



Higher College Farm Lower Road Longridge PR3 2YY

Erection of Mixed-Use Commercial Units (Use Class E), with Access from Lower Road

SEQUENTIAL TEST & RETAIL IMPACT ASSESSMENT

November 2022



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/1 INTRODUCTION

- 1.1 This sequential test supplements the application submitted to Ribble Valley Borough Council for the Proposed erection of mixed-use commercial units including conversion and extension of farmhouse to Use Class E (b) (c) (d) (e) (f) (g) and Sui Generis (Health and Beauty). The planning application is currently valid, allocated planning reference: 3/2022/0553. The supporting Planning Statement provides a detailed description of the site and assessment of the proposals in relation to the relevant planning policies, while the submitted Planning Note expands upon the principle of development in further detail.
- 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), the site lies outside of the boundary of Longridge in this map with no specific allocation other than ENV3 Open Countryside Area.

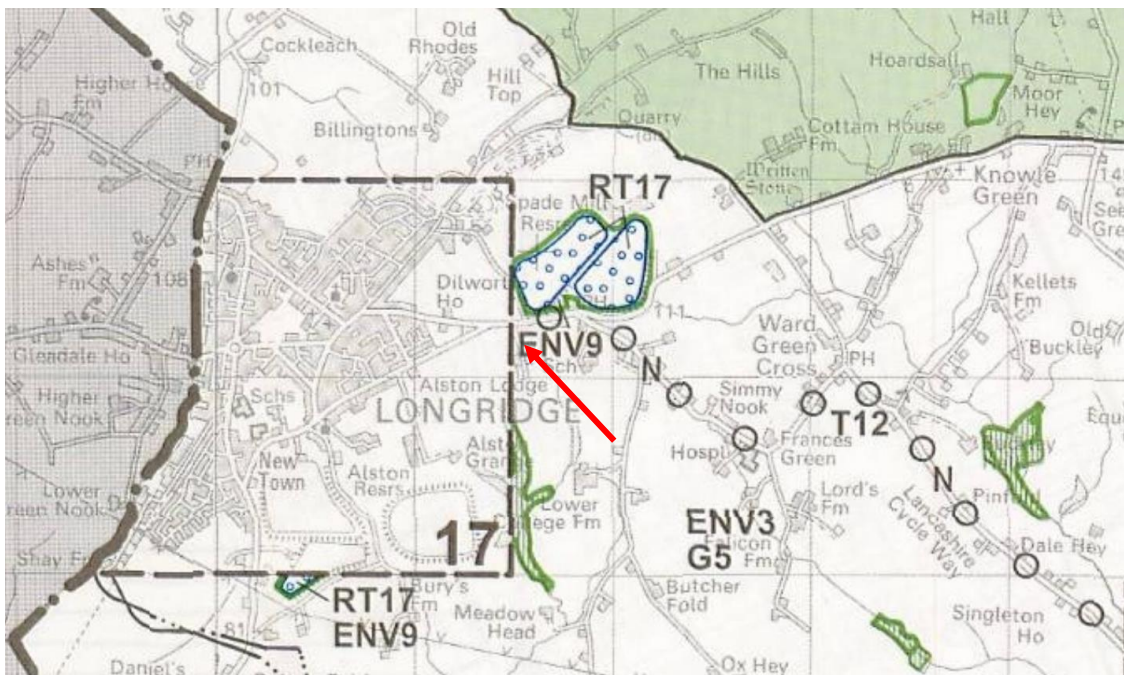


Figure 1: Extract from the 1998-2014 Districtwide Local Plan Policy Map

- 2.3. Policy ENV3 has since been replaced with Key Statement EN2 and Policy DME2 within the adopted Core Strategy. Nonetheless, the application site is located within the countryside, outside the defined settlement boundary of Longridge, as per the Council's adopted proposal map. However, the Housing and Economic Development DPD (HED DPD), adopted in October 2019, allocated the site as an employment site, as per Policy

EAL3 of the HED DPD, and as shown by Figure 2 below. This site was envisioned to create traditional employment uses, including both Use Class B1 (now replaced by Class E) and Use Class B8.

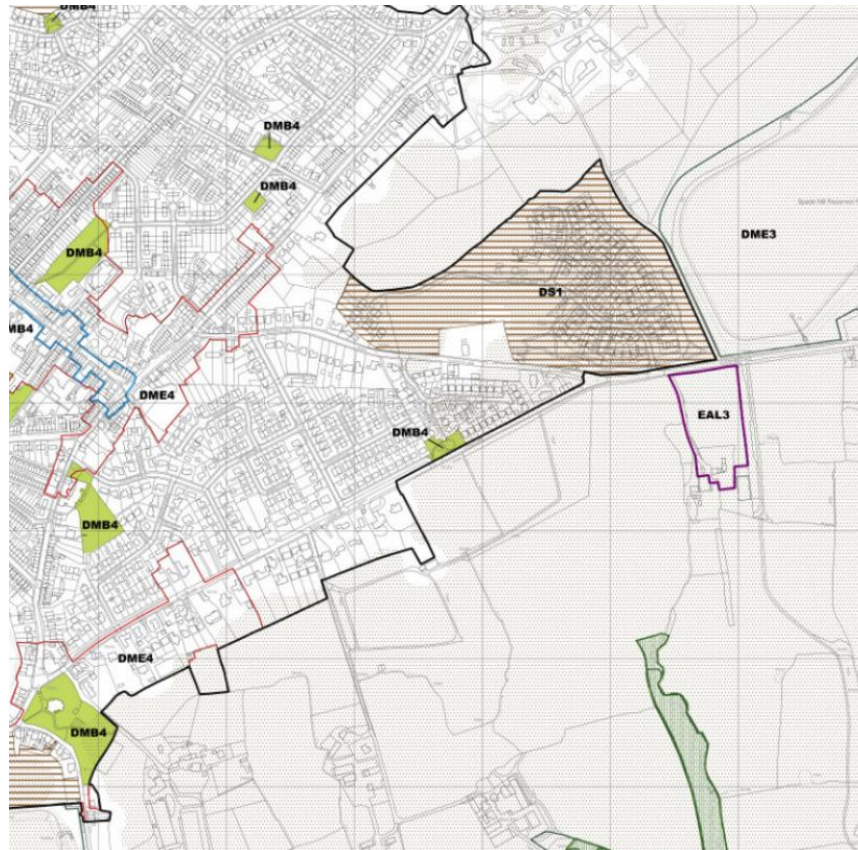


Figure 2: Extract from the Ribble Valley Borough Council Core Strategy Policy Map

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). The proposals exceed above threshold, creating 5,002m² of 'Town Centre Uses' which does not include Use Class E(c).

/3 SEQUENTIAL TEST

- 3.1. This section assesses the proposal against the key planning policy requirement. As seen above, the proposals contain defined main town centre uses, as per the Framework. The proposed units at the site will create 5,002m² of Gross Internal Floor Area, consisting of 8no. units and the farmhouse with proposed extensions.
- 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 1.53 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 5,000m², 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

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

otherwise seek to accommodate elements of the proposed development on a smaller, sequentially preferable site.

- 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 to amend a proposal to the extent that it no longer meets their business requirement and becomes unviable. 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.
- 3.8. In line with planning policy requirements, this sequential test considers potential alternative, sequentially preferable sites that could accommodate the development on a site of at least 1.5 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

- 3.9. 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.'

- 3.10. 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.
- 3.11. 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. Nevertheless, the site represents an allocated employment site, located marginally outside of the town centre, which is sustainably located.

Suitability

- 3.12. 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.
- 3.13. As previously indicated, the test is only relevant in the context of the '*requirement*' that the proposed development will meet. The introduction of the Class E units is seen as a sensible introduction to the area, creating a number of jobs through the delivery of this high-quality mixed-use scheme, which does not prejudice Longridge town centre.

3.14. 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

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

Assessment

3.16. For the purposes of our sequential examination, the assessment focuses on available sites within Longridge Town Centre.

3.17. A thorough search of land / buildings both for sale and for let was undertaken 14th November 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.

3.18. Full search results are shown in Appendices A and B. While the application site area is 1.5 hectares, no sites of similar size are available within the search area around Longridge.

3.19. No suitable sites (both for rent and for sale) which could accommodate the proposed development were found.

3.20. The sites documented within Appendix B are of an adequate size which could accommodate the proposals. However, neither of these sites are within Longridge, nor the Ribble Valley, while they have further constraints that would impact the feasibility with reference to the proposed development.

3.21. Evidently, the vast majority of the available sites within Longridge town centre are small-scale units, including smaller retail shops on Berry Lane. No sites of an adequate size could be found to accommodate the proposed development within the town centre.

Summary

- 3.22. There is a distinct lack of available sites within Longridge town centre that are of an adequate size to accommodate the proposed development, including both land parcels and sites that are already developed. This is evidenced through the fact that no sites were identified in the sequential search undertaken, which utilised a number of different platforms to collect the relevant data. In brief, there are no sequentially preferable sites within Longridge town centre that are suitable, available, and viable to accommodate the proposed development.
- 3.23. As aforementioned, it is not the purpose of the sequential test exercise to identify sites within the town centre whereby elements of the proposed development could be located, with the Rushden decision clarifying that disaggregation should not occur for a variety of reasons. The proposed development will deliver a truly mixed-use scheme whereby the individual elements complement one another, with the variety of uses fundamental to both the success and viability of the scheme.
- 3.24. 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. As such, our proposal will not unduly impact on the vitality or viability of Longridge town centre.

/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 accommodate the proposed development. The proposed development would complement and enhance the current offerings for commercial business spaces for sale within Longridge, and provide larger, high-quality, contemporary spaces that can be easily adapted to meet the evolving needs of the 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 - Local Searches for Available Sites

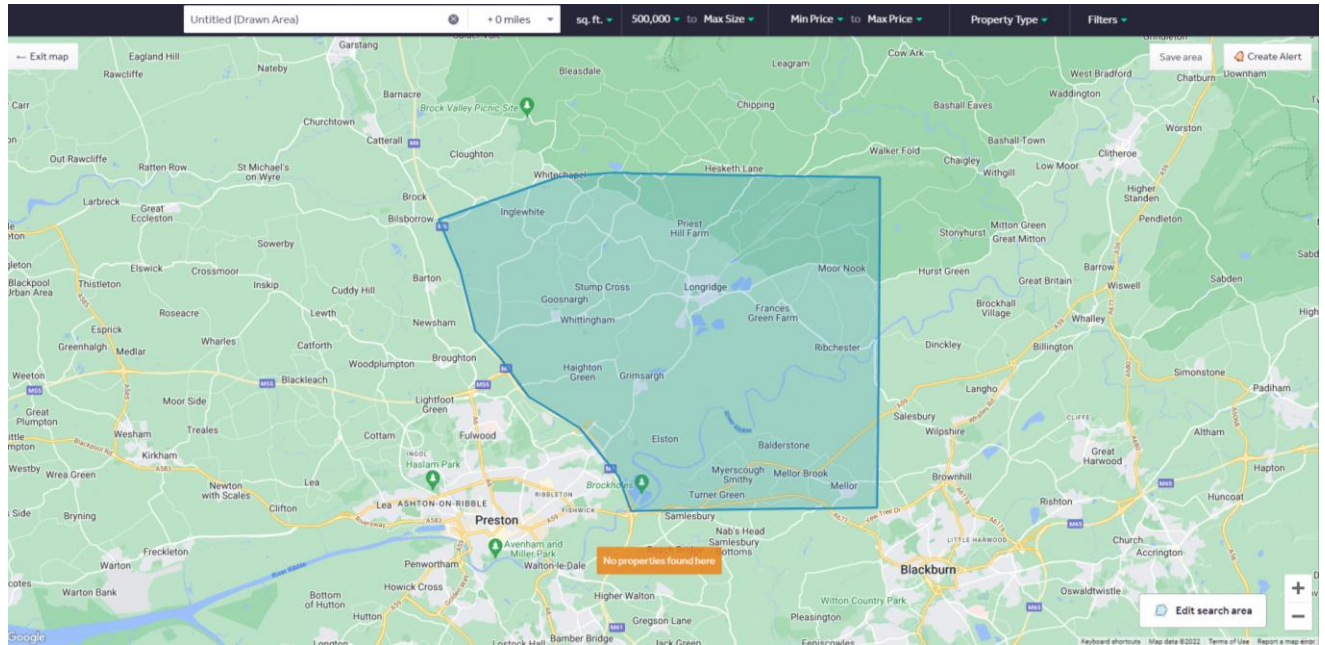


Figure a: Rightmove search for any commercial property or land for sale within Longridge. 0 locations identified

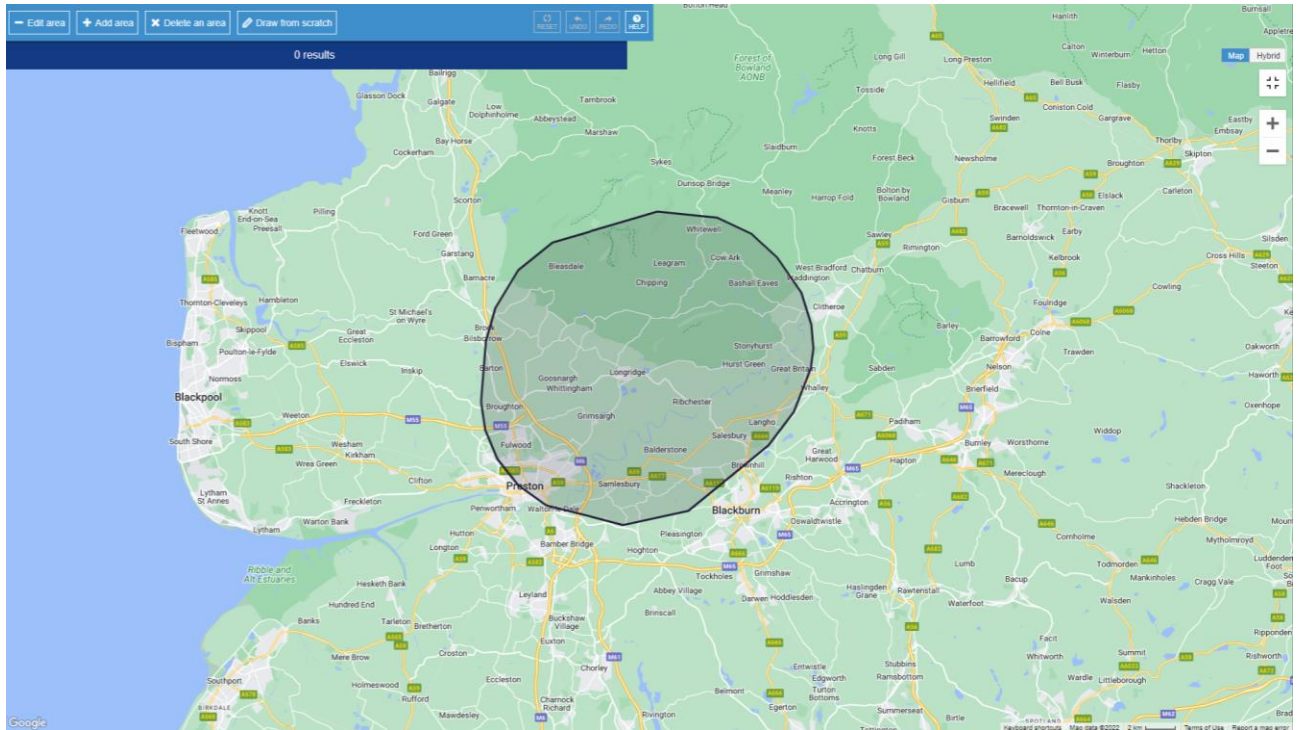



Figure b: Prime Location search for Commercial property or land within Longridge. 0 locations were identified.



Figure c: Zoopla search for any property or land for sale within Longridge, No properties were found within the Borough – Two parcels of land were found outside the borough




Duxburys Commercial
View agent properties →

01253 520963
Email agent

Share Save

£1,250,000
(£1.97/sq. ft)

Light industrial for sale
Collection Of Buidlings And Land, New Hey Farm, Newton-With-Scales, Preston PR4
635,976 sq. ft



Lamb & Swift Commercial
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Email agent

Share Save

Offers over
£1,500,000
(£5.62/sq. ft)

Land for sale
Tockholes Road, Tockholes, Blackburn, Lancashire BB3
267,023 sq. ft

APPENDIX B - Evaluation of Identified Sites

Site Address	Site Area (m ²)	Land Agent	Suitability
New Hey Farm, Newton-With- Scales, Preston, PR4	59, 084	Duxburys Commercial	<ul style="list-style-type: none">• Not within Longridge town centre, or within the Ribble Valley.• Mixed-use including residential, agricultural, and equestrian.
Tockholes Road, Tockholes, Blackburn, Lancashire, BB3	24, 807	Lamb & Swift Commercial	<ul style="list-style-type: none">• Not within Longridge town centre, or within the Ribble Valley.• Contains a Grade II Listed residential property, with extant consents for further residential units.



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