

Planning Statement – Pendle Rise Redevelopment

Pendle Rise Shopping Centre, Broadway, Nelson, BB9 9SL

On behalf of PenBrook Developments Ltd.

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1. Introduction

- 1.1. This Planning Statement has been prepared by Pegasus Group on behalf of PenBrook Developments Ltd (Penbrook) in support of a full planning application for the demolition and redevelopment of the Pendle Rise Shopping Centre, Broadway, Nelson.
- 1.2. The applicant Penbrook is a Joint Venture between Pendle Borough Council and their development partner Brookhouse Group.
- 1.3. The planning application has the following description of development:

“Full demolition of the existing shopping centre and redevelopment for retail use including access, car parking and landscaping.”
- 1.4. In addition to this statement, a suite of plans and technical reports are submitted in support of the application in accordance with the Local Validation requirements and as agreed with Pendle Borough Council through the pre-application process. These are listed in the schedule at **Appendix 1** and within the application cover letter (LO02v1), and this Planning Statement should be read alongside these documents.
- 1.5. The purpose of this Planning Statement is to provide a detailed description of the site and proposed development before assessing the proposals against the relevant policies of the Development Plan and other material considerations. As part of the balancing exercise, the Planning Statement will bring together the findings from a variety of different technical assessments identifying where the impacts of the proposed development require mitigation and summarising the key benefits of the scheme.

EIA Screening

- 1.1. The submitted Screening Report summarises the baseline conditions and identifies key environmental characteristics of the site. This was in order to determine whether there is a likelihood of significant environmental effects as a result of the Proposed Development and to enable an informed decision to be made on the requirement for EIA.
- 1.2. The report concludes that the Proposed Development in **not** likely to have significant effects on the environment by virtue of factors such as its nature, size or location and consequently **does not require an EIA**.
- 1.3. The Proposed development is not Schedule 1 development for which EIA is mandatory. The Proposed Development has the potential to *“include more than 1ha of urban development which is not dwelling house”* when taking into account buildings, car parking and any associated service yards (albeit only just meeting this criteria). Therefore, the Proposed Development can be considered to constitute Schedule 2 development under section, 10 (b) under the EIA regulations and this screening has therefore been prepared.
- 1.4. However, in summary, the Proposed Development is considered to be of a type that is consistent with other land uses in proximity to the site. The site is not located within a sensitive area as defined by the EIA Regulations. As demonstrated, the environmental effects associated with the re-development are unlikely to be significant and it is understood that standard mitigation measures can be adopted. Furthermore, with reference to the Indicative Screening thresholds noted in Table 1, it can be concluded that the new development is not

on a significantly greater scale than the previous use, nor are the types of impact of a markedly different nature. As such, the proposed development is not considered to constitute EIA development as defined by the EIA Regulations.

Report Structure

1.5. The remainder of this report includes the following sections:

- Section 2: Site Location and Description – describes the application site, the surrounding area and planning history;
- Section 3: Background to the Proposals – sets out the wider context and background to the application proposals;
- Chapter 4: The Proposed Development – describes the development proposed;
- Chapter 5: Planning Policy Context – summarises the relevant national and local planning policies;
- Chapter 6: Planning Assessment – assesses the principle of the development and other technical considerations against the relevant policies.
- Chapter 7: Planning Balance – considers the proposals against the 3 core objectives of the NPPF (economic, social and environmental); and
- Chapter 8: Conclusions – summarises and draws overall conclusions on the proposed development.

2. Site Location and Description

- 2.1. This section describes the site and its surroundings. For further detail (and to avoid repetition), please also refer to the submitted Design and Access Statement (DAS) which has been prepared by Urban Edge Architects.

Site Description

- 2.2. The application site measures **1.3 ha** and is composed of existing buildings associated with the Pendle Rise Shopping Centre. The shopping centre was first built in the 1960s and the facilities are now dated, with many retail spaces remaining empty and unfit for purpose. The site is situated within the existing urban area of Nelson, and within the defined Town Centre, and is surrounded by retail and commercial uses, as well as some residential uses.
- 2.3. The centre itself comprises ground and lower ground floor retail units, with office accommodation above, with a total floorspace of circa 12,000 sqm, of which approximately 7,000 sqm (58%) is currently occupied with the remainder vacant (42%).
- 2.4. Current brand name occupiers include Wilkos, Boots and Greggs, however many others have vacated in recent years, and the majority of remaining units are more temporary/ independent uses on shorter term lets.
- 2.5. The site is located within the town of Nelson approximately 5.8km north of the town of Burnley and approximately 3km south west of the town of Colne, within the borough of Pendle.
- 2.6. The site is bound by Broadway (A682) to the south with Nelson Train Station and Bus Interchange beyond that providing connections to Manchester, Burnley Central, Accrington, Blackburn, Preston and Colne. There is also a new Mcdonald's development to the south east.
- 2.7. The site is bound by New Scotland Road/ Holme Street to the east with the Pendle Wavelengths Leisure Centre, parking and Alexandra Snooker Club beyond that.
- 2.8. To the north the site is bound by Manchester Road / Leeds Roads which is a partly pedestrianised 'high street' with public realm including the Weavers Shuttle Sculpture and seating area, with a commercial properties beyond (with some residential uses at first floor level).

Site Characteristics / Designations

- 2.9. There are no designated nature conservation sites located within the site, with the nearest (Lomeshaye Marsh LNR) being over 1km away.
- 2.10. There are no designated heritage assets located within the site, although the Whitefield Conservation Area is located adjacent to the north-western boundary and there are 14 Grade II Listed Buildings within 1km of the site. The closest of these are listed below and have been considered within the associated Heritage Statement:
- The Station Hotel (ref 1113186) c. 30m south;

- Former Union Bank of Manchester (ref 1472844) c. 20m north;
- Former Nelson Old Library (ref 1440566) c. 55m north; and
- Boy Scout War Memorial (ref 1424664) c. 150m north.

- 2.11. The site is not located within or close to an Air Quality Management Area (AQMA).
- 2.12. The Environment Agency Flood Map for Planning indicates the majority of the site to be located within flood zone 1, with a small area in the north-east shown to be located in flood zone 2, and this risk originates from Walverden Water which flows in a northerly direction approximately 30 m to the east of the site and is heavily culverted.
- 2.13. In terms of topography, the site does slope down from west to east with approx 3m difference across the site, which is currently addressed through stairs and escalators within the centre.

Site Surroundings and Location

- 2.14. The current defined Primary Shopping Area includes Pendle Rise Shopping Centre and the main shopping spine running along Manchester Road and Scotland Road. This area includes the designated primary and secondary shopping frontages.
- 2.15. In terms of accessibility to services, the site is extremely well connected. The site is located within Nelson Town Centre, which contains a range of local services and amenities. Nelson town centre has a mix of retail and service units and is the largest Town centre in the Borough (by unit numbers).
- 2.16. The centre has a low proportion of restaurant/café's and pubs/bars and a higher vacancy rate than the UK average, but otherwise the mix of uses is largely in line with the Pendle and UK average.
- 2.17. Nelson has six short stay car parks with 303 car parking spaces. Most of these car parks are relatively small with less than 30 spaces. Goitside is the largest short stay car park within 148 spaces. Nelson has 10 long stay car parks with 317 spaces. Total long and short stay provision is 620 spaces.
- 2.18. In terms of public transport accessibility, the site is very well connected. Nelson Train Station is located 100m to the south of the site which offers services to Preston and Colne. There is also Nelson Bus Interchange located opposite the site on Manchester Road which offers numerous bus services to across the borough.
- 2.19. The M65 is located 0.9 miles to the north of the site which goes to Blackburn and Preston and ends at the M6.
- 2.20. In summary, the site is located in a highly sustainable and accessible location, within very close proximity to a range of existing shops, services and leisure facilities. The surrounding area exhibits good levels of pedestrian infrastructure and excellent links to public transport.

Site Planning History

2.21. A desk-based search of Pendle Borough Council's planning portal has shown the following previous planning applications have been submitted for the Site:

- **13/02/0231P – Shopping Centre Extension** – to the west – (1,990sqm), adjacent to Pendle Rise Shopping Centre, Place de Creil, Nelson. The application was approved on the 29th July 2002. This application was then amended (Ref 13/03/0047P) to increase the floor space to 1,330sqm which was approved on the 10th April 2003.

2.22. Relevant planning applications nearby include:

- **18/0903/FUL – McDonalds Scheme** – Full: Demolition of multi-storey car park and erection of a 24-hour opening restaurant and drive through hot food takeaway – located adjacent to the southern boundary of the Site. Application approved on the 2nd of April 2019 and recently opened

Site Summary

2.23. The application site comprises a significant brownfield regeneration opportunity in a prominent, highly sustainable location. The site includes a wide range of shops and services which are highly accessible for pedestrians and cyclists via the existing infrastructure. The site is also extremely well connected to public transport links.

3. Background to the Proposals

- 3.1. This section provides some additional background to the site and current application proposals.

Background to the Site

- 3.2. Pendle Rise Shopping Centre is the commercial centre of Nelson. Although the complex was popular when it was constructed in 1960's and has provided retail facilities to the locality for decades, it is now dated, unable to meet the requirements of modern occupiers, suffers from a lack of diversity in terms of the shopping offer and presents a poor image for the town. The complex includes office space that has been substantially vacant for over 10 years and a disused nightclub that is in a derelict state and has remained empty for the last two decades. These areas of the centre are in a prominent position within the town centre and are particularly visible on the eastern approaches to Nelson town centre.
- 3.3. During the consultation conducted prior to the adoption by the Council of the Nelson Masterplan in December 2021 the public cited dissatisfaction with the state of the town centre and Pendle Rise in particular, noting that there was a need to improve the quality of the retail offer by attracting some of the major High Street brands, as well as considering a food court with a choice of eateries, and a renewed leisure offer to provide an incentive for people to visit Nelson and ensure that a redeveloped Pendle Rise could act as a key attractor to the town.
- 3.4. Despite years of decline, there has not been any significant private sector investment within the shopping centre. Retail vacancy rates within the complex are running at around 40% which is over double the Nelson town centre average. In addition to the retail space, there are large areas of the complex that are disused/vacant. The former multi storey car park adjacent to the shopping centre which it once served, has recently been cleared and redeveloped as a McDonalds.
- 3.5. There is no realistic prospect of private sector interest in regenerating the shopping centre, and accordingly the Council felt compelled to act with partners to act to obtain public funding (by means of the Nelson Town Deal) to facilitate the vision of town centre transformation as set out in the Nelson Masterplan and the Nelson Town Investment Plan.
- 3.6. The Council appointed Brookhouse Group as a joint venture development partner to support the delivery of the Nelson Town Deal.

Funding

- 3.7. It is anticipated by the Council that the gap funding required for the redevelopment of Pendle Rise (in terms of land acquisition, clearance and relocation costs) shall be drawn from the £9.2m Revitalised Nelson budget. This project looks to bring high profile long term vacant and underused buildings back into use within the town centre. The repurposing of Pendle Rise is a priority project within the Nelson Town Investment Plan.
- 3.8. The funding has been secured as part of the £25m received under the Nelson Town Deal which was awarded in 2021 under the stewardship of the Nelson Town Deal Board, and for which the Council acts as accountable body.

Public Consultation

- 3.9. The Council commissioned Cushman & Wakefield (with support from Optimised Environments with respect to urban design and WSP for transport and infrastructure) to produce a masterplan for Nelson in 2019 ('the Masterplan'). The Masterplan was adopted by the Council in December 2021.
- 3.10. The Masterplan provides a strategic vision for the town. It has been the subject of public consultation and has been refined by the Town Board which administered the Town Investment Plan as the basis for obtaining £25m funding under the Nelson Town Deal programme in 2021.
- 3.11. Also, during the consultation conducted prior to the adoption by the Council of the Nelson Masterplan in December 2021, the public cited dissatisfaction with the state of the town centre and Pendle Rise in particular.
- 3.12. In terms of public consultation for the current application, it was agreed that an online consultation was the most suitable method, to follow the extensive consultation and in-person stakeholder events that have already taken place on the wider Nelson Masterplan.
- 3.13. This online consultation comprised a website which provided details of the site and proposed development, including a site location and context plan; photographs of the existing shopping centre; concept plan; indicative layout and levels; and three options for the building design/ elevational treatment.
- 3.14. The website also provided an expected timeline for the development, before inviting comments and feedback via a dedicated email address, and postal address.
- 3.15. This online consultation formally ran from **Wednesday 15th March to Sunday 26th March**, however the website is still live and we will be accepting comments right up to when the application is submitted, to ensure it has been a comprehensive exercise.
- 3.16. The website was advertised via a consultation leaflet to the surrounding residents and businesses, which contained some high level information on the site and proposed development with a link to the website. The catchment area for the leaflet distribution was agreed with the Council in advance and is based on the designated Town Centre boundary in the adopted Local Plan, containing a total of 412 addresses, including a mix of residential and business uses. A copy of the leaflet was also sent by email to 22 local councillors and stakeholders.
- 3.17. Further detail on this consultation exercise and the feedback received is provided in the submitted Statement of Community Involvement (SOCI).

Pre-application discussions

- 3.18. The application has been subject to extensive pre-application consultation given it is a joint venture between the Council and Brookhouse, so this has involved dialogue and meetings with both the Council's planning and estates departments as well as the Town Board.
- 3.19. A planning pre-application meeting took place with the Council on 9th February 2023 and has been followed with email and telephone correspondence to agree the validation

requirements for the application, submission timescales, and the scope of the public consultation exercise as set out above and within the SOCI.

Summary

- 3.20. This sections provides some background to the application proposals, outlining the context of the proposed regeneration scheme. The applicant acknowledges the extensive process that has been undertaken and now wants to put into action the vision sought by the Council and local community. The first step in this process is the submission of this application, which will act as a catalyst for further development opportunities within the town.

4. The Proposed Development

4.1. This section describes the proposed development in line with the sub sections within the 'Town and Country Planning (Development Management Procedure) (England) (Amendments) Order 2013 – Guidance Note for Design and Access Statement'. Additional design details is provided in the submitted Design and Access statement produced by Urban Edge Architects enclosed within this submission and which should be read in conjunction with this Statement.

Use and Amount

4.2. The application proposes the demolition of the existing buildings and site and the redevelopment on the site for the following uses:

- Up to 7,231 sqm of flexible 'main town centre' uses (including Class E uses and former Class A4 and A5 uses which are now 'sui generis');
- 143 car parking spaces (including 9 disabled spaces and 8 parent and child spaces), 6 motorcycle spaces and 15 cycle parking spaces.
- Access and service works; and
- Public realm and landscaping.

4.3. The foodstore to the west of the site measuring 2,018 sqm will occupy a single floor, however the eastern retail terrace includes provision for a mezzanine of 1,553 sqm, to provide the most efficient use of the site.

4.4. The eastern retail terrace will include a mix of unit sizes, including 3 larger units (A1-A3 between 675 and 937 sqm) and 6 smaller units (SU1-SU6 between 93 and 185 sqm), with the full schedule of accommodation set out below:

Figure 1 – Area Schedule from Site Layout Plan

UNITS	AREA sq ft	AREA sqm
UNIT F.1	21,722	2,018
UNIT A.1	7,265	675
UNIT A.2	8,070	750
UNIT A.3	10,085	937
UNIT SU.1	1,990	185
UNIT SU.2	1,044	97
UNIT SU.3	1,044	97
UNIT SU.4	1,000	93
UNIT SU.5	1,400	130
UNIT SU.6	1,500	142
SUB TOTAL	55,120	5,124
MEZZANINE	16,717	1,553
BASEMENT	5,964	554
TOTAL	77,801	7,231

Layout and Scale

- 4.5. The proposed layout has evolved to address the challenging levels on the site (with a 3m slope down from west to east), whilst delivering an efficient and engaging layout to entice visitors as well as sit comfortably with the surrounding urban and historical context.
- 4.6. Splitting the development into two buildings/ terraces opens up the site and frames the central car park and public realm area, creating a more inviting atmosphere, and greater accessibility for both pedestrians and vehicles.
- 4.7. The two-terrace layout also allows for level access across the site for both pedestrians and vehicles, with vehicular road links from the central car park to both Leeds Road to the North, and Broadway to the South.
- 4.8. The shopping centre's position between the central high street and both the train and bus station ensures a large amount of foot traffic passing through and around the site. This meaning any tenants on site will have a good presence and be easily seen by visitors to the town. The A682 is one of the primary roads to run through Nelson town centre, and this travels long both the sites southern and eastern border, again ensuring the presence of tenants on site is high.
- 4.9. The majority of the units (F1, A1-A3, and SU1 and SU4) have shopfronts that face centrally into the site, providing natural surveillance of the proposed car park. Within the car park, there will be a flexible zone for outdoor activities or events to be held, such as seasonal markets. The remaining units (SU1-3, SU5 and 6) face to the south and north to provide active frontages onto the McDonald's and Leeds Road respectively.
- 4.10. A loading bay will be located to the north of food store to be serviced via the car park and southern entrance. Units SU5 and SU6 are sited to the north of that to provide visual and acoustic screening to Leeds Road to the north.
- 4.11. The eastern retail terrace will be serviced via a hybrid service yard/ layby to the rear parallel to Holme Street, and more detail is provided on this within the submitted Transport Assessment.

Landscaping

- 4.12. The proposed scheme introduces new hard and soft landscaping to the site as there is none within the current shopping centre. Trees have been positioned throughout the car park and around the site, linking with the existing landscaping and public realm on Leeds Road and generating natural visual interest. Planters and seating will be incorporated within the development, further enhancing the development environment and creating rest stops for visitors.
- 4.13. Further maximising the ability to incorporate more soft landscaping is the incorporation of the green walls on the buildings themselves. This will not only aid in softening the unit's appearance, but will provide biodiversity enhancements. The vertical climbing plants along the unit facades will also contribute towards biodiversity.

Access and Parking Provision

- 4.14. Access to the car park associated will be taken from a new priority junction from Broadway to the south of the site.
- 4.15. Servicing for the discount food store will take place from within the proposed car park. It is anticipated that 16.5m articulated vehicles will enter the site at the site access and a reverse straight onto the proposed loading dock.
- 4.16. The retail units will be accessed from a service yard off Holmes Street which will operate with a left-in /left-out arrangement. The proposed service yard has been designed in line with the proposed Accessible Nelson Scheme. Should the scheme not be constructed prior to the proposed development, the western kerb line on Holmes Street will be constructed in line with the Accessible Nelson proposals in order to ensure that the site is future proofed.
- 4.17. Due to the change in levels across the site the eastern retail terrace will have a basement level under croft area at the same level as the service yard which will be used for bin storage, and for the location of plant and equipment.
- 4.18. Proposals include a car park featuring a total of 143no. car parking spaces inclusive of 9no. disabled spaces (6% provision) and 8no Parent & Child spaces.

Waste Management

- 4.19. In accordance with current legislation the applicants will be implementing a site waste management plan as required for the contractor and all materials removed from site will be reused and recycled where possible.

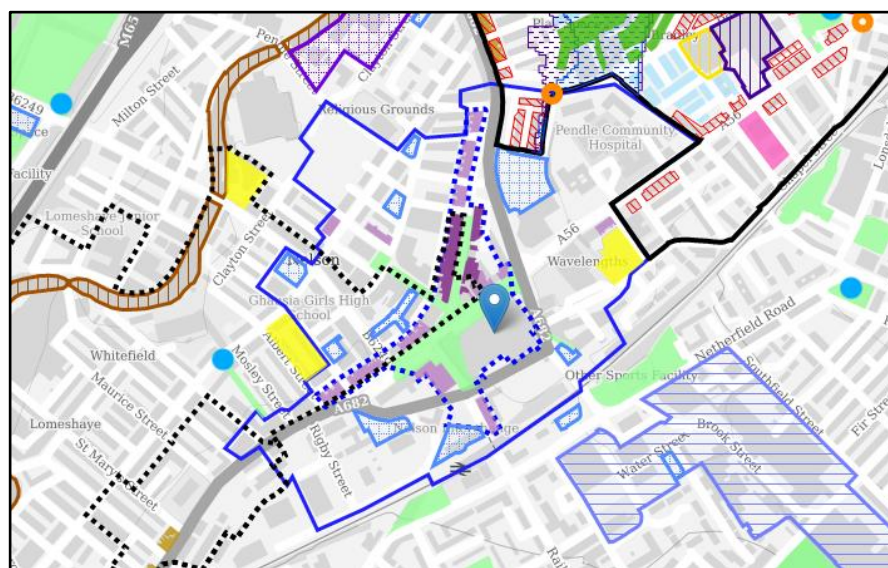
5. Planning Policy Context

- 5.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2. This section sets out the material planning policy considerations for the development proposal provided in the adopted Development Plan, the National Planning Policy Framework (NPPF) and other supplementary guidance.

The Development Plan

- 5.3. The Development Plan for the site currently comprises the Pendle Local Plan, which includes the:
- Saved Policies from the Replacement Pendle Local Plan 2001-2016 (Adopted on 18 May 2006)
 - Bradley area action plan (Adopted on 30 June 2011); and
 - Pendle Local Plan Part 1: Core Strategy (Adopted on 17 December 2015).
- 5.4. There are no policies of relevance to the determination of the application within the Joint Waste Plan or the Minerals Plan. The same applies for the adopted Neighbourhood Plans the Bradley AAP. As such, no further consideration has been given to these documents.
- 5.5. The Interactive Proposals Map includes the saved adopted policies from the Local Plan and the Core Strategy. As set out below the site is located within the Town Centre Boundary (solid blue line) and the Primary Shopping Area (dotted blue line). The site itself is marked with a blue pin.

Figure 2 – Interactive Policies Map Extract



Pendle Local Plan Part 1: Core Strategy (Adopted on 17 December 2015)

- 5.6. The Pendle Core Strategy was adopted in December 2015 and sets out the Council's spatial policy framework for delivering development in the Borough up to 2030.
- 5.7. These policies were adopted prior to the publication of the National Planning Policy Framework (NPPF). In accordance with paragraph 219 of the NPPF, due weight can be given to the saved policies of the Plan, according to their degree of consistency with the NPPF. In December 2020 the Council reviewed the adopted policies to establish their consistency with the NPPF and set out the weight that can be afforded to them. This Planning Statement follows the guidance and weighting set out by the Council and the key policies are set out below.
- 5.8. **Policy SDP 2 – Spatial Development Principles** states that Nelson is a Key Service Centre that will provide the focus for future growth in the borough and accommodate the majority of new development.
- 5.9. **Policy SDP 5 – Retail Distribution** states new retail development should be in scale with the position a settlement holds in the retail hierarchy. Nelson is one of the three main town centres which means that major retail developments should be located there.
- 5.10. **Policy ENV 1 – Protecting and Enhancing Our Natural and Historic Environments** states development should make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments. The historic environment and heritage assets of the borough (including Conservation Areas) and their settings will be conserved and should be enhanced in a manner appropriate to their significance, especially those elements that make a particular contribution to the local character and distinctiveness of Pendle.
- 5.11. **Policy ENV 2 – Achieving Quality in Design and Conservation** states all new development should viably seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving our heritage assets.
- 5.12. **Policy ENV 3 – Renewable and Low Carbon Energy Generation** states the Council will encourage new developments that are appropriate to their setting and make a positive contribution towards increasing levels of renewable and low carbon energy (RLC) generation in Pendle.
- 5.13. **Policy ENV 4 – Promoting Sustainable Travel** states proposals for new development should have regard to the potential impacts they may cause to the highways network, particularly in terms of safety and the potential to restrict free flowing traffic, causing congestion. Where an adverse impact is identified, applicants should ensure adequate cost-effective mitigation measures can be put in place. Where the residual cumulative impacts of the development are severe, planning permission should be refused. New developments should comply with the existing maximum car and cycle parking standards until they are replaced in the Pendle Local Plan Part 2: Site Allocations and Development Policies.
- 5.14. **Policy ENV 5 – Pollution and Unstable Land** states the Council will work with its partners to minimise air, water, noise, odour and light pollution and to address the risks arising from contaminated land, unstable land and hazardous substances.

- 5.15. **Policy ENV 7 – Water Management** states the drainage proposals for development on Brownfield sites will be measured against the existing performance of the site, although it is preferable for solutions to provide runoff characteristics, which are similar to Greenfield behaviour. All new development will be required to include the implementation of Sustainable Drainage Systems (SuDS) unless it can be demonstrated that this is not technically feasible, or viable.
- 5.16. **Policy WRK 1 – Strengthening the Local Economy** states new opportunities for economic development should help to strengthen and diversify the local economy. Proposals will be supported where they (inter alia) encourage economic activity in identified areas of regeneration need, where it can help to reduce levels of worklessness, offer training opportunities and help to improve skill levels, particularly in young people. Within the M65 corridor regeneration activity will be supported in the Housing Regeneration Priority Areas of Brierfield, Nelson and Colne.
- 5.17. **Policy WRK 4 – Retailing and Town Centres** states the Town and Local Shopping Centres, identified in Policy SDP5, will be the primary focus for retail development in Pendle. To support the spatial development strategy (Policies SDP2 and SDP5), all retail applications that are intended to serve a borough-wide catchment should be located in Nelson or Colne. All development within a Town Centre or Local Shopping Centre should seek to make a positive contribution to:
- Safeguarding the retail function of the centre.
 - Improving the vitality and viability of the centre.
 - Improving the overall mix of retail and other land uses.
 - Supporting the creation of a comfortable, safe, attractive and accessible shopping environment.
 - Enhancing access to the centre by sustainable modes of transport, and encouraging multi-purpose trips.
- 5.18. The policy goes on to state that the re-occupation of vacant floorspace, or the re-development of existing sites, within a Town Centre or Local Shopping Centre will be prioritised for all forms of retail development. The Council will also promote uses which help to create active street frontages and a vibrant public realm, such as shops, cafés, restaurants, cultural and leisure uses.
- 5.19. **Policy SUP 4 – Designing Better Places** states the Council will work with partners and developers to achieve well designed, high quality public buildings and spaces. Applicants should have regard to the general design requirements set out in Policy ENV2 and in addition proposals should contribute to sustaining or improving the quality, appearance and character of the public realm by:
- Improving connectivity to ensure ease of movement for all users.
 - Increasing the use of natural surfaces, trees, shrubs and planting.
 - Using materials which are in keeping with the established character of the area and ensure sensitive repair and maintenance regimes are put in place.

- Enhancing heritage assets and their setting.
- Seeking to design out the opportunity for crime and anti-social behaviour and encourage natural surveillance.
- Increasing the use of public art, where appropriate, and in keeping with the place.
- Ensuring advertisements contribute positively to the public space. The Design Principles SPD give more detailed guidance on the design of advertisements.

Saved Policies from the Replacement Pendle Local Plan 2001–2016

- 5.20. Appendix C of the Core strategy lists the Saved Policies from the Replacement Pendle Local Plan (2001–2016), with those relevant to the current proposals listed below:
- 5.21. **Policy 16 – Landscaping in New Development** states all development are required to include a scheme of landscaping sympathetic to the site’s character and vicinity.
- 5.22. **Policy 31 – Parking** states the Council will support car parking in new developments in line with the Maximum Car and Cycle Parking Standards (Appendix 2). All new parking provision should be in line with these standards unless this would compromise highway safety. Cycle parking in new development will be provided at a minimum of 1 per 10 car spaces and covered secure provision will be required on all developments employing 30 or more full or part-time staff, in line with the Parking Standards.

Other Material Considerations

- 5.23. There are a number of other planning policy guidance documents and requirements at a local and national level that are relevant to the determination of this application which include:
- Emerging Pendle Local Plan;
 - Nelson Masterplan;
 - Accessible Nelson;
 - Conservation Area SPD;
 - Design Principles SPD; and
 - National Planning Policy Framework (“NPPF”) (2021).

Emerging Pendle Local Plan

- 5.24. The Core Strategy covers the period 2011 to 2030. It sets out the strategic policies for development in Pendle. This includes the spatial strategy which adopts an urban centric approach to the delivery of development with the majority of growth directed towards the M65 Corridor. The Core Strategy adopts ambitious development targets aimed at securing economic development in the borough.

- 5.25. The Local Plan Part 2 was to allocate sufficient land to meet the needs as identified through the Core Strategy, as well as update the Council's wider development management policy. This process reached its publication stage in December 2021, however the Full Council then resolved to review the strategic approach of the Core Strategy via a full Local Plan Review instead of advancing the Local Plan Part 2.
- 5.26. The preparation of a new Local Plan gives rise to the opportunity to revise and update the strategic policies of the Pendle Local Plan including requirements for new development and spatial approach to its delivery, allocate land for specific uses in response to evidence of need and opportunity, and revise the borough's development management policies. On adoption, the new Local Plan will replace in full the Core Strategy, Bradley Area Action Plan, and saved policies of the Pendle Replacement Local Plan.
- 5.27. A Local Development Scheme was set out for the emerging plan in March 2022; however timescales have slipped with the first consultation draft unlikely to progress until late 2023 due to wider changes in national government policy, including the recent consultation on the NPPF.
- 5.28. As such the emerging plan cannot be given any weight at the current time and is unlikely to be relevant to the proposed development.

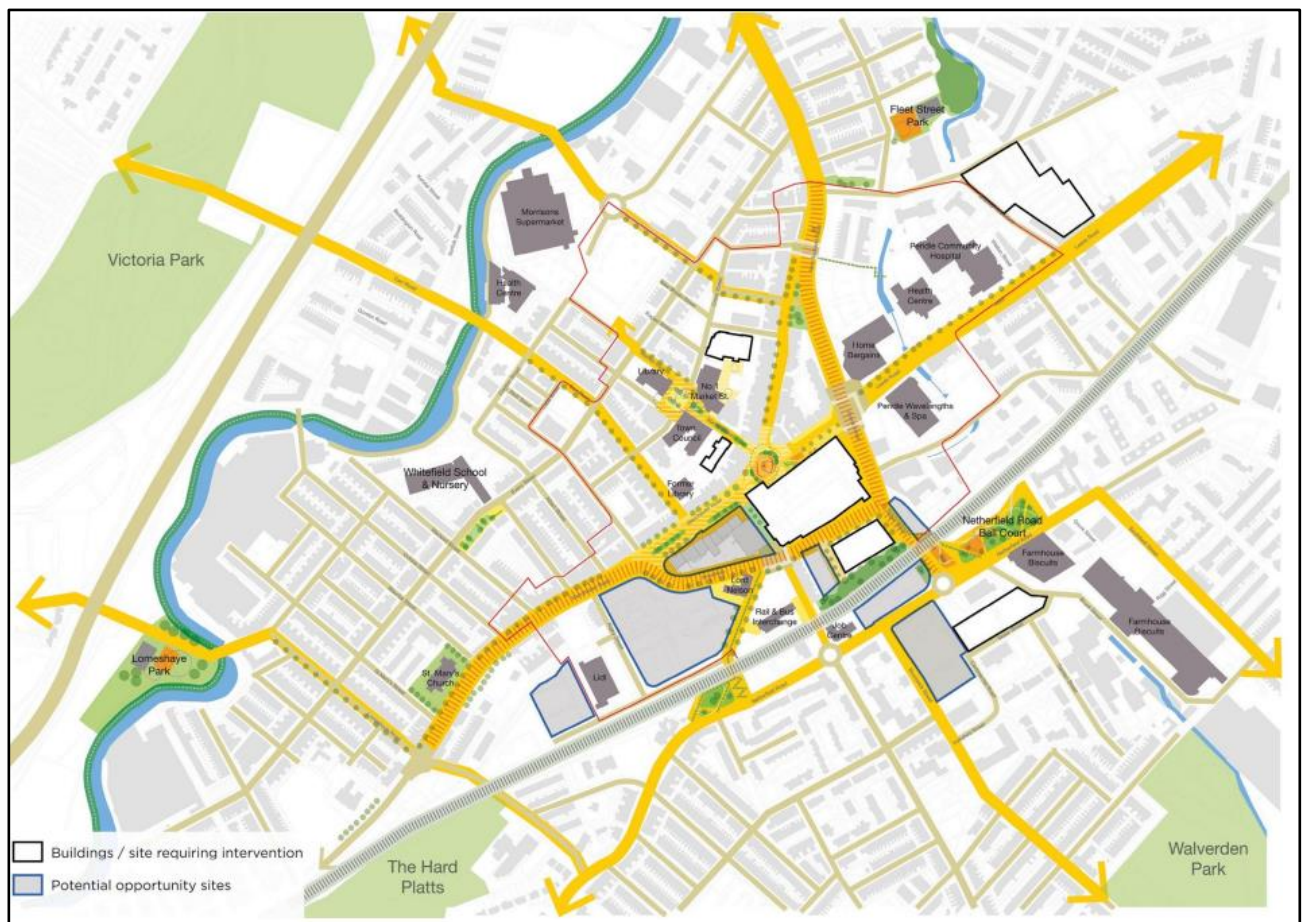
Nelson Masterplan (March 2021)

- 5.29. Pendle Borough Council commissioned Cushman & Wakefield, supported by Optimised Environments (OPEN) in respect of urban design, and WSP for transport and infrastructure, to prepare a masterplan in 2019.
- 5.30. The Masterplan:
- Identifies high level objectives and a new Vision for the Town which have been reviewed and refined by the Town Board (set up to oversee the future transformation of the Town and the preparation of the Town Investment Plan to support the Town Deal Bid);
 - Reflects the views of stakeholders and the local community;
 - Defines the Town's longer term (25–30 year) sustainable role;
 - Articulates the opportunities and priorities for regeneration and growth through development, infrastructure, spatial and non-physical parameters to encourage private investment;
 - Provides a framework for delivery, underpinned by sound market advice and existing strategic policy context;
 - Establishes a robust framework to support funding bids; and
 - Advises on the best route to implementation to ensure realisation of the Vision.
- 5.31. The Masterplan involved the following stages:

- Technical review of policy context and strategies, property market, socio-economic and health indicators, access and movement and spatial review. The findings of this work are summarised in an Issues Report (May 2020).
- Stakeholder engagement – including stakeholder workshops, public consultation event and online survey. Details of which are included in the Issues Report.

5.32. This work was used to support the Town Investment Plan (TIP) and the Town Deal Bid. The Masterplan presents a comprehensive strategy to support the transformation of Nelson over the next 25–30 years. Its delivery will be kickstarted by accessing short term funding from Town Deal and will support other funding bids going forward. Figure 3 below shows the illustrative masterplan for Nelson Town Centre.

Figure 3 – Nelson Town Centre Illustrative Masterplan



5.33. Within the masterplan Pendle Rise is listed as priority action. It states

“The remodelling/repurposing of Pendle Rise would deliver transformational change within the town centre and act as a catalyst for further investment and growth across the wider town. Key components of new development could include residential uses and a new public open/event space to grow and enhance the towns events programme. There are opportunities to create a new offer, new opportunities for town centre living, a better quality experience, improved perceptions, increased footfall and enhance community pride”.

Accessible Nelson

- 5.34. The Accessible Nelson project is one of eight projects that the Nelson Town Deal board is overseeing as part of a ten year plan for a brighter Nelson.
- 5.35. The project is about improving traffic flow, creating a quality environment including at key gateway routes, and introducing better walking and cycling opportunities for sustainable transport. The aim is to make these routes pedestrian and cycle-friendly as well as more attractive for all.
- 5.36. The latest Accessible Nelson plan has been accounted for within the submitted landscape proposals.

Conservation Area SPD

- 5.37. The Supplementary Planning Document – Conservation Area Design and Development Guidance includes a section on the setting of Conservation Areas, and reads as follows:

“New development should not adversely affect the setting of a conservation area.

The setting of a conservation area is created by the relationship of the conservation area with its surrounding landscape or townscape. These surrounding areas can contribute significantly to the atmosphere and character of a conservation area, and should always be considered when development is proposed close to a conservation area boundary.

Proposals that are not within a conservation area but could affect how a conservation area is viewed, or what is seen from within a conservation area, will need to be considered carefully. For instance, a tall building on the edge of a conservation area could block an important view into or out of it. Similarly, a new building on the edge of a conservation area could jar with the buildings and the character of the conservation area, if the style, scale and materials are inappropriate. The siting of buildings should also be considered carefully, for instance in terms of the impact on trees or other natural features that are considered to be part of the setting.”

Design Principles SPD

- 5.38. The Design Principles Supplementary Planning Document includes a section on the design of shopfronts and advertisements. The document aims to raise general awareness of the elements of good shopfront design by providing simple guidelines which will help ensure that designs are appropriate.

National Planning Policy Framework (“NPPF”) (2021)

- 5.39. The July 2021 NPPF outlines the key national planning policies in relation to the determination of planning applications. As outlined in paragraph 2 of the 2021 NPPF, the Framework is a material consideration in planning decisions.
- 5.40. Whilst there has been a consultation on changes to the NPPF between January and March 2023, these have yet to come into force and none are considered relevant to the application proposals in any event, and as such the 2021 NPPF must still be given full weight.

- 5.41. Paragraph 8 confirms that in order to achieve sustainable development, the planning system has three overarching objectives need to be pursued. These objectives are as follows:
- **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - **A 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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
 - **An environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 5.42. A key element of the NPPF (as outlined at paragraph 11) confirms that local planning authorities should apply the **presumption in favour of sustainable development**. For decision taking this means:
- “c) approving development proposals that accord with the development plan without delay”; or:*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
- 5.43. The NPPF sets out a series of key aims and objectives of the planning system, the most relevant of which we paraphrase below.
- Building a Strong and Competitive Economy***
- 5.44. Paragraph 81 confirms that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 5.45. In addition, paragraph 85 states that the use of previously developed land (PDL) and sites that are physically well related to existing settlements, should be encouraged where suitable opportunities exist.

Ensuring the Vitality of Town Centres

- 5.46. Paragraph 86 states that decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 5.47. It goes on to note that planning policies should promote the long term vitality and viability of town centres by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries.
- 5.48. Main town centre uses are defined within Annex 2 of the NPPF as: retail development, leisure, entertainment facilities, more intensive sport and recreation uses (including restaurants), offices, arts, culture and tourism development (including hotels).

Promoting sustainable transport

- 5.49. Paragraph 113 notes how all developments that generate significant amounts of movement should be supported by a Transport Assessment.
- 5.50. Paragraph 111 states the following in relation to the determination of planning applications:

*“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**”*

- 5.51. Paragraph 110 notes how applications for development should give priority first to pedestrian and cycle movements, and as far as possible facilitate access to high quality public transport.

Making effective use of land

- 5.52. Paragraph 119 of the NPPF states that Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Achieving well-designed places

- 5.53. Paragraph 126 states 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. Paragraph 130 adds that (amongst other things) it is important that developments function well and add to the overall quality of the area and should be sympathetic to local character and establish a strong sense of place.

Conserving and Enhancing the Historic Environment

- 5.54. Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

6. Planning Assessment

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act, 2004 confirms that if regard is to be had to the development plan for the purpose of any determination, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2. Accordingly, this section assesses the proposals against adopted local and national planning policy, and other materials considerations, in respect of the following key planning matters:
- Principle of Development
 - Highways and Transportation
 - Heritage
 - Design and Amenity
 - Landscape and Public Realm
 - Ecology
 - Flood Risk and Drainage
 - Ground Conditions
 - Noise

Principle of Development

- 6.3. The principle of retail development on this site is established by its existing use as a shopping centre and its location within the Primary Shopping Area (PSA) of a defined Town Centre (Nelson).
- 6.4. Indeed, Policy SDP2 of the Pendle Core Strategy confirms that Nelson is a Key Service Centre that will provide the focus for future growth in the borough and accommodate the majority of new development; with SDP5 adding that it is one of three main town centres where major retail developments should be located.
- 6.5. Policy WRK 4 provides more detailed criteria that town centres developments should contribute to, which we deal with in turn below:

Safeguarding the retail function of the centre

- 6.6. Since the adoption of this policy, the Use Class Order has been amended (in 2020) which has grouped together many of the previous Main Town Centre uses (including Classes A1–A3 and B1a) into a new Use Class E – ‘Commercial, Business and Service’, with Classes A4 (public houses, wine bars, or drinking establishments/ drinking establishments with expanded food provision) and A5 (hot food takeaways) now included as ‘sui generis’.

- 6.7. This application seeks consent for up to 8,240 sqm of flexible 'main town centre' uses (including Class E uses and former Class A4 and A5 uses which are now 'sui generis');

Improving the vitality and viability of the centre

- 6.8. As previously set out, the main purpose and rationale for this application is to address the continued decline in footfall through the town centre and increase in vacant commercial units. It is a well-known national problem that due to changes in consumer shopping habitats including the rise in online shopping, the high street and many town centres are struggling to cope. Based on consultation feedback with local businesses and residents the applicant has ensured that the modernised retail floorspace will be supplemented with significant public realm improvements to make the town centre more attractive and welcoming.

Improving the overall mix of retail and other land uses

- 6.9. The proposals will introduce a new anchor food retailer to the site (replacing the discount food stores that have vacated the centre in recent years) which will be the key draw to the site. There will be a range of unit sizes to attract a variety of retailers from local independents to national multiples/ High Street Brands.

Supporting the creation of a comfortable, safe, attractive and accessible shopping environment

- 6.10. The layout has been designed to be as permeable as possible to increase footfall through the site from north to south and east to west with improved areas of public realm. This will also improve wider linkages with the train station and bus interchange to the south west of the site. The open nature of the site combined with multiple active frontages on the retail units and sensitive lighting will ensure a safe environment with plenty of natural surveillance.
- 6.11. In terms of accessibility, the layout and landscape strategy is integrated with the latest Accessible Nelson proposals and works with the site level differences to ensure a flat development platform for the majority of the development, with the exception of limited stepped area in the south east corner. Accordingly the development is highly accessible and a significant improvement on the current Pendle Rise Centre.

Enhancing access to the centre by sustainable modes of transport, and encouraging multi-purpose trips.

- 6.12. The layout has been designed to promote walking and reduce reliance on motor vehicles with prominent and accessible cycle parking provision and an open permeable layout with attractive landscaping and public realm for pedestrians, which improves visibility and wider linkages to the train station and bus interchange to the south west of the site. This permeability will also encourage multi-purpose trips to other parts of the centre to the north, west, east and south east..
- 6.13. Overall, the local and national planning policy context is overwhelmingly supportive of this proposal as it will modernise a dilapidated site and help regenerate the wider Town Centre which has been declining in recent years. This application is the first step and a major catalyst for the Council's ambitions to deliver major change and regeneration in this part of Pendle. The development of this site will also clearly contribute towards the aims and objectives of the Nelson Masterplan.

- 6.14. These proposals will inject much needed investment into the area, which will bring construction jobs and support the construction industry in the short and medium term, but also provide long term permanent jobs with future employers who choose to locate their businesses here. Indeed this modernised retail proposal will help to attract High Street brands back to Nelson on longer term leases, replacing the short term/ temporary uses that characterise the centre currently.
- 6.15. Therefore, it has been demonstrated that the principle of development is wholly acceptable when considered against the Development Plan Policies WRK 4 and SPD 2 and the NPPF.

Highways and Transportation

- 6.16. The planning application is supported by a Transport Assessment prepared by Mode Transport Planning which provides a detailed appraisal of each transport aspect associated with the proposed development. the findings of the Transport Assessment demonstrate that the proposed development would not result in and significant adverse impacts on highways or road safety and as such clearly accords with CS Policy ENV4 (Promoting Sustainable Travel) which states that new development should have regard to the potential impacts they may cause to the highways network, particularly in terms of safety and the potential to restrict free flowing traffic, causing congestion.

Car Parking

- 6.17. CS Policy ENV4 states that new developments should comply with the existing maximum car and cycle parking standards. Pendle Borough Council outline their adopted parking standards in Appendix 2 of the Pendle Local Plan 2001-2016. Further details are provided in the TA, however in summary:
- Maximum Car parking = 1 space per 16-22sqm for A1 Retail and 1 space per 24-31 sqm for A1 Non-Food Retail
 - Minimum Cycle Parking = 1 space per 10 car spaces
 - Minimum Motorcycle Parking = 1 space per 25 car spaces
- 6.18. In accordance with the parking standards the development should include a maximum of 244 car parking spaces and a minimum of 15 cycle spaces and 6 motorcycle spaces.
- 6.19. Therefore, the proposed provision of 143 car parking spaces, 15 cycle spaces and 6 motorcycle spaces is in line with these standards.

Servicing and Delivery Arrangements

- 6.20. Servicing for the food unit will take place from within the proposed car park. The retail units will be accessed from a service yard off Holmes Street which will operate with a left-in / left-out arrangement. The proposed service yard has been designed in line with the Accessible Nelson Scheme. Should the Accessible Nelson Scheme not be constructed prior to the proposed development, the western kerb line on Holmes Street will be constructed in line with the proposals in order to ensure that the site is future proofed.
- 6.21. The site levels changes mean that the retail units will have a basement level undercroft area at the same level as the service yard which will store plant and bins.

- 6.22. The TA states that at the time of writing, the junction models of the Accessible Nelson scheme were yet to be issued. On this basis, the junction capacity analysis will be submitted as a TA Addendum once this work is complete.
- 6.23. The TA concludes that subject to the results of the junction capacity analysis, based on the evidence and analysis, there should be no highways or transport planning reasons that prevents this planning application from being approved.

Travel Plan

- 6.24. In accordance with Policy ENV4 of the Core Strategy, a site-specific Framework Travel Plan has also been prepared by Mode Transport Planning and is submitted as part of this application. This has been prepared in accordance with the NPPF and Planning Practice Guidance and sets out aims and objectives, as well as various initiatives what will be considered at the detailed planning stage to encourage maximum uptake in sustainable modes of travel. The underlying aim of any TP is to minimise the number of single occupancy private car trips generated by a development, by encouraging a shift to more sustainable modes of transport, and as a result mitigating the impact of travel.

Heritage

- 6.25. The Heritage Statement, prepared by Pegasus Group, confirms that the existing shopping centre has very limited heritage significance (it is not considered to be a Non-Designated Heritage Asset) and therefore its demolition and redevelopment will not generate any harm.
- 6.26. It goes on to confirm that the proposed development is likely to make a positive contribution to the wider town centre and the setting of the nearby Conservation Area and Listed Buildings (including the Grade II bank north of the site and Railway Hotel to the south west) in line with Policy ENV1, by replacing the existing dilapidated buildings with a modern attractive development with reduced scale and massing and sensitive landscaping and public realm that preserves and enhances existing non designated heritage features such as the drinking fountain, and using lost/ local street names for the new units and pathways in the development.

Design and Amenity

- 6.27. Policy ENV 2 (Achieving Quality in Design and Conservation) states all new development should viably seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving our heritage assets.
- 6.28. As set out in the submitted Design and Access Statement the proposed buildings have been designed to respond and relate to the site in which they are located, both in scale and in architectural language. The design has evolved extensively through consultation with the community, stakeholders and technical consultees.

Landscape and Public Realm

- 6.29. The Landscape Masterplan prepared by Pegasus Group introduces new hard and soft landscaping to the site, with trees positioned throughout the car park, along with planters

seating areas and new paving that integrates with the existing public realm on Leeds Road and the latest Accessible Nelson proposals.

- 6.30. Accordingly the landscape proposals sustain and improve the quality, appearance and character of the public realm in line with policies ENV2 and SUP4.

Ecology

- 6.31. A Preliminary Ecological Appraisal (PES) and Preliminary Bat Roost Assessment (PBRA) has been prepared by Ecus Ltd, which confirms that the development is unlikely to impact on any statutory and non-statutory nature designated sites, given its isolated urban location.
- 6.32. The PBRA did indicate moderate potential for roosting bats within some parts of the site, which will require further investigation survey work through the determination period and subsequent demolition process (to be secured via condition) and this approach has been agreed with the Council through pre-application discussions.
- 6.33. The proposals will undoubtedly generate biodiversity improvements to the site by introducing trees and planting into the car park and public realm areas, and green walls on the units themselves; where previously there were no trees or biodiversity features at all (the site was solely comprised of buildings and hardstanding).
- 6.34. Accordingly the proposals will protect and enhance the natural environment in line with policy ENV 1 of the Core Strategy and the natural environment provisions within the NPPF.

Flood Risk and Drainage

- 6.35. The Flood Risk & Drainage Assessment prepared by Weetwood confirms that the majority of the site is located within flood zone 1, with a small area in the north-east shown to be located in flood zone 2, and this risk originates from Walverden Water which flows in a northerly direction approximately 30 m to the east of the site and is heavily culverted, however such flooding is predicted to be limited.
- 6.36. The site is also assessed as being at a low risk of flooding from surface water and groundwater sources and a residual risk of flooding from reservoir failure.
- 6.37. The risk of flooding to the proposed development can be appropriately mitigated by implementing the following measures:
- Setting finished floor levels above the peak 1 in 1,000 AEP flood levels associated with Walverden Water; and
 - Raising finished floor levels at least 0.15 m above adjacent ground levels following any reprofiling of the site.
- 6.38. The flood risk sequential test is deemed to have been passed owing to the site principally being located in flood zone 1 and the proposed development not representing a change in the use of the site.
- 6.39. Surface water runoff from the redeveloped site can be sustainably managed in accordance with national and local planning policy. It is proposed to restrict the rate at which surface

water is discharged from the site to 50% of the existing 1 in 1 AEP event runoff rate and attenuate surface water using permeable paving and below ground geo-cellular attenuation tanks.

- 6.40. The proposed permeable paving, trapped gullies and catchpit manholes provide adequate water quality treatment.
- 6.41. It is proposed to direct all runoff from the redeveloped site to the 375 mm diameter public surface water sewer located directly adjacent to the sites north-east boundary. Foul water is proposed to connect to the existing 525 mm diameter public combined sewer located in the western part of the site
- 6.42. Accordingly the proposals fully accord with Policy ENV 7 of the Core Strategy in respect of drainage.

Ground Conditions

- 6.43. A Phase 1 Preliminary Risk Assessment has been prepared by BEK Enviro (BEK) to assess potential contamination and ground gas risks associated with the re-development of the site.
- 6.44. This has identified some risks to human health, controlled waters and property (including services, concrete and flora), which will require ground investigation through the demolition and construction stage to determine shallow ground conditions and quantify the potential risks identified.
- 6.45. Such works can be conditioned and integrated with the Construction and Demolition Management Plans for the site, and subject to these works being carried out satisfactorily the proposals will fully align with Policy ENV 5 of the Core Strategy and Paragraph 183 of the NPPF.

Noise

- 6.46. A noise impact assessment has been prepared by Arcadis to support the planning application and the scope of this has been agreed with the Council's Environmental Health Officer.
- 6.47. This report concludes that noise associated with typical daytime activities (between 07:00 and 23:00) within the proposed development would not be detrimental to the noise climate of the area and would not affect the amenity of surrounding residents/ noise receptors.
- 6.48. Noise associated with the overnight operation of the site (specifically HGV activity servicing the food retail unit) would also be acceptable subject to suggested delivery conditions which the applicant is happy to accept.
- 6.49. Accordingly, the development proposals are acceptable from a noise perspective and in accordance with Policy ENV5 of the Core Strategy.

Summary

- 6.50. It has been clearly demonstrated that there are no technical or environmental limitations that should prohibit the proposed development for the site, providing the suggested mitigation measures and recommendations contained in the technical reports are adhered to.
- 6.51. As such, the application proposals fully accord with the relevant policies of the Development Plan, when read as a whole, and should therefore be approved without delay in accordance with the NPPF.

7. Planning Balance

- 7.1. Notwithstanding the above, even if the Council were to identify conflict with any policies of the Development Plan, any potential harm is clearly and demonstrably outweighed by the substantial economic, social and environmental benefits that the proposals will bring, as summarised below:

Economic Benefits

- 7.2. The development will bring a number of economic benefits, as explored in more detail within the Economic Impact Note and Infographic (NO01 EC v1), enclosed at **Appendix 2** and summarised below. These include:

Construction Benefits

- £11.5 million – Estimated construction investment over the 12-month build programme;
- £13.1 million – Economic output generated during the build phase (current prices); and
- 213 – Direct construction roles and indirect/induced jobs supported per annum during the 12-month build phase.

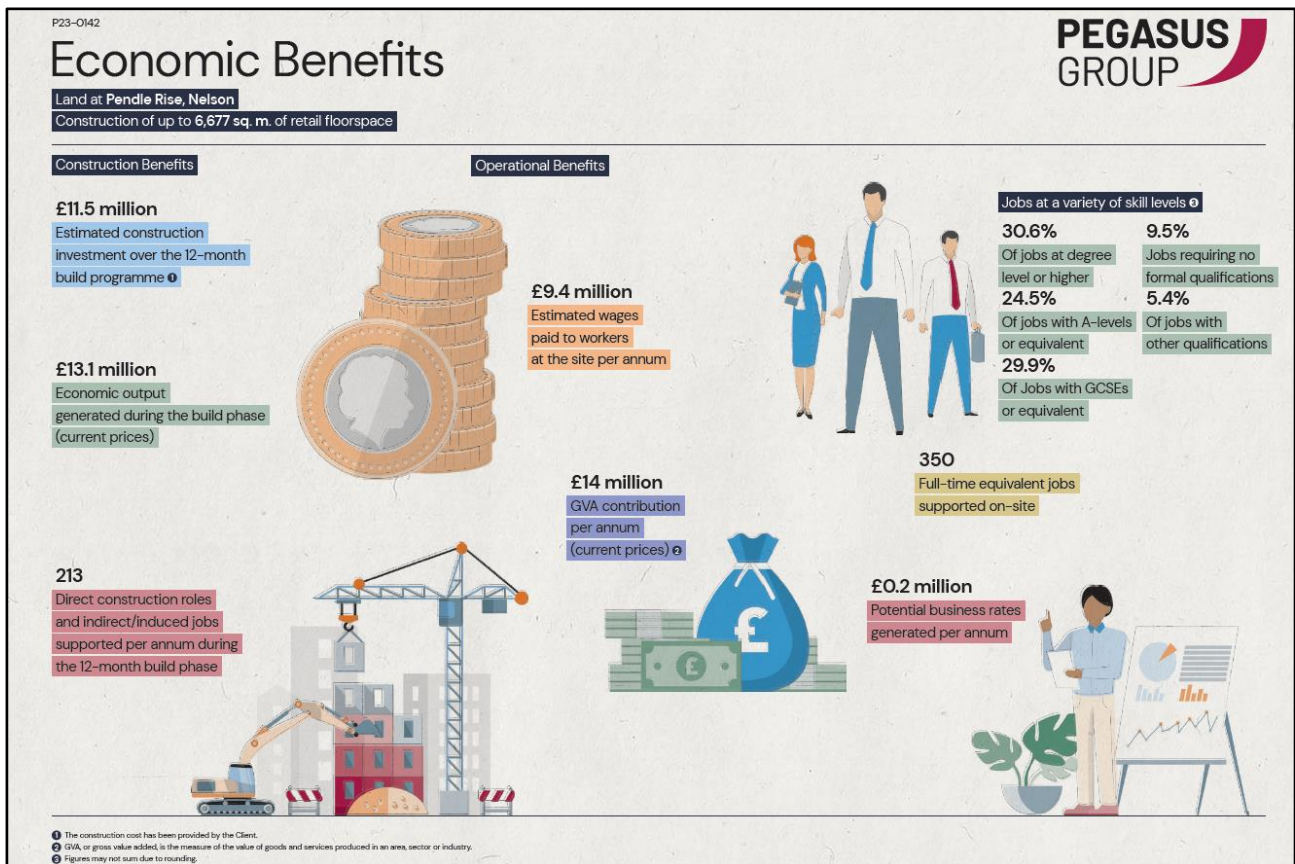
Operational Benefits

- £9.4 million – Estimated wages paid to workers at the site per annum;
- £14 million – GVA contribution per annum (current prices);
- £0.2 million – Potential business rates generated per annum; and
- 350 – Full-time equivalent jobs supported on-site.

Jobs at a variety of skill levels

- 30.6% Of jobs at degree level or higher;
- 24.5% Of jobs with A-levels or equivalent;
- 29.9% Of Jobs with GCSEs or equivalent;
- 9.5% Jobs requiring no formal qualifications; and
- 5.4% Of jobs with other qualifications.

Figure 4 – Economic Benefits Infographic



Social Benefits

7.3. Social benefits include:

- Deliver a sustainable development which has good access to jobs, shops, services and transport links; and
- Regenerate the area to support the provision for town centre uses which will boost the profile of the area and create a new sense of place for the community to enjoy. These uses will complement the existing shops and facilities in the wider area and enhance the choice and accessibility for new and existing residents.
- Providing a central car park/ public realm area that will be a flexible zone for outdoor activities or events to be held, such as seasonal markets, which will generate significant social and community benefits.

Environmental Benefits

7.4. Environmental benefits include:

- Provision of new public open space and public realm throughout the site that is accessible to residents within the area;

- Biodiversity improvements with new trees, planting and green walls;
- Deliver the redevelopment of a brownfield site which will regenerate an area of land and significantly enhancing the physical appearance of the local area;
- Deliver a scheme which ensures efficient use of land by maximising its development whilst taking into account key site opportunities and constraints, delivering a viable scheme; and
- Reducing carbon emissions through sustainable building design and use of materials, sustainable/renewable energy supplies and the use of sustainable drainage design amongst other measures.

7.5. In summary, the proposed development represents a highly sustainable form of development in Nelson Town Centre on previously developed land. the proposal will assist in preventing the continued decline of the high street by replacing vacant units; and overall enhancing the environment and appearance for the benefit of the community. The scheme proposals fully support the ambitions set by Pendle Council and accord with the Development Plan and associated supported planning guidance including the Nelson Town Centre Masterplan.

8. Conclusions

- 8.1. This Planning Statement has been prepared by Pegasus Group on behalf of PenBrook Developments Ltd in support of a full planning application made to Pendle Borough Council at Pendle Rise Shopping Centre in Nelson.
- 8.2. The site is situated in a sustainable location within Nelson's urban area. It is an existing retail area in need of regeneration and has very good accessibility for pedestrians and cyclists. It is also well connected to public transport. In locational terms, the site provides an excellent opportunity for a regenerated Shopping Centre.
- 8.3. The proposals have been designed with due regard to the technical assessments undertaken by the applicant's project team. The proposals represent a comprehensive and high-quality scheme undertaken in line with best practice guidance.
- 8.4. This report has identified a series of Development Plan documents and other material considerations to be taken into account in the determination of this application. It has been clearly demonstrated that the principle of retail development is established by its existing use as a shopping centre and its location within the Primary Shopping Area (PSA) of a defined Town Centre (Nelson). The proposals also align with the detailed policy requirements of WRK 4 and other relevant retail policy.
- 8.5. Furthermore, the proposed development constitutes sustainable development in accordance with the NPPF when taken as a whole. The development will deliver significant economic, social and environmental benefits which should be afforded considerable weight in the determination of the planning application.
- 8.6. To summarise, the proposed development represents a sustainable form of development which accords with the Development Plan and national planning policy. It will secure a wide range of benefits and it is respectfully requested that the Council grants planning permission for the proposed development without delay.

Appendix 1 – Schedule of Submission Documents

Plans	Company	Reference	Rev
Site Location Plan	Urban Edge	2654-URB-PR-OO-DR-A-208100-POO	
Existing Block Plan	Urban Edge	2654-URB-PR-OO-DR-A-208101-POO	
Existing Lower Floor Plan	Urban Edge	2654-URB-PR-OO-DR-A-208102-POO	
Existing Ground Floor Plan	Urban Edge	2654-URB-PR-OO-DR-A-208103-POO	
Existing First Floor Plan	Urban Edge	2654-URB-PR-01-DR-A-208104-POO	
Existing Roof Plan	Urban Edge	2654-URB-PR-02-DR-A-208105-POO	
Existing Elevations	Urban Edge	2654-URB-PR-ZZ-DR-A-208200-POO	
Proposed Site Block Plan	Urban Edge	2654-URB-PR-OO-DR-A-208150-POO	
Proposed Block 1 Ground Floor Plan	Urban Edge	2654-URB-B1-OO-DR-A-208151-POO	
Proposed Block 1 Roof Plan	Urban Edge	2564-URB-B1-RF-DR-A-208151-POO	
Proposed Block 1 Elevations	Urban Edge	2564-URB-B1-ZZ-DR-A-208251-POO	
Proposed Block 2 Ground Floor Plan	Urban Edge	2654-URB-B2-OO-DR-A-208151-POO	
Proposed Block 2 Roof Plan	Urban Edge	2654-URB-B2-RF-DR-A-208152-POO	
Proposed Block 2 Elevations	Urban Edge	2564-URB-B2-ZZ-DR-A-208251-POO	
Documents	Company	Reference	Rev
Design and Access Statement	Urban Edge	2654-URB-ZZ-XX-DA-A-2A3750_POO	
Planning Statement	Pegasus Group	P23-0142 R003	v3
Statement of Community Involvement	Pegasus Group	P23-0142 R002	v2
EIA Screening Report	Pegasus Group	P23-0142 R005	v5
Heritage Statement	Pegasus Group	P23-0142 R001	v2



Transport Assessment	Mode Transport	230412 J326687 TA	v1.1
Framework Travel Plan	Mode Transport	230412 J326687 TP	v1.1
Landscape Masterplan	Pegasus Group	P23-0142_EN_002A	B
Flood Risk and Drainage Assessment	Weetwood	Final Report v1.0 – April 2023	v1.0
Preliminary Ecological Appraisal and Bat Roost Assessment	Ecus	20754	V1.1
Phase 1 – Preliminary Risk Assessment (Contamination)	Bek Enviro Ltd	BEK-23033-1	Rev A
Noise Impact Assessment	Arcadis	Pendle Rise Shopping Centre – April 2023	VO1



Appendix 2 – Economic Impact Note and Infographic

Economic Impact Analysis of Pendle Rise Redevelopment

Project name: Pendle Rise, Nelson
Author: Angus Hannah
Date: 21 April 2023
Project number: P23-0142
Reference: N001 EC v1

Introduction

The purpose of this note is to outline the economic benefits of the proposed redevelopment of the Pendle Rise Shopping Centre, Nelson, which will see new retail and food floorspace built. The note provide a socio-economic overview of Pendle Borough, before going on to quantify the economic benefits of the scheme's construction and operational phases. An infographic summarising the different benefits is provided in Appendix A.

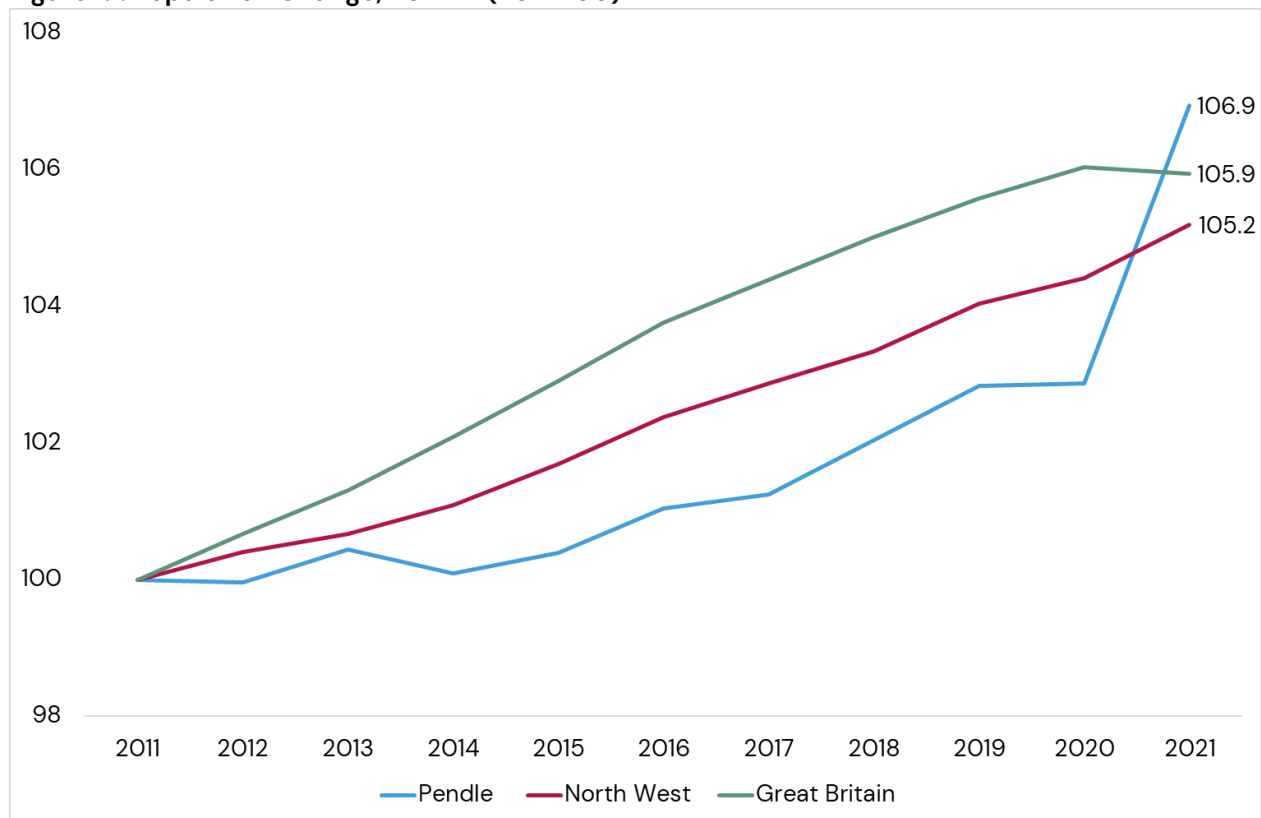
Pendle Socio-Economic Overview

Population Change

Mid-year population estimates published by the Office for National Statistics (ONS) show that as of 2021 the total population of Pendle is around 95,800. Figure 1.1 presents population change between 2011 and 2021. Over this timeframe, Pendle's population increased by 6.9% – equating to around 6,200 more people. This was above the corresponding population increases for the North West (5.2%) and Great Britain (5.9%).

As shown in Figure 1.1, there was a sharp rise in Pendle's population between 2020 and 2021. This can be attributed to an increase of 5.1% (2,815) in the working age population (16–64). Additionally, there was a rise in the population aged 0–15 of 4.7% (919) between 2020 and 2021. The Proposed Development can support continued growth in Pendle by creating new job opportunities to attract younger people to the area.

Figure 1.1: Population Change, 2011-21 (2011=100)

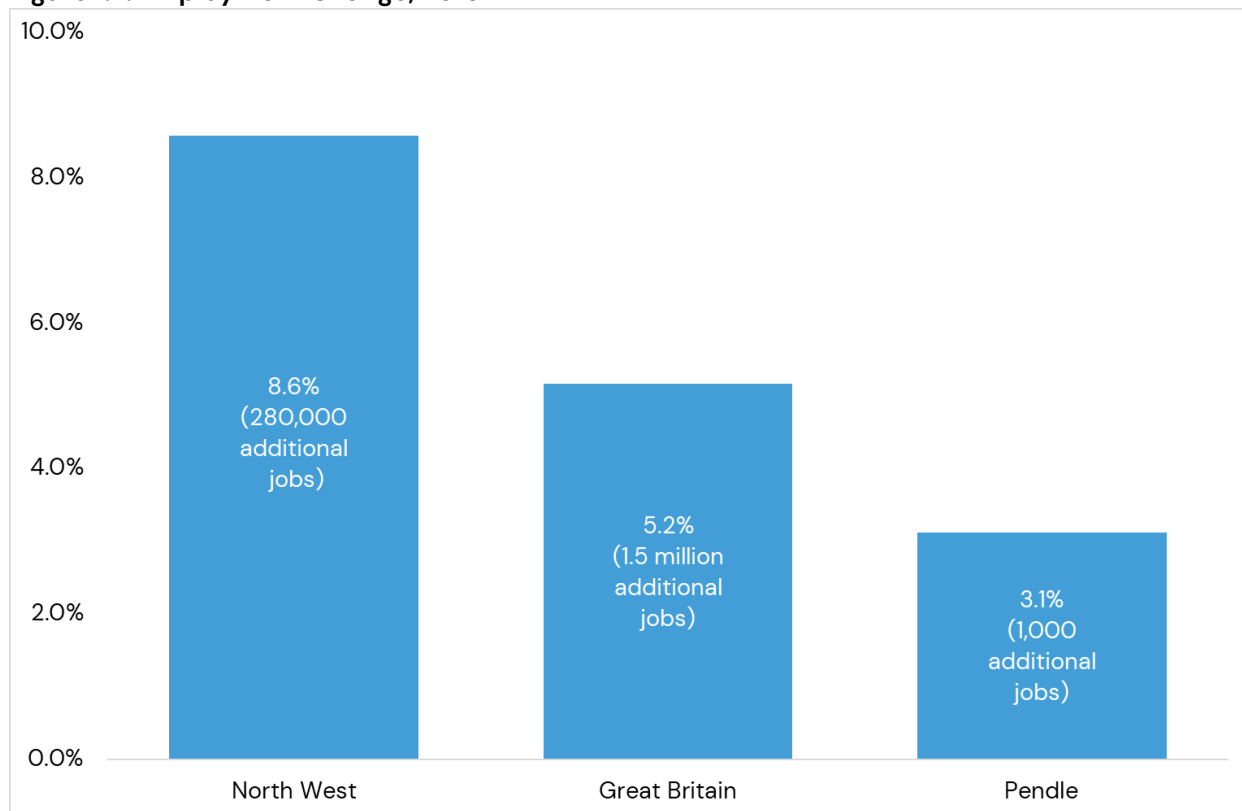


Source: ONS, Mid-Year Population Estimates

Employment Change

Based on the most recent ONS data from the Business Register & Employment Survey (BRES), in 2021 there were around 33,000 jobs – including self-employment – in Pendle.

Between 2015 and 2021, Pendle experienced an increase in employment of 1,000 jobs (3.1%). Comparatively, the North West and Great Britain saw jobs growth of 8.6% and 5.2% respectively – see Figure 1.2. The Proposed Development will help boost jobs growth in Pendle as a result of the new employment opportunities created.

Figure 1.2: Employment Change, 2015–21

Source: ONS, Business Register & Employment Survey

One sector that would benefit significantly as a result of the Proposed Development is wholesale and retail, which will see new permanent jobs created once the scheme is built and operational. As of 2021 there were around 5,550 jobs in this sector in Pendle, which equates to 16.6% of total employment in the area. This makes it the third largest sector in Pendle, behind only public administration, education and health (24.2%) and manufacturing (23.9%). The Proposed Development can therefore help an already important sector in Pendle to grow further.

As of 2021, part-time employees in the wholesale and retail sector accounted for 41.4% of total employees in Pendle. This compares to a figure of 28.1% for all jobs in the area¹. Given the wholesale and retail sector typically has a higher proportion of part-time employees than other sectors, it can offer workers more flexible employment if people do not want to work full-time or are unable to due to circumstances.

Claimant Count

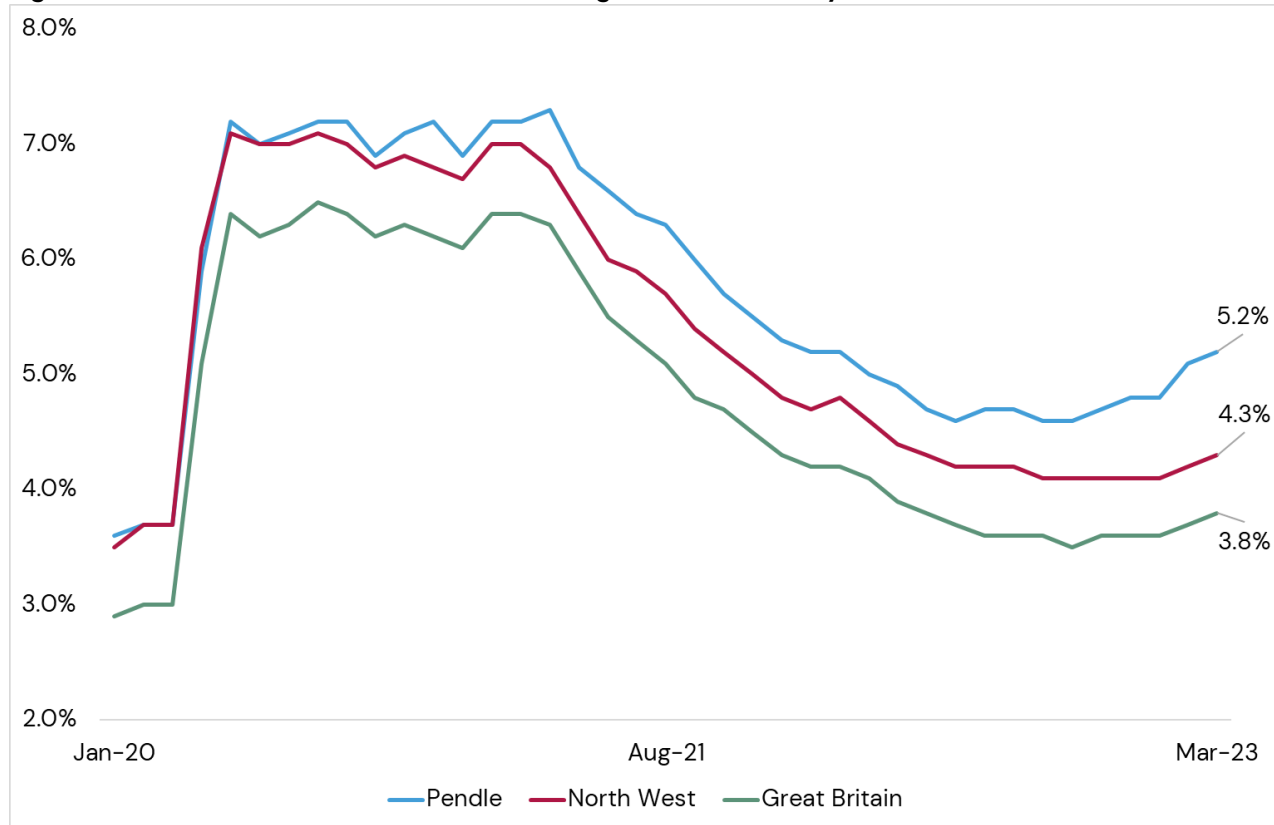
The claimant count records the number of people claiming Jobseeker's Allowance (JSA) plus those who claim Universal Credit (UC) and are required to seek work and be available for work.

Figure 1.3 shows the claimant count in Pendle and comparator areas for every month from January 2020–March 2023, expressed as a proportion of residents aged 16–64. For Pendle and all comparator areas, a sharp rise is evident between March 2020 and May 2020, which was down to the impact of Covid-19 and the lockdown restrictions.

¹ Based on analysis of 2021 BRES data published by ONS.

In January 2020, the claimant count in Pendle was 3.6%. The claimant count peaked in April 2021 in Pendle at 7.3%, with the rate peaking at 7.1% in May 2020 for the North West and 6.5% in August 2020 for Great Britain. For all three spatial scales the claimant count steadied between May 2020 and April 2021. Since September 2022 the claimant count has been rising in Pendle and as of March 2023 it stands at 5.2%. The creation of new jobs in the area is therefore important in helping to ensure people are able to re-enter the labour market.

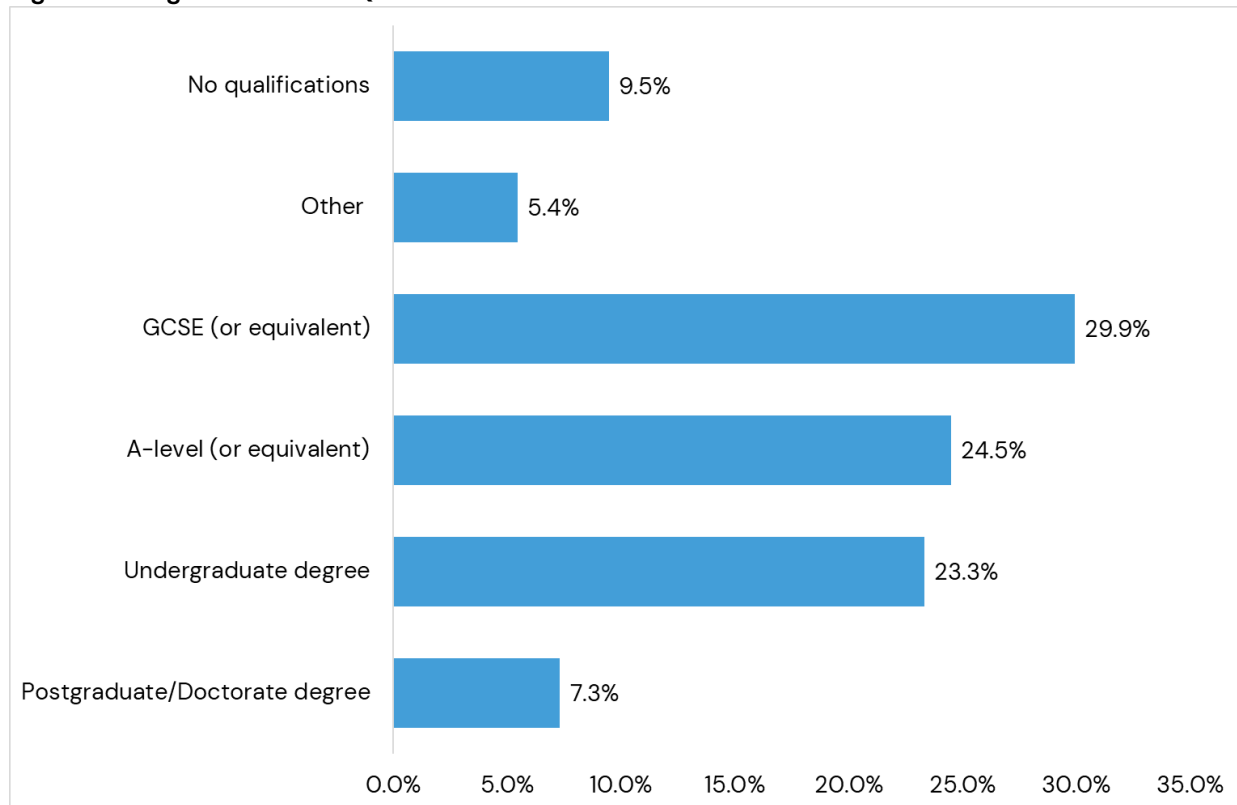
Figure 1.3: Claimant Count as % of Residents aged 16–64, January 2020–March 2023



Source: NOMIS

Skills Profile of the Wholesale & Retail sector in the North West

According to data from the ONS Quarterly Labour Force Survey, as of 2021 the percentage of workers in the North West's wholesale and retail sector that had a postgraduate/doctorate degree stood at 7.3%. Just under 30% of workers in the sector had GCSEs (29.9%). As Figure 1.4 shows, skill levels in the North West's wholesale & retail sector are varied. If the Proposed Development aligns with the regional profile, it will create jobs across the entire skills spectrum.

Figure 1.4: Highest Level of Qualification of Wholesale & Retail Workers in the North West


Source: ONS, Quarterly Labour Force Survey, October–December 2022

Construction Phase Benefits of the Proposed Development

Supporting Employment

Economic benefits will arise through the provision of temporary jobs during the construction phase of the scheme, which is expected to be around 12 months. For the Proposed Development, construction costs are estimated to be around £11.5million over the 12-month build programme. This information has been provided by the Client.

Using ONS data on turnover per job in the construction sector in the North West in 2022 (£145,913²), 79 construction jobs could be supported on-site during the expected 12-month build timeframe.

It is widely recognised that construction has knock-on effects for other sectors, which leads to increased demand for building materials and equipment at the construction phase, as well as furniture and carpets etc. following completion. This generates and sustains employment in other sectors. This is known as the 'multiplier effect' and analysis published by the Homes & Communities Agency (HCA – now Homes England) indicates that the employment multiplier for construction activities in the UK is 2.7 – i.e. for every construction job created, a further 1.7 jobs are supported in the wider economy. This suggests that as well as the 79 on-site jobs, development could support a further 134 additional jobs during the build phase.

² ONS – 2022 Business Population Estimates.

In total, an estimated **213³ temporary jobs** could be supported during the scheme's 12-month build phase.

Contributing to Economic Output

Another way of looking at the economic impact of the construction phase is to calculate the contribution a development makes to wealth creation, as measured by the increase in the value of goods and services generated within an area. This can be done by looking at the increase in gross value added (GVA)⁴, a common proxy for economic output. Using ONS data, it is possible to calculate GVA per employee by sector at a regional level. Applying these estimates to the job numbers outlined above, the construction phase of the scheme could generate **£13.1million of GVA** for the economy (current prices).

Operational Phase Benefits of the Proposed Development

Based on the site layout for the scheme, Table 1.1 presents the floorspace types and sizes used to quantify the operational jobs created.

Table 1.1: Floorspace Types

Floorspace Type	Floorspace sq. m. (GIA)
Retail/Food	6,677
Basement/Storage	554
Total	7,231

Estimated New Employment

To quantify jobs, a number of assumptions have been made in terms of the density of employment that would normally be expected for the floorspace types. This information has been sourced from the Employment Densities Guide (3rd Edition, November 2015), prepared for the Homes and Communities Agency (HCA) by Bilfinger GVA. Using this guidance, a density of one job per 17.5 sq. m. of net internal area (NIA) for the retail floorspace has been applied. The GIA of the retail floorspace (6,677 sq. m.) has been adjusted to reflect the fact that NIA is generally around 10% lower than GIA. For the basement floorspace, a density of one job per 70 sq. m. of gross external area (GEA) has been used. The total GIA of the basement floorspace (554 sq. m.) has been adjusted to reflect that fact that GIA is generally around 5% lower than GEA.

Once fully operational, it is estimated that the Proposed Development will support **350** gross full-time equivalent (FTE) jobs on-site.

Gross Value Added

The contribution of the site to economic output has been calculated by taking the on-site job creation associated with the scheme broken down by floorspace type and multiplying this by an estimate of average levels of GVA per employee for the regional economy for the relevant employment sector, in this case wholesale and retail.

It is estimated that, once operational and fully occupied, the GVA generated by the 350 on-site jobs will be **£14.0million per annum**.

³ Figures may not sum due to rounding

⁴ Gross value added is the measure of the value of goods and services produced in an area, industry or sector of an economy.

Looking at the economic output contribution over a longer timeframe, over a ten-year period the GVA associated with the on-site jobs is estimated to be in the region of **£121million** (present value⁵).

Wages

Data from the Annual Survey of Hours and Earnings, published by ONS, show that in 2022, the gross median annual salary for full-time workers in the North West in the wholesale and retail sector was £26,924.

Multiplying the salary estimate by the gross FTE jobs associated with the floorspace, it is estimated that once the Proposed Development is fully operational, total wages paid to staff on-site would be in the region of **£9.4million per annum**. It is reasonable to expect a proportion of this money to be spent locally in Pendle, which will benefit existing businesses in the area.

Business Rates

High level calculations indicate that the business rates generated by the scheme could be in the region of **£0.2million per annum**.

⁵ Where future benefits are calculated over a 10-year timeframe, they have been discounted to produce a present value. This is the discounted value of a stream of either future costs or benefits. A standard discount rate is used to convert all costs and benefits to present values. Using the Treasury's Green Book, the recommended discount rate is 3.5%.

Appendix A – Economic Benefits Infographic

Economic Benefits

Land at **Pendle Rise, Nelson**

Construction of up to **6,677 sq. m.** of retail floorspace

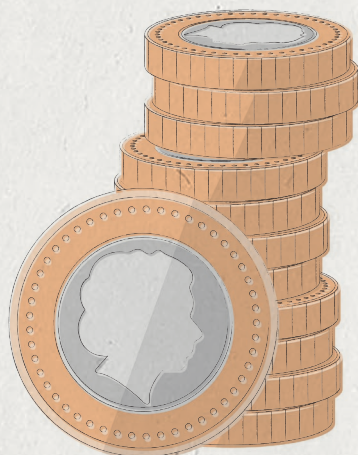
Construction Benefits

£11.5 million

Estimated construction
investment over the 12-month
build programme ^①

£13.1 million

Economic output
generated during the build phase
(current prices)



213

Direct construction roles
and indirect/induced jobs
supported per annum during
the 12-month build phase



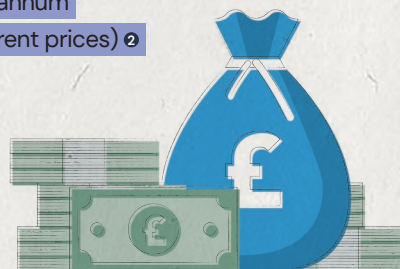
Operational Benefits

£9.4 million

Estimated wages
paid to workers
at the site per annum

£14 million

GVA contribution
per annum
(current prices) ^②



350

Full-time equivalent jobs
supported on-site



Jobs at a variety of skill levels ^③

30.6%

Of jobs at degree
level or higher

24.5%

Of jobs with A-levels
or equivalent

29.9%

Of Jobs with GCSEs
or equivalent

9.5%

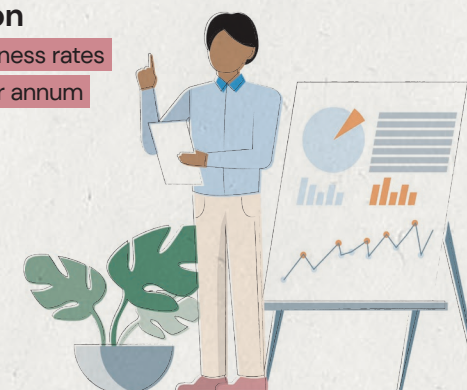
Jobs requiring no
formal qualifications

5.4%

Of jobs with
other qualifications

£0.2 million

Potential business rates
generated per annum



^① The construction cost has been provided by the Client.

^② GVA, or gross value added, is the measure of the value of goods and services produced in an area, sector or industry.

^③ Figures may not sum due to rounding.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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