

CAS/JH/17-01029

30th June 2017

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LONDON
BIRMINGHAM
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Dear Sir or Madam

Re: Full Planning Application for a proposed extension to the existing foodstore to accommodate a new in-store bakery and freezer area, and provision of nine staff car parking spaces at Lidl, Shawbridge Street Clitheroe BB7 1LZ.

We act on behalf of Lidl UK GmbH (Lidl) and are instructed to submit a planning application seeking approval for an extension to the existing foodstore and the provision of nine staff car parking spaces at Lidl, Shawbridge Street Clitheroe. Full details of the proposed development are provided below.

This application was submitted via the Planning Portal (Ref: PP-06191287) on 30.06.17, and comprises the following:

- Completed planning application forms;
- Site Location Plan (Drawing no: AD 100);
- Site Plan – Existing (Drawing no: AD 101);
- Ground Floor – Existing (Drawing no: AD 102);
- Elevations – Existing (Drawing no: AD 103);
- Roof- Existing (Drawing no: AD 104)
- Site Plan – Proposed (Drawing no: AD 110);
- Ground Floor – Proposed (Drawing no: AD 111 Rev A);
- Roof- Proposed (Drawing no: AD 112)
- Elevations – Proposed (Drawing no: AD 113 Rev A);
- Boundary Treatments- Proposed (Drawing no: AD 114);
- Site Finishes – Proposed (Drawing no: AD 115);
- Design and Access Statement
- Phase 1 and Phase 2 SI
- Landscape Plan R/1989/1
- Highways Technical Note
- FRA and Drainage Strategy
- Lighting Assessment and Lighting Plan prepared by Philips
- Tree Survey and Arboricultural Impact Assessment

The planning application fee in the amount of £1,925 will follow by cheque under a separate cover.

In addition to the above enclosures, we would be grateful if you could take into account the contents of this letter in determining the application.

Site and Surroundings

The application site comprises the existing Lidl foodstore (Use Class A1) located on Shawbridge Street. The site comprises a roughly triangular shaped piece of land, with Shawbridge Street along the north eastern boundary, Peel Street to the south eastern boundary and Queensway to the north western boundary. Mearley Brook runs between the north western boundary of the site and Queensway. The application site is defined on the attached Site Location Plan (Drawing no: AD 101). The Lidl foodstore occupies the central section of the application site, with the existing store parking located to the north east. The delivery bay is located on the north western elevation of the foodstore. To the south western end of the application site is a long stay car park, operated by the Council, with access from Peel Street.

The site area amounts to 0.4ha and is within Flood Zone 3, according to the Environment Agency Flood Risk Maps. The site is approximately 0.5km from Clitheroe town centre. The site is in a mixed use area, with a variety of commercial uses alongside residential properties.

Planning History

Planning permission was granted for the demolition of the existing buildings and the erection of a neighbourhood food retail unit with associated car parking on the site on 12.03.10 under reference 3/2009/1071.

Following this granting of planning permission, applications were made to discharge the pre commencement and pre occupation conditions, and for consent to display advertisements. Most recently, planning permission was granted for the variation of condition 5 (opening hours) of planning permission 3/2009/1071 to permit the store to trade between 07:00 and 22:00 Monday to Saturday and 10:00 to 17:00 on Sundays and for no restriction on delivery hours.

The Proposal

Lidl are currently undertaking a strategic review of their property portfolio in the UK and improving their existing stores to enhance the shopping experience and better meet the needs of their customers. The proposed extension and internal alterations will enable Lidl to create an in-store bakery and freezer area, which will create functional and aesthetic consistency between Lidl's Clitheroe store and the design of the company's new foodstores, known as the 'New Store Concept', which are currently being brought forward across the country.

Specifically, the proposed works comprise the following:

An extension to the south western end of the foodstore building and minor internal alterations to the warehouse to accommodate a new freezer storage area and in-store bakery. The additional 365.8 sq. metre (GIA) floorspace will primarily be utilised by Lidl to accommodate back of house services (bakery/freezer area), however, the sales area will increase marginally by 97.9 sq. metres- an increase of 9.8%.

The elevations of the proposed extension comprise two elements. The first section follows the line of the ridge and eaves of the existing pitched roof, whilst beyond this the remainder of the extension of the building has a flat roof profile with a 2 degree pitch set behind a parapet to minimize the bulk and massing, and also to accommodate the irregular, tapering shape of the site. The walls to the flank elevations of the proposed

extension will be finished in artificial stone to match the existing building, and the proposed rear elevation will be finished in white render. The proposed pitched roof will be finished in slate, again to match the existing roof finish.

An additional car parking area at the south western end of the site, behind the store, with access from Peel Street. The additional car parking area will contain nine spaces and will be for staff parking only. The existing car park will not be altered as a result of the proposals.

Full details of the proposed development are provided in the attached plans.

NATIONAL AND LOCAL PLANNING POLICY

National Planning Policy

The Government published the National Planning Policy Framework (NPPF) on March 2012. The Government seeks to ensure, through the planning policies set out in the NPPF (2012), that the planning system contributes to achieving sustainable development by simultaneously meeting economic, social and environmental priorities.

Paragraph 14 of the NPPF states that, at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. 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 in the NPPF taken as a whole; or
 - Where specific policies in the NPPF indicate development should be restricted.

Paragraph 19 of the NPPF sets out that planning should operate to encourage and not act as an impediment to sustainable growth.

Paragraph 21 of the NPPF states that investment in business should not be over-burdened by the combined requirements of planning policy expectations.

Paragraph 55 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 131 of the NPPF sets out that in determining planning applications, local planning authorities should take account of;

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Local Planning Policy

The Core Strategy was adopted by the Council on 16 December 2014 and forms part of the statutory Development Plan for the Borough. It sets out the strategic planning policy framework to guide development in the borough up to 2028 in the form of Key Statements and also includes development management policies to assist in the determination of planning applications. The policies and Key Statements relevant to the proposal are set out below.

Key statement DS2 (Presumption In Favour Of Sustainable Development) reflects the NPPF in establishing a presumption in favour of sustainable development, and that the Council will work pro-actively with applicants to find solutions which mean that proposals can be approved wherever possible.

Key Statement EC2 (Development Of Retail, Shops And Community Facilities And Services) supports the principle of development that supports and enhances the vibrancy, consumer choice and vitality and unique character of the area's important retail and service centres, including Clitheroe.

Policy DMG1: General Considerations requires all developments to meet a number of criteria relating to design, access, amenity, environmental and infrastructure considerations. In particular, all development should be of a high standard, sympathetic to existing and proposed land uses in terms of size, intensity and nature as well as scale, massing, style, features and building materials. Developments must also consider the potential traffic and car parking implications and ensure safe access. Development must also not adversely affect the amenities of the surrounding area.

Policy DMG3: Transport And Mobility sets out that all development proposals will be required to provide adequate car parking and servicing space in line with currently approved standards.

Policy DME1: Protecting Trees And Woodlands states that where proposal are likely to have a substantial effect on tree cover, detailed arboricultural survey information and tree constraint plans will be required.

Policy DME2: Landscape And Townscape Protection sets out that the Council will refuse development proposals which significantly harm important landscape or landscape features including individual trees, other than in exceptional circumstances.

Policy DME4: Protecting Heritage Assets is the policy that sets out that the Council will make a presumption in favour of the conservation and enhancement of heritage assets and their settings. The policy applies to proposals within, or affecting views in and out of, or affecting the setting of a conservation area.

Policy DME6: Water Management sets out that development will not be permitted where the proposal would be at an unacceptable risk of flooding or exacerbate flooding elsewhere.

Policy DMR1: Retail Development In Clitheroe is the policy that controls shopping development in and around the town. It states that proposals for shopping development outside the main shopping centre, as defined on the proposals map, will be considered on a sequential basis. Development of sites on the edge of the centre will be allowed, subject to a number of criteria.

Assessment

The planning considerations relevant to the proposed development are as follows:

1. Proposed increase in A1 retail floorspace;
2. Design considerations, including impact on the character of the area;
3. Parking provision; and
4. Impact on neighbouring uses.

These are addressed in turn below.

1. Proposed increase in A1 retail floorspace

The proposed development results in the increase in the size of the building of 365 sq.m. However, the majority of this floorspace is to provide an increased “back of house” freezer area and bakery. The increase in size of the sales area amounts to 97.9 sq.m. This is a marginal increase (9.8%) in the sales floor area and will not result in any significant change to the role and function of the store. Subsequently, the extension will not have a significant adverse impact on the viability and vitality of the town centre.

The applicant’s are a deep discounter, and are able to offer discounted prices on goods for a number of reasons, but in particular due to a limited range of goods. The business model of the applicant is that the foodstore provides a “top up” function for people who do their main weekly shop elsewhere. On this basis there is unlikely to be a significant impact on the vitality or viability of the town centre. Due to the limited range of product lines and the top up function, the amount of customer spend in a Lidl foodstore is typically substantially less than other foodstores of a comparable size.

The proposed requirement for this extension is site specific, and the development could not fulfil the role and function intended if it was disaggregated from the foodstore it intends to serve. The search for alternative options, on a sequential basis, is therefore not appropriate in this case. However, the site is well connected to the town centre (being approximately 200m from the southern edge of the defined town centre) and accessible by public transport, with a bus stop immediately outside the store.

Given the above, it is considered that a sequential site assessment is not appropriate in this case, and that there will be no significant adverse impacts on the viability and vitality of the town centre as a result of the development proposed.

2. Design considerations, including impact on the character of the area.

The design approach to the development is set out in the accompanying Design and Access Statement, prepared by One Design. The site is located in a relatively sensitive location given that there is a boundary to the conservation area that runs along the middle of Queensway- the road that runs along the north western boundary of the site. In addition, either side of Queensway, there is a large area of open space identified in the District Local Plan Proposals Map, and a smaller area of open space identified in the District Local Plan Proposals Maps (currently in use as a Council operated car park).

Clearly, the principle of the design and appearance of the building has been accepted by the Council in granting the original planning permission. The proposed extension simply continues the form of the building, and also uses the same materials. Part of the proposed extension is of a flat roof design. However, this is due to the tapering nature of the site, and this design solution also ensures that the mass and scale of the building is minimized. Because the proposed extension is to a building on the edge of the conservation area, it is necessary to consider the impact on the setting of the heritage asset.

In relation to the original application (3/2009/1071), the case officer noted in the Committee Report that *“in terms of design, materials and impact on the Conservation Area I am of the opinion that the proposal would*

represent an enhancement over what is there at present.” As the proposal continues the original design theme, it is submitted that the significance of the heritage asset will be sustained and enhanced, and that the development will ensure that the building will continue to make a positive contribution to the local character and distinctiveness of the area, as required by the NPPF. In addition, there will be no compromise of the presumption in favour of the conservation and enhancement of heritage assets and their settings, as set out in policy DME4 of the development plan.

Part of the character of the area is made up of the identified open spaces shown on the Proposals Map. These areas are identified as policy G6 on the Proposals Map. However, the policies of the Proposals Map have been superseded by the adopted Core Strategy, and policy G6 no longer applies. It has been superseded by a number of adopted policies, and those relevant are DMG1, DME4, and DME2.

These areas are immediately to the north west of the site, and on the opposite side of Queensway, and to the rear of the existing store. The proposed development will result in the loss of part of the existing public car park to the rear of the existing store, but approximately 55% of the area will remain. It will be retained for use as a staff car park for the store, and therefore essentially its use will not change as it will still be used for the parking of cars. At present, the car park is bounded by hooped railings, approximately 1.1m in height, and these will be used to enclose the new car park. Given that the existing car park is hard surfaced, with limited landscaping within it, and is used to park vehicles, it contributes little quality to the overall character of the area. As a result, the loss of part of the open space will not have a significantly harmful impact on the overall character of the area, and the relevant policies of the Core Strategy that have replaced Districtwide Local Plan policy G6 (DMG1, DME4, DME2) will not be compromised.

There are a number of trees on the site, mainly along the existing boundary between the car park and the foodstore. A tree survey accompanies the application, and it demonstrates that the existing trees are of limited amenity value and low quality. The removal of these trees is considered to be acceptable, and a landscaping scheme setting out replacement planting for the area around the car park is submitted as part of the proposals. The landscaping scheme will help to improve and enhance the character and appearance of the area.

The boundary treatments around the extended store and car park will follow the same treatments as existing around the site as present, consisting of a 600mm timber knee rail to the southern and eastern boundaries, with a 1.025m brick wall to part of the north western elevation, and a hooped fence 1.1m in height around the staff car park. The boundary treatments will contribute positively to the character of the area and will also sustain and enhance the setting of the heritage asset.

The design of the scheme is therefore considered to be acceptable, resulting in a positive improvement to the character of the area, and sustaining and enhancing the nearby heritage asset.

3. Parking provision

Accompanying this submission is a technical note from SCP, the applicant's transport consultants. The technical note outlines the results of parking surveys and in summary concludes that there is pressure at peak times for parking for customers at the Lidl store, with the car park at 94% and 96% capacity on Fridays and Saturdays. At the adjoining Peel Street car park, to be redeveloped for part of the store and additional store car parking, the average take up was between 47% and 66% of capacity.

The current arrangement allows for staff to park their cars in the customer car park. As a result of the development, nine staff parking spaces will be relocated to the dedicated staff car park at the south western end of the site. This will, in effect increase the capacity of the main car park for the use by shoppers.

Whilst the marginal increase in the retail area offered by the proposal is unlikely to result in significantly more shoppers visiting the store, it will allow for an increased product range, which may result in existing shoppers being likely to stay for longer. This will reduce the turnover of parking spaces and lead to increased pressure, particularly at peak times when the existing car park is close to capacity. At busy times of the year, such as Easter and Christmas, the pressure for parking spaces is likely to be greater, resulting in the potential for a consequential effect on the local highway network. The proposed development will help to alleviate this potential impact. The Council, the current owners of the car park, have confirmed during the negotiations for the sale of the site to the applicants that the loss of this small car park, which is under utilized, as demonstrated above, will not have a significant impact in the amount of parking provision within and around the town centre. Following the proposed development, there will still be 442 public parking spaces in and around the town centre in car parks operated by the Council.

The technical note concludes that there is no impact on the way in which the store will be serviced, and there is no evidence of increased localized congestion occurring on the highway resulting from the proposals contrary to any transport-related planning policy. As a result, there should be no highways grounds on which to refuse the current application.

4. Impact on neighbouring uses

Although the surrounding area is mixed in terms of the land use, the predominant land use, particularly to the south of the site, is residential. Peel Street (to the south of the site) consists of terraces of houses which face the existing foodstore and car park. The proposed extension to the building is directly opposite the junction of Peel Street with Derby Street. As a result, there will be minimal impact on the amenities of nearby dwellings.

The changes to the car park to reduce the number of spaces (from 14 pay and display spaces with two disabled bays) to a nine space private car park for staff will not have an adverse impact on the adjoining properties. In fact, the change in the nature of the car parking area and the reduction in the number of spaces will result in an improvement through a reduction in the number of traffic movements, and a reduction in noise and disturbance for local residents. There is therefore no conflict with policy DMG1 of the Core Strategy.

Conclusions

The proposed development has been assessed against the policies of the development plan, and it is considered that there is no serious conflict with the policies of the adopted Core Strategy and no harm to the character of the area, including nearby heritage assets, or the amenities of adjoining properties. The development will enhance and improve the shopping opportunity at the Lidl foodstore in line with the current national store improvement programme. There will be no significant adverse impacts on the vitality and viability of the town centre as a result of the proposal, and the loss of 15 public car parking spaces will not compromise the amount of public car parking available in and around the town centre. It is clear from the highways technical note that the existing car park is under utilized.

We therefore respectfully request that planning permission is granted for the above described development.

We look forward to receiving confirmation of receipt and registration of the application, however, in the meantime if you require any further information or have any queries in respect of the submitted documentation, please contact the undersigned in the first instance.

Yours sincerely,

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