

Our Ref.: 17-01029

28th January 2022

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LONDON
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Dear Sir / Madam,

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

We act on behalf of Lidl Great Britain Limited (Lidl) and are instructed to resubmit a planning application seeking approval for an extension to the existing foodstore and the provision of nine staff car parking spaces at Lidl, Shawbridge Street, Clitheroe. An almost identical proposal (Ref. 3/2017/0610) gained planning permission on 4th December 2017; the permission has since lapsed. Full details of the proposed development are provided below.

This planning application was submitted via the Planning Portal (Ref. PP-09510790) dated 28th January 2022. This letter in conjunction with the enclosed application form, drawing plans, technical reports, and the requisite planning fee of £2,772.00 comprise the applicant's full planning application package. The drawing plans and technical reports include the following:

- Site Location Plan (Drawing Ref. 16074 AD_100);
- Existing Site Plan (Drawing Ref. 16074 AD_101);
- Existing Building Plan (Drawing Ref. 16074 AD_102);
- Existing Elevations (Drawing Ref. 16074 AD_103);
- Existing Roof Plan (Drawing Ref. 16074 AD_104);
- Proposed Site Plan (Drawing Ref. 16074 AD_110);
- Proposed Building Plan (Drawing Ref. 16074 AD_111);
- Proposed Roof Plan (Drawing Ref. 16074 AD_112);
- Proposed Elevations (Drawing Ref. 16074 AD_113);
- Proposed Site Plan Boundary Treatments (Drawing Ref. 16074 AD_114);
- Proposed Site Plan – Finishes (Drawing Ref. 16074 AD_115);
- Design and Access Statement, prepared by OneDesign;
- Site Investigation – Desk Based Study Report, prepared by Brownfield Solutions Ltd;
- Landscape Plan (Drawing Ref. R/1989/1A);
- Transport Technical Note, prepared by SCP;
- Flood Risk Assessment, prepared by Toppings Engineers;
- Lighting Assessment and Lighting Plan prepared by Philips; and,
- Arboricultural Report & Impact Assessment, prepared by AWA.

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

Site and Surroundings

The application site comprises the existing Lidl foodstore located on Shawbridge Street. The site comprises a roughly triangular piece of land, bound by Shawbridge Street to the north-east; Peel Street to the south-east; Queensway (A671) to the west; and Mearley Brook to the north-west. The application site is defined on the attached Site Location Plan (Drawing Ref. 16074 AD_100).

The Lidl foodstore occupies the central section of the application site, with the existing store parking located to the north-east. The delivery bay is located on the north-western elevation of the foodstore. To the south-western end of the application site is a long stay car park, operated by the Council, with access from Peel Street.

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

Planning History

A review of the Council's online planning register has been undertaken which identified a number of applications to be of relevance to this planning application. These applications are summarised in the table below.

Reference	Description	Decision	Decision Date
3/2009/1071	Demolition of the existing buildings and the erection of a neighbourhood food retail unit with associated car parking.	Approved	12 Mar 2010
3/2017/0163	Variation of condition 5 (opening hours) of planning permission 3/2009/1071 to permit the store to trade between 07:00 and 22:00 Monday to Saturday and 10:00 to 17:00 on Sundays and for no restriction on delivery hours to be imposed.	Approved	19 May 2017
3/2017/0610	Change of use of existing RVBC Car Park to form extension to existing Lidl food store including 9 staff car parking places.	Approved	04 Dec 2017

In addition to the applications outlined above, numerous Discharge of Conditions applications have been approved on site, relating to planning application Ref. 3/2009/1071. Additionally, advertisement consent has also been given on the site.

In summary, the use of the site for retail purposes (Use Class E) has been clearly established on site through the planning history and implemented consent.

The Proposal

The description of the development as proposed in this full planning application is as follows:

"Extension of the existing foodstore and the provision of 9 staff car parking spaces."

Lidl are constantly reviewing their existing store estate and as part of this process are continually seeking to improve their store offer for customers. Since the approval of the Planning Application Ref. 3/2017/0610, a scheme almost identical to the proposed scheme, Lidl has conducted a further review of their operations.

Similar to the approved scheme, the proposed extension will create an in-store bakery and freezer area. The proposal facilitates the modernising of the store, creating a functional and aesthetic consistency between Lidl's Clitheroe store and the design of the company's new foodstores, known as the 'New Store Concept', which are currently being brought forward across the country.

The below table provides a comparison between the existing store, approved scheme and the proposed design in regard to floorspace.

	Existing (Sq.m)	Approved (sq.m)	Proposed (sq.m)
Gross External Area	1,390	1,763	1,778
Gross Internal Area	1,315	1,681	1,690
Sales Area	992	1,090	1,102
Warehouse	225	388	387
Ancillary	82	170	169

In addition to extending the existing store, the proposed development will include:

- The provision of 9no. additional car parking for staff; and
- Additional landscaping in the south-western corner of the site.

Full details of the proposed development are provided in the accompanying set of proposed plans submitted as part of the application.

National and Local Planning Policy

National Planning Policy

The Government published the National Planning Policy Framework (NPPF) in February 2021 and sets out the purpose of the planning system of achieving sustainable development via three overarching objectives: economic, social and environmental.

Paragraph 11 of the NPPF requires Local Planning Authorities to apply a presumption in favour of sustainable development during decision-making. This means that authorities should approve development proposals that comply with relevant policies without delay. Where there is an absence of relevant development plan policies or if the policies are out-of-date, planning permission should be granted unless:

- "The application of the policies in this Framework that protect area or assets of particular importance provides a clear reason for refusing the development proposed; or*
- Any adverse impacts of doing so would significantly demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole."*

In building a strong and competitive economy, **Paragraph 81** requires Local Planning Authorities to place significant weight on the need to support economic growth and productivity by taking into account local business needs.

With respect to achieving well-designed places, **Paragraph 128** states that the creation of beautiful, distinctive and high-quality buildings and places through good design is a key aspect of sustainable development.

In making effective use of land, **Paragraphs 119 and 120** states that decisions should promote an effective use of land through the development of under-utilised land or buildings to meet the need for both homes and other uses.

Explaining further, **Paragraph 130** ensures that local planning policies and decisions should aim to ensure that developments:

- a) *“will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *Are sympathetic to local character and history, including the surrounding built environment and landscaping setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;*
- f) *Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

Local Planning Policy

The adopted Development Plan for Ribble Valley Borough council consists of the Core Strategy, adopted on 16 December 2014. It sets out the strategic planning policy framework to guide development in the borough up to 2028 in the form of Key Statements and includes development management policies to assist in the determination of planning applications. The policies and Key Statements relevant to the proposal are set out below.

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

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

Policy DMG1: General Considerations requires all developments to meet a number of criteria relating to design, access, amenity, environmental and infrastructure considerations. In particular, all development should be of a high standard, sympathetic to existing and proposed land uses in terms of size, intensity and nature as well as scale, massing, style, features and building materials. Developments must also consider the

potential traffic and car parking implications and ensure safe access. Development must also not adversely affect the amenities of the surrounding area.

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

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

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

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

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

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

Planning Assessment

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

- Proposed Increase in Retail Floorspace;
- Design Considerations;
- Highways and Parking Provision;
- Trees and Landscaping;
- Contaminated Land;
- Flood Risk and Drainage; and
- Impact on Neighbouring Uses.

These are addressed in turn below.

Proposed Increase in Retail Floorspace

The proposed development is almost identical to the Planning Application Ref. 3/2017/0610 for a store extension to the existing Lidl store and the provision of 15 staff car parking spaces. The application was approved on 4th December 2017.

The new proposed development seeks to increase the size of the building by 375 sq.m, 9 sq.m larger than the previously approved scheme (Ref. 3/2017/0610). However, similar to the approved scheme, the majority of the additional floorspace created comprises warehouse and ancillary areas, non-sales use. Consequently, the increase in size of the sales area amounts to 110 sq.m, only 12 sq.m larger than the approved scheme.

Lidl are constantly reviewing their operational requirements and as part of this process they are continually seeking to improve their store offer for customers. The marginal increase of floor areas is a result of this ongoing business-wide review. This marginal increase (10%) in the sales floor area and will not result in any significant change to the role and function of the store. Subsequently, the extension will not have a significant adverse impact on the viability and vitality of the town centre.

When determining Planning Application Ref. 3/2017/0610, paragraphs 5.1.1 to 5.1.6 of the Committee Report state:

"The application seeks consent to extend an existing retail unit which is located within the Settlement Boundary of Clitheroe, but outside of the main shopping area of Clitheroe.

Policy DMR1 of the Core Strategy states that extensions to existing retail units, where the gross floor space is greater than 200m², will be considered on a sequential basis. This sequential test requires the applicant to demonstrate that the proposal cannot be accommodated within the main shopping area, and then on the edge of the centre, and that the impact of the proposal would not seriously affect the vitality and viability of the town centre.

The proposed extension would have a floorspace of 365m², however the majority of this would be "back of house" freezer and bakery areas. As such the increase in additional sales area would be 98m² or a 9.8% increase on the existing floorspace.

In respect of alternative sites, the extension would be a continuation of the existing use and therefore could not operate from a separate smaller unit within the main shopping area. There are no suitably sized available units in the main shopping area that could accommodate the size of this LIDL store, and its extension, and thus the proposal meets the requirements of a sequential test. Furthermore the application site is located on the edge of the town centre, within the settlement boundary, and is therefore the preferred location for retail development outside of the main shopping area.

In respect of vitality and viability, as detailed above the proposed extension represents a modest increase in retail floorspace at an existing unit and it is not considered that such an increase would have a serious impact upon the vitality and viability of the town centre in accordance with Policy DMR1 of the Core Strategy.

In view of the above, the broad principle of a relatively modest extension to an already existing retail unit on the edge of the town centre, is considered to be acceptable, subject to compliance with other requirements detailed below."

The Council therefore agreed that the extension would be a continuation of the existing store and could not be disaggregated. The Council also accepted that the increase in sales area is modest and would not have a serious impact on the vitality and viability of the Town Centre.

On this basis, it is considered that a sequential site assessment is not appropriate in this case, and that there will be no significant adverse impacts on the viability and vitality of the town centre as a result of the development proposed. Therefore, it is considered that the proposed development is in line with Key Statement EC2 and Policy DMR1 of the Local Development Plan as well as national planning policy.

Design Considerations

The design approach to the development is set out in the accompanying Design and Access Statement, prepared by One Design. The site is located in a relatively sensitive location given that there is a boundary to the Conservation Area that runs along the middle of Queensway (A671) - the road that runs along the north-western boundary of the site. In addition, either side of Queensway, there is a large area of open space identified in the District Local Plan Proposals Map, and a smaller area of open space identified in the District Local Plan Proposals Maps (currently in use as a Council operated car park).

The proposed extension simply continues the form of the building and uses the same materials. Part of the proposed extension is of a flat roof design. However, this is due to the tapering nature of the site, and this design solution also ensures that the mass and scale of the building is minimized. As the proposed extension is to a building on the edge of the Conservation Area, it is necessary to consider the impact on the setting of the heritage asset.

The design proposals are identical to the approved Planning Application Ref. 3/2017/0610 which were accepted by the Council. This is confirmed in Paragraph 5.3.1 where the Case Officer noted in the Committee Report:

"The proposed extension has been designed to match the existing unit in terms of its scale, appearance and materials used. The extension would be a continuation of the existing unit and would have no harmful impact upon the visual character of the area."

In this regard, it is considered that the proposed design will not compromise the significance and settings of the Conservation Area and heritage assets, as set out in Policy DME4 of the Development Plan.

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

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

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

Highways and Parking Provision

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

The current arrangement allows for staff to park their cars in the customer car park. As a result of the development, nine staff parking spaces will be relocated to the dedicated staff car park at the south-western end of the site. This will, in effect, increase the capacity of the main car park for the use of shoppers. This element of the proposal is identical to Planning Application Ref. 3/2017/0610.

The technical note confirms that the proposed extension is likely to encourage existing customers to spend marginally longer shopping in the store than attract additional traffic. Whilst the car park, as existing, has sufficient capacity to accommodate the slight increase in car parking demand, it is likely that the car park would be at or over capacity during busy periods such as Easter and Christmas. As such, the additional spaces will ensure that there is sufficient capacity for customers staying longer at the site as a result of the store extension.

The technical note concludes that there is no impact on the way in which the store will be serviced, and there is no evidence of increased localised congestion occurring on the highway resulting from the proposals contrary to any transport-related planning policy. Further, the approval of Planning Application Ref. 3/2017/0610 confirms that the Council agreed that the increase of nine staff parking spaces will not result in a significant impact on the existing highway network.

On this basis, there should be no highways grounds for objection to this application.

Trees and Landscaping

An Arboricultural Report and Impact Assessment been prepared by AWA Tree Consultants in support of the application. The report assesses the direct impacts of the proposed development and any associated operations.

The report has confirmed that six individual trees and two tree groups will require removal to facilitate the development as a direct impact of the scheme. However, these trees are all lower value, within retention category 'C'. However, the report confirms that developing the site provides an excellent opportunity for mitigation such as new tree planting.

FDA Landscape has produced a Landscape Details Plan in support of the application. The proposed development will incorporate landscaping along the perimeter of the new staff car parking area, predominantly on the south-western and north-western boundaries.

The proposed landscaping scheme includes ornamental shrub species such as *ceanothus thyrsiflorus repens*, *escallonia apple blossom* and *escallonia donard radiance*. Three new trees comprised of *pyrus calleryana*, *chamtdcleer* and *sorbus joseph rock* are also proposed.

On this basis, it is therefore considered that the proposal accords to Policies DME1 and DME2 of the Core Strategy and the overarching principles of the NPPF.

Contaminated Land

As part of the initial extension application in 2017 a 'Site Investigation – Desk Based Study Report' was produced, in order to determine whether there are any risks with relation to land stability and contamination at the site.

The report confirms that the risk from the on-site and off-site sources of contamination have been deemed to be low and moderate to low; the risk to controlled waters have been deemed low. In addition, no significant sources of ground gas were identified on, or in the vicinity of the study site.

From a geotechnical perspective, it is concluded that superficial clay, silt, sand and gravel deposits are anticipated to be present and as such, shallow foundations are likely to be suitable, subject to further investigations.

Overall, from the review, it is considered that the proposed development on site would be acceptable and would not pose any severe health or safety risks to users on site or in the locality.

Flood Risk and Drainage

A Flood Risk Assessment prepared by Toppings Engineers accompanies the planning application.

The assessment confirms that the site is in Flood Zone 3 and is at a 'high risk' of fluvial flooding. The site is also at a 'medium risk' for pluvial run flooding; however, it is noted that the proposed extension falls outside this area.

With regard to fluvial flooding, the report has set out mitigation measures to reduce the risk of flooding. This includes requiring the floor levels of the extension to match the existing levels. As the development is considered to be less vulnerable, it is therefore proposed that some flood resilient techniques are used, details of which can be found in the accompanying report.

Further mitigation measures are also proposed. This includes monitoring flood levels of the nearby watercourse, and the staff car park should be used as the emergency evacuation point.

On this basis, it is therefore considered that the proposed development is in line with Policy DME6 of the Development plan and overarching principles of the NPPF.

Impact on Neighbouring Uses

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

The changes to the car park to reduce the number of spaces (from 14 pay and display spaces with two disabled bays) to a nine-space private car park for staff will not have an adverse impact on the adjoining properties. In fact, the change in the nature of the car parking area and the reduction in the number of spaces will result in an improvement through a reduction in the number of traffic movements, and a reduction in noise and disturbance for local residents.

The proposed lighting scheme has been designed in such a manner that provides sufficient lighting on site, to ensure the safety and security of users, without affecting neighbouring users. The accompanying lighting diagrams demonstrate that the light pollution produced by the proposed extension is minimal and does not represent an unacceptable impact on the amenity of local residents.

Given the above, it is considered that that proposed development is in line with policy DMG1 of the Core Strategy.

Conclusions

The proposed development has been assessed against the policies of the Development Plan, and it is considered that there is no serious conflict with the policies of the adopted Core Strategy. The proposal will also not harm the character of the area, including nearby heritage assets, or the amenities of adjoining properties.

The development will enhance and improve the shopping opportunity at the Lidl foodstore in line with their current national store improvement programme. There will be no significant adverse impacts on the vitality and viability of the town centre as a result of the proposal. Furthermore, the loss of 15 public car parking spaces will not compromise the amount of public car parking available in and around the town centre as it is clear from the highways technical note that the existing Peel Street car park is underutilised.

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

We trust that the enclosed information is sufficient to enable you to validate the application and look forward to receiving confirmation in due course. We will also be pleased to address any matters raised through the consultation process.

Please contact me if you require any further information.

Yours faithfully,

