

Land at Chapel Hill, Longridge, Preston, PR3 3JY

Proposed Class E commercial development

SEQUENTIAL TEST

October 2022

REPORT CONTROL

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Primary Author:	Matthew Walton	Initialled:	MW
Contributor:	Mike Sproston	Initialled:	MS
Reviewer:	Graeme Thorpe	Initialled:	GT

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CONTENTS

1 INTRODUCTION

2 PLANNING POLICY CONTEXT

3 SEQUENTIAL TEST

4 CONCLUSION

APPENDIX A

APPENDIX B

/1 INTRODUCTION

- 1.1 This sequential test supplements the application submitted to Ribble Valley Borough Council for the erection of 4no. commercial units (Use Class E) at the Land at the North of the Chapel Hill site, Longridge. The planning application is currently valid, allocated planning reference: 3/2021/1262. The supporting Planning Statement provides a detailed description of the site and assessment of the proposals in relation to the relevant planning policies.
- 1.2 As part of this application, the applicant has been requested to undertake a sequential test as the proposed development relates to the erection of 4no. units within Use Class E, some of which are defined as 'Main Town Centre Uses' in the Annex 2 – Glossary of the Framework. In accordance with Paragraph 87 of the National Planning Policy Framework (NPPF). This Statement provides the results of this test in the context of the relevant planning policy.

/2 PLANNING POLICY CONTEXT

- 2.1. The Development Plan for the application site comprises the Ribble Valley Borough Council Core Strategy 2008-2028 (adopted 2014). Key policy documents that comprise 'material considerations' include to the National Planning Policy Framework (2021), National Planning Policy Guidance (NPPG) and relevant supplementary planning documents and guidance.
- 2.2. Figure 1 below provides an extract from the Districtwide Local Plan Policy Map for Ribble Valley (1998 – 2014), which shows that the site was previously an allocated industrial employment site, Policy EMP4.

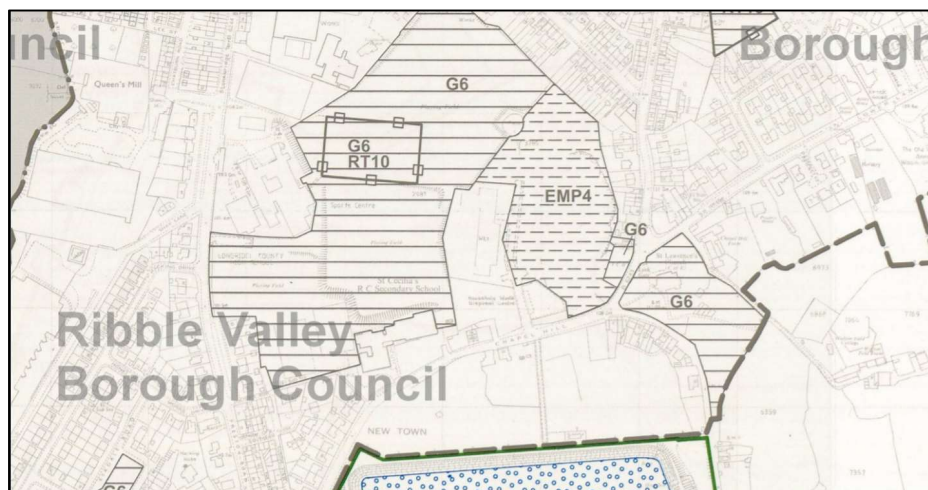


Figure 1: Extract from the 1998-2014 Districtwide Local Plan Policy Map

- 2.3. This Policy has since been replaced with Key Statement EC1 within the Core Strategy and the site is now unallocated, see Figure 2.

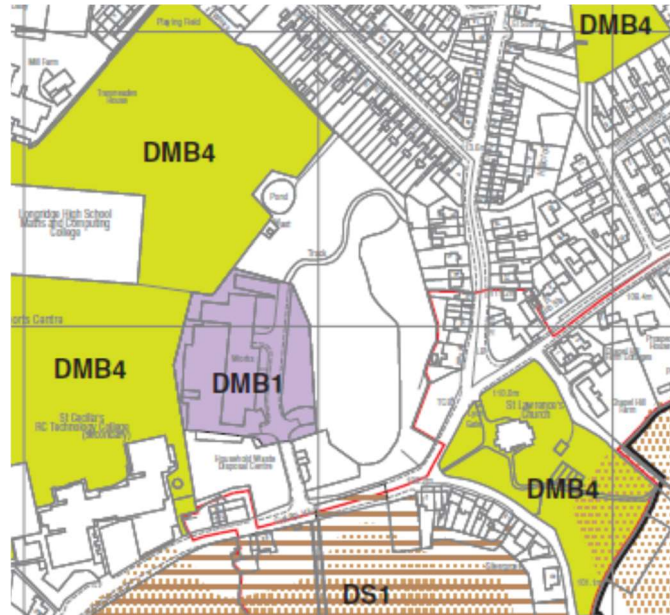


Figure 2: Extract from the Ribbles Valley Borough Council Core Strategy Policy Map

2.4. Paragraph 87 and 88 of the Framework state:

'Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.'

2.5. In relation to impact, Paragraph 90 of the NPPF outlines that when assessing applications for retail, leisure, and office development outside of town centres, which are not in accordance with an up-to-date local plan, local planning authorities should require an impact assessment for developments that are in excess of locally set floor

space thresholds (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace).

/3 SEQUENTIAL TEST

- 3.1. This section assesses the proposal against the key planning policy requirement. As aforementioned, the proposals contain defined main town centre uses, as per the Framework. The proposed units at the site will create 1,256m² of floorspace, consisting of 3no. units 288m² and 1no. units of 392m² in size.
- 3.2. In more specific terms, a main town centre use is proposed in an out of centre location and therefore it is necessary to demonstrate that there are no available, suitable and viable sequentially preferable sites that could accommodate the proposed development.
- 3.3. The application site area is approximately 0.5 hectares and a search of sites of broadly the same size have been undertaken as part of this assessment. The search area was focused upon Longridge Town Centre and the surrounding area. In line with planning policy requirements, this sequential test considers potential alternative, sequentially preferable sites that could accommodate the development of roughly 1,300m², allowing for a reasonable degree of flexibility, in accordance with national guidance.
- 3.4. It is important at the outset to correctly interpret and apply the sequential test, taking into account case law and relevant appeal decisions. For example, as highlighted in the Dundee (March 2012)¹ case, the Supreme Court ruled that '*suitable*' means '*suitable for the development proposed by the applicant*' and the Secretary of State in the Rushden appeal decision (June 2014)², has confirmed that the sequential test needs to be considered in the context of the specific development proposed by the applicant, and not simply a '*class of goods*' approach or some attempt at disaggregation that might otherwise seek to accommodate elements of the proposed development on a smaller, sequentially preferable site.

¹ Case [2012] UKSC 13 - Tesco Stores Limited (Appellants) v Dundee City Council (Respondents) (Scotland) <https://www.supremecourt.uk/cases/docs/uksc-2011-0079-judgment.pdf>

² Appeal Reference: APP/G2815/V/12/2190175, applicant LXB RP (Rushden) Limited - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319505/Called-in_decision_-_Rushden_Lakes_Retail_Park_ref_2190175_11_June_2014_.pdf

- 3.5. Whether, therefore, a site is considered suitable for the commercial requirements of a developer/retailer, clearly needs to be considered in light of the specific application proposal. The two decisions referred to above, both assist in demonstrating how the sequential test should be lawfully and properly applied.
- 3.6. Whilst we acknowledge the requirement for some flexibility in applying the sequential test, as referred to in the National Planning Guidance, this needs to be applied sensibly in the context of scale and format, as it is clearly not the purpose of national or local planning policy to require a developer to seriously compromise their proposal by requiring them to disaggregate it into its constituent parts. Indeed, the Secretary of State in the Rushden decision expressly acknowledges that the NPPF does not require an applicant to disaggregate in any way a specific development proposal.
- 3.7. In reality, therefore, whilst there may be some limited scope to reduce the scale of the proposed development, it would be wholly unreasonable to expect the applicant/retailer to amend a proposal to the extent that it no longer meets their business requirement and becomes unviable.
- 3.8. In order that the sequential test is properly applied, it is therefore necessary to consider the proposed development as a whole for which planning permission is sought.
- 3.9. In line with planning policy requirements, this sequential test considers potential alternative, sequentially preferable sites that could accommodate the development on a site of 0.5 hectares, allowing for a reasonable degree of flexibility, focusing upon the defined centres identified within the upcoming Local Plan document in accordance with national guidance.

Availability

- 3.10. The NPPF (Paragraph 87) sheds light on the correct interpretation of this aspect of the test, and states:

'Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.'

- 3.11. Importantly, it does not, ask whether such sites are likely to become available during the remainder of the plan-period but instead whilst sites do not have to be available immediately, in order to avoid prejudicing town centre or edge of centre sites that are in the pipeline but not available straight away.
- 3.12. The NPPF clearly states that main town centre uses are preferable within the district and local centres, while out-of-town locations should only be considered when suitable sites are unavailable within the latter two locations.

Suitability

- 3.13. Suitability relates to whether the proposed development can be reasonably and successfully located at a particular site. There are a number of key considerations in this respect.
- 3.14. As previously indicated, the test is only relevant in the context of the '*requirement*' that the proposed development will meet. The introduction of the four Class E units is seen as a sensible introduction to the area.
- 3.15. Furthermore, it is not the purpose of planning policy to require a proposal (as a whole) to be split between separate sites. The NPPF does not require '*disaggregation*', as evidenced by the Rushden decision. This has not changed in the revised NPPF 2021.

Viability

- 3.16. Sites should not present any obvious economic obstacles to the proposed development.

Assessment

- 3.17. For the purposes of our sequential examination, the assessment focuses on available sites within Longridge Town Centre.
- 3.18. A thorough search of land / buildings both for sale and for let was undertaken 5th October 2022 via the online search engines listed below. Full search results are shown in Appendices A and B.
- Rightmove, Prime Location, and Zoopla's online search engines; and
- 3.19. Full search results are shown in Appendices A and B. While the application site area is 0.5 hectares, no sites are similar size are available within the search area around Longridge.
- 3.20. No suitable sites (both for rent and for sale) which could accommodate the proposed development were found.
- 3.21. The sites documented within Appendix B are a mixture uses falling within a Sui Generis (public house) or Use Class E (a) and (b) uses, none of which are being proposed on this site, and mainly constituting small shops fronting Berry Lane within the Town Centre. These are documented in further detail in Appendix B.
- 3.22. In addition, they all have constraints which would prohibit the uses proposed within the proposed development. As such, our proposal will not unduly impact on the vitality or viability of the town centre. These are documented in further detail in Appendix B.

Summary

- 3.23. There is a distinct lack of larger available commercial sites within Longridge, with the vast majority of properties available being smaller shops within the high street, and their uses being a mixture of Sui Generis (public house) and Use Class E (a) and (b) uses, none of which are being proposed on this site. The provision of a larger,

alternative use space would therefore complement the existing provision within the town.

- 3.24. Taking into account all of the above, it is clear that there are no sites identified in the sequential search that are suitable, available, and viable to accommodate the application proposal.
- 3.25. The summary of the result of the sequential test within this Statement represents a sensible interpretation and application of the sequential approach towards site selection. There are demonstrably no sequentially preferable alternatives that are available or suitable and consequently the application site, is still, in our view, an appropriate location for the proposed development.

/4 CONCLUSION

- 4.1. Having considered the availability of sites within Longridge Town Centre, it has been concluded that there are no sites available that could house the proposed development. The proposed would complement the current offering of commercial business for sale within Longridge and provide a bigger, contiguous space for prospective new businesses.
- 4.2. For the reasons identified within this Statement, it is considered that a satisfactory sequential test has been carried out to demonstrate compliance with Section 7 of the NPPF and it is clear that planning permission for the proposed development should not be withheld on sequential grounds.

APPENDICES

APPENDIX A

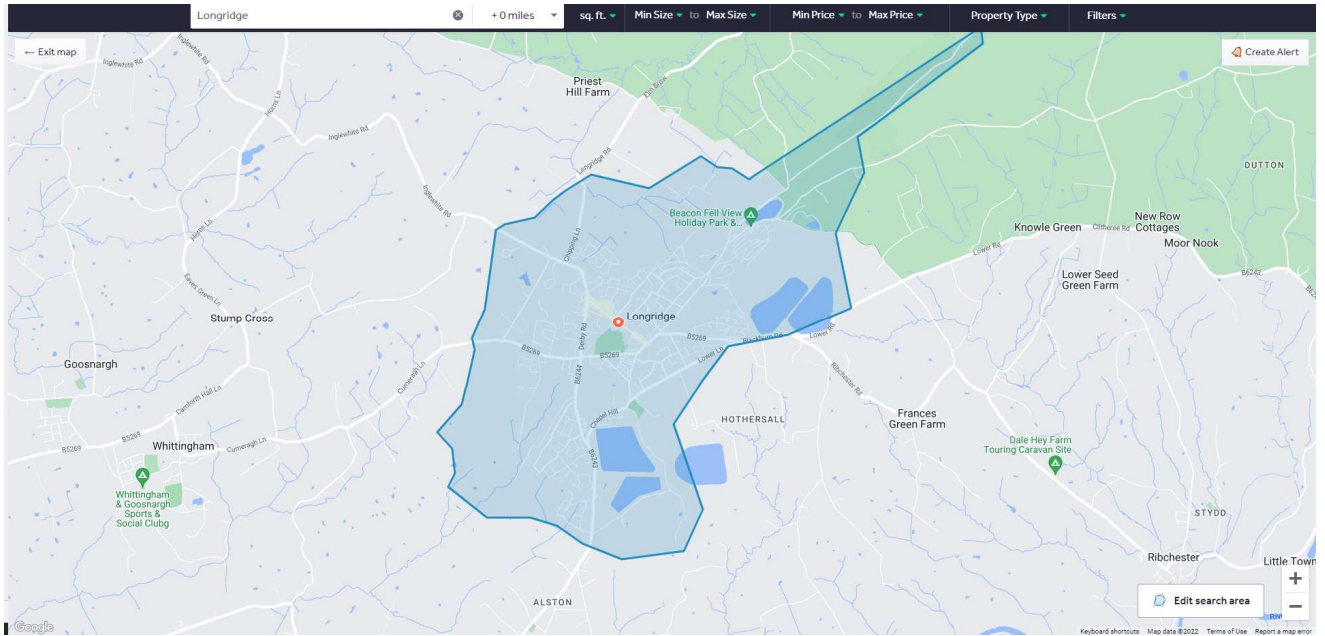


Figure a: Rightmove search for any commercial property for sale within Longridge. One Property is identified

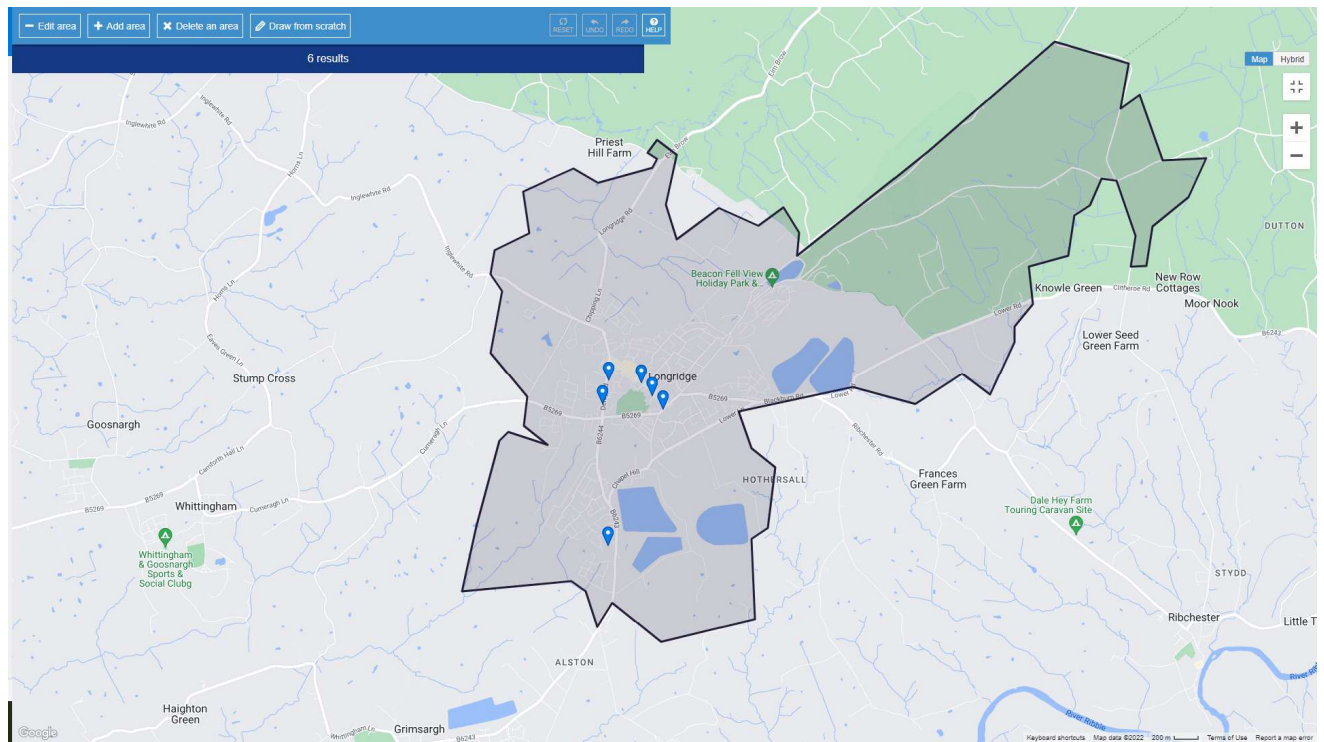


Figure b: Prime Location search for Commercial property within Longridge. Five locations were identified.

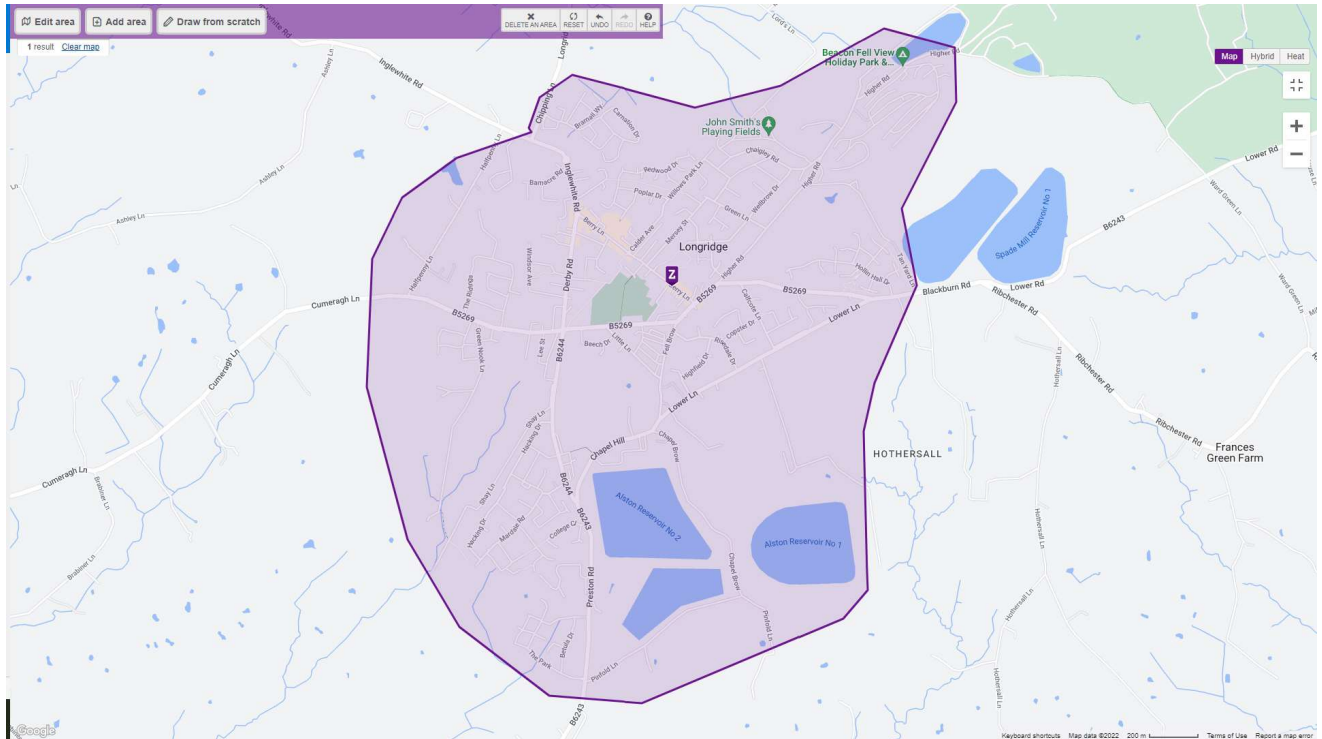


Figure c: Zoopla search for any property for sale within Longridge, one commercial property is identified and discussed within Appendix B.

APPENDIX B



Prepped, Berry Lane, PR3

Cafe for sale

0.36 miles

BUSINESS FOR SALE! £49,950 + SAV! Well-known Meal-Prep Business, established in 2018, prime location, excellent customer base.

COMMERCIAL

Marketed by Alan J Picken, Ilkley

£49,950 Leasehold

 01943 661793
Local call rate

 **Contact**

 **Save**



Business for sale

 5

£49,950

Pub/bar for sale

Derby Road, Longridge, Preston PR3

Traditional Micropub - Preston

 Ramsgreave & Wilpshire (6.3 miles)  Preston (Lancs) (6.6 mi)

 0161 937 5978 **  **Contact**  **Save**  **Hide**





Business for sale

 9

£49,950

Restaurant/cafe for sale

Berry Lane, Longridge PR3

Business for sale! Well-known Meal-Prep/Food Takeaway business, premises available on lease. Very attractive business which boasts impressive profits. Prime trading position, regular loyal & local clientele has been established. Request full details!

 Ramsgreave & Wilpshire (6.2 miles)  Langho (6.6 miles)

 01943 613965 **  **Contact**  **Save**  **Hide**





3

Kings Business Transfer, PR2

£69,950

Retail premises for sale
PR3, Longridge, Lancashire



Well established and profitable Sandwich Bar occupying a prominent trading position in the popular market town of Longridge - Weekly Takings £1,300 (6 days only), genuine growth potential, excellent reputation, extensive customer base, well fitted ...

➔ Ramsgreave & Wilpshire (6.1 miles) ➔ Langho (6.5 miles)
☎ 01772 913303 ** ✉ Contact ★ Save ⌂ Hide



2

Legat Owen, CH1

POA

↳ 0.2 ac*

Land for sale
Ashton Green, Preston Road, Longridge PR3



Retail/community plot of 0.17 acres for sale at Ashton Green, Preston Road, Longridge. The subject plot extends to some 0.17 acres (0.07 hectares) and the outline planning permission provides for a building of approximately 2,000 sq ft. The prope...

➔ Ramsgreave & Wilpshire (5.9 miles) ➔ Preston (Lancs) (6.0 mi)
☎ 01244 725429 ** ✉ Contact ★ Save ⌂ Hide



Business for sale

7

Alan J Picken, LS29

£199,950

Restaurant/cafe for sale

Berry Lane, Longridge PR3



Alan J Picken are delighted to offer this Well-known and Popular Modern Italian Restaurant & Bar business onto the market. Business for sale, premises available on lease.

🚗 Ramsgreave & Wilpshire (5.2 miles) 🚗 Langho (5.5 miles)

☎ 01943 613965 ** ✉ Contact ★ Save ⌂ Hide



Business for sale

9

Kings Business Transfer, PR2

£289,950

Retail premises for sale

PR3, Longridge, Lancashire



Ref 28597. Well established sandwich bar, bakery and outside caterers, prominent main road position, densely populated residential area, Lancashire, wt £4,500, superbly presented throughout, excellent scope for future growth, spacious 2 bedroom ...

🚗 Ramsgreave & Wilpshire (6.3 miles) 🚗 Preston (Lancs) (6.5 mi)

☎ 01772 913303 ** ✉ Contact ★ Save ⌂ Hide



8

Trevor Dawson, BB1

POA

Leisure/hospitality for sale

Market Place, Longridge, Preston PR3



Rare opportunity to acquire a substantial property in Longridge Town Centre.

🚗 Ramsgreave & Wilpshire (6.0 miles) 🚗 Langho (6.4 miles)

☎ 01254 789768 ** ✉ Contact ★ Save ⌂ Hide

Site Address	Site Area (sq m)	Land Agent	Suitability
21, Berry Lane, Longridge PR3	74	To Let Commercial	<ul style="list-style-type: none"> • Very limited space • Existing Class E use
Prepped, Berry Lane, PR3	-	Alan J Picken, Ilkley	<ul style="list-style-type: none"> • Existing Class E business •
Pub/bar for sale in Derby Road, Longridge, Preston PR3	-	Blacks Business Brokers	<ul style="list-style-type: none"> • Very limited space • Existing Class E use
Retail premises for sale in PR3, Longridge, Lancashire	-	Kings Business Transfer	<ul style="list-style-type: none"> • Very limited space • Existing Class E use
Picnic - Retail premises for sale in PR3, Longridge, Lancashire	-	Kings Business Transfer	<ul style="list-style-type: none"> • Very limited space • Existing Class E use
Leisure/hospitality for sale in Market Place, Longridge, Preston PR3	-	Trevor Dawson	<ul style="list-style-type: none"> • Very limited space • Existing Class E use
Pub/bar for sale in Derby Road, Longridge, Preston PR3	-	Blacks Business Brokers	<ul style="list-style-type: none"> • Very limited space • Existing Class E use



www.pwaplanning.co.uk

2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

01772 369 669
info@pwaplanning.co.uk
www.pwaplanning.co.uk