



JUDITH DOUGLAS TOWN PLANNING LIMITED

1-7 George Street, Whalley Lancashire BB7 9TH.

Proposed conversion, extension and alterations to the upper floors to create seven residential apartments. Rear extension to ground floor retail unit. Demolition of loading bay canopy and rebuilding of boundary wall at the rear and associated alterations.

## Planning Statement

### JDTPL0300

Judith Douglas BSc (Hons), Dip TP, MRTPI



**STATEMENT IN SUPPORT OF A PLANNING APPLICATION FOR THE CONVERSION,  
EXTENSION TO THE UPPER FLOORS TO CREATE SEVEN RESIDENTIAL APARTMENTS.  
REAR EXTENSION TO GROUND FLOOR RETAIL UNIT. DEMOLITION OF LOADING BAY  
CANOPY AND REBUILDING OF BOUNDARY WALL AT REAR AND ASSOCIATED  
ALTERATIONS.  
AT 1-7 GEORGE STREET WHALLEY LANCASHIRE BB7 9TH.**

**1 INTRODUCTION**

1.1 This planning statement has been prepared by Judith Douglas Town Planning Ltd on behalf of the applicants Ronnan Corporation (Property) Ltd., in support of full planning application for the conversion of the upper floors of 1-7 George Street Whalley to seven apartments and a ground floor extension to enlarge an existing retail unit and associated alterations.

1.2 This statement provides a description of the site and the proposed development, its compliance with the development plan and an assessment of other material considerations. It should be read in conjunction with the accompanying information:

PHA/435 A1-1 EXISTING SITE PLAN

PHA/435 A1-2 - PROPOSED SITE PLAN

PHA/435 A1-3 - EXISTING GROUND & FIRST FLOOR PLANS

PHA/435 A1-4 - PROPOSED GROUND & FIRST FLOOR PLANS

PHA/435 A1-5 - PROPOSED MEZZANINE & UPPER FLOOR PLANS

PHA/435 A1-35 - EXISTING SECOND FLOOR

PHA/435 A2-1 - EXISTING ELEVATION

PHA/435 A2-2 - PROPOSED ELEVATIONS

PHA/435 A3-2 PROPOSED SECTIONS

PHA/435 100 – EXISTING SITE PLAN

Location plan

Bat survey

Heritage Assessment

Design Statement

Materials details

## **2.0 THE APPLICATION SITE AND SURROUNDING AREA**

- 2.1 The site is located in the centre of the village of Whalley on George Street which is a side street off the main route through the village King Street. The site comprises a substantial building three storeys in height. The ground floor is divided into four units in use for retail class E and sui generis café/bar uses. This includes Taste Buds - Café/bistro, Luxe – women's' clothing, Deux Amis - Café/bistro and The Men's Room – barbers' shop. Attached to the building at the western end is a Spar convenience store class E. The upper floors of the main building are currently unused. The last use of this part of the buildings was as part of the Maureen Cookson ladieswear shop, including a sales area, offices and sewing room. The applicant owns the whole building as described above, the spar convenience store and the adjacent car park and vehicle access.
- 2.2 Vehicle access to the site is along George Street with servicing taking place at the rear of the building with access through the car park. There is a joint vehicular and pedestrian side street and back street along the east and south side of the building.
- 2.3 1-7 George Street is within the settlement boundary of Whalley and within the Whalley Conservation area. It is outside but directly adjacent to the main centre boundary as shown on Sheet 6 of the Housing and Economic Development, Development Plan Document.
- 2.4 1-7 George Street is shown as a building of townscape merit and a focal building in the Whalley Conservation Area appraisal map. The gap alongside the eastern gable is noted as an 'important view'.
- 2.5 The building is in flood zone 1 an area least likely to flood.
- 2.6 The site is in a highly accessible location being in the town centre of Whalley. King Street carries a number of bus services and George Street is opposite the bus station at Whalley. Services include M2, 5, & 64 Clitheroe-Burnley, 15 Clitheroe-Royal Blackburn Hospital, 22 Clitheroe – Shadsworth, 280 Skipton-Preston, 5 -Chipping as well as services to high schools and colleges. The site is also within walking distance approximately 520m from Whalley train station with services the Clitheroe and Manchester.

### **3.0 THE PROPOSED DEVELOPMENT**

- 3.1 The application proposes the complete renovation of the upper floors of the building to create seven apartments. The apartments will be created over three levels to provide five 2-bedroom apartments and two 3-bedroomed apartments. Apartments A, B, and F will have access through the existing front entrance and staircase to the upper floor from King Street as well as an alternative access via a new external staircase and terrace at the rear of the building. Apartments C, D, E and G will have access from the rear of the building via the new external staircase terrace and shared internal staircase. Apartment A is provided with a roof terrace utilising an existing flat roof section above the existing ground floor commercial unit. The existing dormer on the front elevation of the building is to be replaced with a new larger dormer to create bedrooms for apartments F and G. On the rear elevation, the existing projections at roof level are to be enlarged and extended to provide accommodation at the upper floor level and access to the apartments via a new internal staircase. See Design Statement for further details.
- 3.2 Air source heat pumps are to be installed to provide heating for the apartments. Solar panels are to be introduced and a screen to conceal air-conditioning units. Dedicated cycle and bin storage is to be provided at ground floor level at the rear of the building.
- 3.3 The existing canopy over the rear loading area will be replaced by the roof terrace access to the apartments and a ground extension to the existing retail unit 5. There will be an additional 60m<sup>2</sup> of retail floor space provided on the ground floor.

## 4. PLANNING HISTORY

### 4.1 The relevant planning history of the site is as follows:

App No.	Address	Development	Decision
3/2020/0986	5 George Street	Variation of condition 1 (opening hours) of application 3/2020/0509.	Pending
3/2020/0509	5 George Street	Prior notification of change of use from ground floor shop (use class A1) to cafe/coffee shop (A3) for three years.	PERMISSION NOT REQUIRED Date : 07/09/2020
3/2018/1137	1 George Street	Proposed change of use of first floor of former Maureen Cookson building from Retail (A1) to Restaurant (A3). Resubmission of planning application 3/2018/0953.	APPROVED WITH CONDITIONS Date : 15/03/2019
3/2015/0765	Maureen Cookson Ltd George Street	Variation of Condition 2 of planning consent 3/2009/0956 to alter closing time from 7.30pm to 10pm Thursday to Saturday and 7.30pm to 8pm on Sundays.	APPROVED WITH CONDITIONS Date : 19/11/2015
3/2012/0721	Maureen Cookson Ltd George Street	Application for the variation of condition no.3 of planning permission 3/2012/0535P to allow class A3 Cafe/Restaurant use to operate between the hours of 9 am to 7.30 pm seven days a week (current permitted hours of Benedicts - approval ref. 3/2009/0956P)	APPROVED WITH CONDITIONS Date : 08/10/2012
3/2012/0535	Maureen Cookson Ltd George Street	Proposed change of use from retail (A1) to mixed use classes A1 and A3 providing; kitchen store, coffee bar/lounge area/cafe/deli sales.	APPROVED WITH CONDITIONS Date : 30/07/2012
3/2009/0956	Maureen Cookson Ltd George Street	Alteration to the existing premises to relocate 'Cookies' licensed cafe from the first to the ground floor - change of use from class A1 to A4	APPROVED WITH CONDITIONS Date : 15/01/2010

## 5.0 PRE-APPLICATION ADVICE

5.1 Pre-application advice was sought from the Council. The pre-application advice confirmed that the creation of new dwellings in principle is considered to be in broad alignment with the development strategy for the Borough as the development would result in the creation of new dwellings within the defined settlement of Whalley. The design of the scheme has since been significantly revised.

## **6. DEVELOPMENT PLAN POLICY**

- 6.1 The Development Plan for the purposes of this application comprises the Ribble Valley Core Strategy (adopted 2014) and the National Planning Policy Framework (NPPF) (2021).

### *Core Strategy (2014)*

- 6.2 The following policies are of relevance to the proposal:

Ribble Valley Core Strategy:

Key Statement DS1: Development Strategy

Key Statement DS2: Sustainable Development

Key Statement EN4: Biodiversity and Geodiversity

Key Statement EN5: Heritage Assets

Key Statement EC2: Development of Retail, Shops and Community Facilities and Services

Policy DMG1: General Considerations

Policy DMG2: Strategic Considerations

Policy DME2: Landscape and Townscape Protection

Policy DME3: Site and Species Protection and Conservation

Policy DME4: Protecting Heritage Assets

National Planning Policy Framework (NPPF)

## **7 EVALUATION**

- 7.1 The National Planning Policy Framework (2021) ('the Framework') sets out the Government's planning policies for England and how they should be applied. It requires local planning authorities to apply a presumption in favour of sustainable development which means, as paragraph 11c explains, that development which accords with an up-to-date development plan should be approved without delay.
- 7.2 In determining planning applications, paragraph 38 of the Framework expects local planning authorities to approach decisions in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 7.3 Paragraph 119 advises that 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. Additionally, paragraph 126 seeks to secure high

quality, beautiful and sustainable buildings, and places, which is a key component in the pursuit of sustainable development.

- 7.4 In determining application paragraph 197 requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and the positive contribution that conservation of heritage assets can make to sustainable communities.

#### Principle of the Development

- 7.5 *"The purpose of the planning system is to contribute to the achievement of sustainable development"* is the opening statement of section 2 of the Framework. The three overarching objectives of sustainable development are:

*"a) 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;*

*b) 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 a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."*

- 7.6 Paragraph 11c) states *"For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay;"*

- 7.7 Section 5 of the Framework focuses on delivering a sufficient supply of homes. It highlights that the Government's objective is to significantly boost the supply of homes. Paragraph 69 states: *"Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:....*

*c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes;”*

- 7.8 The application site is in the centre of Whalley within the settlement boundary. Key Statement DS1: Development Strategy focuses housing development to principal settlements including Whalley. As the site is in the settlement boundary of Whalley new housing at 1 George Street is acceptable in principle and accords with the requirements of Key Statements DS1 and DS2 and policy DMG2.
- 7.9 The development will provide seven new homes in a highly sustainable location. As the proposal is for the creation of seven dwellings the requirements of policy H3 Affordable housing does not apply to this development.
- 7.10 Housing is clearly a use which is acceptable in the centre of Whalley. Consideration needs to be given to the proposed expansion of the shop unit. The unit is currently in a class E use as a ladieswear shop. The expansion of the shop area will enhance the vitality of the shop premises and allow it to expand. This expansion will require additional staff and increase the employment at the site. The shop currently employs three staff which is likely to increase to five employees. Key Statement EC2 supports developments such as this which enhances the vibrancy, consumer choice and vitality and unique character of the area's important retail and service centres including Whalley.
- 7.11 The last use of the of the upper floors of the building was as part of the ladieswear shop Maureen Cookson. The ground floor of the building currently has planning permission for retail and restaurant/café uses. Planning permission was granted on the 15/03/2019 for the conversion of the majority of the upper floor to a restaurant with 120 covers and two A1 retail units. The permission granted restaurant opening hours of 09.00-23.00 Monday to Saturday and 09.00-22.30 Sundays and Bank Holidays. The applicant however would now prefer to convert the upper floors of the building to residential accommodation in preference to the permission for the restaurant which is still in place.
- 7.12 As the site is in the centre of Whalley both proposed residential uses and retail uses in principle compliant with the policies of the Core Strategy.
- 7.13 There are environmental benefits to bringing the upper floors of the building into residential use and reducing the potential density of commercial use in George Street. The reduction in the density of commercial uses in George Street has the potential to improve the amenity of



nearby residential properties through the reduction in commercial traffic and reduction in night-time uses in line with Policy DMG1 (3)

#### Residential Amenity

- 7.14 Planning permission is in place for the upper floors of the premises to be used as a restaurant. The use of the upper floors of the building for residential purposes is compatible with the surrounding predominantly residential properties. Care has been taken to position new windows in the building a sufficient distance away from the surrounding residential properties to avoid any issues of over-looking or loss of privacy. The proposed terraced areas to the rear of the property are screened by a surrounding wall topped with screen planting.

#### Design

- 7.15 The design of the scheme has retained the principal features of the building facing onto George Street. The majority of the alterations are to the rear elevations. See design statement. The layout of the development retains and extends the commercial uses on the ground floor and contains the new residential uses to the upper floors. The development will create an overall enhancement through the use of contemporary high-quality extensions to the building which will improve the appearance of the building particularly at the rear. The proposal meets the requirements of policies DMG1, DME2, and the NPPF.

#### Heritage

- 7.16 Development in conservation areas and within the setting of listed building is acceptable provided that the development conserves and enhances the significance of heritage assets and their settings (Key Statement EN5: Heritage Assets). The NPPF at paragraph 197 states *"In determining applications, local planning authorities should take account of:*
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation:*
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality: and*
  - c) the desirability of new development making a positive contribution to local character and distinctiveness."*
- 7.17 The assets which the development has the potential to impact upon is the Whalley Conservation Area and the adjacent listed buildings. In principle the proposed development is acceptable provided, that the development contributes positively to the conservation and enhancement of Heritage Assets.

- 7.18 The application site is identified as a building of townscape merit and a focal building within the Conservation Area. The side street off George Street on the east side of the building is identified as an *“important view”*. The proposed development including the extensions will not encroach on the side street and as such the important view is preserved.
- 7.19 The heritage assessment submitted with application describes the building. It confirms that as the rear of the building has very low significance is less conspicuous in the conservation area and has been subsequently altered from when it was first built which provides scope for change. It confirms that the new and extended gables, external stairs and roof terrace, would not be unharmonious with the existing building. It also states that the rear of the building is largely concealed from view, so that the development and would not impinge on views of those parts of the conservation area which confer its special architectural and historic interest, nor the setting of nearby listed buildings on Church Lane. It confirms that these aspects of the proposal would preserve the conservation area’s character and appearance.
- 7.20 The heritage statement confirms that the proposed changes at the front of the building would have a very minor effect on the conservation area, so would preserve its character and appearance, and is not considered to amount to harm.
- 7.21 It can be concluded that the proposed development will not lead to any harm to the conservation area or the setting of any nearby listed building. This accords with the requirements of Key Statement EN5 and policy DME4. It also accords with the requirements of the Framework paragraph 197. However, if the Council disagrees with this view, and considers that the development could lead to less than substantial harm, the public benefit of the development should be taken into account -Framework 202-203. There is a public benefit in bringing the unused upper storeys of the building back into a viable use which contributes positively to the character of the conservation area. There is also a public benefit in providing housing in a highly sustainable and accessible location close to all local amenities.

#### Access and Vehicle Parking

- 7.22 As the site is in the centre of Whalley which is a highly accessible location there is no requirement for off-street parking. The proposed use of the site is likely to have a reduced demand for car parking as compared with the approved use of the upper floors of the building for restaurant use. The applicant owns the car park to the west of the building. The Council’s Highway Engineers commented on the previous application 3/2018/1137 for the restaurant at this site *“It is expected that the existing (and new) retail units within the building will generally take up this car parking allocation during the daytime hours and the proposed restaurant area will take up the allocation in the evening. Similarly, the existing waiting restricted spaces on*

*George Street will be taken up in a similar way, with the addition of residents using these spaces in an evening.”* The proposed development for residential use of the upper floors is likely to attract less demand for parking than the previously approved scheme for the restaurant use.

- 7.23 Secure cycle storage is to be provided for the residents at the rear of the building. Arrangement for deliveries will continue as at present with access through the car park to the rear of the building. The development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site. The proposal is compliant with policy DMG3.

#### Other matters

- 7.24 A bat survey is submitted with the application which confirms that there was no evidence that bats were roosting in the building and the building is of negligible potential for roosting bats. The proposal complies with the requirements of policies EN4 and DME3.

## 7 CONCLUSIONS

- 7.1 The proposed creation of seven apartments within the upper floors of the building together the additional commercial floorspace at ground floor will make a positive contribution to the housing supply for the borough in a highly sustainable location and enhance the vitality of the commercial premises and increase employment. The proposed development brings the upper floors of the building back into beneficial use. The design of the extensions is sensitive to the historic location within the conservation area and within the setting of the nearby listed buildings. The development proposes changes to the building which are not regarded to amount to harm to heritage assets. There are public benefits in the provision of housing in this sustainable location and the provision of additional commercial (retail) floorspace.
- 7.2 The proposal fully accords with the policies of the Core Strategy and the National Planning Policy Framework.