



SHACKLETONS HOME & GARDEN CENTRE, CLITHEROE ROAD, CHATBURN, BB7 4JY

Proposed extension and remodeling of home and garden centre, including additional indoor and outdoor retail space and increased café area and play area.

PLANNING STATEMENT

October 2020



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/1 INTRODUCTION

- 1.1. PWA Planning is retained by Stanton Andrews on behalf of David and Paul Shackleton ('the applicants') to progress a full planning application in connection with the extension and remodelling of the existing home and garden centre, including additional indoor and outdoor retail space and increased café area and new play area ('the proposed development') at Shackletons Home and Garden Centre, Clitheroe Road, Chatburn, BB7 4JY ('the application site'). The planning application is made to Ribble Valley Borough Council (RVBC) ('the Council') and relates to the red edge application site boundary defined on the Site Location Plan (Drawing Reference: 1859/EX00).
- 1.2. This Planning Statement seeks to assess and conclude on the acceptability of the proposed development in terms of relevant local and national planning policy and any relevant material considerations.
- 1.3. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. This Planning Statement will demonstrate that the proposals accord with the provisions of the relevant policies of the Development Plan, and moreover that there are other significant material considerations which indicate that planning permission ought to be granted. In addition, the statement will seek to demonstrate that there are no technical reasons which could hinder the grant of planning permission.
- 1.4. This Planning Statement, alongside a review of the site history and relevant policies, provides a description of the proposed development together with an appraisal of the planning merits of the scheme as a whole.
- 1.5. This supporting Planning Statement provides relevant information to assist the Local Planning Authority in determining the planning application and considers the planning policy framework and other material considerations in relation to the proposed development.

1.6. This statement should be read in conjunction with the submitted application package, which includes the following documents:

- Application Form and Ownership Certificates;
- Drawn Information:
 - 1859/Ex00 – location plan;
 - 1859/Ex01 – Ex. site plan;
 - 1859/Ex02 – Ex. elevations
 - 1859/PL01 – Proposed site plan;
 - 1859/PL02 – Proposed lower floor plan;
 - 1859/PL03 – Proposed upper floor plan;
 - 1859/PL04 – Proposed elevations;
 - 1859/PL05 – Proposed sections 1/2;
 - 1859/PL06 – Proposed sections 2/2;
 - 1859/PL10 – Proposed car park layout 1/2; and
 - 1859/PL11 – Proposed car park layout 2/2.
- Supporting Reports:
 - Design and Access Statement;
 - Retail Impact Assessment;
 - Sequential Test;
 - Design and Access Statement;
 - Tree Constraints Report;
 - Preliminary Ecological Assessment;
 - Transport Statement; and
 - Flood Risk and Drainage Report.

Pre-application Submission and Response

1.7. A pre-application response was received on 21st October 2019. This was undertaken to ensure that the applicant could proceed with the Council's support for the development wherever possible.

1.8. The pre-application response received from RVBC stated that the principle of development in this location could not be considered acceptable unless the sequential and impact tests are satisfied and it is demonstrated that there are no sequentially preferable sites that are suitable, viable and available for the proposed use and that

the proposals would not significantly impact on the viability and vitality of Clitheroe town centre. The Council also expressed concern relating to the loss of the site's identity as a garden centre by virtue of the increase in non-garden related retail and café and play area floor space. These concerns have been directly addressed by the information submitted with this application, which includes a Sequential Test and Retail Impact Assessment.

- 1.9. A list of additional supporting documentation requirements was also provided. This has been taken into consideration and the list has been closely followed for this submission.

Covid 19 Update

- 1.10. The stricter controls in relation to the Covid-19 pandemic have had a considerable impact on the way Shackletons has been able to conduct its business.
- 1.11. As a result, a number of staff have been furloughed or are working from home where possible. This application was due to be submitted in March 2020, but since the spread of Covid-19 and the uncertainty for retail outlets in particular, the applicant made the difficult decision to hold off submitting the application for expansion until more financial certainty could be determined. Now that this has been established, the applicants are in a position where they can delay no longer and wish to progress the application.
- 1.12. In submitting this application, an expansion to what was first envisaged in terms of general retail space will not be as financially viable as originally expected. However, under the current circumstances this space is essential in order to adequately comply with social distancing measures required in conjunction with the Covid-19 pandemic.
- 1.13. We also recognise the similar difficulties that the Council will currently be experiencing, particularly in terms of receiving and dealing with planning and related applications, which will inevitably result in changes in service delivery and normal procedures.
- 1.14. Whilst we understand that there may be delays in obtaining responses within the usual timeframes as everyone is adapting to changing working practices in these

unprecedented times, we feel that the application can no longer be delayed and as a decision is required as close to within normal timeframes as possible; any assistance that the Council can provide in order to facilitate this will be greatly appreciated.

/2 SITE DESCRIPTION

- 2.1. Shackletons Home and Garden is a well-respected and successful family run business which has been operating from the Chatburn site for over 21 years. The business is a major local employer employing approximately 45 people including a mix of full and part time positions and warehouse positions off site. Shackletons is a business which is rooted in the local community, employing many people from the local area and attracting a loyal customer base bringing in tourism and economic activity to the area from across the region.
- 2.2. The application site, which extends to 2.5 ha in size, is located to the south east of Clitheroe Road. The site is located 500m south of Chatburn and 2.5km north of Clitheroe.
- 2.3. The site currently comprises of an existing home and garden centre, known as Shackletons Home and Garden. This is currently split into three specific areas in terms of retailing activity, as detailed within the agreed S106 pursuant to the permission Ref: 3/2005/0999 dated 3rd August 2009 and subsequently a deed of variation dated 27th August 2010 pursuant to the permission Ref: 3/2010/0378, which includes:
- **Area 1:** Outdoor sales area (formally A1 Use now defined as Class E from September 2020);
 - **Area 2:** Pavilion coffee house and brasserie (formally A3 Use, now defined as Class E from September 2020); and
 - **Area 3:** Sundries (formally A1 Use, now defined as Class E from September 2020).
- 2.4. To the north and east of the application site lies agricultural fields, which are bound by mature vegetation and trees. Worston Road abuts the southern boundary of the site, beyond which lies further agricultural fields. Clitheroe Road sits adjacent to the western boundary of the site and runs in a north east to south west direction.

Beyond which lies Pendle Trading Estate, located to the north western side of Clitheroe Road (see site location plan Ref: 1859/EX00).

- 2.5. Access to the land is currently taken directly off Clitheroe Road, with the main access road fronting the site to the north, directly opposite the Pendle Trading Estate. An alternative access point is located along Worston Road, which is utilised as a 'staff/service' point of access and this will be retained as such.
- 2.6. The site's topography includes a slope from north to south, with a maximum change in level of 9 metres. The site is bounded by trees and hedgerow along the northern, eastern and southern boundaries.
- 2.7. There are no listed buildings within the site, with the nearest listed building located 0.4km to the south west, Bellman Farmhouse which is Grade II listed. Furthermore, the site does not fall within a Conservation Area, and by reference to the Environment Agency's flood risk map, it does not fall within an area subject to flooding.
- 2.8. The site is located within the open countryside, as defined on the Ribble Valley Borough Council's proposals map.
- 2.9. The site is accessible by motorised and non-motorised modes of transportation being situated directly off Clitheroe Road, one of the major routes through to the nearest towns of Chatburn and Clitheroe.
- 2.10. Further details of the site's accessibility are detailed within the Transport Statement submitted with the planning application.

/3 PLANNING HISTORY

- 3.1. The application site and its immediate surroundings have been subject to a planning history search on the RVBC planning register to better understand the site's planning history.
- 3.2. Numerous applications have been submitted which have led to the expansion of the garden centre and its facilities in the past. These are set out below illustrating how over the lifetime of the business it has incrementally increased in size, allowing it to adapt and develop to the changing requirements of its customers.

APPLICATION REFERENCE	DETAILS	NOTES	PERMISSION
3/2018/0025	Change of use of agricultural land to extend existing car park.	Condition 3 states: <i>'The approved landscaping scheme (dwg no.c-1567-01) shall be implemented in the first planting season following use of the development and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority.'</i> Condition 6 includes information pertaining to A Tree Maintenance and Management Plan covering a minimum of 10 years	PERMISSION GRANTED 1 st March 2018
3/2013/0776	Renewal of planning permission 3/2010/0378		APPROVED 11 th October 2013
3/2013/0777	Discharge of condition number 6 of planning consent 3/2010/092.		WITHDRAWN 6 th November 2013
3/2010/092	-	No details.	-
3/2010/0378	Proposed Aquatics Building.	Condition 3 refers back to the August 2009 s106 and states:	PERMISSION GRANTED

APPLICATION REFERENCE	DETAILS	NOTES	PERMISSION
		<i>'This permission shall be read in conjunction with the Section 106 Agreement dated 3 August 2009 and Deed of Variation dated 27 August 2010 which restricts the extent of the retail use on site and ensures this building does not operate independently from the site's primary use as a garden centre.'</i>	2 nd September 2010
3/2009/0902	Erection of warehouse and internal security fencing.	Condition 2 states: <i>'There shall be no public access to the vehicles operation area off Worston Road which shall be kept free of obstructions at all times to enable use by delivery and service vehicles'.</i> Condition 3 states: <i>'The building hereby approved shall be used as a warehouse storage facility for the garden centre operating from the remainder of the site and shall not at any time operate or be used independently from the primary use of the site as a garden centre. There shall not at any time be allowed public access to the building or direct sales to any visiting member of the public from inside the building.'</i>	PERMISSION GRANTED 15 th January 2010
3/2008/0296	Erection of a canopy between the sales area and the cafe.	No restrictive Conditions.	PERMISSION GRANTED 28 th May 2008
3/2007/1070	Removal of existing polytunnels and replace with portal frame indoor retail and external covered retail areas (1266sqm).	No restrictive conditions.	PERMISSION GRANTED 3 rd October 2010

APPLICATION REFERENCE	DETAILS	NOTES	PERMISSION
3/2007/0694	Dismantle aquatics building to enable construction of extension (planning approval 3/2007/0329 P); re-assemble in new position; re-position security fencing adjacent to relocated aquatics building.	Plan, Statement and Decision Notice on file. Condition 2 states: <i>'This permission shall relate to the Section 106 Agreement dated 3 August 2009 which restricts the extent of the retail use on site and ensures this building does not operate independently from primary use as a garden centre.'</i>	PERMISSION GRANTED 3 rd September 2009
3/2005/1000	Increase in the range of goods for sale to include homeware, gifts and indoor fish. (Retrospective)	Condition 1 (only condition) states that: <i>'This permission shall relate to the Section 106 Agreement dated 3 August 2009 which restricts the percentage of general retail use that is permitted in relation to the main usage of the site as garden centre.'</i>	PERMISSION GRANTED 3 rd September 2009

APPLICATION REFERENCE	DETAILS	NOTES	PERMISSION
3/2005/0999	Use of Cafe as Restaurant open to 2400 hrs on Thursdays to Saturdays. (Retrospective)	<p>Application put on hold until a s106 could be agreed (s106 dated 3rd August 2009).</p> <p>Committee considered whether the principle of permitting a café/restaurant was appropriate on this site under 3/2005/0999/P and concluded that subject to the satisfactory completion of a legal agreement restricting the extent of A3 use and ensuring that it did not operate independently from the primary use as a garden centre, such use was deemed satisfactory.</p> <p>Demonstrates that in planning terms opening late 3 nights a week is acceptable.</p> <p>Permission relates to the Section 106 Agreement dated 3 August 2009 which restricts the extent of A3 use on the site and ensures it does not operate independently from the primary use as a garden centre.</p>	PERMISSION GRANTED 3 rd September 2009
3/2007/0329	Replacement and extension of Aquatics building and installation of two fire doors in replacement building approved under planning reference 3/2005/1034 P.	No details on file other than the Decision Notice.	PERMISSION GRANTED 20 th July 2007
3/2005/1034	Replacement of 7 bay polytunnel with larger permanent building and	No restrictive Conditions.	PERMISSION GRANTED 1 st August 2006

APPLICATION REFERENCE	DETAILS	NOTES	PERMISSION
	alterations to conservatory. Re-submission.		
3/2005/0998	Modification of condition no.4 on planning consent 3/1999/0399 P to allow the opening of the garden centre to 8pm on Thursdays and Fridays.	Restricted to hours permitted.	PERMISSION GRANTED 8 th February 2006
3/2003/0098	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.	No details.	PERMISSION GRANTED 10 th June 2003
3/1999/0399	New garden centre building. change of use of site from nursery to garden centre.	The Section 106 that formed part of this approval includes the clause: <i>'Not to allow the property the subject of the development to be used other than as garden centre for the sale of garden and landscaping products with no other retail use'.</i>	PERMISSION GRANTED 18 th September 2000

- 3.3. It should be noted that as the aquatics building was granted permission (Ref: 3/2010/0378, dated 2nd September 2010 and later renewed in 2013 Ref: 3/2013/0776), this highlights that the expansion of retail use (now defined as Class E) into that area of the site was acceptable to the Council.
- 3.4. The above planning history for the site demonstrates the applicant's commitment to and investments made at this site, through its continued expansion and development.
- 3.5. In this respect, this application seeks to continue to develop the site positively in order to provide the more modern retail experience expected by customers as well as enhancing those ancillary services which the garden centre provides to its customers.

/4 PROPOSED DEVELOPMENT

4.1. The proposals for the extension and remodelling of Shackletons Home and Garden Centre have come forward in order to enhance the competitiveness of the business and meet changing customer demands. This followed the applicant's review of Shackleton's future requirements, and the most operationally appropriate viable layout and configuration for their retail operation. Further to the Covid-19 pandemic, the proposals would also facilitate effective social distancing measures.

Main Alterations and Extensions

4.2. It is proposed to provide additional indoor and outdoor retail space for the sale of indoor and outdoor furniture, kitchen furniture and sundries. It is also proposed to relocate and increase the area of the existing café (A3 use), and to create a play area. Back of house facilities, including kitchen and bathrooms would also be increased. The proposed development is illustrated on the submitted plans Ref. 1859/PL02 (Lower Floor Plan) and Ref: 1859/PL03 (Upper Floor Plan). These plans should be viewed alongside the Existing Site Plan Ref: 1859/EX01.

4.3. The current overall footprint of the garden centre is 4,523 sqm (including all covered retail, internal areas and main circulation spaces). The proposed extension will add a total floorspace of 2,436 sqm, which equates to a total revised footprint of 6,959 sqm which are arranged over four split levels.

4.4. A breakdown of the proposed changes are as follows:

USE	EXISTING AREA (Square meters)	PROPOSED AREA (Square meters)	CHANGE / ADDITIONAL AREA (Square meters)
Outdoor Furniture Sales	860	1,210	+350
Indoor Furniture Sales	1,610	2,540	+930
Café	162	488	+326
Greenhouse / outdoor plant sales	990	930	-60
Kitchen Furniture Sales	105	162	+57

Potting Shed	165	165	-
Sundries	315	410	+95
Back of House (Kitchen, Toilets etc.)	150	580	+430
Play Area	-	180	+180
TOTAL AREA	4,357	6,665	+2,308
TOTAL SALES (Class E)	4,045	5,417	+1,372
TOTAL SALES - Cafe (Class E)	162	488	+326

Table 1: A breakdown of the proposed accommodation/sales areas
Based on Gross Internal Areas – GIA

- 4.5. The proposed floorspace uses are also detailed in the supporting Design and Access Statement, under paragraph 3.5 (Amount / Areas).
- 4.6. The changes to the retail sales floorspace (Class E) are:
- Outdoor furniture sales (increase in floorspace and change of location);
 - Indoor Furniture Sales (increase in floorspace);
 - Kitchen Furniture Sales (increase in floorspace and change of location); and
 - Sundries (increase in floorspace).
- 4.7. In general, the proposal will deliver an increase in overall floorspace of the existing building on site. The proposed extensions and alterations are all located to the south east of the existing building. It is proposed to revise the internal arrangements but utilise the existing entrance, forming the central module which is proposed to be a glazed pavilion and have a central access point for visitors.
- 4.8. The internal ground floor layout will comprise of the existing interior furniture showroom, which will be located over a split level. The existing 'potting shed' will remain as existing, and staff offices and kitchen furniture will be located on the ground floor. The main nursery area will be located to the rear of the ground floor and will include an external sales area.
- 4.9. Ancillary uses to the increase in floorspace will comprise of changes to the café and back of house areas. There is a small area also proposed adjacent to the café for a

play area (180 sqm). As such it is deemed that these uses will remain an ancillary function to the main use of the site as a garden centre.

Parking and Servicing

- 4.10. The main vehicular access to the site will continue to be from the existing access point on Clitheroe Road.
- 4.11. It is considered that the provision of 241 spaces complies with the parking provision thresholds set out in the Council's current standards. This also being sufficient to meet the proposed increase in internal retail sales areas (Class E) and the likely demands of the site associated with this expansion.
- 4.12. The proposed servicing arrangement will largely remain as existing (i.e. off Worston Road) to the rear of the site. Due to the expansion of the proposed development the service point has been moved further down the site to the south east. This access point will be utilised by staff and deliveries only and will be closed off to the public.
- 4.13. The service yard includes an area for goods to be delivered whilst not interfering with the access road which allows 2-way traffic through to a turning head. The turning head can operate as a waiting area should it be necessary.
- 4.14. Proposed staff car parking is located opposite the delivery bay with the potential for additional spaces to be incorporated if necessary.
- 4.15. In terms of disabled parking provision, there will be 5 disabled bays located within close proximity to the entrance of Shackletons.
- 4.16. There will also be provision for 4 groupings of traditional 'sheffield' cycle stands (2no. 5 bay and 2no. 4 bay) which, based on typical use would allow up to 36 cycles with one stand accommodating 2 cycles.

- 4.17. It should be noted that the current parking layout minimises impacts around the trees to be retained to the north of the car park, having to remove only one tree as part of the application and avoiding the Root Protection Areas (RPA's) of the others.

Landscaping

- 4.18. The proposal will incorporate extensive soft landscaping and tree planting along all boundaries of the site in order to provide screening from surrounding properties and the open countryside location. The existing boundary planting will be retained and enhanced where possible in order to maintain the appearance of the site and protect views into the site. New landscaping will be provided around the new retail area and within the new staff car parking area to soften the space and enhance its appearance.
- 4.19. It is anticipated and also in line with the pre-application advice received that when viewed from Clitheroe Road, the proposed extensions to the garden centre would not result in a significant increase in bulk or prominence and the proposed extensions would be set back from the boundary with Worston Road providing suitable relief and the increased landscaping will soften any perceived impact from built structures in any case.
- 4.20. Further detail in relation to the design of the proposed buildings is provided within the Design and Access Statement submitted with the planning application.

/5 TECHNICAL CONSIDERATIONS

5.1. This planning application is supported by a number of technical reports which demonstrate that the proposed development is capable of being implemented without significant adverse impacts arising from site constraints; these are summarised below:

Ecology

5.2. A Preliminary Ecological Assessment has been produced by Dave Anderson which states that the proposed development is situated on land that has been assessed as having low conservation value with species poor habitats present.

5.3. In relation to bats, no bats were observed or recorded using the building for roosting and the buildings on site are considered to be of negligible potential for roosting bats. The surveyor considers survey effort to be reasonable to assess the roost potential of the buildings and no further survey work is deemed appropriate.

5.4. A tree constraints report has been produced in support of this development proposal by Bowland Tree Consultancy Ltd which details that there are limited existing trees of note on site. For the existing trees (a few scattered trees surround the existing car park and form part of the north east boundary), there is a group (three trees to the land to the south east) that will present some constraints to the proposed revised parking arrangement and as such the tree of the lowest value is proposed to be removed. The trees on the boundary with Worston Road are unaffected by the proposals. New planting is proposed to mitigate the loss identified above.

Flood Risk and Drainage

5.5. A Flood Risk Assessment and Drainage Statement has been undertaken in support of this application by Reid Jones Partnership. This report states that there is no risk in general terms from flooding as the site is situated in Flood Zone 1 and therefore fluvial flood risk is considered to be low. There is a risk of surface water flooding from the site which can be reduced to "very low" by redesign of the access road, external levels, surface water drainage points and below ground drainage.

- 5.6. In addition, it is proposed that surface water discharge from the proposed development is limited to a greenfield run-off and discharged into the existing on-site network, thus reducing the total flood risk from the site.
- 5.7. In relation to foul water, due to the external works improvements to the existing building entrance, it is proposed that the existing foul treatment plants are replaced with a modern packaged wastewater treatment plant, sized to treat all foul flows from the site. It is anticipated that the treated effluent from the proposed packaged treatment works may be connected into the existing network at an unrestricted rate.
- 5.8. As such with the provision of appropriate drainage on site, there is anticipated to be no adverse impacts in this respect.

Transport

- 5.9. A Transport Statement has been completed by DTPC (Northwest) to accompany the planning application. The Transport Statement considers the impact of the proposal on the local highway network.
- 5.10. The assessment highlights that Shackletons is situated in an accessible location for various modes of transport as well as sustainable methods such as bus, cycle and pedestrian.
- 5.11. The overall traffic generation that would derive from the site as a result of the proposed improvements is not materially greater than is currently the case or for what has previously been approved. The Transport Statement demonstrates that the location has no capacity issues based on a robust view of the flows and no capacity issues are expected to arise and therefore, that the proposals will not have a material impact on the local highway and transport network either in terms of transport capacity or highway safety and as such the scheme would have little or no impact on the local network.

- 5.12. In summary, this report denotes that there are no outstanding reasons why the development should not be granted on highway grounds.
- 5.13. To conclude, it is not considered that the proposed development raises any other technical consideration issues which would have any adverse impacts on interests of acknowledged importance and would therefore influence the determination of the application.

/6 PLANNING POLICY CONTEXT

Development Plan

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'* Such material considerations includes any other supplementary and supporting planning documents and government guidance as set out in the National Planning Policy Framework (NPPF) (2019).
- 6.2. The statutory Development Plan for the application site comprises the Ribble Valley Core Strategy 2008 – 2028 (adopted 2014) and the recently adopted Housing and Economic Development DPD and associated Proposals Map. An extract from Proposals Map is provided at Figure 1 which shows the location of the site within the Open Countryside:

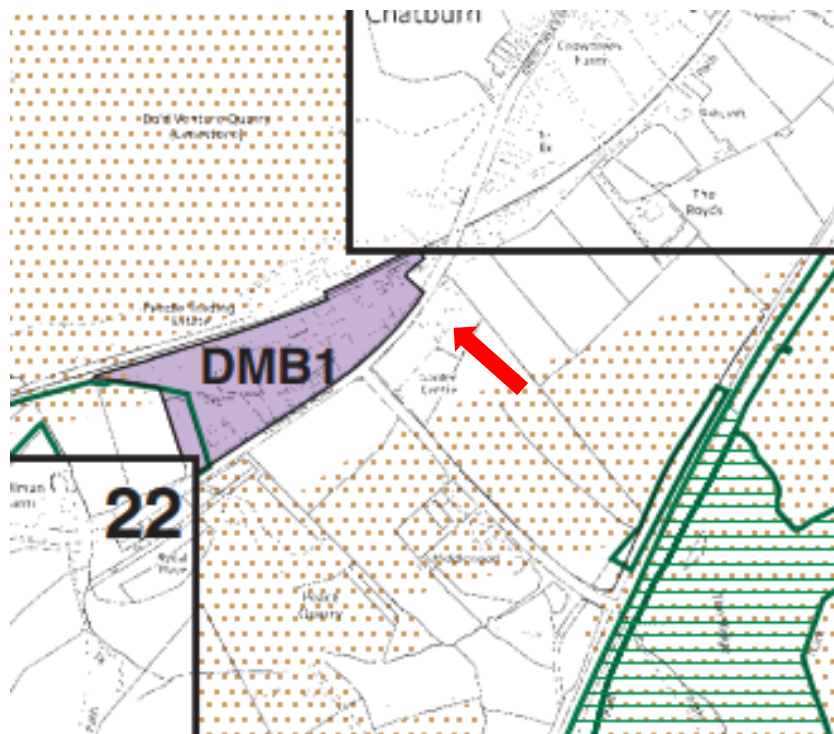


Figure 1: extract from HED DPD Policies Map

6.3. The following Key Statements and policies are considered to be relevant to the determination of the application:

- Key Statement DS1: Development Strategy;
- Key Statement DS2: Sustainable Development;
- Key Statement EC1: Business and Employment Development;
- Key Statement EC2: Development of Retail, Shops and Community Facilities and Services;
- Key Statement EN2: Landscape;
- Key Statement EN4: Biodiversity and Geodiversity;
- Policy DMB1: Supporting Business Growth and the Local Economy;
- Policy DMG1: General Considerations;
- Policy DMG2: Strategic Considerations;
- Policy DMG3: Transport and Mobility;
- Policy DME1: Protecting Trees and Woodland;
- Policy DME2: Landscape and Townscape Protection;
- Policy DME3: Site and Species Protection and Conservation;
- Policy DME6: Water Management;
- Policy DMR1: Retail Development in Clitheroe.

6.4. **Key Statement DS1: Development Strategy** - sets out the overarching development strategy for the Borough. The policy states that new retail and leisure development will be directed toward the centres of:

- Clitheroe;
- Longridge; and
- Whalley.

6.5. **Key Statement DS2: Sustainable Development** - echoes paragraph 11 of the NPPF and states that the Council will take a positive approach that reflects the presumption in favour of sustainable development. The Key Statement says that

planning applications that accord with the Local Plan will be approved without delay, unless material considerations indicate otherwise.

- 6.6. **Key Statement EC1: Business and Employment Development** – states that the expansion of existing businesses will, wherever appropriate, be considered favourably. This should be a key consideration when looking at the proposals at this site as the applicant merely wishes to expand a successful popular home and garden business in line with current market trends / demand.
- 6.7. **Key Statement EC2: Development of Retail, Shops and Community Facilities and Services** – shows that development which supports and enhances the vibrancy, consumer choice and vitality and unique character of the area’s important retail and service centres of Clitheroe, Longridge and Whalley will be supported in principle and that proposals that have an adverse impact on existing community facilities would only be permitted as an exception where the proposed development would bring defined and demonstrable benefits.
- 6.8. **Key Statement EN2: Landscape** – establishes that all development is expected to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.
- 6.9. **Key Statement EN4 Biodiversity and Geodiversity** seeks to conserve and enhance the Council’s resources in this respect, directing that negative impacts on biodiversity through development proposals should be avoided.
- 6.10. **Policy DMB1: Supporting Business Growth and the Local Economy** - states that proposals that are intended to support business growth and the local economy will be supported in principle. Furthermore, *‘the expansion of existing firms on land outside of settlements will be allowed provided it is essential to maintain the existing source of employment and can be assimilated within the local landscape’.*

- 6.11. **Policy DMG1: General Considerations** – assists in ensuring that development proposals are in line with numerous broad considerations by providing a series of overarching considerations regarding the quality of developments with regards to design, access, amenity, the environment and infrastructure.
- 6.12. **Policy DMG2: Strategic Considerations** – outlines further strategic considerations and assists in the interpretation of the Development Strategy, underpinning the settlement hierarchy for the purposes of delivering sustainable development. The policy requires developments in Tier 1 settlements to round off existing built up areas, to be of a scale and appropriate to and in keeping with the surrounding area. In protecting the open countryside, it states that where possible new development should be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.
- 6.13. **Policy DMG3: Transport and Mobility** – looks to ensure new development is accessible by public transport and has adequate car parking and servicing space.
- 6.14. **Policy DMR1: Retail Development in Clitheroe** – this policy identifies that Clitheroe is the only part of the borough considered to be suitable and capable of accommodating major retail development, before stating that retail development outside the main shopping centre of Clitheroe will be considered on a sequential basis, with proposals for more than 1,000sqm requiring a retail impact assessment.
- 6.15. **Policy DME1: Protecting Trees and Woodland** – seeks to ensure that development does not have a significant adverse impact on the borough’s arboricultural resources.
- 6.16. **Policy DME2: Landscape and Townscape Protection** – asserts that development proposals will be refused which significantly harm important landscape or landscape features, which ranges from traditional stone walls to ponds, amongst others.

- 6.17. **Policy DME3: Site and Species Protection and Conservation** – aims to ensure that statutory and non-statutory ecological designations and protected species are not adversely impacted by new development.

Planning Policy Documents that Comprise 'Material Considerations'

National Planning Policy Framework (NPPF) (2019)

- 6.18. The NPPF was adopted in March 2012 and revised in 2018 and 2019 and sets out the Government's planning policies for England and how these are expected to be applied. As per Chapter 2 of the Framework and Section 38(6) of the Planning and Compulsory Purchase Act 2004, it is to form a material consideration in planning decisions.

"Where in making any determination under the Planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise."

- 6.19. Sustainable development is broadly defined in Chapter 2 (Achieving Sustainable Development), **Paragraph 8** of the Framework as having three overarching objectives, namely economic, social and environmental:

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

6.20. The Government's presumption in favour of sustainable development is set out in **Paragraph 11**, whereby proposed developments which correctly balance the requirements of economic, social and environmental issues should be granted permission unless there are overriding reasons that would suggest that permission should be withheld. Paragraph 11 states that:

'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, grant planning permission unless:*
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. 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.*

6.21. **Paragraph 20** states that strategic policies set out an overall strategy for the pattern, scale and quality of development, providing for the needs of all.

- 6.22. **Section 6** of the NPPF establishes that building a strong, competitive economy, with planning policies and decisions working to promote investment, expansion and adaptation within the economy.
- 6.23. **Paragraph 82** indicates that planning policies and decisions should recognise and address the specific locational requirements of different sectors.
- 6.24. **Paragraph 104(a)** requires planning policies to support an appropriate mix of uses across an area, to minimise the number and length of journey needed for employment, shopping, leisure, education and other activities.
- 6.25. **Paragraph 109** states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.26. **Section 11** of the NPPF requires decisions to promote an effective use of land and requires decision makers to give substantial weight to the value of using suitable brownfield land for homes and other identified needs (**Paragraph 118**).
- 6.27. **Paragraph 124**, in relation to design, states that good design is a key aspect of sustainable development.

/7 PLANNING POLICY ASSESSMENT

Principle of Development

- 7.1. The proposed development involves the expansion and remodelling of an existing business outside of the defined settlement limits. In addition, the amount of retail development proposed means that there is a need to consider whether, sequentially, this is the most appropriate location for this development, and the associated retail impacts of the development on nearby town centres. These issues are the key considerations in the acceptability of the principle of the development and are dealt with below.
- 7.2. Turning first to the policy context regarding the location of the site in the open countryside, Key Statement **EC1** supports the expansion of existing businesses and the local economy and directs such development towards the main settlements of Clitheroe, Whalley and Longridge, land at Barrow Enterprise Site, the Lancashire Enterprise Zone at Salmesbury and locations related to the A59 corridor. The policy also supports developments that contribute to the strengthening of the rural economy.
- 7.3. Key Statement **DS1** of the Ribble Valley Core Strategy sets out that new retail and leisure development will be directed towards the centres of Clitheroe, Longridge and Whalley, whilst Key Statement **EC2** takes a similar approach by promoting the national policy principle of town centre first for retail. **DMB1** deals with strategic considerations and requires that new development outside of defined settlement boundaries must meet one of six criteria, of which the need for the development to be *essential to the local economy* is such a circumstance where development outside of the settlement limits might be acceptable.
- 7.4. With specific regard to the proposals to increase the retail offer at the site, Policy **DMR1**, which relates to retail development in Clitheroe, requires that such development outside the main shopping centre of Clitheroe will be considered on a sequential basis, with proposals for more than 1,000sqm requiring a retail impact assessment.

- 7.5. A Sequential Test has been undertaken for the development and is submitted alongside this application. The purpose of the test is to identify if there are other preferable sites in the nearest town centre, in this case Clitheroe, that would offer a more suitable location for the proposals. It was found that there are no sequentially preferable sites within Clitheroe for the proposals. In addition, it is the case that as this is an extension to an existing business, it follows that the existing site is the most appropriate location for these works. It is therefore considered that there is no conflict with **DMR1** in this respect.
- 7.6. The second requirement of this policy is that a Retail Impact Assessment be undertaken to ensure that the proposed development would not seriously affect the vitality or viability of the nearby town centre. A Retail Impact Assessment has been undertaken with regards to the proposals and is submitted alongside this application. The assessment finds that Clitheroe is a vibrant and healthy Town Centre and even after the Covid-19 pandemic it is still anticipated to grow and as such, it is anticipated that the proposal would not harm existing, committed or proposed investment within the Town Centre nor would it have an adverse impact on Clitheroe's vitality and viability. It is therefore considered that there is no conflict with policy **DMR1**.
- 7.7. With regards to the location of the site outside of the defined settlement boundary and within the open countryside, it is acknowledged that, according to the Council's spatial strategy, there is a presumption against new development in such locations. As stated above, **DMB1** makes provision for new development in such locations where it can be demonstrated that it is essential to the local economy or is for small scale tourism.
- 7.8. In terms of whether the development proposed is essential to the local economy, it is wholly relevant that Shackletons is a family run business which is rooted in the local community, employing 45 people, many of whom are from the local area. The proposed expansion of the business is expected to result in the employment of a further 15 people, taking the total to be employed by Shackletons to a 60 strong workforce.

- 7.9. There is no definition within **DMB1** or the supporting text as to what 'essential' to the local economy means, however it is clear that the garden centre is a very important and significant contributor to the local economy both with regards to the number of jobs that it sustains, and the revenue that it brings to the area. This proposal represents a significant investment into the local economy, a fact that should be given significant weight in the determination of this proposal.
- 7.10. The proposal is consistent with **paragraph 83** of the NPPF which deals with the rural economy and states that planning decisions should *enable the sustainable growth and expansion of all types of business in rural areas*, which includes through *well-designed new buildings*. This paragraph goes on to state that decisions should also look to enable *the development and diversification of agricultural and other land-based rural businesses*.
- 7.11. Paragraph 84 goes on to recommend that planning decisions should recognise that *sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements*.
- 7.12. Given the above statements and the allowance for the expansion of existing rural businesses outside of settlement boundaries within the NPPF, it is clear that policy **DMB1** is not wholly consistent with the NPPF and indeed places an undue burden on an applicant to demonstrate that a business proposal is 'essential' to the local economy. It is therefore considered that this diminishes the weight that should be applied to this policy.
- 7.13. With regards to compliance with policy **EC1**, it is clear that there is support for schemes that strengthen the rural economy, outside of defined settlement boundaries, and therefore no conflict with this policy is identified. **EC2** supports retail proposals within the main service centres. Although it does not specifically refer to out of centre developments, the fact that the Sequential Test demonstrate that there are no suitable locations within Clitheroe for this scheme, and that the Retail Impact Assessment demonstrates there would be no adverse impact on vitality and viability of Clitheroe town centre, suggests there is no conflict with this policy.

- 7.14. The proposals are considered to comply with the aims of the NPPF in terms of sustainable development.
- 7.15. In terms of the economic aims of sustainable development, the garden centre is already an important contributor to the local economy. The proposals to expand offer the business an increase in indoor and outdoor floor space, larger café and play area which will increase the number of employees at the site, generating more revenue for the business and representing significant investment into the local area.
- 7.16. The increase in floorspace will also be beneficial for customers visiting Shackletons in relation to adhering to social distancing requirements resulting from the Covid-19 pandemic.
- 7.17. The proposal will result in increased business rates payable to the Council and will have secondary impacts in bringing a larger number of people to the area who might combine their trip to the garden centre with visits to other local business and services. The proposed development would therefore directly respond to the aims of the NPPF to help build a strong, responsive and competitive economy and by maintaining and ensuring future growth.
- 7.18. Not only will the proposal help to sustain jobs at this time, it will create new jobs for the local area, a fact that should be afforded significant weight in the determination of this application.
- 7.19. With regards to the social aims of sustainable development, the fact that the proposals would assist in sustaining the longevity and robustness of an important local employer should weigh heavily in favour of the proposed development. The NPPF places importance on meeting the health, social and cultural needs of communities. It is considered that, by virtue of the type of business that Shackletons is, facilitating outdoor living, that the inherent nature of the proposals could be said to meet the social objectives of sustainable development.

- 7.20. In terms of the environmental aims of sustainable development, which seeks to contribute to protecting and enhancing the natural, built and historic environment, the supporting assessment work which is submitted alongside this application demonstrates that there would be no harm to the environment as a result of the proposed development. The proposals would rather help to enhance the local environment through the high- quality design of the scheme.
- 7.21. The choice of sustainable materials will ensure that the development is energy efficient in its construction and result in reduced emissions of CO₂. In addition, the scheme will incorporate measures to conserve water including low-flow toilets and wash basins within the new customer and staff toilets and systems will be put in place to harvest rainwater and store it for use throughout the Home and Garden Centre.
- 7.22. It is therefore considered that the proposed development is in keeping with **Key Statement DS2** and **EN3** of the adopted Core Strategy, which states that development proposals should reflect sustainable development, as defined within the NPPF.

Technical Considerations

Landscape

- 7.23. Pertinent to the consideration on the scheme are Key Statement EN2 and Policy DME2, which seek to protect, conserve and enhance the landscape and the Council expects all development to be in-keeping with the character of the local landscape.
- 7.24. It is stated within policy DME2 that:
- 'As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.'*
- 7.25. The site is located within the Open Countryside and in line with this, the proposal seeks to improve both the setting of the site through proposing a landscaping scheme, and also ensuring it continues to contribute to the character of the local landscape through

the use of appropriate materials and a sensitive design that is keeping with the existing site and surrounds, in line with **Key Statement EN2** and **Policy DME2**.

Design

- 7.26. The design of the proposed scheme is of a high standard that will provide a quality addition to the existing business, whilst being reflective and sympathetic to local character, including that of the adjacent Pendle Trading Estate. The materials, scale and design of the development are sympathetic and in keeping with the existing buildings and local landscape character. The proposed extension is of a scale and massing not dissimilar to the existing main building and the use of the site would be complementary to the wider businesses located at the adjacent Pendle Trading Estate and the localities of Chatburn and Clitheroe.
- 7.27. As shown in the Design and Access Statement and supporting drawn information, the design of the proposed scheme is well-considered and of a high standard that both provides a quality addition to the existing business use, whilst being reflective and sympathetic to local character.
- 7.28. The proposed development is compatible with its setting and incorporates high quality landscaping to enhance and complement the extensive landscaping that already exists within the site.
- 7.29. The design approach has been determined by a number of influences, including the functional needs of the business, the physical form of the existing buildings and site layout, the constraints and opportunities identified around the site, along with planning policy requirements.
- 7.30. It is therefore considered that the proposed development accords with the relevant Government guidance within the NPPF and **DMG1** with specific regard to the design of new development.

Ecology and Trees

- 7.31. The site itself does not have any ecological significance and the proposed expansion will reduce the need to develop upon a greenfield site. All of the proposed development will take place within the current developed hardstanding and operational areas of the garden centre. As demonstrated in the supporting assessment on ecology and trees, there would be no adverse impact on the habitats or biodiversity in line with **EN4**. Although there would be some limited tree loss, this is more than compensated for by replacement planting in line with **DME1**.

Traffic and Transport

- 7.32. In terms of highway impact, the Transport Statement demonstrates that the overall traffic impact of the proposals would be negligible given the nature of the existing use; it is therefore considered that there are no substantive highways or transportation reasons why the proposals should not be approved.
- 7.33. The increase to the current car parking (provision of 241 spaces) complies with the parking provision thresholds set out in the parking standards and is considered sufficient to meet the internal sales areas proposed and therefore meet the likely demands of the site.
- 7.34. These include 5 disabled bays, staff and visitor car parking spaces, as well as up to 36 cycle stand spaces which will provide secure cycle parking for both staff and members of the public.
- 7.35. Given the above, there is no conflict with policy **DMG3**.

Flooding and Drainage

- 7.36. The application site is located within Flood Zone 1 as depicted on the Environment Agency's flood maps and therefore has limited scope for flooding. A Flood Risk and Drainage Assessment has been undertaken in support of the planning application and demonstrates that the proposed development is not subject to the sequential and exception tests and is at low risk of flooding.

7.37. A drainage strategy has been prepared to support the current application submission and the proposed development is considered to have no detrimental impact in terms of drainage that cannot be managed / mitigated against and therefore the site will appropriately accord with guidance within the NPPF and **DME6** provided the mitigation requirements are followed.

Amenity

7.38. It is not envisaged that the proposed development would have an adverse impact on the amenity of nearby sensitive receptors, nor would it inhibit the use of the adjacent Pendle Trading Estate for its intended employment purpose as these uses are entirely different. The proposal is therefore in line with the requirements of policy **DMG1**.

7.39. The hours of operation for the garden centre will not change, and there will be no further operations taking place on site which might increase the level of noise produced or the need for significantly increased external lighting. Accordingly, it is considered that the proposed development will not result in any additional noise or light pollution.

The Planning Balance

7.40. It has been demonstrated that there is no conflict with policy **DMR1** given that there are no sequentially preferable sites in Clitheroe for the scheme, and since the Retail Impact Assessment demonstrates that the proposals would not have an adverse impact on vitality and viability of Clitheroe town centre. The scheme is consistent with **EC1** given that it supports the local economy, importantly sustaining existing jobs and creating new jobs.

7.41. It is acknowledged that there could be a perceived conflict with **DMB1** which directs that expansion of existing businesses outside of the settlement limits should be 'essential' to the local economy. As set out above, there is no definition of 'essential' in this regard and it is considered that this policy is not consistent with the economic aims of the NPPF which seeks to encourage the expansion of all rural businesses in a sustainable manner. Although it is assumed the bar is set high to demonstrate

'essential', it is considered that the business is and will continue to be a significant contributor to the local economy.

- 7.42. Weighed against the above perceived conflict are the numerous benefits of the development proposed. These include sustaining existing employee numbers and providing an opportunity for the garden centre to employ new staff from the local area as required due to the expansion of the business. The proposals would allow the business to respond more effectively to the changes in seasons, expanding key ranges at certain times of the year as need dictates. The proposed development is therefore expected to attract a higher number of customers and therefore increased revenue. The proposals represent a significant investment into the local area by the applicants. The increase in floor space would also result in higher business rates for the Council.
- 7.43. **It is considered that any conflict with DMB1 is significantly and demonstrably outweighed by the numerous benefits of the proposed development and support for the scheme in NPPF, and therefore the principle of the proposals is considered acceptable.**
- 7.44. **It has been demonstrated that there are no technical or environmental constraints that would preclude the development, and accordingly planning permission should be granted for this development without delay.**

/8 CONCLUSIONS

- 8.1. PWA Planning have been retained by Stanton Andrews on behalf of David and Paul Shackleton to provide this Planning Statement in connection with the alterations and extension of Shackletons Garden Centre, Clitheroe Road, Chatburn, BB7 4JY.
- 8.2. The proposed development would result in the expansion of operations of a business which is considered an important and significant contributor to the local economy, both in terms of revenue and with regards to the additional number of local people the business employs.
- 8.3. It has been identified that even with the economy and businesses hit hard financially due to the Covid-19 pandemic that the Shackletons owners are willing to invest in the site in order to ensure that the site can expand appropriately within the limits of the potential planning permission in order to plan and be able to accommodate future trends and changes that may be required within such an outdoor goods sales setting but also be able to cater for customer's needs (e.g. use of a larger café, play area and larger toilet facilities) whilst visiting Shackletons. The proposals would also assist in ensuring that social distancing can be adequately adhered to within both internal and external spaces.
- 8.4. It has been demonstrated that the proposals are appropriate in this location and that they would not undermine the vitality and viability of Clitheroe Town Centre. The scheme would meet the aims of the Development Plan and the NPPF in terms of supporting the local economy and the principle of the development is considered acceptable.
- 8.5. The proposals would meet the objectives of sustainable development set out in national and local planning policy. Any conflict with local planning policy is significantly and demonstrably outweighed by compliance with the NPPF and the identified benefits of the scheme.

- 8.6. In the absence of any technical or environmental constraints precluding development, planning permission to allow this important local business to expand should be approved without delay.



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