

Planning Statement

WM Morrison Supermarket,
Riversway,
Preston

ELG

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1. INTRODUCTION

Purpose of Statement

1.1 This Planning Statement accompanies a full planning application submitted on behalf of WM Morrison Supermarkets PLC for the erection of a Use Class A1 / A3 drive thru’ coffee shop (167 sq.m) with car parking, drive thru’ lane, hard and soft landscaping, refuse area, and associated works at WM Morrison Supermarket, Riversway, Preston.

1.2 The purpose of this statement is to assess the application proposals in the context of the adopted Development Plan in force for the area and other material considerations and should be read in conjunction with the following accompanying documentation:

Document	Author
Application Forms & Certificates	ELG Planning
Location Plan	Loroc Architects
Planning Drawings	Loroc Architects
Transport Statement	Bryan G Hall
Flood Risk and Drainage Assessment	Beam Consulting

Structure of Statement

1.3 This Planning Statement is structured as follows:

1.4 **Section 2** provides a description of the site and surrounding area, including any relevant planning history.

1.5 **Section 3** sets out a brief outline of the development proposals.

1.6 **Section 4** outlines the relevant planning policy context.

- 1.7 **Section 5** assesses the proposed development in the context of the adopted Development Plan in force for the area and any other material considerations.

- 1.8 **Section 6** draws conclusions on the overall findings of the statement.

2. SITE CONTEXT

2.1 The purpose of this section of the statement is to analyse the context of the site and its surroundings, including the physical, social and economic characteristics.

Local Context

2.2 The application site lies towards the eastern edge of the customer car park serving the Morrisons store at Riversway, Preston.

2.3 The surrounding area is mixed in character accommodating a range of residential, retail and commercial uses. The site occupies a parcel of land off Mariners Way



Figure 2.1: Site Location

adjacent to the Marina. The application site lies approximately 3km west of Preston City centre and is well connected to the A583 Riversway main transport route.

Site Context

2.4 The application site extends to approximately 1112 sq.m in size and comprises of an underutilised area of the customer car park serving the Morrisons supermarket. The main supermarket building lies to the west of the application site and there is also a petrol filling station to the south west adjoining the main site access from Mariner's Way. There is a band of mature woodland planting forming the northern boundary of the Morrisons site and wider retail park. The majority of the car park area lies to the south of the Morrisons supermarket building, and beyond the car park is the marina waterfront.

3. DEVELOPMENT PROPOSALS

3.1 The current application proposals involve the redevelopment of the north eastern extent of the existing Morrisons car park to provide a Starbucks drive thru' coffee outlet (Use Class A1 / A3) with car parking, drive thru' lane, hard and soft landscaping, refuse area and associated works.

3.2 The proposed building will be located towards the eastern edge of the site and will have a total GFA of 167 sq.m. A drive thru' lane will be provided around the building. Disabled and parent and child bays will be provided to the front of the building to serve the drive thru' unit, with a number of existing parking bays to be retained in close proximity to the proposed unit. An enclosed refuse area will be provided adjacent to the northern elevation of the building and areas of low level soft landscaping will be provided within the site. The existing landscaping to the north and east will also be retained as part of the proposals.

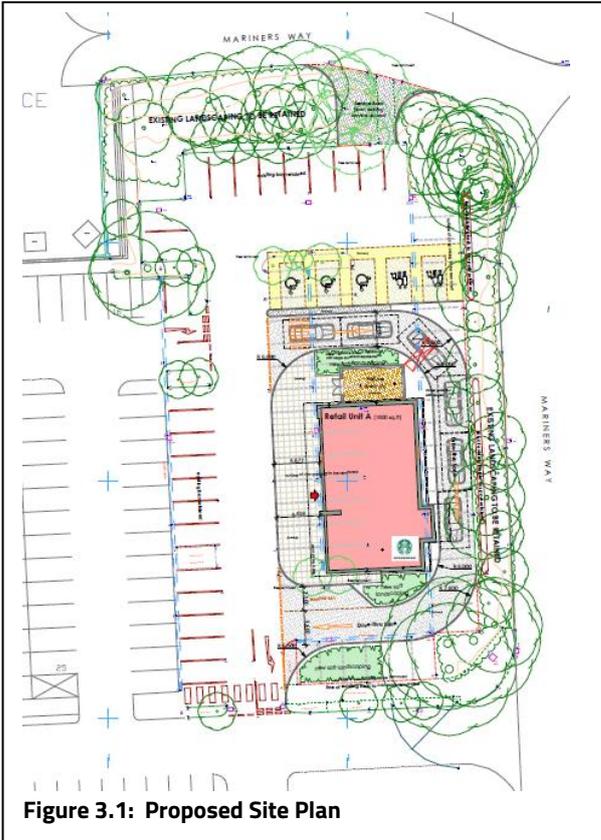


Figure 3.1: Proposed Site Plan

3.3 The proposed building will be single storey in height with a mono-pitch roof design. A decorative clay brick slip fin will be provided towards the front and centre of the roof span and will incorporate Starbucks signage. The principal elevation of the unit will be predominantly formed by a full height glazing system with a feature panel faced in Accoya vertical cladding. The rear and side elevations will be predominantly finished in 900m high horizontal cladding panels. The drive thru' pod will be provided within the rear elevation of the building and will be finished in Accoya vertical cladding with a glazed serving hatch.



Figure 3.2: CGI of Proposed Retail Unit

4. PLANNING POLICY CONTEXT

General Principles

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 indicates that the statutory Development Plan will continue to be the starting point for the consideration of planning applications for the development or use of land unless material considerations indicate otherwise.
- 4.2 The Development Plan therefore provides the essential framework for planning decisions. When conflicts between Local Plan policies arise, decisions should be taken in the light of all material considerations, including local priorities and needs, guided by relevant national policy.

Development Plan

- 4.3 The Development Plan consists of the following documents:-
- Central Lancashire Core Strategy (2012); and
 - Preston Local Plan (2015).

Development Plan

- 4.4 The application site lies within the main urban area of Preston, towards the western edge of the defined Preston City development boundary. The application site is not covered by any policy designations and is “whiteland” within the main urban area.
- 4.5 The following policies are deemed relevant in the determination of this application:

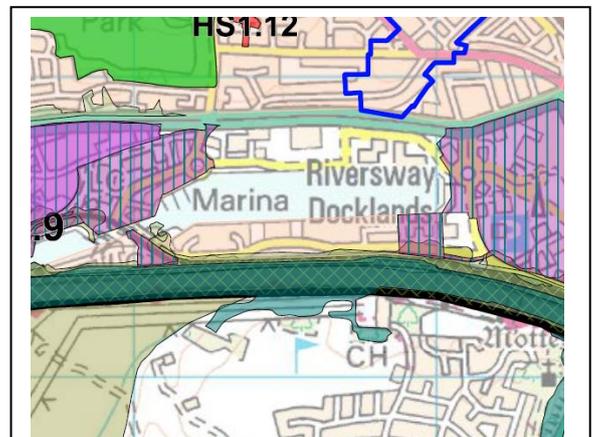


Figure 4.1: Proposals Map Extract

- Local Plan Policy EP2: Protection of Existing Employment Areas
- Local Plan Policy ST1: Parking Standards;
- Local Plan Policy ST2: General Transport Considerations;
- Local Plan Policy EN9: Design of New Development;
- Local Plan Policy EN10: Biodiversity and Nature Conservation;
- Local Plan Policy EN11: Species Protection;
- Core Strategy Policy 11: Retail and Town Centre Uses and Business Based Tourism;
- Core Strategy Policy 17: Design of New Buildings;
- Core Strategy Policy CS 29: Water Management; and
- Core Strategy Policy 22: Biodiversity and Geodiversity.

Material Considerations

National Planning Policy Framework (July 2018)

- 4.6 The revised National Planning Policy Framework was published in July 2018 and sets out the Government’s planning policies for England and how these should be applied. The NPPF must be taken into account in preparing Development Plans and is a material consideration in planning decisions.
- 4.7 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development and, in order to achieve this purpose, the planning system has three overarching objectives, which are interdependent and need to be supported in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a. **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right

time to support growth, innovation and improved productivity; and by identifying and co-ordinating the provision of infrastructure;

- b. **An 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;
- 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.

4.8 Paragraph 9 of the NPPF confirms that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of an area.

4.9 At the heart of the NPPF is a presumption in favour of sustainable development and Paragraph 11 confirms that for decision-taking this means:

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
 - The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole

4.10 Paragraph 12 of the NPPF reiterates that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

4.11 The NPPF also advises that local planning authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible.

4.12 The specific policy areas of the NPPF will be referred to, where appropriate, throughout this Planning Statement.

5. PLANNING ASSESSMENT

Key Planning Issues

5.1 Having regard to the adopted Development Plan in force for the area and other material considerations, namely the NPPF, it is considered that the main issues and planning considerations raised by the proposed development are as follows:

- Principle of Development;
- Design Considerations;
- Highways Considerations
- Flood Risk / Drainage

5.2 The aforementioned issues will now be addressed in turn.

Principle of Development

5.3 The application site comprises of an underutilised area of car parking to the north eastern edge of the existing Morrisons site and the current proposals would promote the more efficient use of previously developed land in a highly accessible location and the proposals would therefore clearly comply with Core Strategy Policy 1 (Locating Growth), as well as guidance contained within the NPPF in this regard. The proposed development would also generate a number of job opportunities for local people and the employment and economic benefits associated with the proposals should be afforded significant weight in the assessment of the proposals.

5.4 The application proposals involve the provision of a drive thru' coffee outlet to be operated by Starbucks which is classed as a main town centre use, as defined at Annex 2 of the NPPF.

- 5.5 The NPPF sets out two key policy tests that should be applied when planning for town centre uses that are not in an existing centre and which are not in accordance with an up-to-date Local Plan – the sequential and impact test. The sequential test should be considered first as this may identify that there are preferable sites in town centres for accommodating main town centre uses and therefore negate any requirement to undertake the impact test. The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres but only applies above defined floorspace thresholds.

Sequential Test

- 5.6 Paragraph 86 of the NPPF confirms that LPAs 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 Local 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 that are well-connected to the town centre. It is also suggested that applicants and LPAs 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.

Application of the Sequential Test

- 5.7 National Planning Practice Guidance (NPPG) confirms that it is for the applicant to demonstrate compliance with the sequential test and a SoS call-in decision relating to Rushden Lakes (APP/G2815/V/12/2190175) provides guidance on the application of the sequential test. The following extracts from the Inspector's Decision Letter are of particular relevance:

*'The policy concerning the sequential approach as set out in the NPPF, and (to the extent that it is still relevant) the non-policy PG that accompanied PPS4, **must** be applied in a manner which complies with the legally binding case law on the meaning of the sequential approach. Plainly the case in question (Dundee) is of seminal importance.'*

(Paragraph 8.44)

'In summary, it [Dundee] establishes [a] that if a site is not suitable for the commercial requirements of the developer in question then it is not a suitable size for the purposes of the sequential approach; and [b] that in terms of the size of the alternative site, provided that the applicant has demonstrated flexibility with regards to format and scale, the question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site.'

(Paragraph 8.45)

'There is no suggestion here [Paragraph 24 of the NPPF] that the sequential test means to refer to anything other than the application proposal.'

(Paragraph 8.46)

- 5.8 The Rushden Lakes decision was issued prior to the publication of the revised version of the NPPF, however, there are no fundamental changes outlined within the revised NPPF relating to the application of the sequential test and, as such, the approach advocated within the Rushden Lakes decision remains applicable. On the basis of established case law, the correct application of the sequential test relates to the development proposed and, in order to be considered suitable, any alternative available sites must meet the specific commercial requirements of the developer, subject to the requirement to demonstrate flexibility on issues such as format and scale.

Development Flexibility

- 5.9 Paragraph 87 of the NPPF confirms that applicants and LPAs should demonstrate flexibility on issues such as format and scale in applying the sequential test, so that opportunities to utilise suitable town centre or edge-of-centre sites can be fully explored.
- 5.10 The proposals involve the erection of a drive thru' coffee outlet to be operated by Starbucks, which is a materially different format to a traditional high street coffee shop. The drive thru' business model requires a prominent and visible roadside presence that has a high volume of passing traffic or locations next to established retail / leisure destinations. Moreover, the locations are dependent upon being a minimum distance from other similar operators in order to be viable.
- 5.11 In view of Starbucks' current operational requirements, a suitable site must also be capable of accommodating a building of between 140 sq.m and 180 sq.m (gross) with an associated drive thru' lane and car parking. A suitable site must therefore be at least ##ha in area. In order to demonstrate the requisite flexibility, we have sought to apply the following search parameters in identifying potential sequentially preferable sites so that opportunities to utilise suitable town centre or edge-of-centre sites can be fully explored, whilst ensuring the operator's specific requirements can be met:

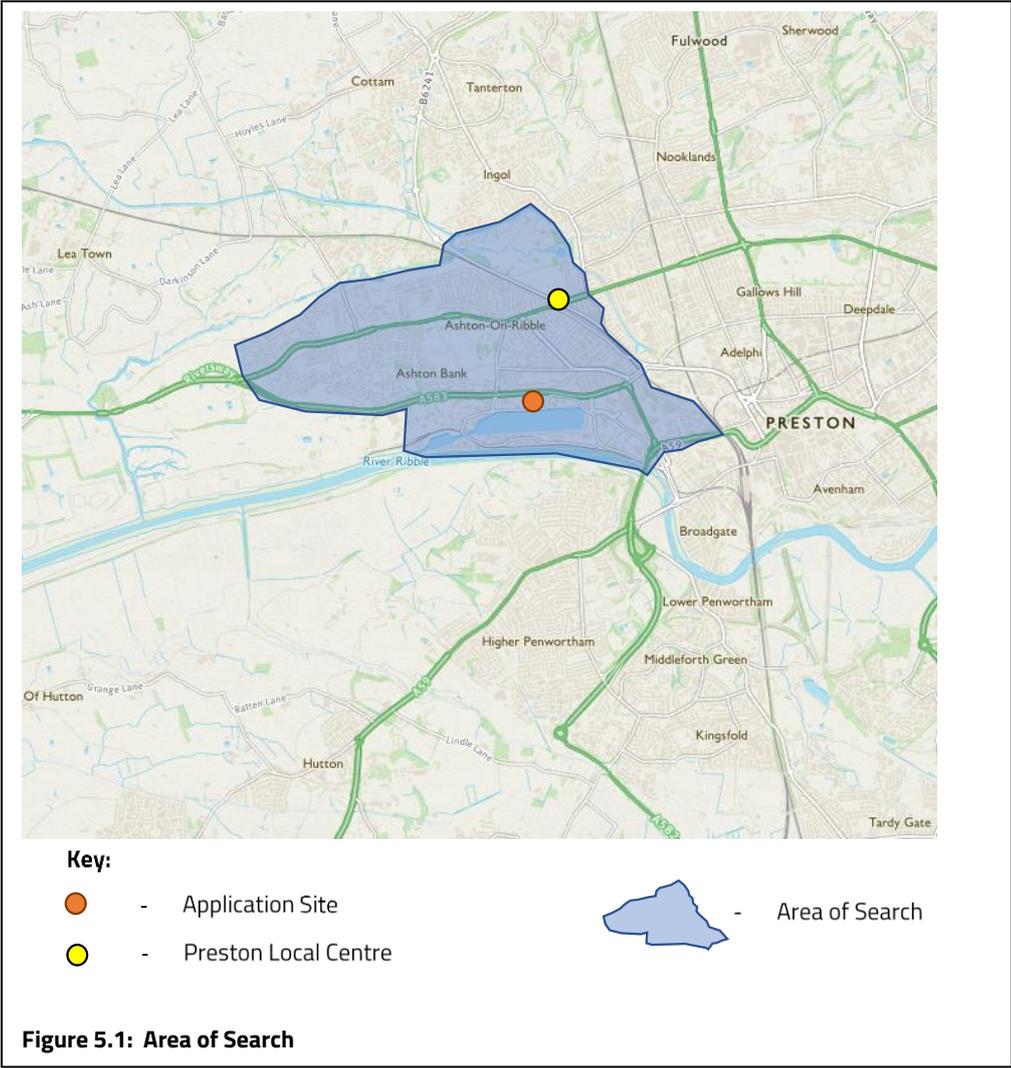
	Proposed Development	Lower Search Threshold	Upper Search Threshold
Gross Floor Area	167 sq.m	140 sq.m	180 sq.m
Site Area	1112 sq.m	1279 sq.m	945sq.m

Area of Search for Sequential Sites

- 5.12 It is both a matter of common sense and law that the scope of the assessment should be limited to locations that may serve the intended catchment. The High Court judgement pertaining to the case

of *Regina v Braintree District Council Ex Parte Clacton Common Development Limited* confirms that the scope of the sequential assessment should be limited to locations that may serve the intended catchment. The judgement concluded that it was not necessary to look at potential sites in every centre that fell within the catchment area of the proposed development. It was found that sites examined some distance from the application site would effectively have their own catchment area, which may only include part of the catchment area of the application site. Whilst the catchment area in question contained a number of other centres, these were located on its periphery and it was accepted that alternative sites within those centres did not need to be considered.

- 5.13 The current proposals will provide a Starbucks drive thru' unit, which, by virtue of its scale, format and use, will primarily serve a relatively limited catchment area to the west of Preston City Centre including shoppers using the existing Morrisons supermarket and the wider Marina retail park, passing traffic on Riversway and local residents in the immediate vicinity of the site. The appropriate area of search in undertaking the sequential test is therefore considered to comprise the area shown overleaf reflective of the likely catchment area of the proposed drive thru' unit:



Sequential Site Assessment

5.14 ELG Planning have utilised the following sources to identify potential alternative sites capable of accommodating the proposed development within or to the edge of designated centres within the defined area of search:

- Commercial Property Agents;
- Development Plan Allocations;
- On-the-Ground Assessments;

5.15 The catchment area of the proposed drive thru' unit encompasses one designated Local Centre (Blackpool Road/ Woodplumpton Road). The table contained below provides an assessment of whether there are any available and suitable sites within the designated centre capable of accommodating the proposed development:

Centre	Assessment
Local Centres	
Blackpool Road/ Woodplumpton Road	<p>Blackpool Road / Woodplumpton Road is a linear local centre with traditional terraces of retail and commercial units flanking the A5085. Blackpool Road is a key arterial route within the City and accommodates a significant volume of vehicular traffic in line with the requirements of drive thru' operators.</p> <p>We have identified a total of nine available commercial / retail properties within and to the edge of the Local Centre. However, the units in question are contained within terraced frontages and are therefore inherently unsuitable to accommodate the proposed drive thru' format development.</p>

5.16 The sequential site assessment has not identified any suitable or available sites within or to the edge of any nearby centres capable of accommodating the proposed development and, as such, the sequential test is passed.

Impact Considerations

5.17 The proposed drive thru' unit has a total floor area of 167 sq.m and therefore falls significantly below the threshold for assessing impact. Nevertheless, it is wholly evident that a development of this scale and nature will not give rise to any material impacts on nearby district or local centres.

Design Considerations

- 5.18 Paragraph 124 of the NPPF confirms that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. In addition, the design-related policies of both the Local Plan and Core Strategy emphasise the need for all development to be of a good quality design.
- 5.19 The application site lies towards the north eastern edge of the car park, which is extremely well-screened by the mature planting to the boundaries of the site. The proposed drive thru' unit will be single storey in height and it is evident that the scale and massing of the building would be complementary to nearby built form, including the petrol filling station and other retail units within the vicinity, as well as the car wash structure within the Morrisons site. The principal elevation of the building will be predominantly formed by a full height glazing system with a feature panel faced in Accoya vertical cladding. The rear and side elevations will be predominantly finished in 900mm high horizontal cladding panels. The drive thru' pod will be provided within the rear elevation of the building and will be finished in in Accoya vertical cladding with a glazed serving hatch. It is clear that the design approach that has been adopted and proposed palette of materials will sit comfortably within its setting given the commercial character of the wider Morrisons site and the retail park which it sits within.
- 5.20 The proposals will therefore secure the redevelopment of this underutilised brownfield site with a well-designed commercial development that will have a positive impact on the appearance of the site and surrounding area. The proposals would therefore accord with the relevant adopted Development Plan policies and national guidance contained within the NPPF aimed at securing high quality design.

Highways Considerations

- 5.21 Policy ST2 of the Preston Local Plan confirms that all development proposals will need to demonstrate that road safety and efficiency is not prejudiced and that appropriate provision is made to the transport infrastructure.
- 5.22 Paragraph 108 of the NPPF confirms that, in assessing specific applications for development, it should be ensured that:
- a. Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up given the type of development and its location;
 - b. Safe and suitable access to the site can be achieved for all users; and
 - c. Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 5.23 The NPPF confirms that 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.
- 5.24 The planning application is accompanied by a Transport Statement prepared by Bryan G Hall, which demonstrates that opportunities exist for staff and customers to access the site by sustainable modes of transport and that the proposed development would not have an adverse impact on the safe operation of the local highway network. The application proposals would therefore accord with Policy ST2 of the Preston Local Plan, as well as guidance contained within the NPPF in this regard.

Flood Risk / Drainage

- 5.25 Paragraph 155 of the NPPF confirms that inappropriate development should be avoided in areas at risk of flooding by directing development away from areas at highest risk. Paragraph 163 confirms that, when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be accompanied by a site-specific flood risk assessment. In addition, Core Strategy Policy 29 states that the LPA will appraise, manage and reduce flood risk in all new developments and will seek a detailed Flood Risk Assessment in areas of high flood risk.
- 5.26 The planning application is accompanied by a Flood Risk Assessment and Drainage Strategy, prepared by Beam Consulting. It concludes that the application site is located within the low likelihood of flooding zone - area with low probability of flooding from rivers and the sea. The risk of flooding from reservoirs is unlikely. The site has a low flood risk but as the proposed development is classified as less vulnerable it is considered to be at a suitable location for the development.
- 5.27 In addition, the Drainage Strategy confirms that the proposed foul water drainage and surface water drainage from the development can be discharged into the existing onsite drainage system. The proposed drainage layout drawing can be found in Appendix E of the FRA and Drainage Strategy document.

6. CONCLUSIONS

- 6.1 The current application proposals relate to the erection of a Use Class A1 / A3 drive thru' coffee shop (167 sq.m) with car parking, drive thru' lane, hard and soft landscaping, refuse area, and associated works at WM Morrison Supermarket, Riversway, Preston.
- 6.2 The proposals will facilitate the redevelopment of an underutilised area of the existing Morrisons car park and will therefore promote the more efficient use of a previously developed and highly accessible site within the main urban area. The application proposals will also provide enhanced local facilities for local residents, shoppers and motorists on Riversway and would generate a number of job opportunities for local people and the employment and economic benefits associated with the proposals should be afforded significant weight in the assessment of the proposals.
- 6.3 The design approach that has been adopted and proposed palette of materials will ensure that the proposed development sits comfortably within the local context and improves the current appearance of this underused and prominent part of the wider Morrisons site. It has also been clearly demonstrated that the proposed development will not give rise to unacceptable impacts in relation to flood risk.
- 6.4 This Planning Statement has also clearly demonstrated that there are no suitable and available sites within any designated centres capable of accommodating the proposed development and, whilst there is no policy requirement to consider impact, it is nevertheless evident that a development of this scale and nature will not give rise to any material impacts on nearby centres. The Transport Statement that accompanies the application demonstrates that opportunities exist for staff and customers to access the site by sustainable modes of transport and that the proposed development would not have an adverse impact on the safe operation of the local highway network.

6.5 It is therefore evident that the application proposals would deliver a number of social, economic and environmental benefits and constitute a sustainable form of development that would accord with the adopted Development Plan in force for the area. We would therefore respectfully request that the LPA resolves to grant planning permission for the proposed development subject to any conditions deemed appropriate.