12. The proposed residential development of the site, as shown in the illustrative proposals submitted with this outline application, is therefore considered to be entirely in accordance with relevant planning policies as set out in this Planning Statement. In summary, the local housing supply shortfall is a material planning consideration which considerably outweighs the now dated and almost entirely irrelevant Policy G6 designation.

#### **Affordable Housing**

- 5.13. The applicants are willing to provide affordable housing to meet the identified requirement set out in the Affordable Housing Memorandum of Understanding and the recent amendments to that document, in terms of provision for elderly residents. As noted elsewhere in this statement, a total of 15 affordable dwellings will be provided, including bungalows and houses, split between shared ownership and affordable rent. Furthermore, three additional bungalows will be provided at market values, although restricted to occupation by those with a local connection. The Heads of Terms for a Section 106 planning obligation is submitted with this application (see Appendix Two) which will set out the nature of the affordable housing provision, in line with normal RVBC practice.

#### **Design/Layout/Visual Amenity/Heritage Assessment**

- 5.14. These issues are predominantly addressed in the Design and Access Statement which accompanies the application. However, in terms of the Planning Statement, it can be noted that the design principles which have informed the illustrative layout are based upon best practice and the experience of Taylor Young, who are an established and well respected architectural, urban design and landscape planning consultancy.

- 5.15. The advice received from the Local Planning Authority at the pre-application stage has been incorporated into the revised layout.
- 5.16. The potential impact upon the heritage asset (Littlemoor House) has been taken into account in planning the illustrative layout. In particular, an area of landscaping has been introduced to the north of Littlemoor House, which is, in any event, separated from the application site by the rear garden and access to the listed building. Furthermore, the Parameters Plan and illustrative layout both acknowledge and respect the setting of the listed building by showing bungalow development in the area to the north of the listed building.

#### **Public Open Space**

- 5.17. As noted in section three of this statement, the Local Planning Authority has taken the view that the applicant should propose and justify the level of public open space to be provided in this application. The open space proposed is adjacent to the rugby field, in the eastern end of the site and also adjacent to the proposed car parking area to serve the Littlemoor houses. The open space has been located there to provide a buffer to the rugby pitch and to provide a visually attractive area of open space adjacent to both the entrance to the site and to the footpath which runs from Littlemoor/Littlemoor Road to Park Street to the north west.
- 5.18. The Council will not take on the management or maintenance responsibilities for the open space and therefore the planning obligation will contain a mechanism to vest such responsibilities in a management company or another arrangement acceptable to the Local Planning Authority.

#### **Renewables**

- 5.19. It is expected that a suitable condition would be attached to any planning permission in the broad terms set out in the Local Planning Authority's pre-application response.

## **Lancashire County Council Contributions**

### **Highways**

- 5.20. The Transportation Assessment addresses all issues relating to highways and transportation. Discussions have already taken place between the applicants transportation consultants, Royal Haskoning Limited and Lancashire County Council Highways Engineers. It is expected that further detailed negotiations will take place to establish the scope and extent of any financial contributions relating to highways safety matters.

### **Education**

- 5.21. An introductory meeting between the applicants planning and education consultants and the Lancashire County Council Children and Young People Directorate staff took place on 24<sup>th</sup> April 2012. The meeting was also attended by Sarah Westwood of Ribble Valley Borough Council. It is anticipated that the nature and extent of the education contribution will be agreed with the County Council staff in the course of the determination of this application and the submitted Heads of Terms for the Section 106 planning obligation includes reference to such a contribution.

### **Waste Management**

- 5.22. The pre-application response letter indicated that Lancashire County Council would seek a contribution of £24,000 towards waste management requirements. However, the Borough Council has clearly stated that it has not adopted the Lancashire County Council Policy Paper on Planning Obligations and will only seek contributions for affordable housing, transport safety, open space and education. These stated aspects are addressed in the Heads of Terms, but it is not considered that the requested waste management contribution is either reasonable or necessary and no contribution is therefore offered by the applicants.

### **Environment Agency - Flooding**

- 5.23. The site is located within Flood Zone 1 (low risk) as defined in the NPPF and its supporting technical guidance. The Flood Risk Assessment submitted with this application demonstrates that the proposed housing development would not conflict with the relevant guidance and would not lead to an increased risk of flooding elsewhere.

### **Foul Drainage**

- 5.24. The Environment Agency would require the provision of a system of foul drainage to discharge into the public sewer, in accordance with the requirements of United Utilities. United Utilities have advised that they would have no objections to the residential development of the site provided it is served by a totally separate drainage system with foul water flows only discharging to the combined public sewerage system serving the area. Surface water run-off would have to discharge directly to the adjacent watercourse. It is anticipated that these issues would be controlled by condition and would be addressed in a subsequent reserved matters application.
- 5.25. A Services Study produced by AMEC Ltd is submitted with the application.

### **Miscellaneous**

- 5.26. Due to the location of the petrol filling station and its car wash facilities immediately adjacent to the western boundary of the site, a Noise Impact Assessment has been carried out by Royal Haskoning Limited. This determined that suitable mitigation measures (i.e. appropriate cavity wall and double glazing standards) would make the site suitable for residential development.
- 5.27. An air quality assessment was also carried out by Royal Haskoning Limited to determine the impact of the residential development of the site on local air quality. This concluded that the development would have a negligible impact on local air quality. It also found that air quality levels within the residential development would be acceptable.

### **Wheeled Bins**

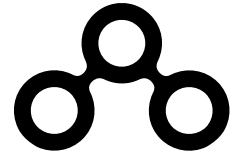
- 5.28. RVBC impose a standard charge of £90 to developers to cover the administration and delivery costs in providing three wheeled bins to each household within new developments. This payment would be formalised within the planning obligation which would also cover the affordable housing and other matters.



## **6. SUMMARY AND CONCLUSIONS**

- 6.1. The proposed development will provide up to 49 dwellings, including 30% affordable dwellings, in this eminently sustainable site within the existing settlement boundary of Clitheroe. The illustrative layout submitted with this outline application demonstrates that the site can readily accommodate the scale and type of development which is proposed.
- 6.2. Ribble Valley has a very clear and urgent need for both market and affordable housing and the development of this site will make a significant contribution towards meeting these needs in a sustainable way.
- 6.3. The proposed development will accord with the relevant saved policies of the adopted local plan, the emerging core strategy and the more recently published policies within the National Planning Policy Framework. The latter document states a very clear requirement for decision makers to approve applications for sustainable development where possible. This is particularly the case for appropriate housing developments when a five year supply of deliverable housing sites cannot be demonstrated.
- 6.4. A comprehensive degree of pre-application engagement has been undertaken with the Local Planning Authority, the local community and with the key stakeholders, in line with the Council's Statement of Community Involvement.
- 6.5. An extensive amount of supporting information is submitted with the application, demonstrating that all relevant issues have been addressed. The illustrative scheme which is shown in the masterplan and the Design and Access Statement has been produced by Taylor Young who are experienced in bringing forward high quality schemes of this type.

As the proposed development is entirely in accordance with relevant policies of the existing and emerging development plan and the NPPF and there are no other material considerations which indicate otherwise, the applicants respectfully request that outline planning permission is granted for the submitted proposals.



**Steven Abbott Associates LLP**

Chartered Town Planners

## **APPENDIX I**

## APPENDIX 1

### STATEMENT OF COMMUNITY INVOLVEMENT

1. Ribble Valley Borough Council's current statement of Community Involvement was adopted in 2010 after an extensive period of public consultation. Section 4 of the document relates to involving the community in planning applications and encourages developers and land owners to engage in pre-application consultation with all relevant stakeholders.
2. The applicants have taken account of this advice and have formally consulted with the Borough council's planning officers and have also consulted with the local community, the Town Council and local Borough Council ward councillors.
3. The key elements of this process are delivered below.
4. A formal pre-application consultation process between the applicant's team and the local planning authority was undertaken which included a meeting held between the applicant's team and the Council's Planning Officers on 3<sup>rd</sup> October 2011 and a formal response letter from the Council dated 13<sup>th</sup> December 2011. The letter which is attached to this Appendix, provided guidance on the following issues:
  - Principle of development and relevant planning policy
  - Affordable housing
  - Trees/Ecology/Biodiversity
  - Highways
  - Design/Layout/Visual Amenity/Heritage Asset
  - Public Open Space
  - Renewables
  - Lancashire County Council Planning Contributions
  - Environment Agency response
  - United Utilities response
  - Miscellaneous matters
5. A public exhibition of the proposals took place on 20<sup>th</sup> and 21<sup>st</sup> January 2012 at the St James's Church Hall, St James's Street, Clitheroe. Residents of properties surrounding the application site were notified of the exhibition by a flyer which was posted to them well in advance of the days in question. Ward Councillors and the Town Council were also notified of the exhibition.

6. 16 people attended the exhibition of the 20<sup>th</sup> January 2012 (Friday evening – 3.30 – 7.30 pm) and 30 attended on the 21<sup>st</sup> January 2012 (Saturday – 10.30 am to 3.30 pm). 9 written comments were submitted during the exhibition and two subsequently. The main concerns expressed related to highways/access issues in relation to traffic on Littlemoor, relationship between houses on Copperfield Close/Littlemoor View and proposed development, loss of trees, pressure on local services and Policy G6 of the Local Plan.



7. The flyer which was sent to local residents is attached to this appendix. It referred residents not only to the exhibition but also the Steven Abbott Associates website which contained full details of the illustrative proposals. Information on the website is available if required.
8. A summary of the points raised by each of the written respondents is provided below:
- (i) Traffic congestion – more houses would make the traffic situation even worse.  
Schools full  
Health centre full
  - (ii) Unhappy with position of 3 storey dwellings in relation to existing 2 storey.  
Concerns over traffic on Littlemoor, particularly when Barkers Nursery and strategic site (referred to as the ‘new village’) are developed.  
Concerns over access in particular due to existing on street parking.

Current gateway and hedgerow should not be lost – flora will be lost.

Worried that improving footpath near Copperfield may increase usage which could cause problems.

Would like to see mature trees and hedgerows retained.

- (iii) Concerns about maintenance of footpath and loss of trees.

Worried about traffic on Littlemoor.

- (iv) Concern about access from Littlemoor.

Type of housing complements the area.

Development will add to the pressure on schools, health care and highways.

- (v) No mention of policy G6. How will G6 be overcome?

Any improvements to junction of Whalley Road and Littlemoor.

What is the standing of the site in the Core Strategy.

- (vi) Concerned about proximity of houses in relation to her garden.

Who will maintain the footpath? Who owns it?

Unhappy about disruption – dust and dirt on house/conservatory.

Unhappy about 2.5 storey units – impact on privacy.

Concerns about the loss of trees.

Concerns about schools and health care.

- (vii) Area opposite Little Moor View should be bungalows.

Effect on privacy of 24 Park Street.

- (viii) The area opposite Little Moor View should consist of bungalows with large gardens adjoining the wall.

- (ix) Site would be suitable if something was done about the junction of Whalley Road and Littlemoor.

- (x) If properties have to be built in the field, hope there will be bungalows and a row of trees directly opposite us.

Concerns about volume of traffic opposite house.

Can speed limit on Littlemoor be made 20 mph?

- (xi) Entrance to site is in a dangerous position – no pavement in this part of Littlemoor.

Will increase traffic flow.

Littlemoor is unsuitable for heavy vehicles/plant etc.

9. In addition to consultation with the Borough Council and the local community, engagement with the following bodies was also undertaken:

- Lancashire Country Council Highways      - Royal Haskoning
- Lancashire County Council Education      - EPDS Consultants
- Statutory Utilities Providers              - AMEC Ltd

10. As a result of the comments received on the two days of the exhibition and subsequently, the initial drawings were revised in the following ways:

- Confirmation of the 2½ storey dwellings to be located within the centre of the site;
- Bungalows to be located adjacent to Little Moor View and entrance to the site;
- Confirmation of pedestrian access point adjacent to Little Moor View.

11. A number of comments were made at the exhibition and in the written responses in relation to highway safety issues. A representative of Royal Haskoning Ltd (who produced the Transport Assessment which is submitted with this application) attended both days of the inquiry and responded to these concerns. Since the exhibition, the applicants have become aware that a proposed speed restriction on Littlemoor and Littlemoor Road which would reduce the maximum speed limited to 20 mph had been formally proposed via a notice in the local press under the Road Traffic Regulation Act 1984. Clearly, when this comes into force the speed of traffic around the entrance to the site will be substantially reduced.

12. The transportation assessment was carried out on the basis of a 30 mph speed limit in this area and concluded that the proposed access was appropriate in terms of lateral visibility and stopping sight distance. The reduction in the speed limit in the area will have a beneficial impact in terms of vehicle speeds and may help to allay the concerns experienced by some of the local residents.

13. It can therefore be seen that the applicants have fully embraced the Council's advice on terms of pre-application engagement and have accommodated the views of the various parties whenever possible in arriving at the illustrative scheme which is submitted as part of this application.

# Development Proposals at Littlemoor

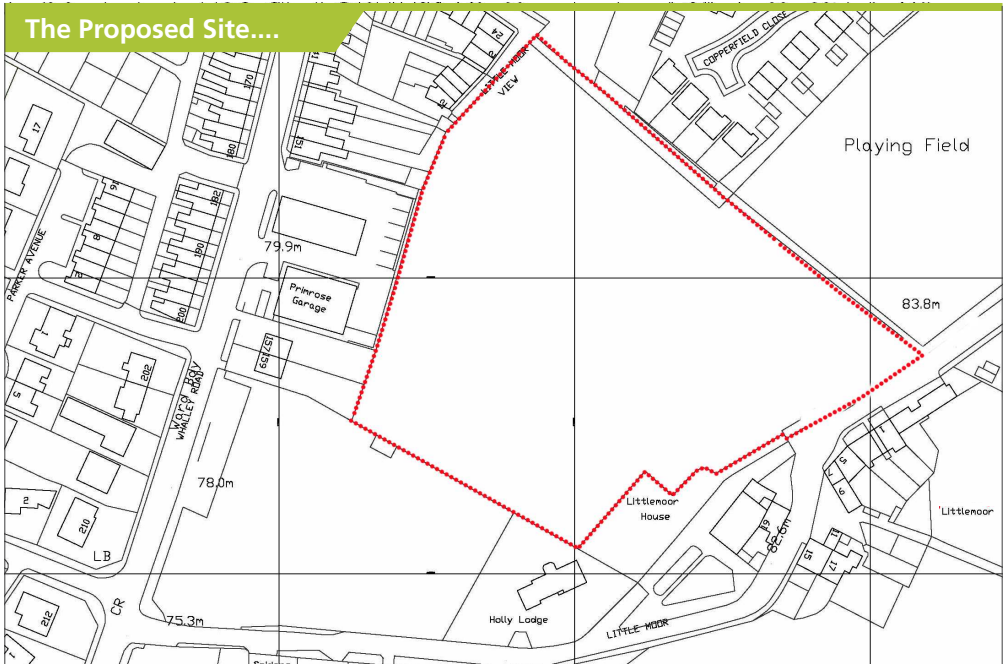
Public Consultation January 2012

## We need your views....

The owners of the land on the north side of Littlemoor (which is part of the Standen Estate) are holding a public consultation event to seek local residents' views on the development of a site at Littlemoor for new homes.

We want to involve the community in order to help to guide development proposals for the site. So, before a scheme is fixed, we are inviting local residents to an exhibition to meet the project team and give your thoughts.

## The Proposed Site....



### The events will be held on:

Friday 20th January 3.30pm - 7.30pm

Saturday 21st January 10.30am - 3.30pm

### Venue:

The Garden Room, St James Church, St James Street, Clitheroe, BB7 1HH

### If you would like any further information, please contact

Richard Percy at Steven Abbott Associates,  
Broadword House, 2 Stonecrop, North Quarry  
Business Park, Appley Bridge, Wigan, WN6 9DL  
[www.abbott-associates.co.uk/littlemoor](http://www.abbott-associates.co.uk/littlemoor)  
Tel: 01257 251177

# RIBBLE VALLEY BOROUGH COUNCIL

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please ask for: SARAH WESTWOOD  
direct line: 01200 414516  
e-mail: sarah.westwood@ribblevalley.gov.uk  
my ref: RV/2011/ENQ/00336  
your ref:  
date: 13 December 2011

Council Offices  
Church Walk  
CLITHEROE  
Lancashire BB7 2RA

Switchboard: 01200 425111  
Fax: 01200 414487  
DX: Clitheroe 15157  
[www.ribblevalley.gov.uk](http://www.ribblevalley.gov.uk)

Dear Percy

## LAND AT LITTLEMOOR, CLITHEROE

I write with regard to the above pre-application advice which requests this Council's view on proposals for the use of land as described above for the erection of approximately 50 dwellings. We met on 3 October and as promised here is a full response following our discussions that day. For ease of reference, I shall break down my response into headings and where appropriate give you the contact details of specialists who have advised me on individual matters.

### **Principle of development and relevant planning policy**

Having reviewed the information that you sent regarding this matter, colleagues in the policy section have made the following observations.

The site lies within the settlement boundary of Clitheroe and is therefore subject to DWLP Policy G2. Within Clitheroe this supports development wholly within the built part of the settlement or the rounding off of the built up area. The policy also states that any new development should be in keeping with the existing town. It also emphasises that it does not permit the development of essential open spaces.

The site is currently defined as Essential Open Space under DWLP policy G6 which states that development will not be permitted unless it does not compromise the visual quality and value of the general openness or the recreational value of the site, or unless warranted by overriding material considerations in the public interest.

The DWLP policies above also however need to be seen in the context of National Planning Policy Statement 3 (PPS3) para 71 which states that in the absence of a five year supply of deliverable sites, which is the current position within the Borough, planning applications for housing should be considered favourably having regard to the wider policies within the PPS and including criteria in PPS3 para 69.

Paragraph 69 states that, in deciding planning applications. Local Planning Authorities should have regard to, (among other issues):

- The suitability of a site for housing, including its environmental sustainability
- Using land effectively and efficiently and;
- Ensuring that the proposed development is in line with planning for housing objectives reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives.

In considering suitability in this context the following are considered to be important:



The location of the site in relation to the settlement and its services and amenities; the density of the proposed development and subsequent visual impact on surrounding areas; the ease of access to the site and the potential impact of creating a new access. In addition it will also be important to judge the potential of the scheme to enhance the area and whether the location is an important open space.

In addition, work is currently underway to produce the Local Development Framework, and specifically the Core Strategy - many existing policies and their underpinning evidence have been under re-consideration. With respect to the G6 sites this has involved a survey of all the sites in the Borough. The survey, which was also the subject of a public consultation on a number of sites that were felt to no longer merit the designation, was held earlier this year. The survey did not indicate that this site should be re-designated. The consultation and wider issues relating to the G6 designation, including a reference to this site, is to be reported to the 8<sup>th</sup> December Planning and Development Committee.

The status of the site as essential open space under DWLP policy G6 is important in the consideration of this site. The scope to develop this site given its current designation would, in part, revolve around the consideration of other material factors, such as the absence of a five year land supply. Also, given the recent Council survey and considerations of this policy in relation to the development of the LDF, reference should also be made to the report to the RVBC Planning and Development Committee of 8<sup>th</sup> December entitled "Review of Essential Open Space Policy". This is available on the Council website.

Given the above it is considered therefore that it would be for you to consider the relative weight to be attached to all aspects of the G6 policy designation versus other considerations that you may consider to be material to this site.

### **Affordable Housing**

As you are aware in respect of affordable housing requirements we have a document in place called the Affordable Housing Memorandum of Understanding (AHMU), which is a material planning consideration and is intended to be both complementary with and supplemental to the relevant policies contained within the Districtwide Local Plan. That document seeks to ensure that on market sites a percentage of affordable housing is provided to meet an identified need. As stated, your site is within the settlement boundary and in such an instance, having regard to the current 5 year housing land supply situation and requirements of PPS3, the Council would adopt the approach outlined in paragraph 3.1 of the AHMU, i.e. *in Clitheroe on developments of 10 or more dwellings (or sites of 0.5 hectares or more irrespective of the number of dwellings) the Council will seek 30% affordable units on the site.* The Council would therefore require a minimum of 30% of the site (under current proposals) to be for affordable housing which meets an identified local need.

There are revisions proposed to the AHMU which have been out for consultation and that document goes a stage further in its affordable request by stating that in addition to the 30% affordable provision there will be a requirement for elderly provision. Clearly this is contained within a document that is not yet a material planning consideration but it is my understanding that this will be reported back to Housing Committee in January and thus it may be that at the time you wish to submit your application this will have replaced the existing AHMU.

I did speak to Rachael Stott about your proposal and identified housing needs in Clitheroe and she advised that in terms of your schedule of accommodation she would wish to see an equal split of each type offered as affordable properties. She would also ask for a 50/50 split between shared ownership and rental with the phasing of development specified in any S106 Agreement to be our standard up to 50% of the market units provided then 100% of the affordable units. Any further questions on this should be directed to Rachael who can be contacted on 01200 414567. We would need a draft S106 Agreement submitted as part of any application in order to validate it so you may want to check with Rachael for examples of draft agreements.

### **Trees/ecology/biodiversity**

From my visit to site it appears that the land in question is greenfield and thus any subsequent application should be accompanied by a Phase 1 Habitat Survey and, where their presence is known or suspected, protected species surveys. These should be conducted by a suitably qualified ecologist at an appropriate time of year. These surveys will guide the development and where necessary identify any mitigation measures that may be required to compensate for any habitat/species loss. Mitigation should be on a like-for-like basis, ensuring that the area and quality of habitat and/or species population is equal to that which would be lost as a result of the development. .

It is also noted that there are trees/hedgerow bordering the site. As part of any submission you will need to provide an arboricultural survey and a tree constraints plan that accurately plots the location of all trees/hedgerow, their root protection areas and clearly identifies if they are to remain or be lost as a result of development. Further advice on this can be obtained from David Hewitt if required.

### **Highways**

Martin Nugent was not at our meeting but had provided some detailed comments concerning the pre-app information provided as follows:-

1. Investigate the provision of improved and continuous footway provisions. The extent of any new lengths of footway would be a matter for more detailed discussion.
2. Arrange for a contribution towards the introduction of a 20mph Speed Limit.
3. Investigate any new signing provision; warning, information or advisory, that may be appropriate from the junction with Whalley Road or along the site frontage.
4. A range of bus stop locations are accessible within a 400m radius of the centre of the site. A contribution to improve existing facilities would be appropriate.
5. The access specifications appear to conform to MfS2. However, if this the case there should be vehicle speed data provided to substantiate that 43m by 2.4m is appropriate.
6. The design of the proposed access should satisfy LCC Specification for Construction of Estate Roads.
7. The scope of a future transport study should include the Whalley Road junction, taking into account any committed developments in this vicinity.
8. The existing pedestrian route shown across the north side does not have any highway status at present. The link onto Park St would be a main pedestrian access into the path and should be surfaced and lit and constructed with a width of 3.0m.
9. There is little benefit in retaining the path to the east of the estate road as pedestrians can walk through the development.
10. I have assessed my initial Planning Contributions on the basis of an Accessibility Score of 20 for this site. With 30% of the dwellings to be affordable, this allows for 15 dwellings at £1,200 and 35 at £1,800. This gives a total of £81K.
11. The detailed design of the junction of the new access road with Littlemoor Road will need make specific reference to the layout for Littlemoor House. I have concerns with the marking of the driveway and its impact on manoeuvring to/from the site.

### **Design/Layout/Visual Amenity/Heritage Asset**

This is to be an outline submission so at this stage there is little to offer in way of detailed comments on this matter. However, I believe I did raise the issue of distances between dwellings and in particular the relationship with the existing dwellings that back onto the north eastern and north western site boundaries – as a rule of thumb we use 21m to assess appropriate distances between 1<sup>st</sup> floor habitable rooms. This should also be applied within the site even though it could be argued that persons purchasing these properties would do so in the full knowledge of potential overlooking/privacy distances whereas it is important to safeguard existing residents amenities having regard to adopted standards. Aside from this more technical point the overall layout presented appears fine to me and it will be necessary to have appropriate landscaping throughout, but this is something that could be dealt with at the time of reserved matters submission.

There would be opportunity as part of this proposal to link into the pedestrian route that aligns the site's north eastern boundary and possibly realign this through the site. I cannot find a record of this as a definitive right of way and thus do not see an objection in principle to such a diversion/additional route.

I am mindful that directly opposite the site is a listed building and thus as part of any submission you will need to carry out the appropriate studies to comply with the requirements of PPS5 in respect of impact on heritage assets. The frontage to the development site onto Littlemoor Road has been kept relatively open with the potential to offer additional parking for existing properties and an area of public open space. Whilst I have not received any formal observations from Adrian Dowd (Design and Conservation Officer) on this scheme my view, on the basis of the information provided, is that there would be no significant detriment to that heritage asset from this scheme.

### **Public Open Space**

On a development of this size there will be a requirement for public open space under Policy RT8 of the DWLP.

The Council do not have a set formula for working out the size of such an area and this would be dictated to a degree by the type of accommodation to be provided on site. Ultimately the decision would be yours with a justification to be given for the approach taken in any submission. It is not the Council's intention to take on any future management/maintenance responsibilities associated with such areas and you would have to work out how this would happen.

### **Renewables**

The Council would condition that the proposal should secure at least 10% of the predicted energy requirements from decentralised and renewable or low carbon sources unless it can be demonstrated, having regard to the type of development or design, that this is not feasible or viable.

### **Lancashire County Council Planning Contributions**

Further to the consultation with regard to the above proposed development, this consultation response outlines the Planning Contribution request for Lancashire County Council Services based upon the Policy Paper 'Planning Obligations in Lancashire'.

#### ***Transport***

There is likely to be a contribution request for sustainable transport measures in relation to this proposed development. This however, has not yet been determined. To discuss this further, please contact Mark Hornby tel. 01254 828052 or Martin Nugent tel 01254 828060.

#### ***Education***

##### **Primary**

There were 175 places in the local primary schools at January 2011 pupil census.

With *latest forecasts* for the local primary schools showing there to be a shortfall of 8 places in 5 years' time, the shortfall will occur without the impact from this development. These forecasts take into account the current numbers of pupils in the schools, the expected take up of pupils in future years based on the local births, the expected levels of inward and outward migration based upon what is already occurring in the schools and the housing development within the local 5 year Housing Land Supply document, which has already had planning permission.

Therefore, we would be seeking a contribution from the developer in respect of the full pupil yield **of this development**, i.e. 18 places.

## Secondary

There was a shortfall of 55 places in the local secondary schools at January 2011 pupil census. Latest forecasts for the local secondary schools show there to be approximately 38 places available in 5 years' time. With an expected pupil yield of 13 pupils from this development, it is expected that there would be a further 25 places available. **However**, planning applications have already been approved for Barkers Garden Centre, Victoria Mill, Cobden Mill and Primrose Mill, which have the potential to yield 27 additional pupils which are expected to attend one of these secondary schools. Therefore, the number of remaining places would be 38 less 27 = 11 places. With a potential yield of 13 pupils from this development, there would be a shortfall of 2 places.

Therefore, we would be seeking a contribution from the developer in respect of the remaining pupil yield **of this development**, i.e. 2 places.

### ***Other developments pending approval or appeal decision which will impact upon these secondary schools:***

There are also a number of additional housing developments which will impact upon this group of schools which are pending a decision or are pending appeal. Details are as follows:

Henthorn Road  
Chapel Close  
Barrow Brook Business Village  
Chatburn Old Road  
Old Manchester offices  
Petre House Farm  
Wood Street  
Whalley New Rd  
Dene Hurst Green

### ***Effect on number of places:***

The proportion of the combined expected yield from these developments which is expected to impact upon this group of secondary schools is 103 pupils. Therefore, should a decision be made on any of these developments (including the outcome of any appeal) before agreement is sealed on this contribution, our position may need to be reassessed, taking into account the likely impact of such decisions.

### ***Summary of response:***

The latest information available at this time was based upon the 2011 annual pupil census and resulting forecasts.

Based upon the latest assessment, LCC would be seeking a contribution for 18 primary school places and 2 secondary places.

Calculated at 2011 rates, this would result in a claim of:

Primary places: 18 @ (£12,257 \*0.9) x 1.1072 = £219,849

Secondary places: 2 @ (£18,469\*0.9) x1.1072= £36,808

Total contributions: **£256,657**

**NB:** Dependent upon the outcome of the pending developments the total secondary claim could increase to a maximum of the full pupil yield for this development i.e. 13 places. In this case the secondary contribution would be £239,252

### ***Waste Management***

The County Council makes vital major investments in waste management infrastructure for reasons of environmental protection and sustainability. Also, the necessity to secure the County Council's budget position as a waste disposal authority, through investing in an early switch away from land filling, has become all the more apparent, since the recent announcement on the rise in landfill tax in this year's National Budget. Every District in the County is being provided with advanced treatment facilities to treat waste prior to land filling, either directly or via purpose designed transfer stations. Since each and every new house, wherever it is in the County, has to be provided with this basic service and the Council has to comply with significant new requirements relating to the management of waste, it is considered that the Council is justified in

requesting a contribution towards waste management. Based upon the Policy Paper methodology for Waste Management, the request is **£24,000**

### **Environment Agency**

Have considered the site in question, and as part of any subsequent planning application, the following issues will need to be considered:-

### ***Flood Risk***

The site is located within Flood Zone 1 (low risk) as defined in Planning Policy Statement 25: Development & Flood Risk (PPS25). The site is over 1 hectare in area and any subsequent planning application should be accompanied by a Flood Risk Assessment (FRA) to consider the management of surface water. Surface water runoff would need to be restricted to existing Greenfield run off rates (to be determined by the applicant).

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SUDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it must be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at a scale where uncontrolled surface water flows would otherwise exceed the local greenfield run off rate. Flow balancing should seek to achieve water quality and amenity benefits as well as managing flood risk.

Further information on SUDS can be found in:

- PPS25 page 33 Annex F
- PPS25 Practice Guide
- CIRIA C522 document Sustainable Drainage Systems-design manual for England and Wales
- CIRIA C697 document SUDS manual
- The Interim Code of Practice for Sustainable Drainage Systems

The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on both the Environment Agency's website [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) and CIRIA's website [www.ciria.org.uk](http://www.ciria.org.uk)

It should also be noted that there may be a culverted watercourse on site, which was identified when an application for the redevelopment of the adjacent petrol station was submitted to the council. The FRA should identify whether or not the culvert is located on this site. If it is, the location should be identified and ideally any subsequent planning application should include proposals to de-culvert it.

Where the developer can satisfactorily demonstrate that it is not reasonably practicable to de-culvert the watercourse, they should ensure that there is no development over the culvert (including private garden spaces) and that a buffer strip either side of the culvert is retained for access purposes for future maintenance and/or repair. We will object to development over any culverts on site.

Any works to the watercourses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, require the prior formal Consent of the Environment Agency under Section 23 of the Land Drainage Act 1991. Culverting other than for

access purposes is unlikely to receive Consent, without full mitigation for loss of flood storage and habitats.

### ***Foul Drainage***

The development should comply with Planning Policy Statement 23: Planning & Pollution Control (PPS23) and Annex 1 of PPS23, and the applicant should also have regard to saved Policy A3 in the Ribble Valley Local Plan, i.e. 'the environmental impacts of any development should not be greater than that of the existing development.' As such, and in accordance with DETR Circular 03/99 "Planning requirements in respect of the use of non-mains sewerage incorporating septic tanks in new development", the first presumption must always be to provide a system of foul drainage discharging into a public sewer and consultation with United Utilities is strongly recommended prior to the submission of any planning application.

### ***Land Quality***

Any subsequent planning application should be accompanied by an appropriate desk study to consider the risk of pollution to controlled waters associated with the redevelopment of the site.

### **United Utilities**

United Utilities would have no objection in principle to this proposal providing the said development is served via a total separate drainage system with foul water flows only discharging in to the combined public sewerage system serving the area. Surface water run-off generated from the new development would have to discharge directly in to the adjacent watercourse with the prior consent of The Environment Agency.

There is also a public sewer crossing the site of which, should a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense be necessary. This matter will have to be dealt with as soon as possible.

### **Miscellaneous**

At our meeting we discussed the relationship of the site with the garage on Whalley Road and in particular the jet wash bays that are on common boundary. I have spoken to James Russell (Head of Environmental Services) and he would raise no objections in principle to the development of this site.

Due to the nature of the forecourt and carwash at Primrose Garage, he does recommend a noise assessment be undertaken and enhanced noise attenuation measures be considered to protect the residents likely to be affected by the garage activities - car wash and late night operation of the forecourt. For example: the inclusion of a 3 metre acoustic barrier along the perimeter with the garage site and also increased attenuation to bedroom windows overlooking the site - 6mm glass etc. Should you wish to discuss this further please contact James on 01200 414466.

We have a new Pennine Architectural Liaison Officer covering our area who may take a more proactive role in passing comment on secure by design matters. Her contact details are Barbara Thornber tel: 01282 472554 email Barbara.thornber@lancashire.pnn.police.

The Council's position on wheeled bins is that we impose a standard charge of £90 to developers to cover the administration and delivery costs in providing the standard three 140 litre wheeled bins to each household within new build developments. This would form part of any legal agreement along with affordable housing provisions and any other necessary financial contributions for transport or other matters that become apparent during an application's progression.

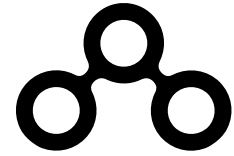
I trust the above is self-explanatory and offers a comprehensive overview of issues surrounding your site. To summarise a fundamental issue is the G6 designation on this site and should there be any questions regarding the policy comments provided within this response I suggest you

contact Phil Dagnall direct on 01200 414474 to discuss that matter further. The views given represent officer opinions only given without prejudice to the final determination of any application submitted. I stress they are a reflection of the Council's views at the date this letter was written and may be subject to change in the future.

Yours sincerely

SARAH WESTWOOD  
SENIOR PLANNING OFFICER

Mr R Percy  
Steven Abbott Associates LLP  
Broadsword House  
North Quarry Business Park  
Appley Bridge  
Wigan  
WN6 9DL



**Steven Abbott Associates LLP**

Chartered Town Planners

## **APPENDIX 2**



**Heads of Terms**  
**Relating to an Agreement to be entered into pursuant to s.106 of the Town and**  
**Country Planning Act 1990**

**Between**

**(1) R M Cornish and J A Ferguson (as Trustees)**

**(2) Ribble Valley Borough Council (The Council)**

**(3) Lancashire County Council**

The proposed agreement will provide for the following:-

1. 30% of the housing units to be affordable - on the basis of a total of 49 units there will be 15 affordable units split as follows:-
  - i. 4 x bungalows for elderly persons (over 55 years) of which 2 will be shared ownership and 2 affordable rent.
  - ii. 11 x 2 or 3 bedroom residential units of which 5 will be shared ownership and 6 affordable rent.

[In addition a further 3 x bungalows to be required to be sold at open market price to elderly persons with a local connection [definition to be agreed].
2. Public open space – an agreed area of public open space to be made available. Such area to be maintained by developer for a period of one year after which arrangements will be made to provide for future maintenance by means of a scheme to be approved by the Council.
3. Education payment – a commuted sum of [to be agreed] to be paid to LCC as the statutory education authority for the specific purpose of funding [to be agreed].
4. Highways payment – a sum of [to be agreed] to be paid to LCC as the statutory highways authority for the specific purpose of funding [highway works and improvements – to be agreed].
5. Wheeled bin payment – the sum of £90 shall be paid to the Council for each residential unit to be constructed on the site pursuant to the planning permission (e.g. for 49 units £4,410.00).

The agreement will include provisions relating to the dates when sums are to be payable, with provisions for phasing where appropriate, and for repayment of unused monies after a period of 5 years.

There will also be the usual boiler plate provisions including a provision limiting the Trustees liability to the value of the assets for the time being contained within the relevant trust fund and excluding personal liability.