

Planning Supporting Statement

Farm Diversification (post Covid 2020)
Construction of rural farm shop (amended) to include single retail
shop E(a) together with café E(b) together with ancillary car park and
landscaping

Clerk Laithe, Slaidburn Road, Newton. BB7 3DY

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Planning Supporting Statement

This statement is made in support of a re-submitted planning application submission to Ribble Valley Borough Council for a farm diversification proposal that relates to the Construction of rural farm shop (amended) to include single retail shop (A1) together with café (A3) together with ancillary car park and landscaping at Clerk Laithe, Slaidburn Road, newton-in-Bowland. BB7 3DY

1 Site Location

- 1.1 The application site is located along Slaidburn Road, Newton-in-Bowland. It lies on the edge of the village but is clearly within walking distance. There is a pedestrian footway between the site and the village. Clerk Laithe comprises a 90 acre dairy farm with all the land being down to grass; there are approximately 1800sq metres of agricultural buildings supporting the dairy herd. It is currently a registered agricultural holding; the entire enterprise is within the control of the applicant and is run by the Son and his family.
- 1.2 As part of the overall activities at Clerk Laithe, in 2013, Clerk Laithe lodge was opened as a bed/breakfast facility with the benefit of all necessary consents. This facility has traded with great success since it opened and continues to do so.

2 Recent Planning History

- 2.1 Under reference RV/2018/ENQ/00016, a pre-application enquiry was submitted to RVBC for *“proposed link between dwelling and Bed & Breakfast, and proposed farm shop and rural retail units at Clerk Laithe Lodge”* The case officer at the time, Robert Major, a principal planning officer with the Authority, was generally extremely positive with the principle but had reservations with regard to matters of detailed design and the impact of the proposal upon the open countryside as a consequence. However, his conclusion in the response is very clear and unequivocal: ***“The principle of a link connecting the existing dwelling to the B&B in order to create additional floorspace for the commercial use of the site, and the erection of a rural shop, would be broadly compatible with council policies, subject to the details and amendments detailed above”.***
- 2.2 There have been four recent formal planning submissions with regard to Clerk Laithe and Clerk Laithe Lodge: Application 3/2018/0141 was to regularise the change of design to an agricultural livestock building including an increase in footprint; this was approved. Application 3/2018/0633 was for the construction of underground slurry tanks; this was approved. Application 3/2018/1045 was for the erection of a link building between existing dwelling and bed and breakfast annexe; this was approved.
- 2.3 The fourth application was 3/2020/0444; it proposed the construction of a rural farm shop with the inclusion of two retail units. This application was submitted on the back of application 3/2018/1045 but, more importantly, on the content and advice contained in the pre-application enquiry response under RV/2018/ENQ/00016. The Core Strategy has not changed at all between the pre-application enquiry response and the refusal of application 3/2020/0444. Further, the Govt. has “relaxed” the planning system particularly insofar as it relates to the creation of acceptable land uses that seek to generate beneficial economic activity across all sectors and in all locations.

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- 2.4 Despite that scenario and the refusal, the resubmission seeks to address the issues raised in the most recent decision in the following way as set down in section 3 below:

3 The Application Proposal

- 3.1 The proposal has frankly come about because of the very serious economy repercussions of the Covid 19 pandemic. Only recently, the Government has made it very clear that there is an urgent need to rebuild our economy and that every little bit that everybody does will be beneficial to all especially where the economy is concerned with the creation of new business enterprises and the creation of employment opportunities. Further, the Govt. is very clear that it is all aspects of our economy that is seriously at risk and that every possible help must be given to whatever sector seeks to create commercial and economic activity however small that activity may be. The level of investment by the applicant in undertaking such a development is, in relative terms, significant; the long terms benefits of such investment will benefit everybody.
- 3.2 The applicant wishes to diversify further the enterprise at Clerk Laithe Lodge. On their own, neither a 90 acre holding nor a bed and breakfast establishment are economically viable; that is a fact of life. The applicant has identified a “gap” in the market whereby he can develop the proposal on the back of what he has already at Clerk Laithe Lodge.
- 3.3 Having regard to the application 3/2020/0444 and the reasons put forward in the decision notice dated 11 September 2020, the applicant has amended the proposal and, in so doing, has sought to address the issues raised in those reasons for refusal whilst at the same time having regard to the professional views expressed in the pre-application enquiry referenced at paragraph 2.1 above. It cannot be the case that a senior member of the planning department, in dealing with the pre-application enquiry, can conclude that the proposal as outlined in that enquiry broadly meets the requirements of the Core Strategy for another member of the same planning team to completely disagree. There is one adopted core strategy and it has to be assumed that every member of the planning team is reading the same core strategy. The core strategy has not changed at all insofar as the policies referenced in the pre-application enquiry have been used to determine application 3/2020/0444.
- 3.4 In terms of the application as now re-submitted it is proposed that:
- The retail element has been reduced from the earlier refusal and now relates to an ice-cream parlour where ice cream is made and sold on the premises; it will be integrated into the proposed café use which will relate to on-site sales only and no take-away facility (this can be conditioned).
 - The car parking area has now been reduced in size to reflect the concerns expressed in the previous refusal (3/2020/0444)
 - The reduction in the overall footprint of the new building, now 194.4m², taking account of the loss of a retail floor space element, has allowed for a redesign of the

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building. The detailed plans prepared by Peter Hitchen Architects Ltd set the full context.

- 3.5 Plans prepared by Peter Hitchen Architects Ltd, set the scale and context of the proposal. They would wish to enter into discussions with the case officer as a part of this application procedure and before any formal decision is made.

4 The Development Plan

- 4.1 In preparing this statement, full regard has been made to the relevant policies in the Adopted Core Strategy and in particular, those that fell to be considered in the range of recent planning approvals. Current Government advice contained in the National Planning Policy Framework has also been considered. It is respectfully considered that the following Development Plan Policies are the most relevant against which to assess the merits of the proposal:

The Core Strategy

Key Statement DS1: Development Strategy

Key Statement DS2: Presumption in favour of sustainable Development

Key Statement EN2: Landscape

Key Statement EC1: Business and Employment development

Key Statement EC2: Development of retail, shops and community facilities and services

Key Statement EC3: Visitor Economy

Development Strategy

Policy DMG1: General Considerations

Policy DMG2: Strategic Considerations

Policy DMG3: Transport and Mobility

Policy DME2: Landscape and Townscape Protection

Policy DME3: Site and Species Protection and Conservation

Policy DMB1: Supporting Business growth and the Local Economy

Policy DMI2: Transport Considerations

Policy DMB3: Recreation and Tourism Development

Policy DMR3: Retail outside the main settlements

National Planning Policy Framework (NPPF)

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Chapter 2	achieving sustainable development
Chapter 6	Building a strong competitive economy
Chapter 8	promoting healthy and safe communities
Chapter 9	promoting sustainable transport
Chapter 11	making effective use of land
Chapter 12	achieving well designed places
Chapter 15	Conserving and enhancing the Natural Environment

5 Ribble Valley Core Strategy Assessment

Policy DMR3- Retail outside the main settlements

- 5.1 Policy DMR3 relates specifically to the introduction of class E retail uses per se; it draws no distinction whatsoever between the very distinct variants in this class of use. Whilst clearly an ASDA or Tesco for example, is a major food retailer and therefore an identifiable “destination” retail activity, that is, you must go to either because you want the range of goods/commodities that they sell; that is demonstrably not the case in terms of a “farm Shop”. Such an outlet facility can and will only sell an extremely limited range of products. Further, the purchaser of such limited goods is not making an intentional visit to the farm shop to make that purchase; such trade at best is termed “passing “ trade; the customer is already on their way to a destination, say for example. The Trough of Bowland; they pass a farm shop and decide to call in and see what is on offer in terms of farm produce for sale. That is the way the majority of such retail outlets work. Such outlets do not have the “footfall” through the door to make such a retail activity a stand-alone use. That is why an Asda or a Tesco would not remotely consider such a site for a supermarket. Therefore, the carte blanche policy approach outlined in DMR3 is nonsensical in its definition insofar as it relates to the application proposal. This interpretation must be a valid one because the Ribble valley Borough Council has, in very recent years, granted planning consent for a variety of A1 retail uses outside defined settlement boundaries for substantial garden centres in Holden, Chatburn (outside the settlement on Sawley Road) and Bolton By Bowland; all such centres are destination retail activities, every one of them selling goods not directly related to such nurse activities. Clearly therefore, policy DMR3 is flexible in the interpretation of the criteria for considering, as appropriate, a form of retail development as is proposed in this application.
- 5.2 The applicant will sell produce that is available from his own dairy herd; he would like the opportunity to sell produce made available from other local farmers within the locality; in this regard he is prepared to “ring fence” a catchment area from which he can draw this produce and is more than happy to enter into meaningful and sensible discussions with the case officer in this regard.

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- 5.3 Further, as part of this application proposal, the applicant wishes to provide a small tea/coffee shop within the proposed building. The specific activity is very much de-minimus in much the same way such facilities are made available to customers visiting the retail activities referenced in Paragraph 5.1 above. However, it will not have gone unnoticed by the planning authority that the overall tourism strategy of the council is to encourage the availability and growth of such facilities within the Ribble Valley. The AONB in and around Newton, Slaidburn, Waddington, Whitewell and beyond through to the Trough of Bowland is a haven for both walkers and now, particularly, cyclists. Having left Waddington, there are no facilities now until you reach Tosside for cyclists wanting a brew and a butty. The applicant has identified a gap in the market and is prepared to invest in the local economy in order to satisfy the need and help boost the Ribble Valley Tourism economy. The tea/coffee shop can utilise the goods and produce from the farm and/or others in the locality; it is entirely sustainable in that regard. It is considered that, in terms of a Class E use which also includes the tea/coffee shop, as set out above, the proposal meets the requirements of policy DMR3.

Policies/Key Statement DS1, DS2-General and Strategic Considerations

- 5.4 Insofar as these specific policies are referenced in reason 2 on the decision notice (3/2020/0444), there is very clear evidence on the ground that though the site lies 80m outside the settlement boundary of Newton, there is a footpath link between the application site and the settlement; it has been in situ for a considerable period of time but was allowed to fall into disrepair and neglect by both the District and County Council. It has now been restored by the efforts of the local parish council and villager volunteers.
- 5.5 The application site is part of a wider agricultural unit sitting on 90 acres of farm land immediately adjacent to the settlement of Newton. It is not isolated therefrom. There is a physical link. The proposed use is not a destination event. Indeed, there is already an extremely active bed and breakfast facility run on the site by the applicant and his wife; they have just received planning consent for further development. The whole enterprise is sustainable in every regard; it is not reliant upon the private car as a means of access thereto in the same way that a garden centre is! The proposal will have no adverse impact upon the overall implementation of policies DS1 and DS2 and the strategic impact of such a development. There is no strategic impact and cannot be so. The proposal accords with the policy and key statement.

Policies/Key Statement EN2, DMG1, DMG2-Sustainable development

- 5.6 Insofar as these specific policies are referenced in reason 3 on the decision notice (3/2020/0444), it will be noted that the re-submission significantly and materially alters and addresses the issues raised in reason 3. The scale, massing, design and external appearance of the proposed building have been changed; the footprint has been significantly reduced and the siting has been changed in order to achieve a more comprehensive and inclusive development when set against the massing of the existing two building and the recently approved linked between them. Of course, it goes without saying that this specific part of

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the proposal is open to active and constructive dialogue between the planning case officer and the applicant's agent Peter Hitchen Architects Ltd. If there are any issues in this regard that are of concern to the planning authority then it is formally requested here, that discussions are entered into in order that such issues are amicably resolved. It is respectfully submitted that the proposal as now submitted, addresses the issues raised in reason 3 of the decision notice (3/2020/0444) and meets the requirements of the key statement and policy referred to.

Policies DMG1, DMG3-Transport and Highway Safety

- 5.7 Insofar as these specific policies are referenced in reason 4 on the decision notice (3/2020/0444), it will be seen that the applicant has control over an extensive curtilage of the site that has a boundary with the main public highway running between Newton and Slaidburn. At no time during the determination of application 3/2020/0444, did the planning authority seek to discuss with the applicant's agent any aspect of the proposal that sought to address issues set down by the highway authority in its consultation response; If the planning authority considers it necessary, following their consultation with the highway authority, as part of this resubmission, then the applicant will engage highway consultants to undertake a speed survey along that part of Slaidburn Road in order to satisfy any perceived highway safety issue. It is clear that the visibility splays as initially requested are excessive and unnecessary. The ones now produced in plan form are more than adequate, are sustainable and will have no detrimental impact on highway safety. The reason for refusal put forward in the decision notice (3/2020/0444) insofar as it specifically relates to the safe operation of the immediate highways network is both illogical and without evidential base whatsoever. The proposal meets the requirement of these policies.

6. National Planning Policy Assessment (the Framework)

- 6.1 In the interests of completeness, this section will make reference to what are considered to be the most relevant policies at the national level; it is a fact that that policies at the national and local level overlap in a consistent and positive way certainly insofar as they relate to the proposal now before the planning authority. Therefore, it is not the intention in this supporting statement simply to reiterate what is said at the local level and how the proposal complies therewith.
- 6.2 Again, in dealing with the issues that arose in application 3/2020/0444, and the reasons for refusal contained in the decision notice, it is considered that the proposal is in accord with the principles set down in Chapter 2 of the Framework. The proposal is sustainable; it does not rely on the private motor car; traffic/patrons are already on the road to a destination when they call at the farm shop; it is not a destination use or activity. Likewise, no matter how small the enterprise and the framework is silent on this matter, the development will contribute to the building a strong competitive economy.
- 6.3 Likewise, the proposal is clearly allied to the local authority's tourism strategy in that the site lies within the AONB and is linked to numerous walks and cycle routes both in and around Ribblesdale valley and the wider Forest of Bowland; by definition therefore, the development is

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making a small but significant contribution to promoting healthy and safe communities and to promoting sustainable transport.

- 6.4 As is already mentioned elsewhere in the statement, the application site in general already makes a contribution to the overall tourism strategy of the Ribble Valley; a bed and breakfast facility operates from the site and has done so since 2013. The application proposal will complement this activity and will therefore be making effective use of land available at Clerk Laithe. The scheme has been significantly altered in terms of footprint, massing and external appearance and the applicant is more than willing to enter into meaningful discussions with the planning authority should they consider that there is more scope for further improvements in this specific context. The applicant wishes to undertake a development that seeks to achieve well designed places.
- 6.5 In the context of the national Planning Policy Framework, it is submitted that the proposal is entirely in accord with the aims and objectives of the framework and any approval would not compromise these objectives.

7. Planning Conditions

- 7.1 Prior to determination of this application, the applicant and his professional advisors wish to enter into discussions and negotiations with the planning authority in regard to the imposition of planning conditions and/or agreements. They will be open to a range of conditions that would seek to allow the development to proceed but in a way that would limit the type and range of produce sold and from where they are sourced.
- 7.2 The attention of the planning authority is drawn to the terms and conditions set down in the planning approvals for development at Poorsland Barn, Slaidburn. The consent's go back to 2004. Notwithstanding that fact, the planning case officer at the time (John Macholc) dealt with a number of applications for retail and associated uses at the barn; he considered it appropriate to attach a personal condition to the retail consents. It is perfectly possible to attach such a condition to the current proposal and the applicant would be agreeable to such a condition. A temporary consent is also worth considering.

8. Conclusions

- 8.1 This application seeks to address the issues raised in the refusal of permission under application 3/2020/0444. The applicant and their agents are willing to enter into meaningful dialogue with the planning authority in order to achieve a positive outcome.
- 8.2 The proposal, in their view, fully accords with the provisions of planning policy at both the national and local level

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