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PLANNING STATEMENT

**IN RESPECT OF A FULL PLANNING
APPLICATION FOR THE CHANGE OF USE OF
LAND FROM AGRICULTURAL TO FORM AN
EXTENSION TO THE EXISTING CAR PARK**

AT

**SHACKLETONS HOME AND GARDEN CENTRE
CLITHEROE ROAD
CHATBURN BB7 4JY**

**Prepared by: Colin Sharpe
Our Client: Mr. D. Shackleton
Our Ref: Sha/746/2427/CS
Date: January 2018**



Chartered Surveyors ■■■ Planning & Development ■■■ Land Agents
Valuers ■■■ Property Agency ■■■ Property Management



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1. INTRODUCTION AND BACKGROUND INFORMATION

- 1.1 Gary Hoerty Associates has been instructed by Mr. D. Shackleton of Shackletons Home and Garden Centre to submit a planning application for the change of use of land from agricultural to form an extension to the existing car park at Shackletons Home and Garden Centre, Clitheroe Road, Chatburn, BB7 4JY.
- 1.2 In this Planning Statement we will describe the proposed development, we will explain the reasons why an extension to the existing car park is essentially required by this established business, and we will review the relevant policies and guidance and set out why we believe that the proposed development complies with national planning guidance and local planning policies such that, in our opinion, the application should be looked upon favourably by the Local Planning Authority.
- 1.3 We have also submitted with the application an Ecological Appraisal Report and an Arboricultural Impact Assessment Report. We request that the contents of this Planning Statement, the Ecological Appraisal Report and the Arboricultural Impact Assessment Report are all fully considered by the Council in the determination of this application.

2. THE APPLICATION SITE AND SURROUNDINGS

- 2.1 Shackletons Home and Garden Centre is located on the south-east side of Clitheroe Road to the south of the village of Chatburn and opposite the Pendle Trading Estate. The site of the existing business is adjoined to the south-west by Worston Road and to the south-east and north-east by agricultural fields. The existing buildings occupy the south western part of the site with elevations in close proximity to the site boundaries to both Clitheroe Road and Worston Road. The existing customer car park, that has a tarmac surface and marked-out spaces, is located to the north-east of the buildings and is served by a single access/egress from Clitheroe Road. An area of land to the south-east of the buildings is presently used as a gravel-surfaced un-marked staff car park to which access is provided from Clitheroe Road and across the customer car park.
- 2.2 The land to which the application relates has an area of approximately 0.80 hectares and comprises part of an agricultural field that immediately adjoins the entire length of the south eastern boundaries of both the existing customer and staff car parking areas. This land is adjoined to the south-west by Worston Road and to the south-east and north-east by further agricultural land. The land covered by the existing buildings and car parks slopes upwards from Clitheroe Road up to the existing south-eastern boundary of the business site. The land that is the subject of this planning application continues that upward slope in a south-easterly direction. The field is presently laid to grass and is largely devoid of trees. There are, however, trees on the boundary with Worston Road; a group of

three trees close to the boundary with the existing car parks and a few scattered trees close to the north east boundary of the land. The south-eastern part of the land is devoid of trees.

- 2.3 The existing business and the adjoining land to which the application relates (the application site) are within the open countryside as defined in the Council's adopted Core Strategy. The western boundary of the Forest of Pendle Area of Outstanding Natural Beauty is approximately 1km. to the east of the application site.

3. PLANNING HISTORY

- 3.1 In this particular case, we consider it important that the proposed development is considered within the context of the planning permissions that have authorized the growth and diversification of this business since permission was originally granted for the change of use from nursery to garden centre in 2000. Details of all eighteen permissions are therefore stated below:

- (1) 1999/0399 – New garden centre building and change of use of site from nursery to garden centre – Approved with Conditions on 18 September 2000.
- (2) 2000/0551 – New polytunnel replacing existing greenhouse (Phase 1) – Approved with conditions.
- (3) 2000/0554 – New polytunnel replacing existing greenhouse (Phase 2) – Approved with conditions.
- (4) 2000/0831 – Extension of existing polytunnel by two bays – Approved with conditions.
- (5) 2003/0098 – Change of use of agricultural land to provide additional parking, turning circle and growing-on area for garden centre; creation of two new accesses and re-routing of footpath – Approved with conditions.
- (6) 2003/0802 – New shop, display area and open sided covered area and extension to existing conservatory – Approved with conditions.
- (7) 2004/0059 – New shop, display area and open sided covered area and extension to existing conservatory (Resubmission) - Approved with conditions.
- (8) 2005/0998 – Variation of a condition on planning permission 1999/0399 to allow the opening of the garden centre until 8pm on Thursdays and Fridays – Approved with conditions.
- (9) 2005/0999 – use of café as restaurant open until 24.00hrs on Thursday to Saturdays (Retrospective) – Approved with conditions.
- (10) 2005/1000 – Increase in range of goods for sale to include home ware, gifts and indoor fish (Retrospective) - Approved with conditions.
- (11) 2005/1034 – Replacement of 7 bay polytunnel with larger permanent building and alterations to conservatory. (Resubmission of refused application 2005/05008) – Approved with conditions.

- (12) 2007/0329 – Replacement and extension of aquatics building and installation of two fire doors in replacement building approved under reference 2005/1034 – Approved with conditions.
- (13) 2007/0694 – Dismantle aquatics building to enable construction of extension (permission 2007/0329); reassemble in new position; re-position security fencing adjacent to relocated aquatics building – Approved with conditions.
- (14) 2007/1070 – Removal of existing polytunnels and replacement with portal frame indoor retail and external covered retail areas (1,266m²) – Approved with conditions.
- (15) 2008/00296 – Erection of a canopy between the sales area and the café – Approved with no conditions.
- (16) 2009/0902 - Erection of warehouse and internal security fencing – Approved with conditions.
- (17) 2010/0378 – Proposed aquatics building – Approved with conditions.
- (18) 2013/0776 – Renewal of planning permission 2010/0378 – Approved with conditions on 11 October 2013.

3.2 The above planning permissions are evidence that the Council has supported the expansion and diversification of this business over the last seventeen years. Of particular relevance to the consideration of this current application is the most recent of the previous permissions, 2013/0776. This was a renewal of previous permission 2010/0378 for the erection of an aquatics building on the part of the site that is presently used as a staff car park. The renewal permission was granted on 11 October 2013 subject to a condition that development must be begun no later than the expiration of three years beginning with the date of the permission (i.e. before 11 October 2016). At Appendix 1 of this Statement is a letter dated 13 October 2016 from an Area Surveyor of Approved Inspectors Ltd confirming that works had commenced on the construction of the approved aquatics building when he conducted an inspection of the foundation excavations on 7 October 2016; and that it was later confirmed that the foundations had been poured. Photographs showing the foundation excavations and poured concrete are also at Appendix 1. We contend, therefore, that planning permission 2013/0776 remains extant.

3.3 Whilst there has been a delay in the construction of the aquatics building since the permission was originally granted in 2010, the applicant is now looking to proceed with this development. As stated, however, the land upon which it is to be constructed is presently used as a staff car park. This has been the case for a number of years since it became evident that the main car park was not large enough to accommodate staff cars whilst still leaving sufficient spaces for customers at busy times. Therefore, if this next phase in the development of the Home and Garden Centre is to proceed, it is essential for replacement/additional parking spaces to be provided. It is for this reason that this current application has been submitted.

4. THE PROPOSED DEVELOPMENT

- 4.1 The reasons for the proposed development, and its part within the current plans for the expansion of the business, have been outlined in the previous section of this Statement.
- 4.2 Full planning permission is sought for the formation of a car park occupying the majority of 0.80 ha of land to the south east of the boundaries of the existing business. The land is currently in different ownership, but the applicant has an option to purchase subject to this planning application being approved. It is proposed that the car park will have a porous shale surface with the individual spaces marked out by stone setts. As indicated on the submitted plans, existing trees within the site and close to its boundaries will be retained and there will be no shale surfacing within their root protection areas. This will break up the “mass” of the car park and this objective will be further achieved by proposed additional tree planting and landscaping as also indicated on the submitted plans.
- 4.3 Access to the new parking area will be from the existing main access from Clitheroe Road and across the existing customer car park. There will be no use either by staff or customers of the access from Worston Road that is for deliveries only and is closed by a locked gate at all times other than when deliveries are being made.

5. PLANNING POLICY CONSIDERATIONS

- 5.1 The application relates to the provision of additional car parking spaces both to remedy an existing shortfall of spaces, and also as part of a scheme of expansion and improvements at an existing established business in an open countryside location between the Principal Settlement of Clitheroe and the Tier 1 Village of Chatburn.
- 5.2 As the Council has an adopted Core Strategy which, by definition, should be compliant with the requirements of NPPF, we consider that there would be only limited benefit to be gained by a detailed examination of the proposed development in relation to all of the guidance and advice contained in NPPF. We would, however, state that, in our opinion, the proposal represents sustainable development as defined by the policies in paragraphs 18 – 219 taken as a whole. In particular, however, the proposal will support the intentions of Section 3 of NPPF to support a prosperous rural economy.
- 5.3 We will, therefore, consider the proposed development against what we consider to be the most relevant Key Statements and Policies of the adopted Core Strategy.

Key Statement DS2: Presumption in Favour of Sustainable Development.

- 5.4 Key Statement DS2 states that, when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework; and will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible. It also states that applications that accord with the policies of the Local Plan will be approved without delay unless material considerations indicate otherwise. We consider that, for reasons that will be explained in this Statement, the proposal represents sustainable development as defined by NPPF, and fully accords with the relevant policies of the Local Plan such that permission should be granted.

Key Statement EN2: Landscape

- 5.5 Key statement EN2 identifies that as a principle the Council expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials. In this case, the proposed development does not involve the construction of any new buildings, but we accept that giving an agricultural field a gravel surface, to facilitate the parking of cars, does have an impact on the local landscape. We contend, however, that the impact is the same as the impact of the existing parking areas that are now seen as a necessary and integral part of this existing business. As viewed from the higher ground within the AONB to the east, the existing buildings and parking areas are not screened by any significant tree cover. Whilst we consider the proposed development to be appropriate for the locality, such that it does not need to be totally screened from view, we have included within the proposal a scheme of landscape planting close to the south eastern boundary of the site that we consider will help to assimilate both the existing and proposed development into the landscape. As such, we consider that the proposal satisfies the intentions of Key Statement EN2.

Key Statement EC1: Business and Employment Development

- 5.6 Key statement EC1 states “*developments that contribute to farm diversification, strengthening of the wider rural and village economies or that promote town centre vitality and viability will be supported in principle*”. Shackletons Home and Garden Centre is an established and successful business in a rural but appropriate and sustainable location that benefits the rural economy in general but also by attracting visitors/customers who will also provide extra custom for other local businesses such as shops, public houses, cafes and restaurants, thereby strengthening the rural and village economies.

Key Statement EC3: Visitor Economy

- 5.7 This Key Statement relates specifically to the visitor economy stating that proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged; and that significant new attractions will be supported in circumstances where they will deliver overall improvements to the environment and benefits to the local communities and employment opportunities.
- 5.8 We consider that Shackletons Home and Garden Centre is both a retail outlet for local residents and a visitor attraction. Although not a significant new attraction, the proposal, as part of an expansion/improvement scheme for the existing business/attraction, will, in our opinion, be very beneficial to the local economy and the social well-being of the area because it will assist in benefiting the local economy and contributing to tourism within the local area which will have benefits to the local attractions and facilities of the Ribble Valley. The proposal will also assist in retaining existing employment opportunities and the provision of new opportunities. For reasons that are explained in this Statement with reference to other Key Statements and Policies, we do not consider that the proposal would be harmful to the environment. Therefore, we consider the proposal to be fully compliant with the intentions of Key Statement EC3.

Policy DMG2: Strategic Considerations

- 5.9 Policy DMG2 defines the Council's overall development strategy and, amongst other things, identifies certain forms of development that are acceptable outside of the defined settlement areas, two of which are as follows:
- Development that is essential to the local economy or social well being of the area.
 - Development for small scale uses appropriate to a rural area where a local need or benefit can be demonstrated.

Neither of the above really relate specifically to the circumstances of this proposal which is an integral part of a scheme of expansion and improvement of an existing business that we consider to be in an appropriate and sustainable location. Although outside any settlement boundary, this business is located on the main road between Clitheroe and Chatburn and also close to the A59, the principal highway in the Borough. In this sustainable location, we would say that, the proposed development is of an appropriate scale and will support the continued and improved operation of an existing business to the benefit of the local rural economy.

Policy DMB1: Supporting Business Growth and the Local Economy

- 5.10 Policy DMB1, which seeks to support business growth and the local economy, is perhaps of more specific relevance to this proposal. Amongst other things the

Policy states that *“The expansion of established firms on land outside settlements will be allowed provided it is essential to maintain the existing source of employment and can be assimilated within the local landscape. There may be occasions where, due to the scale of the proposal, relocation to an alternative site is preferable.”*

- 5.11 The proposal seeks to improve the business and make it more attractive to potential customers thereby benefitting the local economy and maintaining the existing source of employment. As explained elsewhere in this Statement with reference to other Key Statements and Policies, we consider that, through the implementation of the landscaping proposals put forward in the application, the proposed development, that does not include the construction of any new buildings, will be appropriately assimilated into the local landscape.
- 5.12 The area occupied by the existing buildings and car parks is just about large enough for the efficient operation of the business at its current scale, although, at peak times, the customer car park is too small resulting in cars being parked on the highway. However, the completion of the aquatics building for which there is an extant planning permission (2013/0776) would result in the loss of the existing staff car park. The proposal therefore seeks to replace the parking spaces that would be lost whilst also increasing the parking spaces that will be available for customers. The proposal, therefore, seeks to improve the efficiency of the business as it currently exists but also taking into account the new building for which planning permission has been granted. It will not, however, result in an increase in the scale of the development to the degree where relocation to another site needs to be even considered.
- 5.13 We consider that, with regards to developments on land outside settlements, the main intention of Policy DMB1 is perhaps to control the scale and appearance of existing businesses that are in more isolated rural locations. This application, however, relates to a site that is outside any settlement, but the existing buildings and parking areas are part of a built-up more urban environment that also includes the Pendle Trading Estate on the opposite side of Clitheroe Road. As it does not involve the construction of any buildings, we consider that the proposal would still keep the built form at the site at a scale and appearance that is entirely compatible with the immediate locality. Therefore, insofar as they relate to this proposal in this specific more “urban” locality, we consider that the proposal fully complies with the requirements of Policy DMB1.

Policy DMG1: General Considerations

- 5.14 Policy DMG1 defines the general criteria that proposals must satisfy in order for planning permission to be granted. Whilst to some extent the criteria repeat the requirements of Policy DMB1, as discussed above, we will comment below using the “headings” within the Policy.

- 5.15 **Design.** The proposal does not involve the construction of any new buildings.
- 5.16 **Access.** The existing access into the site that serves the existing customer and staff car parking areas continue to be used following the proposed development. This access is considered to be safe and has appropriate and acceptable visibility splays in both directions. No alterations to the access are therefore considered to be necessary. The proposal is partly to make the business more attractive to customers and, as such, might result in an increase in the number of vehicles entering and leaving the site. It is not, however, envisaged that there would be any significant impact upon the local highway network. We are, of course, aware that the Council will consult the County Highway Authority on the application and we would be willing to give consideration to any alterations to the access should this be considered necessary. With regards to the matter of “car parking implications” also mentioned under this heading, the proposal is intended to ensure that adequate customer and staff parking spaces are available at all times in order to prevent the need for cars to be parked on the adjoining public highway. The proposal will therefore be beneficial with regards to the matter of highway safety.
- 5.17 **Amenity.** There are no residential properties in the vicinity of the site.
- 5.18 **Environment.** The location of the site is not subject to any special environmental protection. We do not consider that the proposed extended car park will have any detrimental effects upon the natural environment. This opinion is supported by the conclusions of the Ecological Appraisal Report also submitted with the application.
- 5.19 We consider that we have demonstrated that the proposal satisfies all of the relevant requirements of Policy DMG1.

Policy DME2: Landscape and Townscape Protection

- 5.20 This policy identifies that development proposals will be refused which significantly harm important landscape features and sets out a list of relevant landscape features. Of those specified features only “Hedgerows and Individual Trees” is considered to be relevant to the consideration of this application. As stated in the submitted Arboricultural Impact Assessment Report, there are a number of trees within the site and on its boundaries, the most important of which are to be retained and appropriately protected during the formation of the new car parking area. However, as stated at Paragraph 5.5 of the Report, and illustrated on the Tree Impact Plan, 5 individual low quality trees, a 7m length of a group of tightly spaced Beech and a 1m length of Beech hedge, that are close to the boundary between the existing car park and the proposed extension, all need to be removed to facilitate the proposed development. As shown on one of the submitted plans, however, this loss is to be mitigated by the planting of a number of trees in suitable locations and a native hedge on the southern boundary of the

site. We therefore consider that, subject to the replacement planting, the proposal does not contravene the requirements of Policy DME2.

Policy DME3: Site and Species Protection and Conservation

- 5.21 As confirmed in the separate Ecological Appraisal Report, the proposal would have no detrimental effects upon any protected species or any other ecological considerations and would therefore fully comply with Policy DME3.
- 5.22 Overall we consider that we have demonstrated that the proposal satisfies the requirements of all the relevant Key Statements and Policies of the adopted Core Strategy.

6. SUMMARY AND CONCLUSIONS

- 6.1 In this Statement, we have outlined the planning history of this business since planning permission was granted in 2000 for the change of use of the site from a nursery to a garden centre. As is the nature of this type of business, it has expanded and diversified in the seventeen years since that initial planning permission. We consider that the planning history, detailed in Section 3 of this Statement, is evidence that the Council considers this business to be appropriate and acceptable for its location, and has been supportive of applications for expansions and diversifications of the business. We have explained that this application represents part of the next phase of the development of this business, and we consider that there are no reasons why the Council should not support this application in the same way that it has supported and approved eighteen previous applications over the last seventeen years.
- 6.2 We consider that we have demonstrated in this Statement that the proposal represents sustainable development that is in compliance with NPPF and the relevant Key Statements and Policies of the Council’s adopted Core Strategy. Therefore, in order to comply with paragraph 14 of NPPF and Core Strategy Key Statement DS2 we consider that permission should be granted without delay subject to any reasonable conditions that the Council considers to be necessary.
- 6.3 If, however, the Council requires any amendments to the proposal, and/or the submission of any additional information in order for permission to be granted, we would ask that you give us the opportunity to address the same (in accordance with NPPF paragraph 187 and Core Strategy Key Statement DS2) prior to the determination of the application.

Signed..........Date..........
Colin Sharpe DipTP MRTPI
For and on behalf of Gary Hoerty Associates

APPENDIX 1

**Proof of commencement of Development in respect of Planning
Permission 2013/0776**

Approved Inspectors Ltd
32 Eaton Avenue, Malrix Park, Buckshaw Village, Chorley, PR7 7NA
Tel: 01772 284034

Email: ribble.valley@approvedinspectorsltd.co.uk
Web: www.approvedinspectorsltd.co.uk



Mr David Shackleton
Shackletons Garden & Lifestyle Centre
Chatburn
BB7 4JY

13th October 2016

Reference: AIC-16-16361

**The Building Act 1984 ("The Act")
The Building (Approved Inspectors etc.) Regulations 2010 ("the 2010 Regulations")**

Dear Mr David Shackleton

I can confirm that works have commenced on the new aquatics building at Shackletons Garden & Lifestyle Centre and that we conducted an inspection of the foundation excavations 07/10/2016. It was later confirmed that the foundations had been poured.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Chris Letts'.

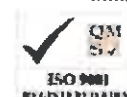
Chris Letts BSc(Hons) GradCABE
Area Surveyor

Established 2009

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Shackletons Garden Centre

Foundation Excavations to the new aquatic building

Inspection conducted 07/10/2016



