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Church Walk,  
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Lancs

5<sup>th</sup> January 2017

F.A.O. J MACHOLC

Dear John,

REF UPGRADE IMPROVEMENTS AT 18 PARSON LANE, CLITHEROE  
NO 3/2016/0831

We do not accept the case officers reasoning to refuse the above application.

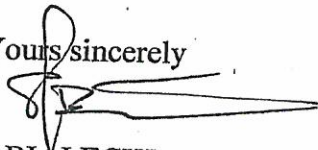
Please refer to our detailed statement relating to the refused application.

Following receipt of the Planning Decision Notice I met at the council offices with the case officer Mr A Dowds. We had an in-depth discussion relating to relevant issues of the application.

I fully appreciate and respect the views explained by Mr Dowds , however not to accept them in this particular case.

At the end of the meeting , I mentioned I will be approaching yourself and assured Mr Dowds my appraisal would follow lines of our meeting and facts of the application as I see .

Under the circumstances I will be grateful for your valid views and advise prior to our consideration of resubmitting the application.

Yours sincerely  
  
S BIALECKI

c.c. A Dowds Planning  
Mrs H Mitton Applicant  
Mrs P Berry Applicants Mother

PROPOSED UP GRADE IMPROVEMENTS AT 18 PARSON LANE, CLITHEROE  
(APP NO 3/2016/0831)

STATEMENT

PLANNING APPLICATION APPRAISAL

Planning brought to our attention and request a "Listed Building Consent" application is necessary after validation of application for "Planning Permission", supported by a "Heritage Statement"

At the time and process of the first application neither the council my self and the applicant were aware the application site was Grade 11 listed .

As an incidental issue the councils description of the application includes "and creation of two bedroom apartment"

This is strictly incorrect the two bedroom apartments are existing

ASSESSMENT

The reason and assessment of this application follows the applicants recent divorce from her husband.

Joint assets include two properties namely a semi at Conway Avenue, Clitheroe and the application site 18 Parson Lane, Clitheroe.

In settlement of assets , the applicant has retained 18 Parson Lane , Clitheroe . The applicants ex-husband retaining Conway Avenue, Clitheroe.

The applicants parents have offered to pay for all proposed refurbishment works to 18 Parson Lane. Clitheroe, in the meanwhile of their daughter living in rented accommodation .

We have mentioned in the application design and access statement the ground floor has present business use, first and second floors a self contained apartment. The apartment has not been in use for several years, albeit is available for present use.

Relating to the floor layouts, in past times the first floor has been altered at the rear to allow a kitchen with bathroom , the front room and second floor are original with access from a central staircase.

REASONING AND OBSERVATIONS DETERMINE PROPOSALS

The proposed alterations are clearly identified in the application planning statement

"Principle issues"

- a) Staircase to allow access to first and second floors
- b) External replacement extension

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a) STAIRCASE

The existing staircase is excessively steep to the extent a cross between a modern day staircase and a ladder totally unsafe, dangerous and a liability for modern day use.

The staircase being "Existing" is not under Building Control Legislation to be replaced.

From a Health and Safety aspect and Insurance Indemnity the staircase is rejected.

Under the circumstances to allow safe insurable modern day use of the upper floors and acceptable means of access should be considered, either internally or externally.

- 1 If a staircase was to be considered "Externally" it would involve a two storey masonry enclosure with new masonry opening at first floor

We consider this option at odds with "Listed Building Legislation"

- 11 The more favourable option would be to replace the existing staircase internally and allow an external means of escape that dictates the floor layouts as proposed at lesser odds with "Listed Building Legislation"

b) External replacement extension :-

The extension projects from the rear building line no further than the existing and allows ground floor business, toilet, kitchen and joint access to first and second floor residential accommodation.

Reduced roof heights to that of the existing with an improved visible impact and better natural light issues to neighbouring No 16.


"HISTORIC ENGLAND LISTED BUILDINGS"

It is important we refer to the listed building entry of the application site and immediate neighbouring properties.

The application site i.e. No 18 together with 20 Parson Lane are listed entry number 1164191 number 16 Parson Lane is listed entry number 1362206.

Date listed for the properties 30<sup>th</sup> September 1976

We note the above properties are listed within the designated group of properties from 16-36 Parson Lane

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Listed entry details refer solely to the front (north elevation with description details . It should be noted there are no entry details to the rear south elevation.

“Extension to neighbouring 20 Parson Lane”

As we understand the property belongs to the council , converting the building into three flats using in house designers and nominated building contractors to carry out the works approximately 25 years ago

The work had involved extensive alterations to internal floor layouts, replacement of walls and staircase etc.

A large two storey rear extension with flat roof, wide window openings , akin to West Lancashire sea side town boarding house extensions.

The extensions visible impact can only be described as disgraceful under normal circumstances let-alone a Grade 11 listed building for the sake of “ Planning Gain” and Income.

We can only assume the council were mindful at the time to allow the rear extension because Historic England were specific to details relating to the front elevations as previously noted in this statement.

#### PLANNING APPLICATION CONSULTANCY PERIOD

On the 4<sup>th</sup> November 2016 we made contact with the case officer (AD) relating to his site visit (took place later the same day) requesting to discuss merits of his visit prior to decision making.

(If necessary this would have given us the opportunity to compromise design or withdraw the application)

Alas three days later we received a “Refusal “ decision notice , losing the opportunity to withdraw.

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### MEETING WITH CASE OFFICER (AD) AT THE COUNCIL OFFICES

At my request the case officer (A.D.) accepted a meeting to discuss the merits of refusal that took place on Tuesday 29<sup>th</sup> November 2016.

We raised the following principle issues with the case officer (A.D.)

- a) The applicants personal circumstances leading up to the planning application omitted in the supportive statement.

(A.D) confirmed this would not have had a bearing effect on his decision making.

- b) Existing staircase :- The case officer in his report to be read in conjunction with the decision notice makes strong emphasise on the importance of the historical staircase and adjoining walls

At our meeting I emphasised on the steep gradient and dangerous nature of the staircase and its sub-standard fitness for purpose in conflict with Health and Safety Legislation

I asked the question "Should Health and Safety issued "Outweigh " the importance of the staircase

A.D. stated "No" legal weight favours the staircase says in ? Irrespective of Health and Safety issues.

- c) I asked the question is there room for compromise or relaxation to the design as presented

(A.D) stated "No")

- c) Rear extension I mentioned all negative merits to No 20 neighbouring extension together with the disgraceful visible impact for the purpose of "Planning Gain" and Revenue

A.D. had no specific answer , but made emphasis on policy demands outweigh the proposed replacement extension in this instance

### OFFICERS REPORT TO BE READ IN CONJUNCTION WITH THE DECISION NOTICE

The report makes emphasis on the historic staircase and structural walls etc without discussion of their special interest eg less damaging alternatives

A.D was aware I wanted to speak to him after his site visit , but was mindful to speedily refuse the application before discussions could take place.

Hence the post refusal.

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### SUMMARY

In my opinion all reasons for the proposed replacement staircase and rear extension totally outweigh Listed Building policy demands.

Under the same legislation the council have altered – extended neighbouring No 20 to extremes .

“The council cannot have it both ways”

In my opinion there is a fundamental failure by the council to the applicant in there approach and assessment of principle issues to this application and cannot be expected to accept the first and second floors remain vacant in perpetuity

“The council “ or I cannot be expected the decision as made should remain