



RIBBLE VALLEY
BOROUGH COUNCIL

Council Offices, Church Walk, Clitheroe, Lancashire. BB7 2RA

Tel: 01200 425111

www.ribblevalley.gov.uk

23 APR 2012

320120409P

For office use only

Application No

Date received

Fee paid £

Receipt No:

Application for removal or variation of a condition following grant of planning permission.

Town and Country Planning Act 1990.

Planning (Listed Buildings and Conservation Areas) Act 1990

You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Please complete using block capitals and black ink.

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application

1. Applicant Name and Address

Title: First name:
Last name:
Company (optional):
Unit: House number: House suffix:
House name:
Address 1:
Address 2:
Address 3:
Town:
County:
Country:
Postcode:

2. Agent Name and Address

Title: First name:
Last name:
Company (optional):
Unit: House number: House suffix:
House name:
Address 1:
Address 2:
Address 3:
Town:
County:
Country:
Postcode:

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3. Site Address Details

Please provide the full postal address of the application site

Unit: House number: House suffix: House name: MEMORIAL HALLAddress 1: LOWERGATEAddress 2: Address 3: Town: CLITHEROECounty: LANCASHIREPostcode (optional): BB7 1AD

Description of location or a grid reference (must be completed if postcode is not known):

Easting: Northing: Description: **4. Pre-application Advice**Has assistance or prior advice been sought from the local authority about this application? ☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (This will help the authority to deal with this application more efficiently)

Please tick if the full contact details are not known, and then complete as much as possible: ☐

Officer name:

 ADRIAN DOWD

Reference:

 RV/2011/ENQ/00366

Date (DD/MM/YYYY): (must be pre-application submission)

 19/9/2011

Details of pre-application advice received?

 ACCEPTABILITY OF CHANGE OF USE IS LIKELY TO DEPEND ON NOISE ATTENUATION AND THE RESTRICTION OF HOURS OF OPERATION.**5. Description Of Your Proposal**

Please provide a description of the approved development as shown on the decision letter, including the application reference number and date of decision in the sections below:

 CHANGE OF USE OF MEMORIAL HALL, LOWERGATE TO GROUND FLOOR TO DANCE STUDIO AND ERGCT NEW STEPSReference number: 3/1996/0574/PDate of decision (DD/MM/YYYY): 07/11/1996 (date must be pre-application submission)

Please state the condition number(s) to which this application relates:

1		6	
2	ASSOCIATION TO LEE CARTER LEISURE.	7	
3	RESTRICTION TO THE HOURS OF USE.	8	
4		9	
5		10	

Has the development already started?

☒ Yes ☐ No

If Yes, please state when the development started (DD/MM/YYYY):

 01/07/2006 (date must be pre-application submission)

Has the development been completed?

☐ Yes ☒ No

If Yes, please state when the development was completed (DD/MM/YYYY):

 (date must be pre-application submission)**6. Condition(s) - Removal**

Please state why you wish the condition(s) to be removed or changed:

- THE PREMISES HAVE BEEN IN CONTINUOUS USE AS A DANCE STUDIO SINCE 1996 HOWEVER LEE CARTER LEISURE CEASED ASSOCIATION WITH THE PREMISES IN 2006 WHEN THE LEASE CHANGED HANDS WITHOUT AN AWARENESS OF THIS CONDITION BEING IN FORCE. IN 2011 THE LEASE CHANGED AGAIN TO THE PRESENT APPLICANT.
- TO FACILITATE EXISTING CLASSES (SINCE 2006) AND CONTINUE OPERATING HOURS WITH RELEVANT PERMISSION.

If you wish the existing condition to be changed, please state how you wish the condition to be varied:

- VARIATION TO CONDITION 2 TO INURE FOR THE PERSONAL BENEFIT OF RIBBLE VALLEY DANCE IN CONNECTION WITH THE USE OF THE PREMISES AS A DANCE STUDIO.
- VARIATION TO CONDITION 3 TO ALLOW OPENING OF THE PREMISES BETWEEN 10.00 TO 21.30 MONDAY-FRI 8.30-1400 SATURDAYS AND 9.00 TO 1700 ON SUNDAYS.

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7. Ownership Certificates

One Certificate A, B, C, or D, must be completed with this application form

CERTIFICATE OF OWNERSHIP - CERTIFICATE A

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12
 I certify/ The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which the application relates

Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:

CERTIFICATE OF OWNERSHIP - CERTIFICATE B

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12
 I certify/ The applicant certifies that I have/ the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which this application relates.

Name of Owner	Address	Date Notice Served
UNITED REFORMED CHURCH (N.W PROVINCE) TRUST LTD.	FRANKLIN ST, ECCLES, MANCHESTER M30 0QZ	11/04/2012

Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:

CERTIFICATE OF OWNERSHIP - CERTIFICATE C

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12
 I certify/ The applicant certifies that:

- Neither Certificate A or B can be issued for this application
- All reasonable steps have been taken to find out the names and addresses of the other owners (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of the land or building, or of a part of it, but I have/ the applicant has been unable to do so

The steps taken were:

Name of Owner	Address	Date Notice Served

Notice of the application has been published in the following newspaper
 (circulating in the area where the land is situated):

On the following date (which must not be earlier
 than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:

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7. Ownership Certificates (continued)**CERTIFICATE OF OWNERSHIP - CERTIFICATE D****Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land to which this application relates, but I have/ the applicant has been unable to do so

The steps taken were:

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Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date DD/MM/YYYY:

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8. Agricultural Land Declaration**AGRICULTURAL LAND DECLARATION****Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of, an agricultural holding

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

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22/04/2012

(B) I have/ The applicant has given the requisite notice to every person other than myself/ the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below:

Name of Tenant	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

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9. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The original and 3 copies of a completed and dated application form:



The original and 3 copies of the completed, dated Ownership Certificate (A, B, C, or D - as applicable):



The original and 3 copies of other plans and drawings or information necessary to describe the subject of the application:



The original and 3 copies of the completed, dated Article 12 Certificate (Agricultural Holdings):



The correct fee:



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10. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

22/04/2012

(date cannot be pre-application)

11. Applicant Contact Details

Telephone numbers

Country code:

National number:

Extension number:

Country code:

Mobile number (optional):

Country code:

Fax number (optional):

Email address (optional):

12. Agent Contact Details

Telephone numbers N/A

Country code:

National number:

Extension number:

Country code:

Mobile number (optional):

Country code:

Fax number (optional):

Email address (optional):

13. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

☐ Agent☒ Applicant☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name:

Telephone number:

Email address:

Supporting Statement

One previous application has been made relating to this building – ref. 3/1996/0574/P, by Victoria Lee trading as Lee Carter Leisure: Change of Use was granted for the building to be used as a dance studio (ground floor only) along with erection of new steps to allow access to the building from private land (owned at that time by Lee Carter Leisure) on the north west side of the site. The permission includes a restrictive condition confirming that the 'permission shall inure for personal benefit of Lee Carter Leisure in connection with the use of the premises as a dance studio', which was felt necessary despite the hall already being used for recreational purposes at both first and ground floor level. An 'hours of operation' condition was also put in place.

This application seeks to change the following conditions:

- Amendment to condition (2) of association to Lee Carter Leisure (to Ribble Valley Dance) in the use of the Ground Floor as a dance studio.
- Amendment to condition (3) of the hours of opening.

Change of User to Ribble Valley Dance

In July 2006, the lease of the Memorial Hall was taken by the dance school (initially Mary Waddington School of Dancing, changing its name to Ribble Valley Dance in August 2010). At the time of leasing, it was understood that this new lease simply continued the permitted use of the building as a dance studio, hence no planning permission was considered. During this period, the dance school has occupied two rooms on the ground floor of the building (one within the extension 'Memorial Hall', and one within United Reformed Church), along with two small changing areas. This proposed change of use to allow Ribble Valley Dance to use the whole of the Memorial Hall (ground and first floors), would return the room currently leased within the URC to the church whilst leasing one additional room on the first floor – hence a direct relocation of the dance studio, and does not expect a significant increase in the amount of people using the dance school (i.e. no greater impact on local area).

Ribble Valley Dance currently engages a student base of around 250 members of the local community (ranging in age from 3 years to over 70 years) in dance, fitness and theatre related activities. At any one time, there are around 30 students using the site (across two studios). This service supports local initiatives to offer recreation opportunities for young people within the town centre, thereby reducing the need for them to travel to outlying areas (increasing public safety) and increasing the use of public transport in the Clitheroe area, and also supports current 'healthier lifestyle' policies. The dance school also offers employment and professional training opportunities for local dance teachers. These factors support local government initiatives.

Impact on local traffic

Approval of this application will not increase traffic or footfall to Lowergate/Strang Stee beyond the levels which have been experienced in the five years during which the dance school has been operating from this location. The site benefits from a large adjoining

RVBC car park, which is used extensively by Ribble Valley Dance staff, students and service users and additional on-street car parking on Lowergate. The dance school does not ordinarily operate at times which coincide with other local traffic-inducing events such as school drop off/collection, or church services.

Change to Hours of Use

The current permission allows the Memorial Hall to be used as a dance studio between the hours of 10am – 9.30pm (Monday – Friday) and 10am – 1pm (Saturdays).

In order to facilitate the service offered to the local community through the dance school, this application is seeking an extension of the Saturday hours to 8.30am – 2pm, and also occasional Sunday use (approximately five days each year) for examination sessions (9am – 5pm).

It is submitted that the impact on the local residents will be negligible, as these hours of operation are not significantly different to the 1996 permission, whilst also taking into consideration the proximity of a primary school, two churches, a bar/nightclub and a large public car park which must have a greater impact on the local community than a minor extension to the hours of use at the Memorial Hall.

With reference to the proposed alterations to the Memorial Hall, United Reformed Church, Lowergate, Clitheroe, the following Heritage Statement has been compiled by Miss Lindsay Pollard, with contribution of information by the committee members of the United Reformed Church, plus research

1. History of the site

- 1.1 Lowergate forms part of the medieval core of the town of Clitheroe which – along with the castle, originally included Castle Street, Well Terrace and Duck Street. As one of the few streets in the original settlement, Lowergate forms a key axis to the core of the town.
- 1.2 The United Reformed Church (previously the Congregationalists Church) was constructed in 1862, and opened in April 1863. From 1815, the Congregationalists had worshipped at a chapel on Well Terrace (now private housing), and moved to the new church some 50 years later. The site upon which the church was built lies within the historic medieval core of Clitheroe. The route along Strang Stee originally formed part of the main route into the centre of Clitheroe, before the current Moor Lane was built (around the end of the 18th century).
- 1.3 The church is constructed of local stone, commonly used in the construction of buildings of importance at the time.
- 1.4 Construction of the Memorial Hall began some 63 years later, in May 1926, with the building being officially opened on 9th January 1927. The hall was to be a memorial to the members of the church who had fallen during the Great War.
- 1.5 The Memorial Hall is constructed of brick – a variation from the local stone used to construct the church itself, with work being carried out by local tradesmen.
- 1.6 The intended use of the two-storey building was as (a) on the ground floor, the Primary Department of the Sunday School, and (b) the Sunday School's young men's institute – for recreational and social use, indeed it is noted in a report at the time that the first-floor institute held two billiards tables. At the time of opening, the Hall was described as the 'finest Sunday School institute in the neighbourhood' (Clitheroe Advertiser and Times, 14/01/1927).
- 1.7 According to the Lancashire Historic Town Survey (April 2006), in the 19th century the area of Lowergate around the junction of Well Terrace and Duck Street was more intensely developed than the area further along the street, where properties tended to be more widely spaced.
- 1.8 Other buildings of note along Lowergate include the old Court House (currently the Job Centre) constructed of brick in 1864, Stanley House, The Red Lion public house (currently Key Street) and St Michaels and St Johns Church and old School buildings (1799), along with several listed buildings.

2. Current condition and assessment of the site

- 2.1 The Clitheroe Conservation Area Appraisal (2005) notes that the United Reformed Church and Memorial Hall are within an area of Townscape Merit, and that although they are unlisted, they are still to be considered heritage assets, which make a positive contribution to the character and appearance of the conservation area.
- 2.2 The Appraisal notes that:
- 'Lowergate is an ancient route which meanders, with varying width, from Wellgate to the lower end of Moor Lane. It contains some important historic buildings but west of Stanley House its townscape is marred by the blank aspect of the car park and the 'backstreet' atmosphere of its southern end.'*
- 'Poor state of repair and neglect of the rear of Moor Lane (facing Lowergate)' and 'Obtrusive banner advertisements on railings at Lowergate car park' have a negative impact on the area.*
- 2.3 The Memorial Hall has been a leased building for the last 16 years, but is in a poor state of repair. It is in need of investment to maintain the building and grounds, with the applicant able to finance this work.
- 2.5 The building lies within open land, which looks out upon Lowergate. It is adjoined by a large public car park, giving an open aspect to the Memorial Hall
- 2.4 In addition to being within the Conservation Area, the Memorial Hall is deemed to be a heritage asset. The Memorial Hall adjoins/faces Buildings of Townscape Merit and Grade II listed buildings, and is within their setting. Although the United Reformed Church itself is a designated heritage asset, the Clitheroe Conservation Area Appraisal notes that it could be argued that the 20th century extension to the original building is less significant owing to its later construction, and the modern materials from which it was constructed (the report notes that red brick is not in-keeping with the character of the town). However, the Memorial Hall is a landmark on the landscape of Lowergate which is a major thoroughfare for the town, so any developments to it must be in-keeping with the period of the building and the local area in order to maintain the heritage of the surroundings.

3. Maintaining the value of the heritage asset

- 3.1 All possible steps will be taken to ensure that any work carried out to and within the building will be made with the conservation of this heritage asset at the forefront of development considerations.
- 3.2 The proposed use of the building conserves the original intention for the hall to be used for recreational purposes, giving young people a place to gather and participate in well-meaning pastimes. This proposal offers members of the community – a large proportion of whom are young people – a healthy activity that engages them and helps them develop life skills.

- 3.3 This development proposes to reinstate a wall which was removed on the previous planning application made by Victoria Lee (1996), the conditions of which were not met (due to the non-installation of a safety rail on new steps which were created).

This development will also reinstate a gate at the boundary of Lowergate – with accompanied report 'Church Renewal Project for 21st Century Ministry – Options Appraisal Summary Report' showing historical evidence of a gateway off Lowergate onto the land upon which the Memorial Hall sits. This proposal involves opening up this gateway, thereby preserving a historical feature of this site.

All works to walls will be carrying out using local building stone in-keeping with the existing stone. This use of local building stone is noted by the Conservation Area Appraisal as a way of maintaining the positive features of the heritage area.

- 3.4 The project will include the development of the small area of land which overlooks Lowergate, and which can be seen from the road and car park. Part of this plan is to maintain the current trees which are also noted by the Appraisal as enhancing the heritage area. The work will also include renovation of the land overlooking Lowergate (currently un-kempt and used by local residents as a toilet for dogs).
- 3.5 The heritage report notes that the following would have a further negative impact on the heritage area:
- Loss of architectural detail
 - Insensitive alterations to historic buildings
 - Garish commercial signs
 - Development which fails to preserve the historic character of the area

It is intended that all possible steps will be taken to avoid these negative features. Only minor alterations are to be made – the most significant of which would be a new entrance door, as detailed on the plans accompanying the application. All other work will aim to preserve the building as it was intended, with the door frame matching the existing windows and doors (e.g. painted timber door).

Any future replacement of the windows would be on a like-for-like basis in order to maintain the architectural character of the Conservation Area.

- 3.6 The Appraisal notes that the '*poor state of repair and neglect of the rear of Moor Lane (facing Lowergate)*' also has a negative impact on the heritage area, and lists this as one area which could be enhanced. This project aims to make improvements to this area by carrying out long overdue maintenance and repairs to a building which has, for many years, remained largely un-touched. Repainting windows and bargeboards and structural work to secure the boundary walls will all instantly help to enhance this visual appearance of the vicinity.