

Briefing Note



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Lawsonsteads - The Planning Benefits

The purpose of this note is to summarise the planning benefits of the Lawsonsteads application so that a properly informed decision can be taken by the Council.

The Council accepts that housing in this location comprises *sustainable development* as evidenced by approval of the smaller scheme earlier this year. The National Planning Policy Framework (NPPF) has a clear and stated *presumption in favour* of sustainable development.

In reaching a decision on the 260 dwelling scheme, the Council will be aware that it needs to grant planning permission unless there are any adverse impacts which *significantly and demonstrably outweigh* the benefits.

This is the 'planning balance' exercise that officers should undertake in making a recommendation to Committee. The policy response (dated 30 May 2013) does not attempt to articulate the component parts of this balance, so this note has been prepared to assist in preparation of the report to committee and in order to ensure that officers clearly understand the key elements.

The planning balance

At the recent Mitton Road Inquiry, the Local Planning Authority accepted that Local Plan settlement boundaries are 'out of date' in NPPF terms (Statement of Common Ground dated 22 March 2013).

It was further accepted (as referenced at paragraph 102 of the Council's Closing Submission to the Inquiry) that, whether or not a five year supply of housing is readily demonstrable, the default position at paragraph 14 of NPPF applies.

NPPF paragraph 14 equally applies with the Lawsonsteads application and means that, for decision taking:

'where the development plan is absent, silent or relevant policies are out of date, granting permission unless: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 in this Framework taken as a whole; or

- Specific policies in this Framework indicate development should be restricted.*

As such, it is for the Local Planning Authority to undertake a 'planning balance' exercise of benefits and adverse impacts.

Planning permission can still be granted if there are deemed to be adverse impacts and the application should only be refused if such impacts would *significantly and demonstrably outweigh the benefits*.

The benefits

It is widely accepted that the Housing industry has a critical role to play in terms of the national economic recovery. This has been extensively reported through ministerial statements and the Government's Growth Agenda; Plan for Growth (3/11); Housing Strategy for England (11/11); Housing and Growth (9/12); and Growth and Infrastructure Act (4/13).

There are a great many planning benefits associated with the submitted application. These are set out in more detail in our Planning Statement at Section 6 and overwhelmingly weigh in favour of the grant of planning permission.

In the paragraphs below, we summarise the benefits within the three components of sustainable development; namely economic, social and environmental benefits.

Economic benefits

The development represents private sector investment of £34m in terms of construction.

New residents in up to 260 dwellings would generate £3.29m per year of additional household expenditure in the local economy.

The development would create the equivalent of 26 permanent new construction jobs.

A new school would generate significant additional direct and indirect employment opportunities. Recent evidence from the Department for Children, Schools and Families (SCSF) suggests that the pupil-adult ratio, including teachers, teaching assistants and support staff in primary schools is approximately 12 pupils for every member of staff. On this basis, the school will potentially employ 17-18 full time staff, in addition to the creation of shorter term construction opportunities prior to its operation.

£2.5m in New Homes Bonus would be generated over a six year period by the

development. As you are aware, the bonus is not ring fenced and it is for the Local Authority to decide how to spend this money. The minutes of the November 2011 RVBC Budget Working Group (at paragraph 5.2) indicate that a proportion of the Bonus would be set aside to fund 'Economic Growth and Prosperity' capital projects.

We are not aware of any more recent decisions on how these funds will be spent but note that some local authorities are being quite creative including helping first time buyers obtain mortgages by providing guarantees (Pendle Council); helping fund a new community multi use pavilion, with library, community hall and youth room (South Oxfordshire District Council); and supporting building rural affordable homes (Leicestershire County Council).

An additional revenue of £374,000 per year in Council Tax, on the basis of Band D properties.

NPPF paragraph 7 defines the economic role of sustainable development as:

'Contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.'

The Lawsonsteads application helps to achieve this as set out above and through the provision of new infrastructure including a new school and a link road to enable traffic to be removed from passing through the centre of Whalley.

Social benefits

There is a significant need for new homes as expressed in the 2011 RVBC document 'Addressing Housing Need in Ribble Valley'. It is the Council's stated objective in that document that *'everyone living in the Ribble Valley should have the opportunity of decent and affordable homes.'*

Whalley is a Key Service Centre within the Borough and a settlement identified to accommodate residential growth in a sustainable manner over the Plan period. The Mitton Road Appeal Inspector concluded that Whalley is *'one of the most sustainable locations in the borough where there is a historic and current unmet need for both market housing and affordable housing'* (paragraph 53 of decision). The application site is already an accepted location to accommodate sustainable growth through the 55 dwelling consent.

The officer's report to the Special Planning and Development Committee on 25 June 2013 summarises the latest evidence base produced by Nathaniel Litchfield & Partners on behalf of the Council. The NLP report identifies an increasing need for affordable homes and a 20%+ increase required in the annual housing requirement to 250 dwellings per year.

The lack of housing in rural areas and in places where people want to live is a significant concern as highlighted by a recent article by the National Housing Federation (<http://www.housing.org.uk/media/press-releases/thirty-somethings-abandon-villages-as-rural-housing-prices-soar>). This clearly identifies the demographic shift of younger people moving away from rural areas as house prices have increased.

It notes that more houses are urgently required that ordinary families can afford and that it is *'up to all of us to halt this rural decline.'*

For this reason, and to combat the ever present local lobby groups resisting new development in rural settlements, the National Housing Federation has set up the 'Say Yes to Homes' campaign which the Federation is keen is pushed onto communities and local Councillors who make important planning decisions.

The Lawsonsteads development seeks permission for up to 260 new homes *including* up to 78 affordable homes which make a significant and positive contribution towards meeting the housing need in the area – a significant social benefit of the proposal. 55 of the 260 dwellings have already been approved.

Being within ready walking distance of the centre of Whalley with all of its services and facilities including shops, the bus and train stations, the development will provide a social boost to Whalley and help underpin its role as a Key Service Centre.

As well as the social benefits of having ready access to services in the settlement, future residents at Lawsonsteads will also have ready access to the surrounding countryside, encouraging a healthy lifestyle. Enhanced public rights of way and a new linear park will be provided as a part of the development.

A key further social benefit is the provision of a new primary school on the site which will enable local children to obtain a high quality education in a location close to where they live. A high quality education is of integral importance to future economic growth. The proposed school site is also in a location that is easily accessible for existing and future residents of Whalley and addresses an identified need.

This is in addition to the provision of land and financial contributions towards new school places at a primary and secondary school level, estimated at approximately £665,000 and £268,000 respectively.

NPPF paragraph 7 defines the social role of sustainable development as:

'Supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and

support its health, social and cultural well-being.'

A key part of this, and the responsibility of the Council, is to ensure that housing is provided to meet the needs of the present generations as well as those in the future. Lawsonsteads will help achieve this in a new high quality built environment, with accessible local services that reflect the community's needs.

Environmental benefits

The application proposes development at the edge of a settlement. As such, the development will result in change from an undeveloped field to new homes and a primary school, but it will do so in a sustainable way. There is no evidence to suggest that the potential impacts of the development will lead to adverse harm. Of those limited impacts that have been identified, these certainly do not *significantly and demonstrably* outweigh the benefits of the development, in accordance with paragraph 14 of the NPPF.

This absorption of much needed development in a location and manner that has significant benefits and limited change is the most environmentally responsible way of accommodating the growth that is required.

Lawsonsteads has therefore got significant locational advantage as it is in ready walking and cycling distance from the centre of Whalley, minimising the need to use a car, as recognised by approval of the earlier scheme.

The agricultural land quality of the site has been assessed and is mostly of poor environmental quality (Grade 4), a further environmental benefit over development on higher quality land.

The site sits within the bowl of the settlement, yet remote from the core of the conservation area and listed viaduct. When viewed from the Nab, the development is readily accommodated in the surrounding landscape with no adverse impact on designated heritage assets.

The masterplan has been designed in such a way as to minimise impacts on the landscape and from key visual receptors to further reduce any suggestion of adverse impact on the landscape.

The proposal includes over 5ha of open space (more than a third of the overall site area) and considerable enhanced landscaping in a new linear park that will improve the pedestrian routes from the settlement up to Spring Wood.

Much of the Ribble Valley is designated either as green belt or as an area of outstanding natural beauty. Other areas within the valley itself are heavily constrained by flood risk or are remote from public transport hubs.

The Lawsonsteads site has none of these shortcomings and represents an opportunity to accommodate new development in an environmentally sustainable manner. It is also anticipated that 10% of the energy requirement

will be met on site through building techniques and renewable energy measures.

The application includes a Green Travel Plan that aims to promote a range of sustainable travel choices and maximise the potential for residents of the development and users of the school to minimise the number of car based journeys required.

Additionally, the scheme will also deliver a significant package of highways and transport improvements comprising:

- The construction of a permanent vehicular link (Boulevard) through the Lawsonsteads site to the A671 (prior to occupation of the 56th unit).
- The provision of the Boulevard will allow for the reassignment of traffic currently travelling through Whalley Settlement centre, in particular between Accrington Road and Station Road. Evidence presented by the applicant in the Transport Assessment work has demonstrated that, even if as little as 5% of the traffic currently making these through movements reassigns onto the Boulevard (and it is the applicant's view that significantly more will reassign), there will still be a net benefit in operating conditions within the settlement centre having taken into account the traffic likely to be generated within Whalley as a consequence of the houses at the development.
- This will in turn reduce carbon emissions in the centre. In doing so, the Lawsonsteads site is accommodating growth in a way that really minimises impacts on the centre itself when compared to alternative growth locations;
- The link will be available for construction traffic for the majority of the build programme (prior to construction of 56th unit) thereby avoiding the need for construction traffic to pass through the centre of Whalley;
- The construction of a lay by on King Street to improve short term parking to reduce the potential for traffic congestion in the centre, including the funding of any Traffic Regulation Orders;
- The provision of bus shelters and timetable information at the two bus stops on Clitheroe Road in the vicinity of the proposed site access which would help to encourage further public transport usage;
- A contribution of £18,000 for Travel Plan monitoring to ensure that the travel plan measures are implemented; and
- A contribution of £144,500 towards the wider package of improvements proposed by Lancashire County Council to King Street, to be provided prior to occupation of the 201st unit on the site. These include improvements to pedestrian amenity; kerb build outs to help regulate parking; improved zebra crossing and widening footways, etc.

NPPF paragraph 7 defines the environmental role of sustainable development as:

‘Contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.’

Development on the Lawsonsteads site will clearly help achieve these objectives for the reasons set out above.

Overall, the application clearly represents sustainable development in economic, social and environmental terms, for which there is a clear presumption in favour of granting approval.

Adverse impacts

In accordance with NPPF paragraph 14, if the Council is minded to refuse permission for this application, it must robustly conclude that there are adverse impacts to the development AND that those adverse impacts would significantly and demonstrably outweigh the benefits that we have summarised above.

The potential and alleged impacts of the development have been highlighted by local objection groups and can be summarised as being:

- *Impact on conservation area* – No adverse impact. For the reasons identified above, one of the advantages of this development is that it will not impact the conservation area or its setting, the heart of which is around the Abbey and Listed viaduct.
- *Development in the countryside, beyond settlement boundaries* – No adverse impact. It is the Council’s accepted position that the settlement boundary policies are out of date and that development will need to be accommodated in Whalley outside of these boundaries.
- *Change to visual amenity* – No adverse impact. The development will result in change as does all development. However, the landscape and visual impacts are not adverse and are certainly acceptable when viewed in light of the fact that development consent has already been granted for 55 dwellings and a nursing home on the front part of the site.
- *Prematurity ahead of Core Strategy* – The application is not premature. The development accords with the emerging Core Strategy, which identifies Whalley as a Key Service Centre that will accommodate growth over the plan period. It is not of a scale that pre determines the direction of policy travel. Development of 55 dwellings and a residential nursing home has already been approved on the site which has established the principle of

development outside the settlement boundary in this location.

The latest evidence base information prepared by NLP on behalf of the Council has indicated that, in any event, the Council's objectively tested annual requirement is likely to increase from 200 dwellings per annum to 250 or 280 dwellings per annum, depending on how economic growth projections are factored in. That is a 1,000 to 1,600 increase in homes over the plan period.

Putting aside our representations on this point relating to the overall requirement and apportionment between settlements to best achieve sustainable growth, which will be for the EiP in due course, it is evident that more homes will need to be delivered in the key service centres. Therefore, there is no harm in granting planning permission for this site now.

The Lawsonsteads application helps achieve this with very significant benefits to both Whalley and for the Borough as a whole, as set out above.

- *Impact on primary school education* – No adverse impact. The development proposal is being mitigated through provision of a new school on the site which is a positive benefit. The applicant has put significant energy and resource into identifying how the site can accommodate a new primary school, in recognition of the need to increase local school places in the future.
- *Additional traffic congestion* – No material adverse impacts on the network, including in Whalley centre or at the site access junctions. The package of transport measures, in particular the proposed link road, will lead to a reduction in congestion in Whalley – a significant and material *benefit* that is unique to this application.
- *Concern over impact on surface water* – No adverse impact. The applicant has demonstrated that the development can be accommodated and appropriate conditions have been proposed by United Utilities.
- *Scale* – Appropriate. The development is of an appropriate scale for a Key Service Centre that is identified to accommodate growth and would not result in any adverse impacts as detailed above. It is our stated view that Whalley can and should accommodate additional growth - in addition to this development - to help *significantly boost* housing in line with the NPPF and emerging evidence base prepared for the Council by NLP.

Conclusion

Overall, the application proposal clearly does not result in significant adverse impacts.

It is apparent that both in isolation or cumulatively, these potential adverse

impacts (if indeed they are adverse in any event) cannot reasonably weigh against the significant benefits summarised above.

It is simply not a credible position for the Council to take that there are adverse impacts that *significantly and demonstrably* outweigh the benefits that the development proposal as a whole will deliver and in the context of paragraph 14 of the NPPF.