

RIBBLE VALLEY BOROUGH COUNCIL

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Dear Councillor

HENTHORN ROAD RESIDENTIAL PROPOSAL

Following on from the Planning and Development Committee meeting in July, when the application was discussed, Members were invited to submit further questions in relation to the proposal. I now attach the questions and answers for your information.

Any Members attending the meeting, need to have regard to the Members Code of Practice document guidance issued in September 2007. Whilst Councillors may have a specific duty for their ward constituents, their overriding duty is to the whole community. The basis of the planning system is the consideration of private proposals against wider public interest. Much is often at stake in the process and opposing views are often strongly held by those involved.

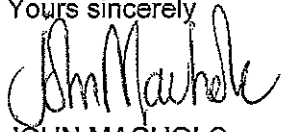
To assist Members, I ask them to be aware of the following guidance:

- Do come to meetings with an open mind and demonstrate your willingness to listen
- Do comply with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and make decisions in accordance with the development plan or other relevant documents unless material considerations indicate otherwise
- Do come to a decision only after due consideration of all the information or reasonably required on which to base a decision
- Don't vote or take part in the meeting's discussion on a proposal unless you have been present to hear the entire debate
- Do make sure that in discussing and determining a planning application or other planning matter, you confine yourself to the planning merits of the case. Do not raise non planning considerations even only in passing.
- Do make sure that if you are proposing, seconding or supporting a decision contrary to officer recommendations, that you clearly identify and understand the planning reasons leading to this conclusion or decision. You should always be aware of the consequences of any decision before it is made. Detailed reasons must be given including policy references. These reasons must be given prior to the vote. Be aware that you may have to justify the resulting decision by giving evidence in the event of any challenge, so be prepared to attend and support officers at any public inquiry or hearing
- Do be aware that if planning permission is to be refused, it is solely for the Council to demonstrate why. Where technical evidence, such as transport or highway

statements are submitted, planning permission should not be refused simply because one does not like, agree or is satisfied with the technical evidence/advice. This does not seek to prevent proper scrutiny and testing of the evidence but in every instance, all refusals of planning permission must be underpinned by substantiated evidence.

Should you wish for further clarification please do not hesitate to contact me

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Macholc', written in a cursive style.

JOHN MACHOLC
HEAD OF PLANNING SERVICES

HENTHORN ROAD RESIDENTIAL DEVELOPMENT PCT QUESTIONS

- 1Q What are the guarantees regarding the PCT facility? If the PCT doesn't take up the site, what happens to it and the money?
- 1A There are no guarantees that the PCT facility will happen. The draft Legal Agreement makes provisions for reserving the land for a period of 3 years and 1 month after the date of commencement of development. If the PCT does not take up the site within this period then the land would no longer be available for that use and the developer could apply for another use on that part of the site. The payment of the PCT contribution is linked to the transfer of the PCT facility area and is again covered in the submitted draft Legal Agreement.
- 2Q Can the developer confirm that the PCT and its successor organisation will accept all revenue costs for the new GP facility?
- 2A It depends on how the GP facility is to be run. There is a need to make sure there is a provision for such a facility and a business would have to be made on a case by case basis. It is expected that an organisation will meet its costs.
- 3Q Can the developer confirm who will employ the GP and pay for 'set up' costs in the surgery?
- 3A It is not possible to answer but the options could be a local practice or a foundation trust.

HENTHORN ROAD RESIDENTIAL DEVELOPMENT EDUCATION QUESTIONS

1Q Can LCC confirm that both primary and secondary schools has capacity to absorb new school entrance?

1A I assume this refers to school entrance as in the admissions at Reception and year 7. The attached paper gives background to the available capacity across the schools and all year groups.

I can confirm that there were 196 applications for the 2011 intake at the primary schools, for 229 places, leaving 33 spare places.

We do not know what age the pupils yielded by the development will be, nor do we know when the actual occupation of the development may take place (should the application be approved), nor the occupation of other developments which already have planning permission. However, we take into account known planning applications when planning school places for future years.

In the local secondary schools, there were 375 pupils allocated to the 375 places in the 2 secondary schools. However, a significant proportion of pupils attending the schools live much further away from the schools than the 3 mile 'catchment' used to assess local schools for a development. As the admission criteria for Ribblesdale High School is heavily weighted towards children living nearer to the school, a likely effect of additional pupils coming forward from a development would be to push pupils further away out. However, as there is also a weighting attached to sibling attending the school, we are unable to say at this time whether every local child yielded by this development would be able to access the local schools, hence the request for additional places.

2Q I did not see in the report any contribution required for secondary education, although there was a substantial amount for primary education; have Lancashire Education Services not asked for a contribution? If not, why?

2A At the time of the original application for this development, there was not deemed to be a requirement for additional secondary places. However, the schools in this area have maintained their numbers in a time of falling rolls and this, together with an increase in the number of housing developments coming on stream, has led to us reassessing our current position in terms of secondary places. Please see attached paper for details.

Henthorn Road, Ribble Valley Development

Education Response August 2011

Development details: 270 dwellings (latest know position at August 2011)- original application had been for 300 houses

Primary place requirement: 95 places

Secondary place requirement : 68 places

Local primary schools within 2 miles of development:

Edisford
St James CE
St Michael & St John RC
Pendle
Brookside
Barrow
Wadd & W Bradford CE

Current places: 175

Forecast places in 5 years: -6

Local Secondary schools within 3 miles of the development:

Ribblesdale
Clitheroe Royal Grammar

Current places: 7

Forecast places in 5 years: 62

Requirement based purely on forecasts:

Primary

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

With *latest forecasts*¹ for the local primary schools showing there to be a shortfall of 6 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**, ie 96 places.

Secondary

There were just 7 places in the local secondary schools at January 2011 pupil census.

*Latest forecasts*¹ for the local secondary schools show there to be approximately 62 places available in 5 years' time. With an expected pupil yield of 68 pupils from this development, there would be an expected shortfall of 6 places generated by this development and, therefore, should no further development receive approval, we would have been seeking a contribution from the developer for 6 secondary places. **However**, a planning application has already been approved for the former Cobden Mill, which has the potential to yield 11 additional pupils which are expected to attend one of these secondary schools. Therefore, the number of remaining places would be 62 less 11 = 51 places. With a potential yield of 68 pupils from this development, there would be a shortfall of 17 places and this would be the number of places for which a contribution would be sought.

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:

Barkers Garden Centre

Chapel Close

Barrow Brook Business Village

Chatburn Old Road

Old Manchester offices

Riddings Lane

Whalley New Rd

Cobden Mill

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 54 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 original claim in respect of this development was assessed at the time of application in 2010/11

The latest information available at this time was based upon the 2010 annual pupil census and resulting forecasts

Based upon the latest assessment, LCC would be seeking a contribution for 96 primary school places and 17 secondary places

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

Primary places: 96 @ (£12,257 *0 9) x 1 1072 = £1,172,530

Secondary places: 17 @ (£18,469*0 9) x1 1072= £312,868

Total contributions: **£1,485,398**

¹ Latest forecasts produced at spring 2011, based upon Annual Pupil Census January 2011.

HENTHORN ROAD RESIDENTIAL DEVELOPMENT HIGHWAY QUESTIONS

- 1Q The figures quoted of an increase on Henthorn Road of 158 at am peak and 179 at pm peak (40% increase) albeit some would go via Garnet & Lancaster Drive. How is modelling software and methodology quoted in TA used: viz TRICS; PICADY, ARCADY, particularly in relation to how sensitive they are to different data in particular, traffic counts, etc challenged by objectors (see below)?

How are flow figures, etc used to decide whether extra generated trips/volumes are acceptable? Are estimated total flow/trip volumes output from modelling (see below) measured against standards set in Government Guidance, PPS13, Professional Body Guidance or what? What is considered – queue lengths, road safety for crossing pedestrians, or what?

Could the process please be explained so members have confidence in understanding the potential impact of such figures

- 1A "TRICS is the system that challenges and validates assumptions about the transport impacts of a new development. It is the UK and Ireland's national system of trip generation analysis, containing over 6,000 directional transport surveys of over 100 types of development" (www.trics.org)

TRICS® is a very powerful and flexible system, and allows great variation in the calculation of both vehicular and multi-modal trip rates. It is possible, therefore, that two users of the system, applying different criteria and ranges to a task, may end up producing different results. This guide is intended to assist users in ensuring that correct procedures and understanding of the system are practised in the production of data, and is also intended to provide guidance to assist in the correct and thorough auditing of TRICS® data once it is received by third parties.

There are many areas within the system whereby careful selection criteria and ranges are important to assist in achieving robust and reliable data calculated by the system. This guidance is designed to assist users in this task.

TRICS is the industry standard trip rate database software used to estimate the expected trip generation of a particular land use proposal. This software takes into consideration a range of influencing factors and can provide estimated trip rates for all periods of the weekday or weekend.

Junction capacities are evaluated using industry standard traffic modelling techniques such as ARCADY (roundabouts), PICADY (priority junctions) and LINSIG (signalised junctions). These models require traffic flow data as well as the input of the physical characteristics of the particular junction. Base models are produced and compared with the 'with development' scenarios in both the AM and PM peak periods to assess the predicted impact of the development proposal.

Like all computer uses, the quality of a traffic model output will be dependent on good input data. These industry standard models recommend a threshold below theoretical capacity that should be used when assessing junction capacity (10% LINSIG and 15% ARCADY & PICADY).

An increase of 179 vehicles in the peak hour equates to, on average, 3 more vehicles every minute travelling along the road. What is important is the road standard and its

ability to accommodate a particular level of traffic (link and junction capacity) and consideration for road safety

The Design Manual for Roads & Bridges (DMRB) Volume 5, Part 1, Section 3, TA 79/99 gives typical link capacities of urban roads and these values can be compared with the predicted flows presented in the TA for the future 'with development' scenarios to assess what impact any increase in flows may have

These tools are used to examine the data contained in the Transport Assessment in order to determine the proposal's level of impact on the existing local highway infrastructure. Where appropriate, further information may be requested or the methodology challenged. In this instance it was identified that, "a number of items that require clarification or resolution following an examination of the Transport Assessment (TA) and supporting documentation provided by the Applicant". Having requested more detailed information on the junction modelling and survey data, this was subsequently provided. The one item that was collected concerned queue lengths.

By this method we, as the Highways Authority, made appropriate recommendations to the Planning Authority concerning the application's anticipated highway implications.

2Q Was a scoping study carried out as recommended in S4.2 of DfT guidance on Transport Assessment?

2A Section 4.2 of the DfT guidelines for Transport Assessments suggests that "it is good practice to agree, as part of the pre-application consultation, the preparation of a scoping study before the TA is begun. A scoping study should identify the issues the TA will address, the methodologies to be adopted, additional supporting data required, and the limits of the assessment area. An agreed scoping study will help to reduce the potential for misunderstandings about the form of the TA and avoid abortive work. It does not preclude varying the TA to reflect the findings of survey results or more detailed analysis. However, it is recommended that any significant variations are agreed with the appropriate authorities during the development of the TA."

The parameters and areas of concern were identified during the pre-application process and a formal Scoping Study that was received in May 2010. Our response of 17 June 2010 commented on the detail of the study and outlined the additional and supplementary information we would require.

3Q What was the outcome of the Accessibility Score disagreement with AH at 8 Dec meeting?

3A In our initial formal response of December 2010, an Accessibility Score of 20 was identified for the purposes of calculating the Planning Obligations sum. I am not aware of any subsequent disagreement or detailed discussion on this matter with representatives of Ashley Helme Associates.

4Q Should there be a specific Planning Condition requirement for a travel plan in s106 Agreement as s278 Agreement will only cover highway changes?

4A A framework Travel Plan was submitted as part of the original Transport Assessment (Item 7). Regrettably, the completion of a formal TP was not detailed as a formal

Planning Condition in subsequent correspondence. However, I have suggested the following Condition for consideration:-

A Framework Travel Plan (FTP) has been produced as part of this planning application to improve accessibility of the site by sustainable modes. We would request that the residential Travel Plan should be developed and approved by LCC Travel Plan team when the development reaches 90 occupied dwellings.

The full Travel Plan needs to include the following as a minimum:-

- Appointment of a named Travel Plan Co-ordinator
- Travel survey
- Details of cycling, pedestrian and public transport links to the site
- Details of secure, covered cycle parking
- Targets for a reduction in private car journeys
- Action plan of measures to be introduced
- Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years

A contribution of £18,000 is required to enable Lancashire County Council Travel Planning team to provide a range of services as described in 2.1.5.16 of the Planning Obligations in Lancashire paper dated September 2008.

Any questions on this aspect of my response should be directed to Rob Hancock, Travel Plan Adviser, Sustainable Travel, Lancashire County Council on 01772 530702.

5Q The report says: "The applicant will provide funding for a 20mph sign only scheme with complementary road markings on Henthorn Road"

Lancashire County Council has already announced that it will be implementing a 20mph zone in this area in the very near future. Will the application delay the implementation of this?

5A The progress of the Lancashire County Council proposals for the introduction of a 20mph Speed Limit in Clitheroe (North) has accelerated since a proposed contribution from the developer was first mooted in December 2010.

In view of the imminent implementation of the speed reduction proposals, there will be no request made for developer contributions to this highway safety measure.

6Q The report talks of a potential TRO on Woone Lane. Under what circumstances would this TRO fail if it were supported by County Officers?

6A Where any Traffic Regulation Order is being considered, the public consultation period is an open invitation for scheme related comments. Where objections are received, and the objectors cannot be persuaded to withdraw them, they are subsequently reported to the Cabinet Member for Highways and Transport for determination.

The specific content of the objections received will be considered and the report will seek to address the substance of any correspondence, whether for or against the

proposal. While the Member will have regard to the officer comments, he is not directed by them and will make his own decision

7Q What will prevent traffic from Henthorn using the southern section of Woone Lane, where a 162 property development is currently being built? How will this affect the junction at Primrose Bridge?

7A There are no restrictions or prohibitions in place to direct traffic (existing or anticipated) from Henthorn Road to follow a specific route when seeking to approach Whalley Road. There are a number of route options available for traffic exiting the Henthorn Road site and while the dispersal will introduce some additional traffic onto Woone Lane, both north and south of Eshton Terrace, the anticipated increase in vehicle numbers will not have a detrimental impact on highway capacity sufficient to result in significant congestion or delay on the local highway network.

The traffic assessments carried out for the Henthorn Road development incorporated relevant committed developments. In this instance, the Primrose Mill residential development (3/08/0526), on which consent was granted in March 2010. The impact of the anticipated traffic generated from this site was included in collating the subsequent impact at the Whalley Road junction.

The assessments carried out in relation to the development at Primrose Mill did not result in a recommendation for significant engineering improvements at the Whalley Road junction. However, the development of subsequent sites in this vicinity and the additional demands these may place on the capacity of the junction would warrant detailed consideration.

8Q Why is the TRO necessary if the alternative is acceptable and why have these, or similar, measure been refused by LCC when requested by Borough Councillors?

10Q If the proposed TRO regarding Woone Lane is not acceptable, how sure are you that the "fall back" position will prove realistic and on what basis?

11Q Why have you changed your mind about the possibility of a one-way system on Woone Lane, when this idea has previously been refused?

12Q What evidence do you hold that shows that traffic has decreased at the junction with Whalley Road?

16Q I should like to see the reports with statistics which show that the traffic movements leading to Whalley Road do not pose a significant treat to the existing flows. With this I should like to see the statistics for each of the days surveyed. I would suggest that these are compared to others that have been carried out independently.

17Q If a TRO was essential for Woone Lane how can an inferior alternative be acceptable in order to progress development?

Answers to 8, 10, 11, 12, 16 and 17

Measures to improve the management of traffic flows on Woone Lane are necessary in order to minimise the detrimental impact of the anticipated additional movements directly attributable to the development. In considering the means available to achieve a successful outcome, an agreed scheme involving priority working and

protected parking bays has been developed in discussion with Ashley Helme Associates

This proposal addresses the direct impact of the additional traffic generated by the proposed development, meets the existing demand for on street parking provisions, defines measures to secure managed speeds and secures accessible footways for pedestrians

This section of the highway has been the subject of regular discussions over recent years among officers, elected members and residents. The most comprehensive recent report was presented to the Lancashire Local Ribble Valley in February 2008, when a suggestion for introducing one way operation on Woone Lane was discussed and rejected by the meeting. At this time the report presented included the best information available on the predicted impact of any changes to the traffic flow in this area.

The Transport Assessment carried out by Ashley Helme Associates for Gladman Developments was investigated and assessed by Dave Watson, Developer Support, Strategic Highways and Planning. In correspondence and in discussion, we confirmed that we did not have any issue with the methodology they had adopted or the traffic generation data they had identified from the TRICS database. Where questions related to access to survey material, printouts of modelling results or details of junction surveys were raised, the necessary information was subsequently provided for our examination.

Among the survey material provided was additional detailed information on the number of vehicle movements along Woone Lane and their distribution. This information clearly established that there was a small number of peak hour movements north-to-south and that there could be benefits with the introduction of one way operation. The initial report to the Lancashire Local Ribble Valley had assumed a much higher number of vehicle movements and this was critical to the officer recommendation at that time. In addition to this the proposed upgrading of the existing Pelican crossing to a Toucan crossing will provide a more efficient facility and improve the movement of vehicles in this vicinity.

A Toucan crossing is a signal controlled road crossing wide enough to allow both cyclists and pedestrians to cross busy roads safely at the same time. The crossing is activated by a push button in the same way as a Pelican Crossing.

It is more convenient for cyclists as they are permitted to ride across the road, and do not need to dismount as at Zebra or Pelican crossings and can help to improve safety for cyclists and pedestrians.

Zig-Zag markings at the crossing prevent parking on the road in the vicinity of the crossing, but in this instance will not affect parking for local residents. As the Toucan software can recognise when pedestrians and cyclists are actively crossing, it will continue on red until this movement is complete. As a consequence, there can be a slight additional delay to traffic.

However, for traffic turning right to Greenacre Street from Whalley Road, this will provide a marginal advantage on the existing crossing provisions and will assist the safe and efficient movement of traffic.

A TRO to introduce the one-way operation of vehicle movements and on street parking arrangements along Woone lane is being considered independently of the

planning application process. The priority working scheme identified in the off-site works, and directly attributable to this application, will secure a significant highway safety improvement.

The scheme details have been considered and accepted as providing successful measures to control the safe movement of traffic, while maintaining two-way vehicle flows. The introduction of an extensive 20mph Speed Limit in this vicinity will also contribute to improved conditions for safe travel.

9Q What methodology has been used to justify the safety case for the single access to this application ie on Henthorn Road past The White House. How then does the methodology justify the decision and on what scale?

9A The sustainability of the site was identified as a concern from the early stages of our consultations. In the initial formal response of December 2010 the final paragraph stated that, "the long term sustainability of the site remains a particular concern and further measures are required as a matter of urgency in order to address these deficiencies."

While the single point of vehicular access from Henthorn Road was accepted, improvements to walking, cycling and public transport provisions were identified as a result of subsequent discussions. These improvements will be secured by means of a S106 Agreement.

13Q At peak times the turn off Henthorn Road by the level crossing is very busy, what evidence do you have to show that this route could deal with potentially another 500 plus vehicles from the development site?

13A As detailed in response to Question 1, junction capacities are evaluated using industry standard traffic modelling techniques such as PICADY (priority junctions). Base models are produced and compared with the 'with development' scenarios in both the AM and PM peak periods to assess the predicted impact of the development proposal.

The Design Manual for Roads & Bridges (DMRB) Volume 5, Part 1, Section 3, TA 79/99 gives typical link capacities of urban roads and these values can be compared with the predicted flows presented in the TA for the future 'with development' scenarios to assess what impact any increase in flows may have.

What is important is the road standard and its ability to accommodate a particular level of traffic (link and junction capacity) and consideration for road safety. In this instance, the Transport Assessment anticipates an increase of 179 vehicles in the peak hour, equating to an average of 3 more vehicles a minute.

14Q What evidence do you hold about the frequency of trains over the level crossing?

14A There was some concern that the original highway data provided underestimated the frequency of the operation of the level crossing. Further traffic surveys were undertaken as a result and reference was made to a more recent timetable, including both passenger and freight use of the rail line.

The counts undertaken on 8 and 11 July 2011 did indicate that there were periods when there was additional delay on Eshton Terrace as a direct consequence of further barrier activity. However, the standing traffic cleared on all occasions with

minimal additional delay and did not result in any inconvenience or potential hazard on neighbouring roads

15Q How will emergency vehicles access the development site?

15A There is a single point of vehicular entry to the site for all traffic from Henthorn Road, including emergency vehicles. There is no indication from the information provided by the applicant or following our detailed analysis of same, that there is any inherent impediment to the safe movement of vehicles to and from this site.

HENTHORN ROAD RESIDENTIAL DEVELOPMENT POLICY QUESTIONS

- 1Q. Are the affordable houses in each phase proportional to the total number in each phase?
- 1A. The affordable units (which shall consist of not less than 30% of the units on the overall site) will be provided on a phased basis in relation to occupancy of the market dwellings in each phase. The draft Legal Agreement requires that details of the affordable housing scheme will be required for further submission in terms of number, type, mix, tenure and location prior to occupation of the first market dwelling. Such an approach recognises that housing needs may change over the period of time that would be involved in the implementation of such a major scheme. This scheme will provide the timing of the construction of the affordable housing and its phasing in relation to the occupancy of market units across the site.
- 2Q. It is a fact that there are high levels of pollution on Whalley Road, how will this be managed with potentially 500 more vehicles?
- 2A. The applicants have been in consultation with the Council's Head of Environmental Health Services about the possible implications of the scheme on the air quality management area on Whalley Road. An air quality report has been submitted and shows that there will be a small contribution to the NO₂ levels. However the contribution would be so small $0.54/\mu\text{g}/\text{m}^3$ on the annual mean concentration as to be considered trivial.
- 3Q. Why are existing saved policies being regarded as out of date and not as valid because of the age of them, when in actual fact it could be argued that they are probably more relevant with the increased traffic of today?
- 3A. It is important to bear in mind that the Adopted Saved Local Plan was prepared in the 1990's against previous Lancashire Structure Plan policies that have been superseded by Policies of the RSS. RSS policies promote different levels of growth and planned for a period beyond that of the 2006 end date for the current Local Plan. Whilst policies have been saved, there have been no revisions of the old policies to reflect new growth and the need as a result to review settlement boundaries

In relation to the current proposal, it should be judged in the first instance against requirements of Planning Policy Statement 3 – 'Housing'.

It is apparent that Ribble Valley Borough Council is currently unable to identify a 5-year supply of deliverable housing land, with this figure standing at 2.9 years as at 31/03/11 (most up to date monitoring information). Paragraph 71 of PPS3: Housing, states that where LPAs cannot demonstrate an up to date five year supply of deliverable sites they should consider favourably planning applications for housing having regard to the policies in PPS3 including the considerations in paragraph 69.

The Council must follow the most up to date guidance when assessing applications and that is the advice offered in the latest version of PPS3 as issued in June 2011 which states in para68 that *When making planning decisions for housing developments after 1st April 2007, Local Planning Authorities should have regard to the policies in this statement as material considerations which may supersede the policies in existing Development Plans.*