



Planning application No. 3/2024/0552

This is a re submission of app No. 3/2024/0269.

It has, in no way, addressed the observations or concerns, either partly or fully, previous by many residents living in this area.

* No of occupants

* Traffic /parking

* Maintenance (see 112-116 Bawdlands)

* Property values

* Refuse disposal



13 - 08 - 24

[REDACTED]

From: Contact Centre (CRM) <contact@ribblevalley.gov.uk>
Sent: 20 August 2024 18:31
To: Planning
Subject: Planning Application Comments - 3/2024/0552 FS-Case-640151809

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Planning Application Reference No.: 3/2024/0552

Address of Development: 27/29 Bawdlands Clitheroe

Comments: Proposed development 27/29 Bawdlands

I am again writing with regard to the proposed development above, to further confirm our continuing objection to the above planning application.

As previously written below I would like to reiterate our comments.

In addition I note that the planning statement submitted by the applicant, a glossy well put together piece of marketing, suggesting the residents will be young professionals, on 25/30 K per year being the target tenants. I would find it difficult to believe that any young professional would live there, hang their bicycle on the wall or be happy with an indoor refuse room. More likely to be living in a shared apartment block in the city. An opinion also confirmed by our [REDACTED]”
[REDACTED] colleagues.

We noted the creation of the indoor ‘bin store’ created by the reduction in size of the two adjacent rooms, the smallest room on the first floor shows as 11.07m2 and the provision of sinks in the rooms has been removed. Not convinced Any ‘Young professional’ would be comfortable living in such a confined space,(or any other tenant,) a space 2/3rds of a terraced living room on Bawdlands which is to include an en-suite and desk?

[REDACTED] Bawdlands we have seen a steady increase in the traffic and congestion in this area, to the point where we struggle on a daily basis to exit our property during busy times. The traffic from the continuous new developments in the Low Moor and Henthorn areas have exacerbated the traffic problems, parking and delays from the level crossings causing gridlocks. We have wagons, tractors and trailers and boy racers continuously along the front of our home. The traffic uses Corporation Street on the corner of the proposed development as a short cut. Double parking causing traffic jams, The Horse Shoe public house patrons parking opposite as they have no Car parking facilities, increased fumes and noise to an unreasonable level day and night.

The proposed 8 single occupancy room development we feel will be overdeveloped and the increase in residents can only further impact on the current issues affecting the character of the area. It was discussed at the last planning meeting that once the licence for the 8 single occupancy HMO at this property, if granted, the council has no means or responsibility towards monitoring the number of occupants, causing a serious concern both to the welfare of the occupants and local residents. There is nowhere that parking facilities can be provided for these new occupants. No one is in reality going to use the car park on Mitchell Street. Many residents on Bawdlands take pride in their homes

but we feel this development will have an adverse impact on the character of the area, alongside the existing HMO's.

Currently there are several rental properties on Bawdlands. [REDACTED], which are an unkempt, poorly maintained and another double fronted property along the street towards Rufus cars which also in a state of disrepair, demonstrating an unacceptable visual impact. I have [REDACTED].

[REDACTED] Currently extensive clearance of the property is being carried out whilst the planning application is in the early stages. Unsafe working practise with over sized agricultural trailers on the side street, trailers on the kerb at the main entrance, no cones, warning lights or barriers, glass and other building debris left around the foot path. A general disregard for health and safety. A supply of new building materials have also arrived at the location and continued work activity

We hope that this application is refused with respect to the local residents and increase danger on the surrounding highways, adequate living space and facilities for the tenants .

OBJECTION STATEMENT12th August 2024

Re:- Application Ref 3/2024/0552

Proposed change of use of ground floor unit (Use class E) and first floor flat (Use Class C3) to House in Multiple Occupation with up to eight rooms (Use Class Sui Generis) including removal of shop front and replacement with two ground floor windows and addition of new door and window to side elevation.

Ground Floor Unit and First Floor Flat 27-29 Bawdlands Clitheroe BB7 2LA

1: Overview of Proposal: This application appears to be a resubmission of the withdrawn application Ref 3/2024/0269 with a few minor amendments, which do not in any way address the large number of local residents objections raised with regard to that original application.

2: Planning History: In the Planning History of the Design Statement, 2 previous planning applications are noted, however, there are a number of later Planning Applications relevant to the building and current proposal, one of which (Ref 2.3) has a significant impact by virtue of amenity and design on the suitability of the property to be used as one of multiple occupation.

2.1: App Ref 3/2019/0200: *To develop workshop (B1) into a studio (D2) for martial arts classes and other health and fitness related activities.*

Approval of this application was limited until on or before 10th May 2020 when the building had to revert to its previous use.

Condition No 5 on the approval for the above application states: *"The use hereby approved shall only operate in conjunction with the business at 27-29 Bawdlands and shall not be independently operated as a separate unit/business."*

2.2: App Ref 3/2020/0311

To develop workshop into a studio for martial arts classes and other health and fitness related activities. Resubmission of 3/2019/0200

Condition No 4 on the approval for the above application states: *"The use hereby approved shall only operate in conjunction with the business at 27-29 Bawdlands and shall not be independently operated as a separate unit/business."*

2.3: App Ref 3/2022/1080

Removal of condition 4 (operations) of planning permission 3/2020/0311 to allow nos. 27 and 29 Bawdlands to exist as separate units.

2.4: It is important to note that the workshop was originally garaging (located over the rear yards) for the commercial and private vehicles associated with No's 27 and 29 Bawdlands. The approval of application Ref 3/2022/1080 has removed any and all potential garaging / storage / ancillary space to No's 27 and 29 Bawdlands and in so doing the LPA has severely restricted and compromised the suitability of any future use for any type of domestic use.

3: Traffic / Highways

3.1: It is noted that LCC Highways offer no objection to the current proposal, stating that there is currently no parking associated with the property, however, this is solely because the parking (4no vehicles) associated to No's 27 & 29 was removed by virtue of approval of the application noted above.

3.2: It is also noted that in the Delegated Report for Application Ref 3/2019/0200, that following concerns raised by local residents and the Town Council, the planning officer stated that *"there is adequate on street parking available to accommodate any additional parking demands created by the proposal"*. This statement is difficult to understand, it is factually incorrect. Ignoring the clear and obvious problems associated with traffic volumes in general and lack of parking in particular, simply to enable applications to be approved, does not make the problems go away, it exacerbates them. On street parking on Corporation Street and along Bawdlands, was at the time of the application and currently is extremely limited, with demand significantly higher than availability resulting in a detriment to the amenity of the residents.

The inclusion in the Design Statement that there is a public car park on Mitchell Street is no mitigating factor. The car park is a pay and display and is often full, particularly at weekends when used by visitors to the Castle Grounds.

3.3: As this proposal is not covered by permitted development and requires a Change of Use application, the LPA is obliged to consider the effects of any potential parking. Although consultation has taken place with the Highways Authority, which considers the proposal to be in a sustainable location with regard to transport on the condition that the cycle store is provided. Importantly, this does not and cannot exclude the possibility that the proposal will generate additional traffic and consequently a requirement for parking, which simply is not available. Any provisions put in place in any development to discourage the use of the private car simply cannot be used as a "get out of jail card" to continue the culture of rubber stamping developments, when the physical evidence of too much traffic and a lack of car parking is clear to see by all. This development has the potential to create a minimum of 8 additional cars and consideration to the fact, irrespective of any provisions must be taken into account seriously.

3.4: In the Planning Officers report for the original application it is stated that, as the existing ground floor benefits from existing commercial use, if retained it would give rise to occurrences of on street parking that could easily exceed that arising from the proposed change of use of the property. This argument is seriously flawed and does not stand up. The property is vacant, it has been for over 3 years. Attempts to sell the property as a commercial unit have been unsuccessful, which is a major contributing factor the Planning Officer recommending the original application for Change of Use for approval. So over the last three years, there has been no parking associated with the property at all, but during those three years there has been (mainly due to the inordinate amount of housing development in the Henthorn and Low Moor areas) what has proven to be an unquestionable detrimental increase in traffic levels in the area of the application site. The effect of traffic and parking requirements generated by this proposal, therefore, can and must be assessed solely on its potential to further impact on the current situation and not against a hypothetical alternative, which, given the property cannot attract any commercial interest, is just that, hypothetical.

3.5: It is noted that the application now includes for cycle storage within the Bin Store / Utilities. I would argue that the space shown on the proposed plans is inadequate for its proposed purpose when taking into account manoeuvring allowances.

4: Refuse.

4.1: Indicated on the proposed plans are 4no refuse bins. It is generally accepted and the Local Authority should be aware, that HMOs occupied by separate and multiple households generate more waste and rubbish than single family homes. I would therefore, question the adequacy of 4 refuse bins for a HMO containing 8 rooms, especially taking into consideration the requirement for general waste and separate recycling.

4.2: The external access to the Bin Store is proposed via the provision of a new doorway to the side elevation on Corporation Street. At the new door position there is a single step indicated on the Proposed Ground Floor Plan with 2 steps indicated on the Proposed Side Elevation, along with a dimension of 350mm from the pavement to the internal floor level. Given the painted plinth line along the side elevation this 350mm dimension would appear to be a rather conservative estimate, with the actual difference in levels being around 500mm at the worst case. A 500mm difference would necessitate the provision of a minimum of 3no steps to comply with Building Regulations requirements. Even considering 2no steps, these would have to be positioned within the curtilage of the building and not form an obstruction over the pavement, the knock on effect would be reduced space within the already very limited Bin Store.

4.3: National Standards suggest that there should be level access to refuse bins as it is considered that the moving of bins up and down steps is difficult, cumbersome and dangerous. It is also a concern that for ease of use, and to avoid the movement of bins up and down steps, the bins could be left outside permanently (as is the case in other areas of the Ribble Valley) to the detriment of the visual amenity of existing residents and blocking of the pavement to the wider populace. The necessity for the refuse bins to be stored inside the curtilage of the buildings structural fabric, once again highlights the lack of any external space or ancillary storage and emphasises the unsuitability of the overall proposal.

5: Feasibility of the proposal with regard to Building Regulations.

5.1: Although this is a planning application, I suggest that in this instance advice from Building Control is a fundamental necessity at planning stage.

5.2: As there are more than 2 dwelling units at first floor level, Building Control may require that the staircase and corridor access to both Ground and First Floor units be provided with a lobby or double door protection to each unit and if so, this could impact on the layout and available usable floor space of the units.

5.3: With regard to the windows to the rear elevation (Staircase, Units 6 & 7). Directly attached to the rear elevation is the Gym referred to in the previous planning applications. As this Gym is now under separate ownership and of a different Use Class (following the LPA approval of application Ref 3/2022/1080), these windows are directly on a boundary wall and there may be a requirement for these to have a designated level of fire resistance. This would require that the windows do not incorporate opening lights which would result in units 6 & 7 being devoid of any natural ventilation.

5.4: It is also noted that the Communal Dining Area to the rear of the property bounds the attached Gym structure, negating the provision of natural light to what is classed as a Habitable Area, this is not conducive to the resident's wellbeing.

6: Amenity of Existing Residents

6.1: There already exists, conversions of former retail properties into multiple housing units (flats) on the corner of Bawdlands / Corporation Street and the corner of Bawdlands / Whalley Street, both within the immediate area and directly opposite the application site. Without doubt, regrettably, these developments have impacted detrimentally on the visual amenity of the area. Approval of this planning application for further multiple units would be an over concentration of such development within the area. It is general accepted that a concentration of HMOs has the potential to lead to amenity issues for none HMO residents, particularly those opposite and adjacent to them due to the intensity of use of the HMOs.

6.2: The proposal requires a number of terminals in external walls to accommodate mechanical ventilation, which are not indicated on the proposed Elevations, there would also be some requirement to ventilate the Bin Store. It is also unclear as to if the En-suite / Kitchenette wastes, particularly to the units bounding Corporation Street are proposed to be run internally or externally. Should it be intended to run the wastes externally this would have a serious detrimental impact of the street scene and therefore visual amenity.

6.3: The Planning Officers report for the original application gives mention to continuous ventilation of the Bin Store to negate effects of residents of the building. The extraction of odours 24hr a day from an internal bin store directly over a busy pedestrian footpath cannot be deemed anything but unacceptable to the amenity of local residents.

6.4: Detrimental impact on amenity of existing residents with regard to potential increase in demand for parking is covered elsewhere.

7: Planning Statement:

7.1: Comment must be made on the inclusion of the Marketing Information, in particular the "Before" and "After" pictures for "The Bawdlands". These "After" pictures do not accord with the actual space in the "Before" pictures and therefore are totally misleading. In particular; a picture of a dining / sitting area is indicated in a room with a bay window – no such arrangement is indicated on the proposed plans, a picture of a dining / sitting area is indicated with a feature open ceiling and natural lighting provided by a wall window and rooflight – no such arrangement is indicated on the proposed plans (the communal area which is proposed, is at ground floor level, backing on to the attached garage and therefore, has neither wall or roof windows, consequently there would be no natural light and no natural ventilation), a picture of a toilet / shower room is indicated in a room with a wall window – no such arrangement is indicated on the proposed plans, none of the en-suites have windows and would require artificial lighting at all times of the day, a picture of an open staircase with side passage is indicated – no such arrangement is indicated on the proposed plans, the actual staircase is fully enclosed at the end of a narrow corridor. It may be argued that the pictures are indicative of the standards it is wished to achieve, however to argue so would be disingenuous as the pictures are clearly indicated as "After".

8: Commencement of the Works:

8.1: Over the last three weeks, works have been ongoing on the property by way of completely stripping out fixtures, fittings and finishes and removal of some / part of internal walls (possibly load bearing) and it now looks as though materials are being taken to site. The question has to be asked WHY? when the application has not yet been determined. During this time, a trailer has been parked at the junction of Corporation Street / Bawdlands, reducing visibility and manoeuvring of vehicles and completely blocking the pavement to pedestrians. There has been; no warning signs, no safety tape and no bollards on either the pavement or highway. Materials have been thrown from a first floor window into the trailer, occasionally bouncing out onto the highway. There has been clear infringement of both parking / highway laws (has the contractor obtained the necessary permits from LCC?) and clear breaches of Health and Safety legislation.


9: Summary:

It is concluded that the proposal for Change of Use to a House of Multiple Occupation is at odds to the historic use and heritage of the building and its location. Should this application be approved it would result in an unacceptable over intensification of multi unit dwellings in the immediate area and would have a detrimental impact on the highway, all to the detriment of the amenity of existing residents.

The provision of private outdoor space is not only preferred to accommodate secure vehicle / cycle storage, refuse bins and purposes of drying washing etc, but it is also an essential component, playing an important role in supporting residents physical and mental health and their general wellbeing by providing access to daylight and fresh air and enabling social interaction with other residents within the confines of their homes. There is no external space associated with the proposal whatsoever and it can be argued that this alone renders the proposal for multi occupational use unsuitable, as the principles required to obtain good quality housing are unachievable.

With the original application, there were many legitimate objections to this proposal, those objections including from; individuals, ward councillors and Clitheroe Town Council are still relevant, and all are united in the view that the proposal is unsuitable and if approved would have a seriously detrimental impact on the local community.

For the reasons outlined in this objection statement, I consider that the proposal is contrary to the relevant Planning Policies and therefore should be refused.



For the attention of Ben Taylor
Planning Officer
Ribble Valley Borough Council
Church Walk
CLITHEROE
BB7 2RA

13th August 2024

PLANNING APPLICATION NO 3/2024/0552 – 27/29 Bawdlands, Clitheroe

Dear Mr Taylor,

Back in May I submitted a letter of objection to Planning Application 3/3024/0269 to convert the above property to a house of multiple occupancy with eight apartments, which was recommended for refusal at a Council meeting on 30th May 2024.

Another planning application 3/3024/0552 has now been submitted. The only difference that I can see to this new application is that the apartments have changed to single occupancy and therefore my original objections remain the same as listed below.

- The provision for waste collection and removal shown on the plans is totally inadequate. It appears that a space for four bins will be created between two of the ground floor rooms, with a NEW access to Corporation Street which is not declared on the application. Presumably two bins for non-recycled rubbish and two for recycling are considered sufficient for a minimum of EIGHT adults (some of the rooms claim to be doubles). Does storage of the bins inside the building comply with planning law. Furthermore there is already a problem with rats in the area as a result of irresponsible waste disposal. I put my concerns in an email sent to RVBC on 26th April 2024 attaching two photographs showing rubbish on the back street.
- Nowhere on the plans is there any provision for storage of basic household equipment and cleaning materials. Are we to suppose that no cleaning will ever be necessary.
- Corporation Street is already hazardous with residents parking on both sides of the road and its increasing use as a short cut between Thorn Street and Bawdlands. This has been even worse since the gym at the rear of 27/29 opened. Several days a week even more vehicles clutter Bawdlands and Corporation Street on double yellow lines together with dangerous pavement parking. Even if potential occupants of 27/29 do not possess vehicles, the likelihood of taxis dropping off and picking up will add to the existing problems. A Corporation St resident has taken to parking on the back street of Bawdlands behind numbers 27 to 43 preventing residents accessing their garages and preventing access for emergency services.

- This development would no doubt result in parking and congestion problems and also affect the value of the residential properties. I am concerned that the development would end up looking very much like the frontage of the flats at numbers 23 and 119A and 119B Bawdlands which I consider to be a eyesore and in a state of disrepair and cannot understand why RVBC have not taken action re Health and Safety.
- It seems that the applicant hopes to maximise the income from this property with absolutely no consideration of the dire consequences and the wholly detrimental effect of the amenity of existing domestic dwellings.

Clearly the property needs to be brought back into use and upgraded but the proposals in this application are not appropriate.

Further to my letter to you on 9th May 2024 I wish to add the following points:-

On looking on the First floor plan I don't seem to be able to see a Fire Escape – if a fire were to break out how would the occupants escape?

Even though the original application was refused the applicants have now gutted the building.

- A trailer, not a skip, I think this is the third week, has been parked on double yellow lines at the top of Corporation Street, 24 hours a day, seven days a week. The trailer is parked partially on the pavement and pedestrians are having to use the road. There are no reflective lights on the trailer at night. The 'trailer' has been filled with rubble, wood, glass etc thrown from the upstairs side window on numerous occasions with excess amounts falling off the trailer into the road and onto the pavement. (Health and Safety comes to mind). A small trailer has also been parked outside the front of the property several days, adding to the already hazardous traffic problems on Bawdlands.
- Doorways have already been made inside the property on the adjoining wall between no 27 and 29
- Earlier this week a van appeared outside the property – Castle Eco Solutions who also seem to be carrying out work there too.
- On Monday 12th August a large consignment new wood was seen outside the property but has since been moved inside.

