
**Back Castle Works,
Pendle Court
Longridge
Preston PR3 3WY**

**Change of use of
storage building to 5
units including a unit
used for gym /yoga
classes; a unit used
as bicycle repair
workshop and unit
used for
rehabilitation.**

**Retrospective Planning
Application**

October 2024

TB Planning

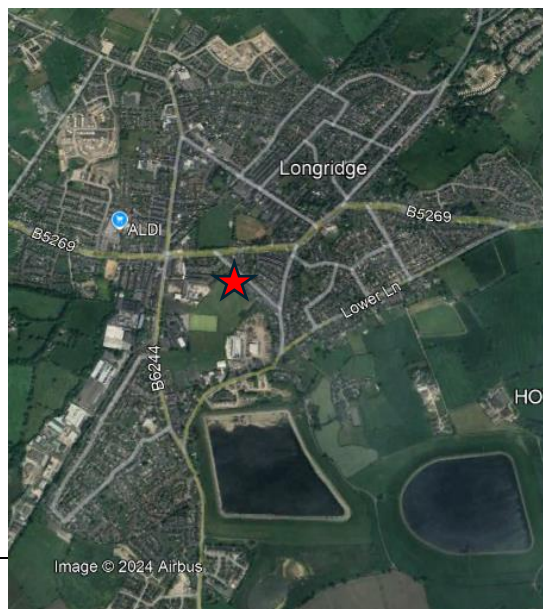
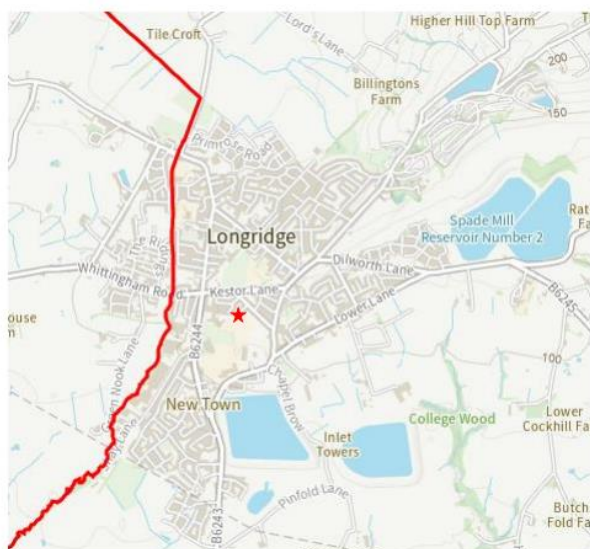
1.0 INTRODUCTION

- 1.1 My client purchased Back Castle Works during Covid. At the time it was a dilapidated vacant former plumber's workshop/store that included significant elements of asbestos. The unlit wider vicinity of the works had become a focus for anti-social behaviour and a nuisance to neighbouring residents.
- 1.2 My client purchased the property and fully renovated it removing all asbestos.
- 1.3 He now realises that the use of part of the premises for purposes other than storage required planning permission but at the time assumed that he had done everything necessary.
- 1.4 The work which included security lighting of the yard between the works and residential property were welcomed by neighbours in addressing anti-social behaviour and improving the appearance of the site. Indeed, I understand that local residents brought out drinks for the contractor.
- 1.5 Until a recent complaint to the Council from a local resident my client is unaware of any problems arising from the operation of the building. I understand that the complainant has an interest in the forecourt to Back Castle Works and has since sought to get the applicant to pay for the use made of this area for parking (largely by the proprietor of the bicycle repair shop) despite this area having been used for many years by former occupiers of the building.
- 1.6 Upon receipt of that complaint an enforcement officer contacted my client advising him that the authorised use of the building is for storage purposes and that he will have to secure planning permission for the gym/yoga class use, rehabilitation space, and bicycle repair workshop.
- 1.7 The tenants of these units have invested in the property to create attractive spaces, and my client is anxious to resolve any uncertainty over their continued occupation of the building.

2.0 SITE AND SURROUNDINGS

- 2.1 The application premises lie at the foot of a short cul-de-sac, Pendle Court off Little Lane and are centrally situated within Longridge.

Location of Back Castle Works within Longridge





Google Earth – Aerial View of Site



MARIO MAPS EXTRACT OF SITE SHOWING PREMISES AS FACTORY





- 2.2 The photos above demonstrate the quality of the refurbishment works undertaken and the tidiness of the site and the wider environs of Pendle Court.
- 2.3 The blank gable end wall of a block of 4 flats backs onto the forecourt and application premises – approximately 8 metres away. There is a generous turning head at the foot of Pendle Court.
- 2.4 To the right is a chained off area of open land that runs behind the garden of Nos 31 and 32 Little Lane. The applicant has been unable to ascertain the ownership

of this land or its authorised use from the Council, although the chained off opening between the posts and part surfacing of the front central section of this area suggests it may have been intended to provide car parking to serve the flats fronting Pendle Court.



3.0 PLANNING HISTORY

- 3.1 The only planning history of the application premises on the Council's on-line record is for a certificate of lawfulness for storage of plumbing and central heating equipment granted in 1993 (see below).
- 3.2 Prior to this time it is understood that the building was owned by a Cheese Company using it for manufacture and Resale of Cheeses. At this time my client also understands that there were 2 40ft Containers located on the hard standing area outside the Units, on the side road

Application 3/1993/0047

Certificate of Lawfulness - Proposed
CERTIFICATE OF LAWFULLNESS FOR A PROPOSED USE - FOR STORAGE OF PLUMBING AND CENTRAL HEATING EQUIPMENT

Name	Information
Development address	LAND & WAREHOUSE, PENDLE COURT, LITTLE LANE, LONGRIDGE
Applicant	Mr R K Cottam 37 Higher Road Longridge PRESTON
Agent	Napthen Houghton Craven 63 Berry Lane Longridge PRESTON PR3 3NH
Officer	John Birch Tel : Email : planning@ribblevalley.gov.uk
Key dates	Received : 25/01/1993 Registered : 25/01/1993 Committee : 01/03/1993
Planning Status	Decided - Final Decision
Decision	APPROVED WITH CONDITIONS Date : 01/03/1993
Constraints	Longridge Local

- 3.3 In the early 2010s the premises were passed onto the plumber's son, prior to my clients purchasing the property in some 10 years later around the time of the onset of the Covid Pandemic. As set out in the introduction, the building and the forecourt to it were improved by my clients who installed security lighting and CCTV to deter the antisocial behaviour that had arisen on occasion in the vicinity of the building and caused disturbance to residents in the adjacent flats.
- 3.4 In addition the provision of a defibrillator has been organised by one of the businesses and fitted to the outside of the building.
- 3.5 The planning history of the adjacent block of 4 flats may be of potential relevance to the application given the absence of any off-street parking provision for the tenants (see para 2.4 above). The flats sit on the site of former farm dairy buildings and were granted permission in 1990.
- 3.6 Unfortunately, there are no documents available on-line to accompany the record set out below.

[Planning application search](#) / 3/1990/0082

Application 3/1990/0082

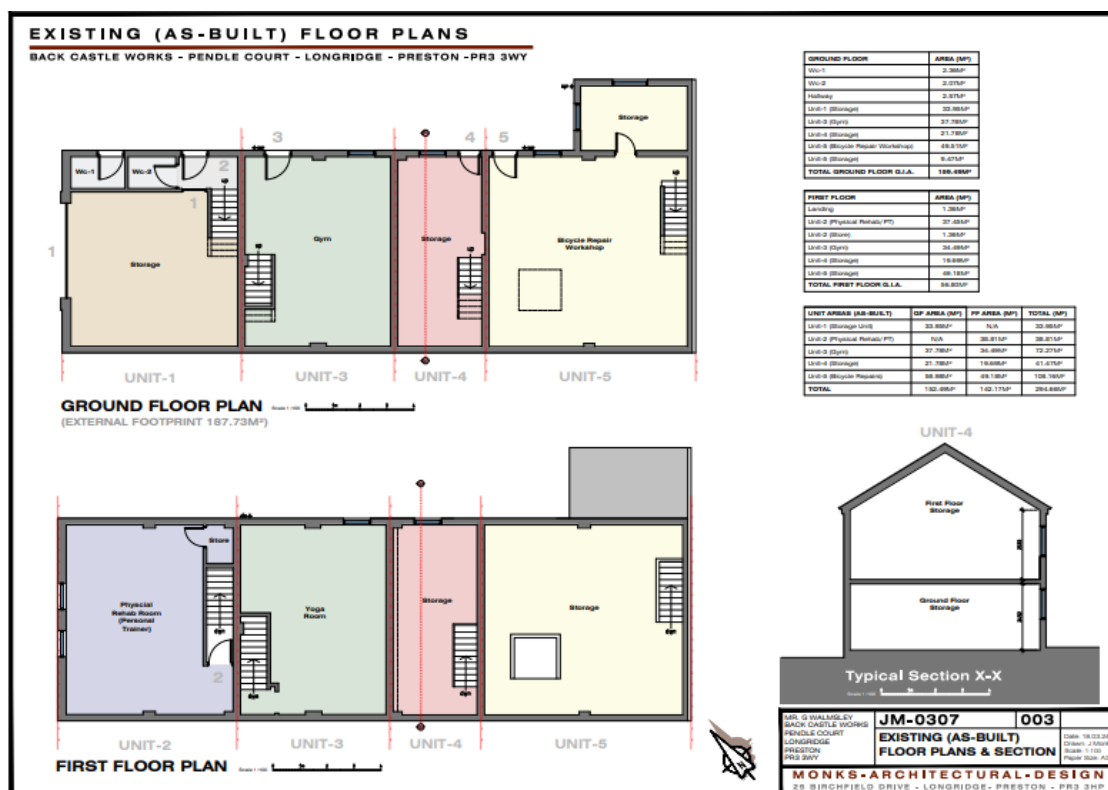
Outline

DEMOLITION OF BUILDINGS AND RESIDENTIAL DEVELOPMENT

Name	Information
Development address	FARM DAIRY BUILDINGS, REAR OF PENDLE COURT, LITTLE LANE, LONGRIDGE, PRESTON
Applicant	J.A.Robinson 14, Halfpenny Lane LONGRIDGE
Agent	J.A.Robinson 14, Halfpenny Lane LONGRIDGE PR3 2EA
Officer	Michael Kirby Tel : 01200 414503 Email : planning@ribblevalley.gov.uk
Key dates	Received : 30/01/1990 Registered : 30/01/1990 Committee : 24/05/1990
Planning Status	Decided - Final Decision
Decision	APPROVED WITH CONDITIONS Date : 24/05/1990
Constraints	Longridge Local

4.0 USES FOR WHICH RETROSPECTIVE PLANNING PERMISSION IS SOUGHT

4.1 The mix of uses for which retrospective permission is sought are set out on the annotated plans accompanying this application.



4.2 Three parts of the building are used for purposes other than the authorised storage (B8) use and further detail of both these and the storage uses are set out below.

4.3 **Unit 2 first floor – Physical Rehabilitation** -This is used by a personal trainer specialising in older age groups including assisting clients with rehabilitation from injury, or surgery. The proprietor sees clients on a 1:1 basis and in small groups of up to 6 for between 10 and 30 minutes.

Group Classes

Monday 4pm and 7pm

Tuesday 7am

Wed 7pm

Thurs 7am and 6pm

Fri 4pm

Sun 9am

1:1 Rehabilitation

Weekdays 8am-11 am and 5pm-8pm (interrupted by group classes Monday and Thursday)
and
Saturday 7am-9am

- 4.4 The business has been operating since July 2022 and the proprietor has confirmed he has received no complaints from local residents.
- 4.5 **Unit 3 Yoga and Exercise Studio** - the proprietor of the exercise/yoga suite has classes in the mornings and evenings only as she has a daytime job.

Each class is 30-45 minutes long and the schedule is as follows: -

Monday, 6.15am;6.00 pm and 6.55 pm
Tuesday 6.15am, 6.50 am and 6.00pm
Wednesday 6.15am
Thurs 6.15am, 5.20pm, 6.00pm &6.50pm
Friday 6.25am & 6.50 am
Saturday 7.15am, 8.05am, 8.40am and 9.10am

Attendance is between 6 and 12 people with lower numbers for the morning classes.

- 4.6 The business has been operating since May 2023 again without complaint.
- 4.7 **Unit 5 – Bicycle Repair Workshop** – the proprietor works on his own taking orders for repairs by phone and arranging delivery of and collection of bicycles by appointment. Marketed as Flow Cycles the business has a website majoring on its expertise in servicing and repair and the quality of its workshop.
- 4.8 The proprietor also provides advice and can supply or create a bike that fits the customers budget and needs. He does not sell off the shelf bikes but has bike accessories available for sale to customers having repairs undertaken. Drop-off and collection normally takes 5-15 minutes.
- 4.9 Use commenced in July 2022 and opens 8 until 6 Tuesday to Saturday. The proprietor has confirmed that he has received no complaints from local residents.
- 4.10 For completeness the other **storage** uses of Back Castle Works are: -
- 4.11 **Unit 1 Downstairs Storage of Window Frames and Associated Items** - The proprietor of the window company makes brief visits 3-5 times a week to collect and deliver materials generally at the start and end of his working day between 7 and 8 am and 3 and 5 pm.
- 4.12 **Unit 4 Private Storage** - Was rented between July 2022 and September 2024 by a private individual for storage of tools and occasional use as workshop. He visited once or twice a week for up to an hour and has had no complaints from

local residents. He has recently vacated the unit, and the owner now proposes to use it himself for his own long term storage. This will involve only very occasional visits to the site.

- 4.13 None of the uses of the building cause noise nuisance. The rehabilitation and exercise classes are in small groups and don't require amplified music.
- 4.14 The businesses are small local enterprises with no staff being employed other than the proprietors.
- 4.15 The Exercise/Yoga (Unit 3) and Rehabilitation Classes (Unit1) both draw business almost entirely from the local area with a lot of clients attending the Exercise/Yoga classes being very local and arriving on foot or bike.
- 4.16 The Exercise Classes are operated outside normal working hours as it is the proprietor's hobby, and she is in full time employment during the day. She has an established group of fitness enthusiasts, including friends, attending her classes and is not intending to expand her classes in size or number and so is not actively promoting the "business" on-line.
- 4.17 The rehab classes are run by a personal trainer who has a modest on-line presence through Social Media that provides him with sufficient custom without marketing his services by other means..
- 4.18 The bicycle repair shop has a website, Flow Cycles, and attracts customers from up to 10 miles.
- 4.19 The proprietors of the Exercise/Yoga and Rehabilitation Classes do not report that those clients coming by car have difficulty in parking. Use is made of the on-street parking down Pendle Court and of the generous turning head. Since individuals in classes know each other and leave at the same time, cars occasionally park behind each other (see pictures below) without this causing a problem.





5.0 DEVELOPMENT PLAN POLICIES AND OTHER MATERIAL CONSIDERATIONS

5.1 The **development plan policies** relevant to consideration of this application are as follows: -

Ribble Valley Core Strategy

Key Statement DS1: Development Strategy

Key Statement DS2: Sustainable Development

Key Statement EC1: Business and Employment Development

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

Key Statement EC3: Visitor Economy

Key Statement DMI2: Transport Considerations

Policy DMG1: General Considerations

Policy DMG2: Strategic Considerations

Policy DMG3: Transport & Mobility

Policy DME2: Landscape & Townscape Protection

Policy DMB1: Supporting Business Growth and the Local Economy

5.2 **Principle of Development** – Key Statement EC1 supports the current uses within the building in that principal settlements including Longridge should be the main focus of employment development within Ribble Valley. Key Statement EC2 also provides support in that the uses operating within the building provide small scale local facilities for Longridge residents enhancing the vibrancy, consumer choice and viability of the town. Policy DMB 1 relates to changes of use for employment generating uses. Insofar as the conversion of the building to non-storage uses promotes business and employment growth it is supported in principle by this policy.

5.3 The historic name of the building, Back Castle Works reflects past uses that included manufacture. Indeed it appears at one point to have been used for cheese making - linked no doubt to the dairy that used to occupy the land to the north-west - now the site of the adjacent block of flats.

5.4 in recent years national planning legislation has moved to a more relaxed and flexible approach to employment uses with light industrial uses, offices, research and development, shops, leisure uses, health facilities, cafes, restaurants, and financial and professional services all grouped within a single Use Class E with changes of use possible between such uses without the need for planning permission.

5.5 These changes mark a significant shift away from a historically more prescriptive control of changes between commercial uses such as retail, leisure, health and office/light industrial. They establish the acceptability in principle of a small office or light industrial building within a residential area being converted, for example, to a gym and a much more relaxed approach to any differences this may give

rise to in terms of associated impacts, including the demand for and duration of associated staff and visitor parking.

- 5.6 **Amenity, Parking and Traffic** – Policy DMG1 requires that development not adversely affect the amenities of the surrounding area, consider the potential traffic and car parking implications and ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated. Parking and highways considerations are also reflected in Key Statement DM12 and Policy DMG3 along with sustainable access.
- 5.7 In respect of noise and disturbance, Environmental Health have confirmed that no complaints have been received of disturbance from the businesses on the premises which have been operating for almost 18 months in the case of the exercise class and well over 2 years in the case of the rehabilitation class and bicycle repair workshop.
- 5.8 The exercise and rehabilitation classes are in small rooms of under 40 sq metres and accommodate classes of no more than 12 and 6 individuals respectively. In both cases there is not the need for heavily amplified music with any music played through small Bluetooth speakers from a mobile phone. The exercise and yoga premises have an air conditioning unit vented to the rear with the front window kept closed. The rehab class has opening windows to the side that do not face and are a significant distance from nearby housing.
- 5.9 In respect of access, traffic and parking, the small-scale nature of the businesses and the location of the premises in the heart of Longridge means that many exercise/rehab class attendees are able to arrive on foot or bike. Where clients arrive by car, they park on-street or at the end of the generous turning head at the foot of Pendle Court and in the area in front of the works. Policy DMG3 requires that *all development proposals will be required to provide adequate car parking and servicing space in line with currently approved standards*.
- 5.10 It is now not regarded appropriate to give development plan weight to standards or guidance that has not been subject to the rigours of the development plan process. Nor is it clear as to what would now properly constitute the *currently approved parking standards* to which the policy refers. No supplementary planning or other document is referenced on the Councils website.
- 5.11 In any event, in sustainable locations such as this, national policy has long since switched from the blanket application of minimum parking standards to the provision of an appropriate level of parking to prevent congestion and associated access and highway safety issues or issues of residential or visual amenity. Small-scale local facilities in the heart of a residential area as in this case reduce the need to use motorised transport in line with national planning policy (see NPPF para 108 overleaf).

Planning policies should: a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities

- 5.12 The recently amended NPPF states *Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.*
- 5.13 Bearing this in mind, the thrust of national policy and the retrospective nature of this application, the adequacy of parking in this instance is best assessed by consideration of the impact of the uses on the local roads in the vicinity.
- 5.14 The dearth of complaints to the local Council from local residents regarding traffic or parking associated with the premises, the photographs in this submission and the absence of any accident records, all suggest that dedicated off-street car parking is not required in order for these premises to operate without conflict with residential amenity, highway safety or any of the wider objectives of local and national planning policy.

6.0 SUMMARY AND CONCLUSIONS

- 6.1 The applicant has refurbished and brought back into productive use a works premises that had become vacant and fallen into disrepair, as well as lighting and resurfacing the area in front of the building that had seen instances of anti-social behaviour.
- 6.2 Whilst the building was granted a lawful use certificate for storage related to its occupation as a base for a plumbing company, the original building is of some considerable age, and historically was used as a works building (most recently it is understood as a cheese factory linked to a now redeveloped nearby dairy) , a use that would fall within the same Class E of the Use Classes Order as the uses subsequently introduced.
- 6.3 The current use of the building, providing very modestly sized units for new and small businesses supports the planning and economic development policies of the Council. They also provide valued local facilities serving the needs of local Longridge residents, many of whom are within comfortable walking and cycling distance of the site. This is again in accord with local and national planning policy to reduce the number and length of journeys and reduce reliance upon motorised transport and harmful vehicle emissions.
- 6.4 These uses have operated for a significant period without giving rise to any complaints to the Council (or to the businesses) by local residents in respect of issues associated with their operation.

- 6.5 The premises do lack any dedicated car parking facilities but from photos and the absence of complaints, it appears that on-street parking is sufficient to accommodate any motorised trips that are made to the site, without this impacting on highway safety or residential or visual amenity.
- 6.6 Although Local Plan policy refers to the provision of parking in line with parking standards, the plan has no adopted standards and, in any event, national planning policy does not support the application of such standards except where necessary to address associated planning or highway problems that would otherwise arise.
- 6.7 Insistence upon the return of the building to B8 storage use because of the absence of car parking, would undermine the continued existence of these successful small businesses, reduce local employment and deprive the residents of Longridge of highly valued and accessible local facilities. Moreover, National Planning Policy states (para 60) that
- Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control.*
- 6.8 In these particular circumstances, the absence of off-street car parking does not constitute a reasonable basis for refusal of this application, and there are no other issues that give rise to any potential conflict with planning policy. On this basis planning permission should be granted to this retrospective application.