

Ribble Valley Borough Council - Application Reference 3/2024/1016

Date Received: 31 January 2025 - Decision Date: 22 April 2025

Development Proposed: Regularisation of works including extension to rear ground floor to include internal secure residents cycle store with roller shutter door; re-instate rear boundary wall to 1.351m high maximum; alterations to rear external staircases; upvc windows and doors to front, side and rear; aluminium windows to the front dormer; screening feature to the rear balconies; ground floor bin store; central cladding to front dormer window on third floor; rooflights; external lighting scheme to rear and two electric charging points.

Appeal: Statement of Common Ground

Upon acquisition by the Appellants, the appeal site was in a poor state of repair and appearance with much of the upper-storey floor space vacant and semi-derelict, presenting a tired and unattractive appearance particularly to the principle George Street frontage, as evidenced in various application submissions and referred to at Planning Committee by Members.

The appeal site has the benefit of full planning consent granted under reference 3/2021/1004 for conversion, extension and alterations of the upper floors to create seven residential apartments, as well as a rear extension to the ground floor retail unit, including the demolition of the loading bay and rebuilding of the boundary wall at the rear with associated alterations.

This permission was conditionally granted at Planning and Development Committee on 7 April 2022.

This permission established the principle of seven residential apartments together with other alterations at this site.

The appeal application does not seek a change to the approved uses or type of development.

This is a sustainable location close to the centre of the vibrant village of Whalley.

There are no objections from the Council to the bin store.

There are no objections from the Council to the internal cycle store with roller shutter door.

There are no objections from the Council to the rebuilt rear boundary wall.

The policy context for this decision is provided principally but not exclusively by:-

Ribble Valley Borough Council Key Statement Policies: DS1; DS2; EN5; EC1; DM12.

Ribble Valley Borough Council Key Statement Policies: DMG1; DMG2; DMG3; DME4.

National Planning Policy Framework: Sections 5, 11 and 16.

APPEAL STATEMENT

APPELLANT: MR SEAN RONNAN

CORRESPONDENCE ADDRESS (IF EVER REQUIRED):

[REDACTED]

**PROPERTY SITE ADDRESS: 1 TO 7 THE PICTURE HOUSE,
GEORGE STREET, WHALLEY, CLITHEROE, LANCASHIRE, BB7 9TH.**

LOCAL AUTHORITY:

RIBBLE VALLEY BOROUGH COUNCIL

CHURCH WALK, CLITHEROE, LANCASHIRE, BB7 2RA.

REF. 3/2024/1016

CONTENTS

1) Introduction

2) The Appellant

3) History of Appeal Site and Application

4) Planning Issues Arising

5) Other Issues

6) National Planning Policy

7) The Development Plan

8) Third Party Comment

9) Conclusions

10) Appendices

1. Introduction

1.1 This statement is in support of an Appeal submitted on behalf of Ronnan Corporation Ltd against the decision of Ribble Valley Borough Council (hereinafter referred to as “the Council”) to refuse planning consent for the:

REGULARISATION OF WORKS INCLUDING EXTENSION TO GROUND FLOOR TO INCLUDE INTERNAL SECURE RESIDENTS CYCLE STORE WITH ROLLER SHUTTER DOOR; RE INSTATE REAR BOUNDARY WALL TO 0.74M HIGH; ALTERATIONS TO REAR EXTERNAL STAIRCASE; UPVC WINDOWS AND DOORS TO FRONT, SIDE AND REAR; ALUMINIUM WINDOWS TO THE FRONT DORMER; SCREENING FEATURE TO THE REAR BALCONIES; GROUND FLOOR BIN STORE; CENTRAL CLADDING TO FRONT DORMER WINDOW ON THIRD FLOOR; ROOFLIGHTS; EXTERNAL LIGHTING SCHEME TO REAR AND TWO ELECTRIC CHARGING POINTS AT 1 TO 7 THE PICTURE HOUSE, GEORGE STREET, WHALLEY BB7 9TH.

1.2 The appeal site is a Council / Royal Mail approved address and namely: 1 to 7 The Picture House, George Street, Whalley, Clitheroe, Lancashire, BB7 9TH (hereinafter referred to as “the site”).

1.3 The appeal application was submitted on 31 January 2025 and registered by the Council under reference 3/2024/1016, then refused by a Council Decision Notice dated 22 April 2025 which is duly enclosed at Appendix 3.

1.4 The appeal application is the culmination of a series of application submissions of relevance to this appeal and duly summarised at Appendix 2.

2. The Appellant

2.1 The Appellant Mr. Sean Ronnan, Ronnan Corporation Ltd., is a Whalley-based development company with experience of commercial and residential development in this locality.

2.2 The Appellant is familiar with Whalley, its setting and relevant National and Development Plan policy applying.

2.3 The Appellant’s company acquired the site in February 2021. Construction work took place from September 2022 to July 2024.

2.4 The Appellant sought pre-application advice and what is described as “the consent” was obtained by the Council’s Decision Notice dated 8 April 2022 under Reference 3/2021/1004.

2.5 Upon acquisition, the appeal site was in a poor state of repair with large parts of the upper floors vacant and semi-derelict, presenting a tired appearance to the street scene and properties to the rear.

2.6 The appeal site is described in the submitted appeal documentation and more fully in the Heritage and Planning Statements submitted with the consent scheme (including photographs) reproduced at Appendices 1 and 5 respectively.

2.7 This has been a major and significant development/restoration scheme within the village, costing in excess of £3.3 million including the freehold property purchase price.

2.8 It is inevitable with development schemes of this magnitude that post-consent, on-site changes will be made to improve a scheme technically and physically for occupiers' benefits and this site is no exception.

2.9 The Appellant is mindful of the fact that some of these works undertaken on site are not fully compliant with the original consent, but has endeavoured over a considerable period of time to explore these issues with the Council to reach an agreeable position, albeit retrospectively.

2.10 Such a compromise has not been possible.

2.11 It is important to note here that the Appellant has at no time attempted to flout the planning system; nor ignored responsibilities; as evidenced by the extensive correspondence and numerous submissions made during this period.

2.12 Any allegations to the contrary would be disingenuous.

2.13 The Appellant does not seek to change the fundamental elements of the existing consent; the approved uses; nor, the type of development.

2.14 The existing consent has established the principle of seven residential apartments together with other related alterations to the site.

2.15 The amendments that are the subject of the appeal application do not seek to alter the "operative" parts of the consent.

2.16 To describe the appeal proposals as representing a "fundamental change to the original consent" (see the Council's Committee Report paragraph 1.3) is simply not the case.

2.17 The Appellant will conclude that although different in some minor aspects to the original consent, the overall effect of these amendments has not resulted in the quality of the development being diminished.

2.18 The Appellant believes that the appeal proposals are visually compatible with the character and appearance of the area. The significance of the Conservation Area has not been unacceptably eroded.

2.19 Residential amenity is protected.

2.20 This major investment providing seven, new, quality residential units in a sustainable location whilst fully restoring this significant building, is a boost in confidence to Whalley as an attractive place to live and work. It is entirely in accord with policy at both National and Development Plan levels.

2.21 The Appellant regrets that these matters are being dealt with retrospectively, but endeavoured to reach an appropriate and reasonable solution to enable the site to move positively forward.

3. History of Appeal Site and Application

3.1 A brief history of the appeal site is set out in the application documentation and more fully, in the Heritage and Planning Statements submitted in support of the eventually-approved application. Appendices 1 and 5 refer.

3.2 Appendix 2 sets out in detail the various submissions made from the consent date 8 April 2022 (3/2021/1004) to the refusal of the appeal application on 22 April 2025.

3.3 It is important to set out at the outset of any consideration of the site's history, the Appellant's simple and reasonable objective which from the outset, has been to have a proper consideration of the "as built" situation and the legitimate reasons behind changes which have been made at the site, that are not strictly compliant with the original consent.

3.4 It is not of benefit in assessing the appeal proposals, to examine the extensive email correspondence which took place over many months between the Appellant and the Council's officers.

3.5 Suffice to say, it is clear from this and the way in which various application submissions were dealt with, that the Council was not willing; nor able; to consider the Appellant's attempts to obtain approval for the "as built" situations; nor, at the very least, did the Council consider any potential compromises.

3.6 The Council insisted throughout this period that all the outstanding conditions pursuant to the original consent must be discharged and although some conditions were discharged, repeatedly referred to conditional submissions differing from the six approved drawings.

3.7 These impasses made it extremely difficult for any meaningful progress to be made as in many cases, the requirements of a number of these outstanding conditions had been overtaken by the "as built" development and could no longer be sensibly discharged.

3.8 This was made more frustrating to the Appellant, as despite numerous requests by the Appellant, officers were unwilling to meet on site to properly understand and examine the outstanding issues in their context. The Appellant was repeatedly told that a meeting would not be necessary.

3.9 This frustration is well illustrated following the submission of an application for conditional discharge considered under reference 3/2024/0304.

3.10 This application took 22 weeks to be determined, the Decision Notice partially alleging "insufficient information" had been submitted. Yet, at no time during the 22-week period were any concerns raised to that effect by the Council. Ultimately, the Appellant received an unreserved apology from the then Council Leader Cllr. Stephen Atkinson for the delay whom is now, following recent local elections on 1 May this year, Lancashire County Council's Leader as well.

3.11 A key piece of correspondence was received by the Appellant in the form of an email from the Council's Enforcement Officer dated 24 September 2024, setting out the differences between the approved and "as built" situations, covering what information should be submitted in a new application. This formed a useful template for moving forward and is reproduced at Appendix 6.

3.12 The Appellant then prepared two applications submitted as follows:

3.13 The first was a non-material amendment application, validated and acknowledged under reference 3/2024/0933 on 14 November 2024.

3.14 The second was a conditional discharge application, validated and acknowledged under reference 3/2022/0944 on 21 November 2024.

3.15 The case officer confirmed in an email of 27 November 2024, that the Council could not deal with either of them and advised withdrawal, or both would be refused. The Council alleged that the NMA application went beyond that of a minor amendment and the conditional discharge application related to unauthorised works, so could not be discharged. The impasse continued.

3.16 Despite the Appellant's continued frustration, both applications were withdrawn on 27 November 2024, but the Council retained both fees.

3.17 The Appellant then embarked on the preparation of yet a further application (now subject to this appeal) submitted on 13 December 2024 and, after seven weeks of extensive negotiations with the Council's Validation Team, was eventually registered on 3 February 2025 under reference 3/2024/1016.

3.18 After many months and numerous requests by the Appellant, the first-ever site meeting was held with the Council's case officer, attended by the Appellant and his Agent on 14 February 2025.

3.19 This meeting lasted one hour and all outstanding aspects were discussed in context. Agreement was reached as to what additional information would be useful, with amendments duly made.

3.20 The Appellant and his Architect / Agent embarked on extensive work to provide additional information to cover amendments discussed at the site meeting.

3.21 Further information was submitted and discussions continued about specific details. The Appellant understood this application would be presented to Committee on 17 April 2025. Additional information was being requested by the Council as late as 2:00pm on 5 March 2025, but as the Appellant then discovered, the Committee Report had already been written by this date, before the Appellant was able to submit all of the information that had been previously discussed.

3.22 The Appellant asked if an extension of time for determination of the application could be allowed, only to be told that it was not necessary.

3.23 The Appellant was understandably frustrated that the report had been written before the additional information had been submitted and given proper consideration. Two relevant emails of 5 and 6 March 2025 are reproduced at Appendix 7.

3.24 The additional information which had been discussed on site was formally submitted on 11 March 2025. The cover email is reproduced at Appendix 8.

3.25 Clearly, no proper consideration of this information could be undertaken; nor, further discussions held.

3.26 A further issue arose in that the Council began to describe the application as "*Regularisation of*" which does not reflect the formal application made; nor, the description on the application forms, etc. No discussion nor explanation took place about the Council's changes to the application description, which the Appellant submitted as a full application in the normal way.

3.27 The application was presented to the Council's Planning and Development Committee on 13 March 2025.

3.28 After an extensive debate, the application was deferred by Members to be brought back to Committee on 17 April 2025, to enable further compromise discussions about the proposals to take place.

3.29 A totally unnecessary exchange of emails then took place in the few days afterwards between the parties, (including the Chair of Committee and the then Council Leader), to establish the reasons for this deferral and what Members expected, as Officers retreated from the Committee position and effectively declined to engage in any meaningful compromise process.

3.30 Members clearly wanted further discussions to take place and additional information submitted as necessary. One Member suggested both parties worked together to see if a compromise position could be established, but officers would not accept this, as was recorded in the Appellant's minutes.

3.31 Again, despite requests by the Appellant for minute-recorded meetings to take place which the officers would not accept, for the first time in many months (if not years) of pursuing these proposals, officers made suggestions as what changes including amelioration measures to the scheme could be undertaken and again for the first time, discussion and correspondence occurred to agree which issues were not contentious.

3.32 The Appellant considered the Council's suggestions. Further correspondence took place before the Appellant submitted the final updates being a full set of drawings on 1 April 2025 and accompanying email, covered by a further email on 7 April 2025, with both reproduced at Appendix 9 and which confirmed the position.

3.33 The appeal application was considered a second time at the Planning and Development Committee on 17 April 2025, with further information clarifications being submitted right up to the Committee meeting date.

3.34 After a significant debate, the application was refused as had been recommended by Officers and the Decision Notice dated 22 April 2025 issued accordingly.

3.35 Following the receipt of this decision and given the length of time taken in an attempt to resolve these matters, plus the extreme difficulties encountered in attempting to negotiate with the Council, there was no alternative but to appeal against the refusal decision accordingly.

4 Planning Issues Arising

4.1 The Appellant believes that the issues arising from this refusal are straight-forward, well-documented and itemised.

4.2 This is not a development proposal being considered from new, but a comparison between the consent and the "as built" situation, at the site.

4.3 The Appellant does not believe that the differences are significant, the changes having been made for legitimate reasons.

4.4 There can be no disagreement between the parties, about the significant improvements visually at this site and the enhancement of its location within the Conservation Area.

4.5 Specific comments as to the issues raised in this refusal are as follows:-

a) uPVC

4.6 The Council has maintained throughout that uPVC is not acceptable at this site, but without any reasoning whatsoever. References have been made in correspondence and in final Decision Notices.

4.7 The Appellant has repeatedly sought clarification from the Council on the basis of their position on this issue, with no response received whatsoever.

4.8 Is this an objection to the use of uPVC as a material; or its visual appearance; or its performance; or perhaps one, two or all three of these alternatives?

4.9 If the Council objects to the use of uPVC as a matter of principle, then this is potentially unlawful, as it would prejudice the issue and in turn prejudice any other applications being brought forward.

4.10 If the objection is based on the appearance of the material, then is there a perceptible difference in appearance between uPVC, timber or aluminium for instance, particularly when viewed from the ground floor on George Street?

4.11 If the objection is based on colour, then as has been confirmed to the Council and Members, all of these alternative materials could be painted, or colour-coated to any British RAL standard colour.

4.12 Reference is repeatedly made to "dark grey" despite the above.

4.13 Notwithstanding the above, the use of colour is very subjective. The Appellant has repeatedly explained their choice of dark grey to match the historic slate roof covering that in turn, compliments the largely-black colouring of the ground floor units, thus unifying the site's George Street frontage as a whole in visual terms (the grey colour is RAL 7016 Anthracite Grey).

4.14 Perhaps the most frustrating issue for the Appellant is the Council's reluctance to accept that this is not the introduction of uPVC to the site, but is (material-wise) a *like-for-like* replacement of pre-development uPVC windows to a higher thermal insulation standard, all in line with Conservation Area work-practice guidance.

4.15 At the first Planning and Development Committee Officers disparagingly questioned whether or not this was a *like-for-like* replacement.

4.16 The Appellant has since confirmed that the extensive use of uPVC at this site resulted from a major refurbishment that took place in 1986, by the then-occupiers and operators of the site Maureen Cookson Ladies Fashion Retailers. This work was undertaken by a building contractor called Ingham's which still operates today in and around Clitheroe, as was advised to the Appellant by Mrs Hilary Shepherd, the owner of the previous retailer. This information was relayed to the Council.

4.17 The Appellant offered to produce affidavits in support if doubts still remained, as Officers never expressed the truth about the previous uPVC being in place to Committee Members. The Council Chief Planning Officer verbally advised Committee at the March meeting that Heritage Statement

photographs of the window frames were “inconclusive”, but made no attempt to instruct her officers to seek the compelling truth about the issue.

4.18 As with all the “as built” window changes, the Council was advised of performance characteristics of vitally-important thermal improvements, for example in the use of replacement uPVC windows and its advantages for EPC certification.

4.19 The Council have simply alleged that the uPVC windows are “bulky” in design, without ever clarifying what “bulky” actually means, nor engaged in any debate about thermal improvements which are vitally-important today with rising energy costs.

4.20 The consent George Street north elevation drawing erroneously shows fixed windows, whereas the current scheme has ventilation-necessary opening windows, hence the slight increase in width of the vertical elements of these windows, that opener windows always produces.

4.21 The style *per se* is based on pre-application advice that a continuing “Georgian” approach might be taken which is reflected in the current scheme, in addition with the need to screen with frosted glazing, the edges of the bedroom floors that are new physical introductions that run across each of the first floor window lintels.

4.22 The Appellant does not believe that the post-consent changes are significant in visual terms and have been undertaken for practical reasons.

4.23 As part of the application submission, the Appellant produced its own accurate survey of the extreme use of uPVC in the vicinity of the appeal site and indeed, across the entire Conservation Area (plus its proposed extension) including in particular, the other two buildings ranked to be of Townscape Merit, being the Methodist Church on King Street; and, Whalley Primary School on Church Lane, which in turn, also has the backdrop of the Grade 1 Listed and Ancient Monument status Whalley Abbey.

4.24 There is no reference at all in the Conservation Area appraisal or the Development Plan in general, to the merits or otherwise of the overwhelming use of uPVC that now exists, whereby the vast majority of Conservation Area properties have widely-utilised uPVC at ground and upper floor levels, including the other two Townscape Merit buildings.

4.25 Any enforced replacement of these uPVC windows would be extremely costly, disruptive and unnecessary for existing residents and neighbours.

4.26 A change to the colour is not considered necessary, nor appropriate, anyway.

4.27 The Appellant wants to see an explanation from the Council as to their position on this issue, in order to substantiate this part of the issued refusal.

b) Grey Aluminium Cladding

4.28 As with the use of uPVC, the Appellant is also unclear as to whether the Council’s objections are to the choice of materials; the colour; or the appearance of the design changes.

4.29 As above, the choice of materials regarding aluminium rather than zinc (as the consent drawing suggested, subject to further negotiation) was based on advice given. It is not only on appearance, cost and finish, but also the need for fire-resistant distance between the two apartments. The central cladding in the replacement, north-elevation, roof-dormer, enabled much-improved internal kitchen design and drainage arrangements to be installed inside the dormer apartments.

4.30 The Appellant submitted information to the Council comparing the thermal performance of the various materials, further informing their choice. In addition, the Appellant pointed out to Council Officers and Members that post-Grenfell, aluminium has much better fire resistance capability having a melting point of 660 degrees Celsius, compared to 400 degrees Celsius for zinc. Aluminium is therefore safer from a fire-resistance perspective.

4.31 As above, the grey colour (RAL 7016 Anthracite Grey) is considered appropriate and also as above, between the alternative materials of aluminium or zinc seamed profiles, the visual outcome is imperceptible, particularly at such a height above street level. Both options look the same, when the eye is drawn to them.

4.32 Design changes from the approved to the “as built” situations are not considered by the Appellant to be significant and certainly not to warrant the refusal by the Council.

c) First Floor Terrace

4.33 The balcony / terrace already has the benefit of a large planting box along its rear edge, preventing residents from being able to get close to the edge of the terrace to then potentially look down at the rear of adjacent properties.

4.34 Synthetic planting is to be erected around this balcony edge, including being attached to the planting box already in place.

4.35 Synthetic hedging of this kind is widely-used for screening purposes. The range of “species” is extensive and this solution is very effective.

4.36 This planting, as illustrated in submitted visuals, is to be extended from the ground floor to the balcony to add to the verticality and break-up the extent of rendering.

4.37 The Council latterly suggested putting planting boxes along this roof space, but as the Appellant has pointed out, this is also a roof which does not need further structural stress-loading imposed, particularly when spot-loading increases occur with planters in rain or snow storm conditions, when soil and planters obviously become heavier by unknown forecast amounts.

4.38 Further, the use of individual planters as suggested and illustrated by the Council would in the Appellant’s view, look totally out of place at this higher level.

4.39 This approach removes any potential for the overlooking of properties to the rear from this balcony.

d) Lighting Scheme

4.40 The lighting scheme put into place is to provide safety and security to residents at the rear of this site which does not have the benefit of street lighting.

4.41 The lights are very small and domestic in scale. There is no floodlighting say on pole-mounted or high level illumination. The adjacent SPAR store car park has had much brighter lighting on the site's east elevation for several decades, without neighbour complaint.

4.42 The new lights installed on the rear of the site are motion-activated and therefore not permanently illuminated.

4.43 The lights are capable of having the levels of illuminance reduced which has been effected. Deflector eyelids have been fitted to them in addition to prevent any light spillage or glare, so now are effectively, down-lighters.

4.44 Detailed specifications for these lights have been submitted and had sufficient time been given following submission of additional information before this item was presented to Committee, then they could have been professionally-monitored with light spillage levels assessed accordingly.

4.45 As has happened throughout this application's progress, additional drawings, explanations and information has been submitted without any reasonable time being allowed for assessment or further discussion, before being presented to Committee.

4.46 As adapted and improved, these lights do not lead to any loss of amenity to residents at the rear.

e) Larch Cladding

4.47 Vertical larch cladding is to be fitted to the rear stairwell. This will remove all potential for overlooking properties to the rear from the staircase from the first-floor apartment balcony.

4.48 Larch cladding was proposed as part of the consented scheme and must therefore be acceptable to the Council.

4.49 The only difference is that the larch cladding will be wider across the opening than as shown on the consent drawing, as the Appellant does not now intend to fully enclose this area with cladding and glazing as approved.

4.50 The reason for this change has been explained to the Council, as a fully-enclosed stairway is not practically achievable without extreme cost being incurred, due to fire safety issues. Nor would it enhance any emergency service attendance needs either, if they encountered a locked door.

4.51 This approach will secure the screening required to protect residential amenity. The Appellant does not believe it is materially different to the consent design to warrant a significant change to the Council's views.

5 Other Issues

5.1 The Appellant was finally able to obtain agreement from the Council that a number of minor amendments from the consent scheme did not raise objections. These are as follows:

5.2 The residents' cycle store will now be retained within the building to improve security and ease of access.

5.3 The partially-enclosed bin store to the rear will be retained as proposed.

5.4 The roller shutter doors to the new ground floor extension will be retained as proposed.

5.5 The rear boundary wall (wrongly described as re-positioned) has been rebuilt on its original foundation to an agreed height, with Conservation Area friendly reclaimed-brick acquired and now professionally laid.

5.6 The appeal proposals are for the provision of two EV charging points within the residents' car parking area and this forms a formal part of the appeal process.

5.7 The Council however feels unable to deal with this matter, despite County Highways officers confirming no objection to this proposal and confirmation from the Council that this does not conflict with policy!

5.8 The Council still requires the Appellant to discharge the relevant condition, pursuant to the original consent requiring one EV charging point per dwelling. This cannot be reliably achieved anyway due to local Electricity North West Authority grid-maximum load concerns. In addition as the County Highways have pointed out to the Council, two public highway EV charging points already exist on George Street, at the front entrance to the appeal site as well.

5.9 This latter issue does fairly reflect the Appellant's frustration with the Council, being reluctant to accept the "as built" situation at face value and being required to submit a further conditional discharge application for requirements that cannot be technically met.

6 National Planning Policy

6.1 The Appellant's comments that National policies applying are set out in the appeal application statements and these accompanied the consent application submission. Appendices 1 to 5 refer.

6.2 A key objective in the approach to decision-making is the need to achieve sustainable development and make effective use of land which the Appellant believes applies here.

6.3 The presumption in favour of sustainable development must still apply, notwithstanding this site is within a Conservation Area.

6.4 All Councils must approach proposals in a positive way, which must be approved unless there are clear reasons for refusal.

6.5 Proper engagement enables more efficient decision-making to be approached in a positive and creative way; clearly, not the Appellant's experience in the consideration of this and other application submissions over a considerable period of time.

6.6 Delivering a sufficient supply and range of new homes is important in sustainable locations as in this case.

6.7 In parallel with the above, it is important to make the most effective use of land, which the Appellant's believe is applicable here.

6.8 The Appellant, his Architect and his qualified advisors have been aware throughout the development of proposals for this site, of the responsibility to preserve or enhance the special character and appearance of the Whalley Conservation Area and this has informed their objectives for this site.

6.9 The Appellant believes this policy requirement has been achieved. The "as built" situation at this site represents a major enhancement of the building and its role within the Conservation Area.

7 The Development Plan

7.1 The Development Plan comprising the Ribble Valley Core Strategy 2008-2028 clearly reflects material policy set out above.

7.2 Key Statement Policy EN5 seeks to conserve and enhance heritage assets. The Appellant believes these proposals, comprising the approved scheme and the elements comprising the appeal application, have restored this key building to a viable long-term use which in turn, enhances its role and visual appearance within the Conservation Area.

7.3 Policy DME4 deals with development in Conservation Areas and the need to preserve or enhance its character and appearance.

7.4 The Appellant believes these proposals are fully in accord with the policy context set out in National policy and the Development Plan.

7.5 The Appellant has a number of general comments applying to the policy tests of relevance to this application as follows:

7.6 This proposal and consent which it amends, are to a high quality of design and appearance which will bring change, but also reflect the best elements of the existing building to compliment them in a contemporary way.

7.7 Designation of a Conservation Area introduces additional controls over development, but it is not intended to prevent all change. It is to ensure that change is managed, so that character and appearance are preserved or enhanced.

7.8 A Conservation Area can clearly accommodate change and often of a contemporary nature to in turn, complement the traditional.

7.9 Change does not equate to harm.

7.10 Change must occur in Conservation Areas to allow them to accommodate vital, thriving communities such as Whalley.

7.11 Whalley Conservation Area like others, must respond to changing economic, social and cultural conditions, without losing their special qualities which the Appellant believes is achieved here.

8. Third Party Comments

8.1 Substantial weight has been given to Third Party comments in consideration of this application.

8.2 Third Party comments have been limited in extent, but the Appellant has serious misgivings about the validity of; and motives behind; these submissions.

8.3 It will not be of benefit to this appeal to analyse these comments in detail, but in assessing how much weight should be attached to them, it is relevant to examine their context to assist the appeal process.

8.4 There are six objectors but only five in reality, as one objector submitted two letters from the same address and of the five, one objector from Lytham St. Anne's, Lancashire (a town around 30 miles away) appears to be signed-off by a person who cannot be traced at all, so he may not even exist.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8.14 In contrast to the above, there are no other objections from Church Lane residents allegedly harmed by these proposals; nor, any whatsoever from residents nearby; nor, any from residents directly opposite the site on George Street itself; nor, anywhere else.

8.15 The Appellant's experience and view is that the substantial improvements to the site are welcomed by the wider community and, was actually positively expressed by four Planning and Development Committee Members at the Council's March meeting, one of whom Councillor Kevin Horkin MBE described the building frontage as "stunning" in a very complimentary manner.

9 Conclusions

9.1 The Appellant's conclusions arising from the Council's refusal are straight-forward.

9.2 The Appellant is simply seeking approval for the "as built" situation, changes made albeit not fully compliant with the original consent, have been made for legitimate, practical reasons and in the Appellant's opinion are improvements to the scheme.

9.3 This is a major restoration-development scheme in the heart of the village, fully restoring a building complex which was in a poor state of repair and had a tired appearance.

9.4 The Appellant does not seek to change the fundamental elements of the existing consent or the operative parts of that permission.

9.5 To describe these proposals as representing a "fundamental change" to the approval is ludicrous.

9.6 The appeal submission was finally submitted, following a very lengthy and difficult period involving abortive application submissions, due to the lack of any real dialogue with the Council who have not approached this scheme in a positive and creative way, as advised.

9.7 This appeal makes effective use of land in providing seven new dwellings in a sustainable location and also acts as a vote of confidence in Whalley, as a desirable place to live and/or work.

9.8 Change does not equate to harm. Conservation Areas can and must accommodate change, often of a contemporary manner.

9.9 The Appellant has been aware throughout, of the need to preserve and enhance the special character and appearance of the Conservation Area. This objective has been achieved.

9.10 The Appellant believes that the proposals are in accord with policy at both National and Development Plan levels.

9.11 The issues raised in this refusal have been addressed by the Appellant in the submission of information; explanation of the rationale behind the changes; and, all amendments considered reasonably necessary have been made.

9.12 The Appellant has seen no analysis of the outstanding issues by the Council and when comparing the consent with the "as built" situations, an entirely different view is being taken

9.13 No analysis, evidence or reasonable suggestions have been made following a proper consideration of the proposals by the Council on any issue such as materials; colour; design; viewpoints; screening; overlooking; light spillage; etc.

9.14 There has been a total unwillingness by the Council to even enter into a meaningful dialogue on these proposals and definitely an unwillingness to meet on site. The Appellant looks forward to seeing evidence to substantiate this refusal in due course.

9.15 The Appellant respectfully requests that this appeal is allowed and planning consent granted accordingly.

APPENDICES

- 1) Application 3/2021/1004 Heritage Statement**
- 2) Chronology of Council Planning Applications**
- 3) Decision Notice 3/2024/1016 of 24 April 2025**
- 4) Decision Notice 3/2021/1004 of 8 April 2022**
- 5) Application 3/2021/1004 Planning Statement**
- 6) Council's Enforcement Officer Email of 24 September 2024**
- 7) Emails of 5 and 6 March 2025**
- 8) Appellant's Email to Council of 11 March 2025.**
- 9) Appellant's Emails of 1 April and 7 April 2025**

APP. 1

1 - 7 George Street
(former premises of the
Billington & Whalley Cooperative Society)
Whalley
Lancashire:
Historic Building Record



August 2022

STEPHEN HAIGH

Buildings Archaeologist

11 Browcliff Silsden Keighley West Yorkshire BD20 9PN

www.stephenhaigh.co.uk

07986 612548

OASIS ID: stephenh1-506580

*This report is formatted for printing on both sides of the paper
and contains some blank pages.
Some of the drawings are A3 and A2 size.*

1 - 7 George Street Whalley Lancashire: Historic Building Record

Contents

1 Introduction.....	7
2 Location.....	7
3 Planning context.....	8
4 Previous investigative work.....	10
5 Historical background.....	10
6 Recording methodology.....	14
7 Description of the building.....	15
8 Conclusion.....	17
Appendix 1: Contents of the project archive.....	18
Appendix 2: Written Scheme of Investigation.....	20
Figures 9 to 16 Selected photographs	

SUMMARY

Numbers 1 - 7 George Street, Whalley (NGR: SD 73271 36246) occupy the former premises of the Billington and Whalley Cooperative Society, built in about 1912. The first floor contains a former cinema auditorium, original to the block, and of interest as a Cooperative cinema of early date, intended to promote the movement's values. The auditorium itself, later adapted to a nightclub and shop, has a barrel-vaulted ceiling but is otherwise plain, and lacks many of its original features, but the adjoining projection room remains as an intact space. The recording work was carried out to satisfy a condition of planning permission for conversion to apartments.

August 2022

STEPHEN HAIGH
Buildings Archaeologist

11 Browcliff Silsden Keighley West Yorkshire BD20 9PN
www.stephenhaigh.co.uk

List of figures

Figure 1: Location map (i), 1:200,000.....	8
Figure 2: Location map (ii), 1:10,000.....	8
Figure 3: Site plan (1:500).....	9
Figure 4: OS 1:2500 map, 1912.....	11
Figure 5: OS 1:2500 map, 1932.....	11
Figure 6: Front of building on George Street, 1962.....	12
Figure 7: The cinema in use for an auction, 1963.....	13
Figure 8: In use for an auction, 1963.....	13

After text:

- Figure 9: Ground floor plan
- Figure 10: Upper floor plans
- Figure 11: Elevations (i)
- Figure 12: Elevations (ii)
- Figure 13: Cross-section through cinema
- Figure 14: Site plan with key to photographs
- Figure 15: Ground floor plan with key to photographs
- Figure 16: Upper floor plan with key to photographs

List of photographs in report (selection)

Many of the photographs taken during the recording are reproduced at the end of this report, but for a full set of photographs, the project archive should be consulted (see Appendix 1).

Photo	Subject
1	Front of the building, looking south-east across George Street
2	Front of the building, looking south-west across George Street
3	Front of the building, looking south-west across George Street
4	Street entrance to east stairwell, George Street elevation
5	Detail of first floor window, east end bay, George Street elevation
6	Detail of first floor window and east turret, George Street elevation
7	Detail of east turret, looking south-west, George Street elevation, looking south-west
8	Detail of roof, with cupola (vent) and dormer window, George Street elevation, looking south-west
9	General view of the building, looking south-west across George Street
10	South-east corner of the building
13	General view of the rear of the building, looking north-east
14	Rear of building, west of loading area, looking north
15	Covered loading area at rear of building, looking north-east
17	Interior of covered loading area, looking east
19	Detached, leaded window pane stored inside building
20	Ground floor: entrance lobby between numbers 1 and 3, looking north
22	Ground floor: staircase in entrance lobby between numbers 1 and 3, looking south-east
23	Detail of tiling with red rose on side of stairwell
24	Former foyer to cinema, on first floor, looking north-west
28	Detail of fireplace in board room or similar, looking south
30	Detail of ceiling over board room or similar
32	Former cinema, looking east
33	Former cinema, looking west
34	Former cinema, looking north-west
35	Ceiling over former cinema, looking north-west
37	Door at foot of stairs to second floor, looking south
39	Main second floor room, looking south
40	Main second floor room, looking north-west
41	Interior of projection room, looking west
42	Interior of projection room, looking north-east
43	Ceiling over projection room (corrugated iron), looking west
44	Fireproofed door on second floor (probably re-hung and originally serving projection room)
45	Detail of wiring installation on west side of projection room
46	Detail of wiring installation on north side of projection room
47	Sound recorder/valve amplifier, detached, located on second floor
49	Sound recorder/valve amplifier, detached, located on second floor

1 - 7 GEORGE STREET, WHALLEY, LANCASHIRE:

HISTORIC BUILDING RECORD

1 Introduction

- 1.1 This report presents the results of historic building recording at 1 - 7 (odd numbers only), on George Street, Whalley, Lancashire. It was commissioned by the developer Ronnan Corporation Property Ltd, to satisfy a condition of planning consent from Ribble Valley Borough Council, for various changes associated with a residential development at the site (ref: 3/2021/1004).
- 1.2 The development site comprises part of a block, built circa 1912 as the new premises of the Billington and Whalley Cooperative Society, and contained a cinema on its first floor, the principal focus of this report.
- 1.3 The recording work involved a drawn survey and photography, supplemented by some documentary research. This report will be submitted to the client and the Lancashire Historic Environment Record, as well as the Oasis Project, for publication on the internet¹. The project archive will be deposited with Lancashire Archives.

2 Location

- 2.1 The site lies in the centre of Whalley village (or town) and within Whalley civil parish, on the south side of George Street, to the west of the main thoroughfare King Street. Numbers 1, 3, 5 and 7 form the major part of their host building, with number 9 at the west end forming a convenience store, which has been extended, and does not form part of the development site. The NGR for the site is SD 73271 36246 (see figures 1 to 3).
- 2.2 The building faces north onto George Street, and there is an access road on the east and south sides, the latter serving a covered loading bay at the rear. There is a car park to the west of the site.
- 2.3 Except for relatively minor alterations to a ground floor stairwell and rear loading areas, the development concerns only the upper floors of the building.

¹ [Online Access to the Index of Archaeological Investigations](#)



Figure 1: Location map (i), 1:200,000

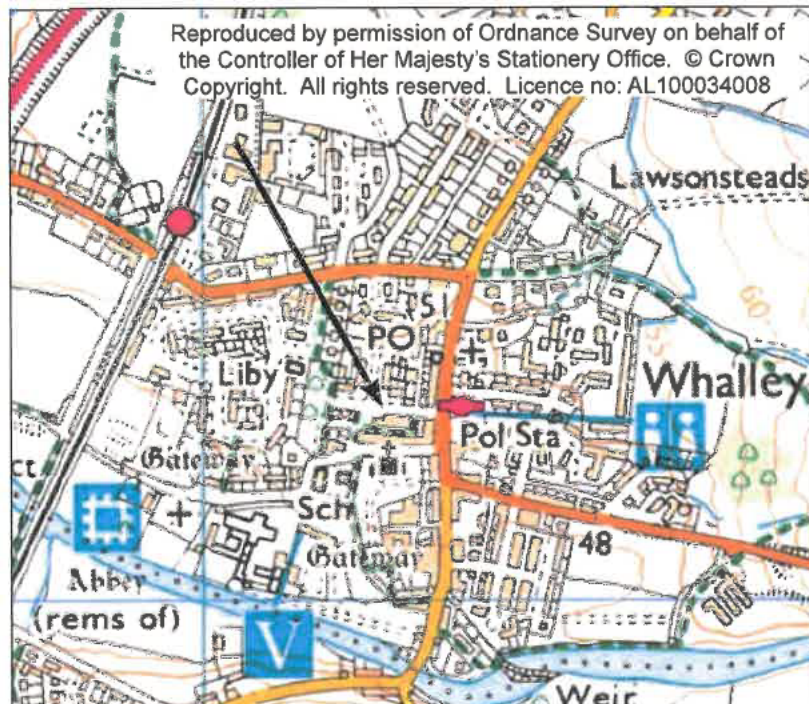


Figure 2: Location map (ii), 1:10,000

3 Planning context

- 3.1 Planning permission was granted by Ribble Valley Borough Council on 8 April 2022 (application number: 3/2021/1004), for "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 and rebuilding boundary wall at the rear and associated alterations."

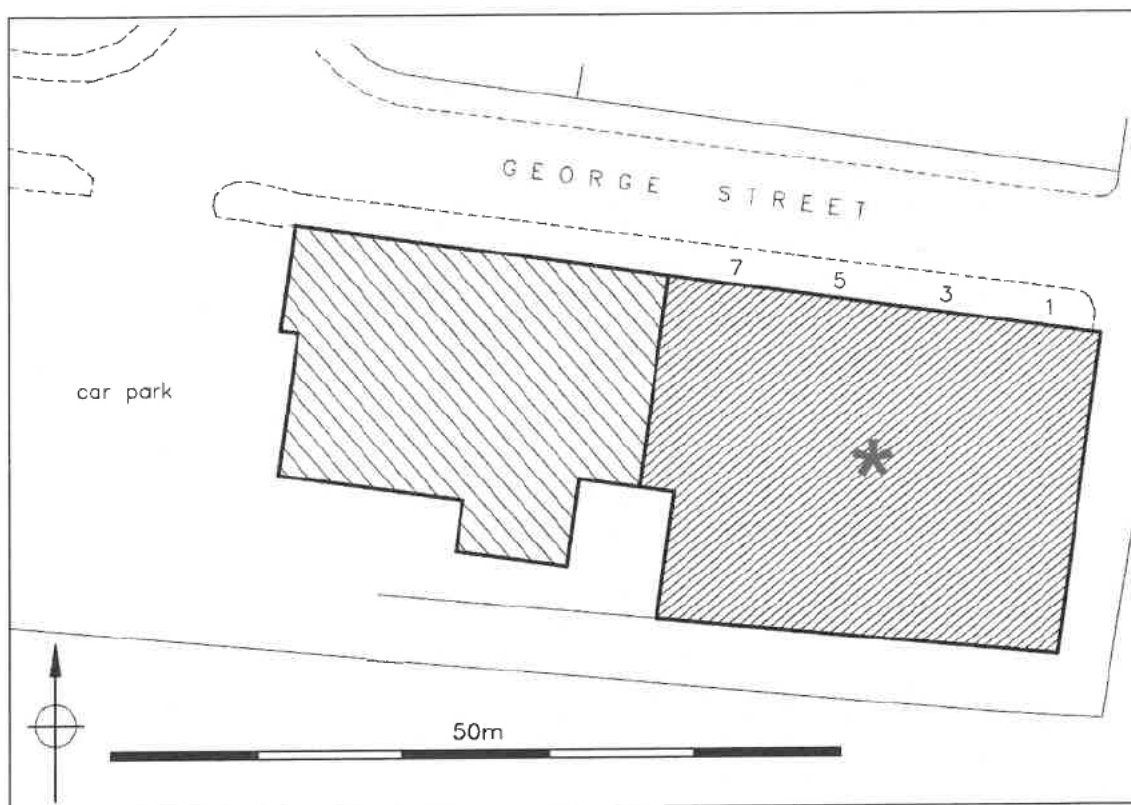


Figure 3: Site plan (1:500)

3.2 In their consultation response to the application, the local planning authority's archaeological consultee (Lancashire County Council's Historic Environment Team), recommended any consent should be conditional upon recording.

3.3 They noted that:

The most significant interest of the building is probably its construction with the upper floor as a cinema in the early years of the 20th century. Early cinemas are increasingly rare as the buildings have fallen into disuse and dereliction and even those converted to other uses (such as bingo halls in the 1960s) have seen the later uses become redundant.

The building is therefore of some heritage and social historical significance as cinema attendance was a major feature of the population's leisure pursuits until the advent of television on a large scale.

3.4 As a consequence, condition no. 7, imposed by the local planning authority, requires that:

No development including any demolition works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of building recording, analysis and reporting work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of a record of the building

to level 3 as set out in "Understanding Historic Buildings" (Historic England 2016). It should include a full description of the buildings, inside and out, drawn plans, elevations and at least one section (which drawings may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the building and its features into context. The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

- 3.5 A written scheme of investigation by the present writer (see appendix 2) has been submitted for approval by RVBC 2022, as part of an application to discharge the condition (ref: 3/2022/0566).

4 Previous investigative work

- 4.1 The only work of this type known to have been undertaken previously at the site was carried out by the present author for a heritage statement, submitted with the planning application.

5 Historical background

- 5.1 Whalley as a settlement developed around its church and abbey, and to some extent its post-medieval growth was constrained by the landowning regime established following the dissolution. It remained a relatively isolated place, very much rural in character, until the arrival of the railway in 1850, which made it a desirable location for the middle class, and its subsequent growth was largely attributable to its essentially residential function.
- 5.2 The Billington and Whalley Cooperative Society was established in 1871 (Billington being the neighbouring village and former township, situated to the south of the River Calder), but the location of any premises it may have occupied during its first forty years is not known. It is believed to have had its new premises on George Street built in 1912, as the building was noted in a local newspaper in that year, although it did not open formally until 24 May 1913². It was established on previously undeveloped land to the rear (north) of a row of houses on what is now Church Lane, and was accompanied by the setting out of George Street, a new side-street off King Street. These changes are clearly shown on the Ordnance Survey 1:2500 maps of 1912³ and 1932⁴ (figures 4 & 5).

² *Clitheroe Advertiser*, "Whalley Co-operative Society's New Premises: Formal Opening" 30 May 1913

³ Lancashire, sheet 55.10, surveyed 1892, revised 1910 (not shown at original scale)

⁴ Lancashire, sheet 55.10, revised 1929 (not shown at original scale)

Although of early twentieth century date, no building control plans of the proposed new premises are believed to survive⁵.

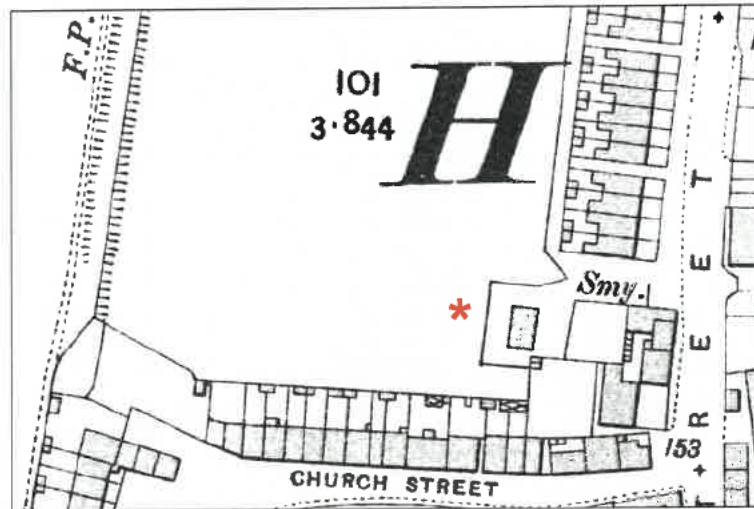


Figure 4: OS 1:2500 map, 1912
(Revised in 1910, shortly before the building was constructed)

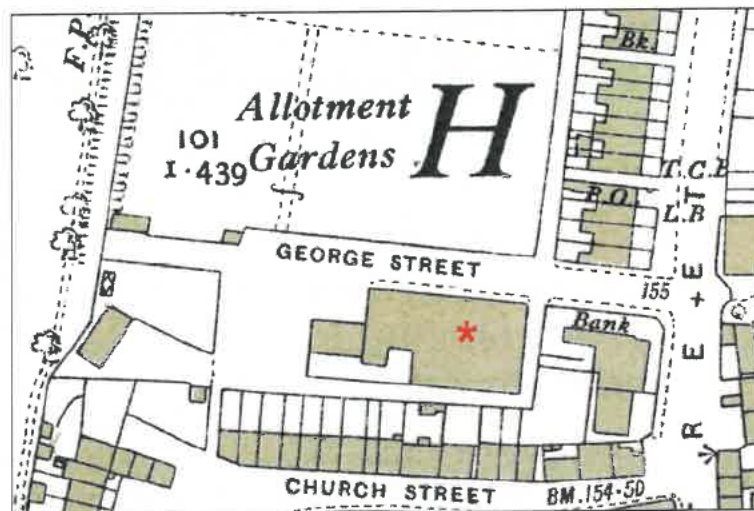


Figure 5: OS 1:2500 map, 1932

- 5.3 The society's new premises formed a two-storey block, capable of accommodating various functions. Its north front, facing George Street, contained five shop fronts, as well as two entrances to the upper floors: a photograph from 1962⁶ shows signs over the frontage indicating the office, "grocery and provisions", and three other divisions. The pair of square turrets are a bold architectural assertion (figure 6). As well as the retail provision, the building also contained a cinema within the central part of the first floor.

⁵ Any such plans would form part of the records of the former Clitheroe Rural District Council; the earliest of its surviving plans and registers date from the 1920s (Lancashire Archives: RDC acc 3794 etc) (pers comm, Lancashire Archives)

⁶ Anon; reproduced courtesy of Whalley Local History Group



Figure 6: Front of building on George Street, 1962

Early cinemas and the Cooperative movement

- 5.4 The first “moving pictures” were made available for public performance at the end of the nineteenth century, and in the first decade of the twentieth the popularity and availability of these films as a form of entertainment grew quickly. At that early point in the development of the medium, other buildings, particularly those already in use for entertainment (such as theatres or music halls) were often adapted to show films. However by around 1910 the success of cinema was such that purpose-built “picture houses” were becoming common.
- 5.5 The Cooperative movement embraced the new medium of moving pictures at an early stage, not only for its potential to attract new members and educate existing ones, but also to reap the benefits of what was becoming the preferred entertainment of the masses⁷. Cooperative cinemas were more common in the north of England rather than other parts of the country; that in Whalley was known locally as the “Co-op Cinema”, and supposedly seated an audience of up to 500.

⁷ Burton, A 1994 “The people’s cinemas: the picture houses of the Co-operative movement” in *North-West Labour History* 19 <http://www.nwlh.org.uk/?q=node/101> accessed 29 July 2022



Figure 7: The cinema in use for an auction, 1963



Figure 8: In use for an auction, 1963

- 5.6 An item in *The Co-operative News* in 1915⁸ referred to "Billington and Whalley Society's Picture Palace" in glowing terms, but also made clear that it was not there purely for entertainment. Rather than let out the facility to a third party simply to bring in revenue, at Whalley (in common with many other Co-op cinemas) they exploited it for the promotion of the society itself, and in the words of the secretary and manager at the time, it was "*an excellent medium for announcing special events in connection with the society, such as dividend day, employés picnic, drapery show, &c.*" Entry to the cinema at that date cost between 2d and 6d, but it operated only on Tuesday, Thursday and Saturday

⁸ 7 August, p1052: "Picture palaces: co-operative societies find them profitable"

nights, and as many people attended repeatedly, they sought to show a different film at each opening, and thus managed to bring in £162 profit within twelve months.

- 5.7 The cinema in Whalley remained successful when films were still silent, but once sound was introduced its fortunes diminished (despite a sound system being installed), and it closed in 1958, although it continued to be used to host some functions (see figures 4 & 5)⁹. This loss may have been in part associated with the local society's demise, as the early 1960s were turbulent times for it financially, which led to the entire premises being put up for sale in 1963. The following year the former cinema became a casino and nightclub known as the Ace of Spades, and is believed to have hosted some successful acts such as Shirley Bassey and Tom Jones¹⁰. The ground floor continued to be used by independent retailers, although one of them, a clothes shop established by Maureen Cookson, gradually expanded and eventually occupied the first floor, until it too closed, in 2018.

6 Recording methodology

- 6.1 Recording was carried out in August 2022 and involved detailed inspection of those parts of the building to be developed, and a drawn survey, photography, and written account. The vast majority of the ground floor, and the west end of the first floor, were excluded from recording.
- 6.2 The drawn survey comprises new ground and upper floor plans, and elevations, at 1:100 scale, together with a cross-section of the former cinema at 1:50 (figures 9 to 13). The drawings use conventions specified by Historic England, and show all features of interest.
- 6.3 The photographic record was made using a digital SLR camera (12 megapixels), and both external and internal photographs were taken, generally using a scale in the form of a 1m or 2m ranging pole marked with 0.5m graduations. Images were captured as JPG files, which were printed at approximately 5" x 7", to form part of the project archive, in accordance with the standard requirements of Lancashire County Council's Historic Environment Team. In some cases, photographs taken on previous visits to the site have been used. The photograph locations are shown on figures 14 to 16, and a selection of photographs is copied at the end of this report; in the text the photographs are referred to by numbers in bold.

⁹ Anonymous photographs; reproduced courtesy of Whalley Local History Group

¹⁰ Andrew Ronnan, pers comm

7 Description of the building

Exterior

- 7.1 The main building is of two storeys, constructed from brick with sandstone dressings and blue slate roof, in a neoclassical style typical of the Edwardian period. Its north front has ten bays of varying lengths (1-3), comprising two wide outer bays, two narrower bays containing stairwell entrances for access to the first floor (4), and six narrow bays within the central part, set in pairs. Ashlar piers rising through both storeys divide the bays or pairs of bays, and while the ground floor shop fronts are fully occupied by windows, the first floor openings have stone architraves and aprons (5). Those over the stairwell entrances also have small pediments, surmounted by much larger open-bed, curved pediments (6), and these bays are further emphasised by squat, square roof turrets with ornamental balustrades (7). The turrets are linked by a parapet which partly conceals a long dormer window (perhaps secondary) (8). A cupola, serving a ventilation system for the cinema, sits on the ridge, to west of centre.
- 7.2 The sides and rear of the building are much plainer and lack ornamentation, and the late twentieth century extensions at the west end obscure original work (9-12). There is a covered loading area at the rear, open to the west side. Its north side seems to have been built up from an earlier yard wall (13-18). Stone setts survive within this yard area.
- 7.3 No original window frames appear to remain within the building (most are now uPVC), and the 1960s photograph indicate they were generally timber sashes, with a mixture of pane sizes. However, a detached, leaded window with coloured lights was observed in storage within the building, and this may once have been fitted in the building (19).

Interior

- 7.4 The street entrance between numbers 1 and 3 leads to a lobby containing a staircase to the first floor (20-22), with steel balusters in an art deco style, and moulded hardwood handrail. The walls are tiled below dado height, and have occasional red rose motifs (23). The stairs emerge on the first floor, enclosed by a continuation of the balustrade, but the character of this area has been much altered by loss of room divisions, no doubt associated with conversion to retail use in the late twentieth century, if not earlier: presumably the space originally served as the cinema foyer, perhaps with ticket office, but also as a thoroughfare to other rooms in the east end of the building (24-26). Those other rooms are largely of no interest, and include some modern WCs, but the south-east, first floor room does contain some features worth noting, which suggest it was a

particularly important one within the building, and was perhaps used by the society's board (or equivalent) (27). It has a tiled fire surround and timber panelling to the west wall (at least) (28,29), and its ceiling is decorated with embossed panels, thought to be Lincrusta or similar (30). The room at the south side of the first floor, presently a staff kitchen, has no features of interest and its historic function is unknown (31).

- 7.5 The main room on the first floor, which occupies the centre of the building, is the former cinema (32-34). It takes up the full width and is five bays long, with a barrel-vaulted ceiling, formed beneath steel trusses with segmental profiles to their undersides. Unusually for a cinema, it is provided with large windows in both north and south sides, which implies it was also put to other uses: the windows were closed off by internal, side-hung wooden shutters, to judge from the 1960s photographs above (figures 7 & 8). However the shutters have not survived, nor have the bold consoles above them, which are also shown on those early photographs. There is no indication of any fixed seating, and indeed the room is believed to have been equipped with a sprung timber dance floor when it became a nightclub.
- 7.6 The cinema has a row of square ventilation grilles along the centre line of the ceiling (connected to the cupola by steel ducts), together with two pairs of large, circular apertures in two bays: the function of the latter is unknown, but they too might have been concerned with ventilation (35).
- 7.7 Films were projected from a second floor room to the east (see below), where there have been alterations to openings and later steel ducts installed (36); an earlier arrangement of five small openings is shown on figure 8, above. At the opposite end of the auditorium there is no proscenium arch, stage, or other indication of the arrangements when in use for entertainment, and a widened doorway now leads out to another landing at the top of a second staircase (outside the present development area).
- 7.8 The second floor is reached by means of an enclosed ladder stair with original four-panel door at its foot (37,38), and is confined to the three bays at the east end of the building. The stair emerges onto a large landing area which is open to the roof, and now contains some modern partitions (39,40).
- 7.9 The projection room is located within brick walls on the west side of this landing, and has a ceiling of corrugated iron (41-43); in common with those in other cinemas of the period, it was evidently intended to be fireproof, as early films were liable to ignite, and in some cases led to the destruction of entire buildings and loss of life. (The door to the projection room is no longer in situ, but appears

to have been re-hung on the south side of the landing area, as that example has been fireproofed by the addition of a steel sheet to one side (44). Modern heating plant now occupies the projection room, but some electrical features do appear to survive from its original function (45,46).

7.10 Outside the projection room, on the landing to the north, is a detached "Thomson Sound Reproducer" containing a valve amplifier. Although of some historic interest, it is evidently not an original feature of the building, where at first only silent motion pictures were shown (47-49).

7.11 There are no other features or spaces of interest on the second floor, which seems otherwise to have been intended primarily for storage originally (50).

8 Conclusion

8.1 The building has architectural and historic interest as the premises of a local Cooperative society of the Edwardian period, and in particular for the survival of the original cinema within the structure, but it is disappointing that documentary evidence for its early history is not readily found, and may in fact no longer exist. The presence of the cinema on the first floor is not at all apparent from the exterior, whose front is well fenestrated and decorated with neo-classical motifs typical for the early part of the twentieth century; in this aspect it contrasts strongly with many purpose-built cinemas of that period, which were externally very plain and lacked any auditorium windows. Given the fact that the vast majority of such Cooperative cinemas no longer survive, it is hoped that the recording carried out will provide a useful resource of this unusual building type, prior to its alteration.

Appendix 1: Contents of the project archive

To be deposited with Lancashire Archives, Preston (reference DDX 2204)

Archive contains:

- a copy of the report
- full set of printed photographs
- CD or DVD with all photographs as JPG files

Complete list of photographs taken

Photo	Subject
1	Front of the building, looking south-east across George Street
2	Front of the building, looking south-west across George Street
3	Front of the building, looking south-west across George Street
4	Street entrance to east stairwell, George Street elevation
5	Detail of first floor window, east end bay, George Street elevation
6	Detail of first floor window and east turret, George Street elevation
7	Detail of east turret, looking south-west, George Street elevation, looking south-west
8	Detail of roof, with cupola (vent) and dormer window, George Street elevation, looking south-west
9	General view of the building, looking south-west across George Street
10	South-east corner of the building
11	General view of the building, looking south-east across George Street
12	General view of the building, looking north-east
13	General view of the rear of the building, looking north-east
14	Rear of building, west of loading area, looking north
15	Covered loading area at rear of building, looking north-east
16	Rear of building, looking north-west
17	Interior of covered loading area, looking east
18	Interior of covered loading area, looking north-east
19	Detached, leaded window pane stored inside building
20	Ground floor: entrance lobby between numbers 1 and 3, looking north
21	Ground floor: staircase in entrance lobby between numbers 1 and 3, looking south
22	Ground floor: staircase in entrance lobby between numbers 1 and 3, looking south-east
23	Detail of tiling with red rose on side of stairwell
24	Former foyer to cinema, on first floor, looking north-west
25	Former foyer to cinema, on first floor, looking east
26	Balustrade to first floor landing, looking south-east
27	Board room or similar, looking south
28	Detail of fireplace in board room or similar, looking south
29	Detail of panelling on west side of board room or similar, looking north-west
30	Detail of ceiling over board room or similar
31	Present first floor kitchen on south side of first floor, looking east
32	Former cinema, looking east
33	Former cinema, looking west
34	Former cinema, looking north-west
35	Ceiling over former cinema, looking north-west
36	Location of former projection room, in east wall of cinema (openings altered)
37	Door at foot of stairs to second floor, looking south
38	Stairs to second floor, looking east
39	Main second floor room, looking south

- 40 Main second floor room, looking north-west
- 41 Interior of projection room, looking west
- 42 Interior of projection room, looking north-east
- 43 Ceiling over projection room (corrugated iron), looking west
- 44 Fireproofed door on second floor (probably re-hung and originally serving projection room)
- 45 Detail of wiring installation on west side of projection room
- 46 Detail of wiring installation on north side of projection room
- 47 Sound recorder/valve amplifier, detached, located on second floor
- 48 Sound recorder/valve amplifier, detached, located on second floor
- 49 Sound recorder/valve amplifier, detached, located on second floor
- 50 South room on second floor, looking south-west

Appendix 2: Written Scheme of Investigation

1 TO 7 GEORGE STREET, WHALLEY:

WRITTEN SCHEME OF INVESTIGATION FOR HISTORIC BUILDING RECORDING

(RIBBLE VALLEY BOROUGH COUNCIL, PLANNING APPLICATION: 3/2021/1004)

1 Introduction

- 1.1 This written scheme of investigation (WSI) sets out the work proposed for the recording of those parts of 1 to 7 George Street which are proposed for development, as commissioned by the developer Ronnan Corporation Property Ltd. The work is required by condition 7 of the above planning permission, which relates principally to the change of use of the upper floors to residential apartments.

2 Location

- 2.1 The site lies in the centre of Whalley village and within Whalley civil parish, on the south side of George Street, to the west of the main thoroughfare King Street. Nos 1 to 7 form a large part of a building which was originally constructed as a single property, to serve as multi-purpose premises for the Billington and Whalley Industrial Cooperative Society. The NGR for the site is SD 73271 36246.
- 2.2 The building faces north onto George Street, and there is an access road on the east and south sides, the latter serving a covered loading bay at the rear. The west end of the building adjoins a convenience store, and there is a car park beyond.

3 Project context

- 3.1 Planning permission was granted by Ribble Valley Borough Council on 8 April 2022 (application number: 3/2021/1004), for "*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 and rebuilding boundary wall at the rear and associated alterations.*"
- 3.2 In their consultation response to the application, the local planning authority's archaeological consultee (Lancashire County Council's Historic Environment Team), recommended any consent should be conditional upon recording.
- 3.3 They noted that:
The most significant interest of the building is probably its construction with the upper floor as a cinema in the early years of the 20th century. Early cinemas are increasingly rare as the buildings have fallen into disuse and dereliction and even those converted to other uses (such as bingo halls in the 1960s) have seen the later uses become redundant.
The building is therefore of some heritage and social historical significance as cinema attendance was a major feature of the population's leisure pursuits until the advent of television on a large scale.
- 3.4 As a consequence, condition no. 7, imposed by the local planning authority, requires that:
No development including any demolition works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of building recording, analysis and reporting work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of a record of the building to level 3 as set out in "Understanding Historic Buildings" (Historic England 2016).

It should include a full description of the buildings, inside and out, drawn plans, elevations and at least one section (which drawings may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the building and its features into context. The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

4 Historical background and previous investigative work

- 4.1 A heritage statement by the present writer was submitted with the planning application, but otherwise no specific research into the building's history appears to have been published.
- 4.2 The precise circumstances and date of the building's construction are not known at present, but Ordnance Survey maps indicate that the block was erected between 1910 and 1929, and was associated with the establishment of George Street as a cul-de-sac off King Street, prior to which the site otherwise appears to have been largely undeveloped.
- 4.3 Other documentary references imply the cinema within the building began to operate in or shortly before 1915, and initially showed silent films, with capacity for an audience of 500. It was not solely concerned with entertainment: *"As well as exhibiting CWS [Cooperative Wholesale Society] films, slides were screened announcing changes in prices at the store, meetings of the society and other local matters. During winter months, free afternoons for adults were arranged, whereby a film programme lasting an hour was supplemented by a 15 minutes talk on the society by the Secretary/Manager."*¹¹
- 4.4 The cinema closed in 1958, and the building as a whole is believed to have become vacant and fallen into disrepair by the 1960s. The first floor was converted to a nightclub and casino in 1964, but later became part of a department store, which closed in 2018.

5 Aims of the project

- 5.1 The proposed conversion will lead to the loss or masking of some historic features and historic character. The aim of the project is to identify, interpret and record significant evidence relating to the buildings' historic character and development, and place this in the public domain by deposition with the Lancashire Historic Environment Record and Lancashire Archives.

6 Statement of recording standards

- 6.1 All work which forms part of this project will be undertaken in accordance with the relevant Standards and Guidance issued by the Chartered Institute for Archaeologists.

7 Methodology

- 7.1 The following methodology conforms with the Level 3 "analytical" record, as defined by Historic England¹², who advise that such a record *"will comprise an introductory description followed by a systematic account of the building's origins, development and use. The record will include an account of the evidence on which the analysis has been based, allowing the validity of the record to be re-examined in detail. It will also include all drawn and photographic records*

¹¹ Burton, A 1994 "The people's cinemas: the picture houses of the Co-operative movement" in *North West Labour History Society Journal* vol 19

¹² Historic England 2016 Understanding Historic Buildings

that may be required to illustrate the building's appearance and structure and to support an historical analysis.

The information contained in the record will for the most part have been obtained through an examination of the building itself. The documentary sources used are likely to be those which are most readily accessible, such as historic Ordnance Survey maps, trade directories and other published sources. The record may contain some discussion [of] the building's broader stylistic or historical context and importance...."

- 7.2 In this case, recording will include drawn, photographic and written records. Limited historical research, mainly concerned with historic mapping, will also be carried out.
- 7.3 The drawn record will include ground, first, and second floor plans, and elevations, of those parts of the building included in the development, with the focus being the former cinema. It will also include a cross-section through the former cinema auditorium. All drawings will be at 1:100 scale. They will be based on the existing survey drawings produced for the planning application, but will be checked for suitability and accuracy. They will show all features of historic and architectural interest and conventions used will be those specified by Historic England.
- 7.4 A photographic record will be made using a digital camera with a resolution of 12 mega pixels, in JPG format. It will comprise general photographs of the site and setting, and the exterior and interior of the building, along with detailed photographs of any structural and decorative features that are relevant to the building's design, development and use, and which are not adequately recorded on the general photographs. Such detailed photographs will be taken at medium to close range and framed in such a way as to ensure that the element being photographed clearly constitutes the principal feature of the photograph.
- 7.5 Detailed photographs will contain an appropriately positioned graduated photographic scale (not measuring tapes or surveying staffs). A graduated ranging-rod, discretely positioned, will be included in a selection of general shots, sufficient independently to establish the scale of all elements of the buildings and their structures. The size, graduations, and any other relevant data relating to the scales and ranging-rods so utilised will be specifically noted in the methodology section of the written report.
- 7.6 A rapid desk-based study of the site will take place, which will examine historic maps and any other readily available documents which relate to the building. This will include research at Lancashire Archives, which possibly hold original building control plans, and the local studies collection at Clitheroe Library.

8 Timetable

- 8.1 The site work is expected to take place during May or June 2022, subject to approval of this WSI by the local planning authority.
- 8.2 "Implementation of the programme of recording and analysis", as stated in the planning condition, is taken to mean completion of site work by Stephen Haigh, rather than submission of his completed report, and it is expected that as far as condition 7 is concerned, development may begin following completion of site recording.

9 Report preparation

- 9.1 Following site work, a report on the recording will be produced within two months. It will be illustrated appropriately, with location maps, extracts from historic maps, copies of the survey drawings, and selected photographs. Copies will be supplied to the local planning authority, the client, and the Lancashire County Historic Environment Record. It will also

be submitted to OASIS¹³, with the intention that it should be published on the internet, via the Archaeology Data Service.

10 Archive deposition

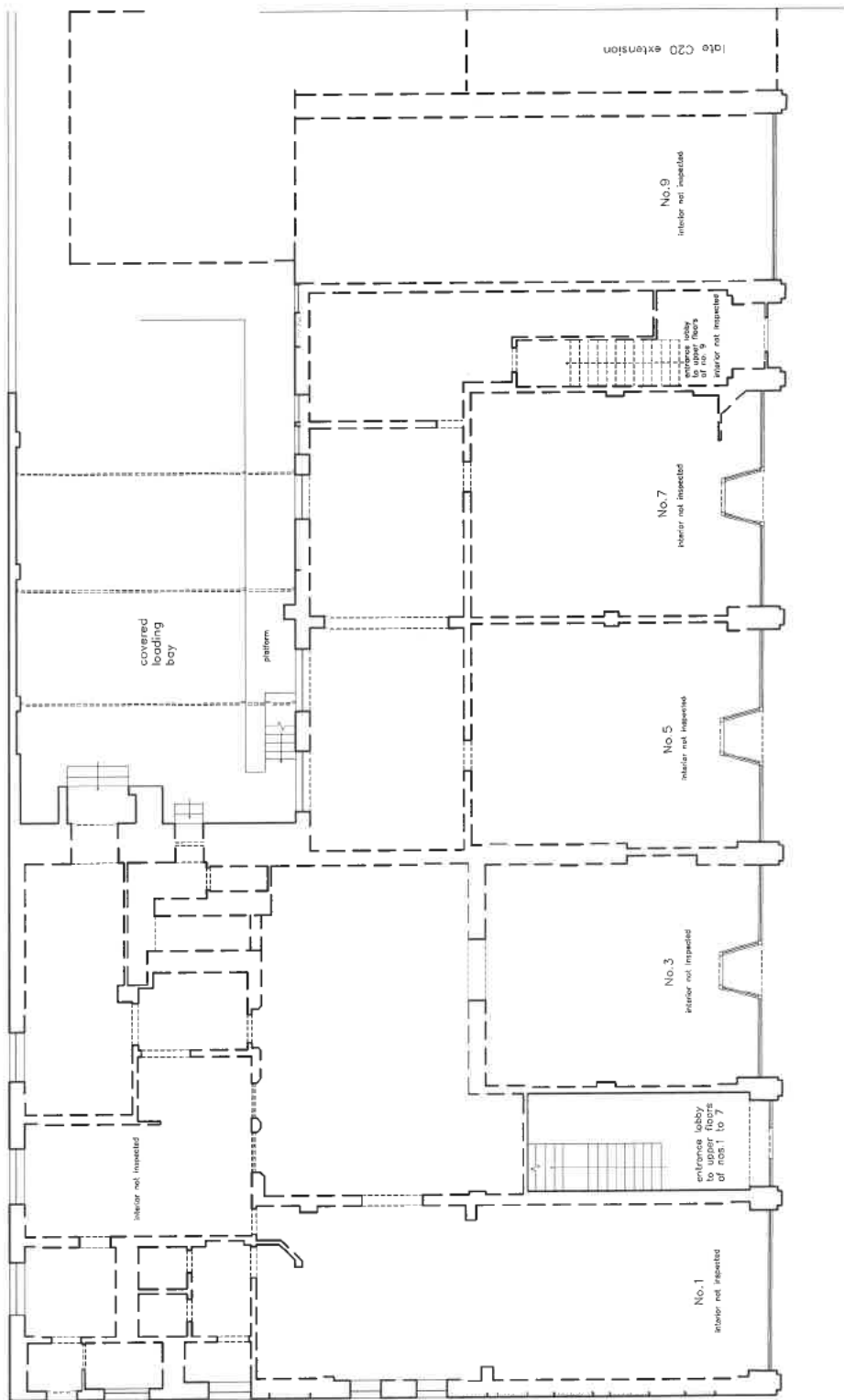
- 10.1 The project archive will be submitted to Lancashire Archives. It will contain a full set of photographic prints at 7" x 5", on Fuji Crystal Archive paper as well as a CD containing the JPG files. The JPG files will also be supplied to the Historic Environment Record.

11 Personnel

- 11.1 All work will be undertaken personally by Stephen Haigh MA, a buildings archaeologist with many years experience of investigating and recording historic buildings in Lancashire and elsewhere. He reserves the right to seek amendments to this project design where dictated by professional judgement or health and safety considerations for example, but any changes will be agreed with the planning authority as appropriate.

© Stephen Haigh, 28 April 2022
11 Browcliff, Silsden, Keighley, West Yorkshire BD20 9PN
enquiries@stephenhaigh.co.uk
Tel: 01535 658925

¹³ An online reporting form to provide information about archaeological investigations to Historic Environment Records, etc <https://oasis.ac.uk/>

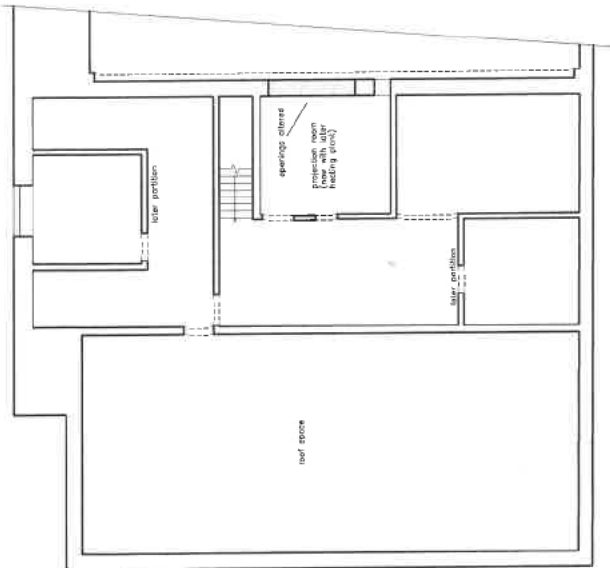


1 - 7 GEORGE STREET WHOLESALE DEPARTMENT STORE (NOR. SD 73271_36246) HISTORIC BUILDING RECORD
FIGURE 9: GROUND FLOOR PLAN
SCALE: 1:100 (1:1)
DATE OF SURVEY: MARCH 2022
STEPHEN HAIGH Buildings Archaeologist

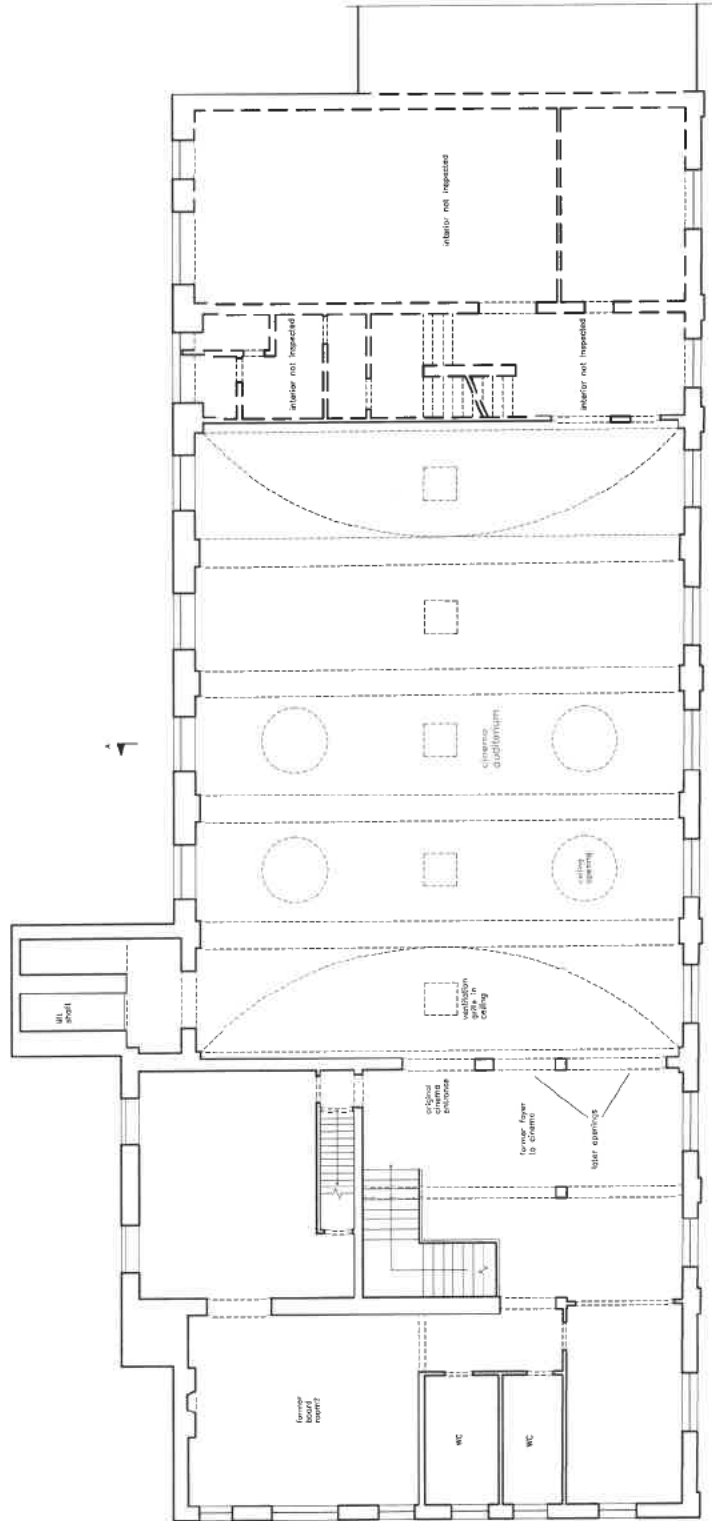


based on original drawing by Peter Hitchen Architects
 NB: RECORDING CONFINED TO THOSE PARTS TO BE DEVELOPED

SECOND FLOOR



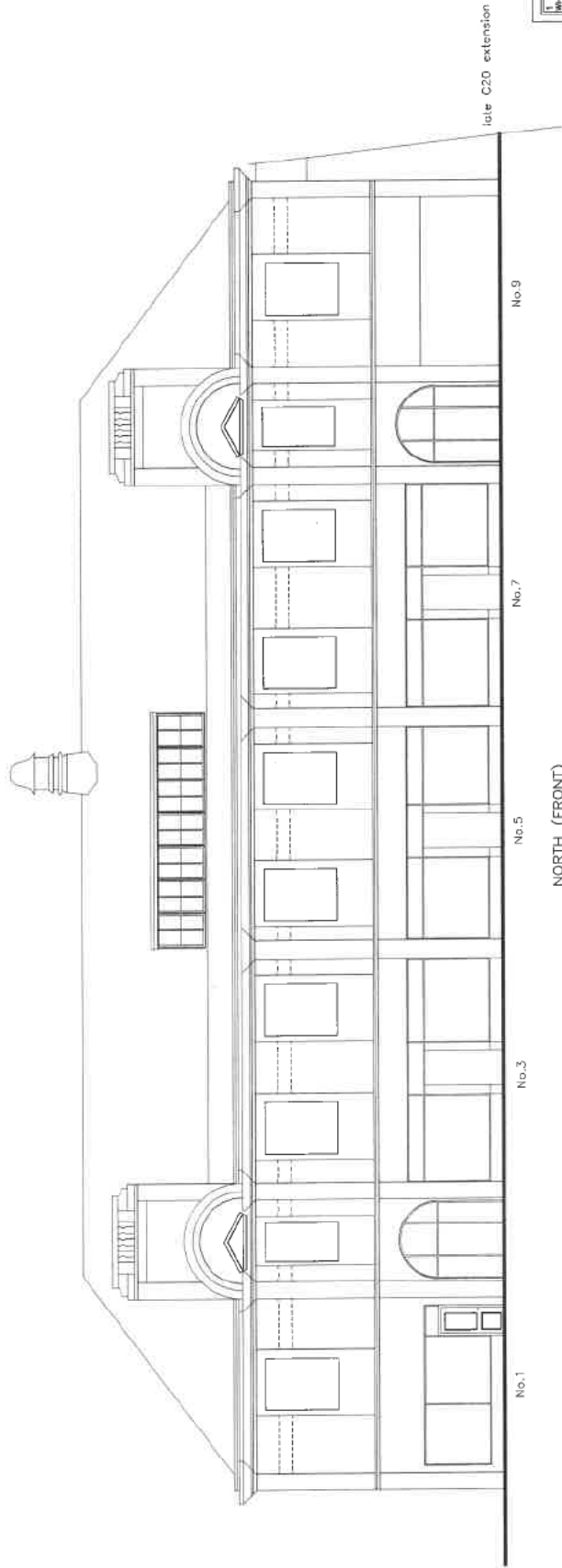
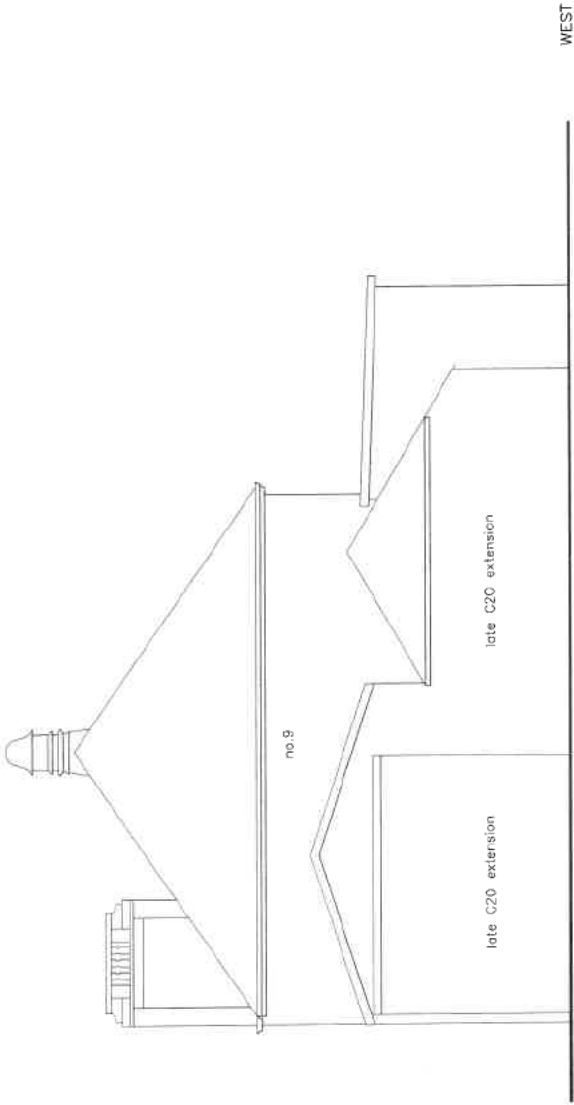
FIRST FLOOR



No. 7 GEORGE STREET MANCHESTER (NOR. ID. 75278 39240) BUILDINGS SURVEYORS & RECORD
FIRST & SECOND FLOOR PLANS
SCALE: 1:100 (at A3) DATE OF DRAWING: JANUARY 2022
STEPHEN HAIGH Buildings Archaeologist



based on original drawing by Peter Hitchen Architects
 NB: RECORDING CONFINED TO THOSE PARTS TO BE DEVELOPED



1, 2, 7, GEORGE STREET
 MANCHESTER
 (NEAR: SQ 7 2771, 38246)
 HISTORIC BUILDING RECORD

FIGURE 11:
 ELEVATIONS (3)

SCALE: 1:100 (A4)

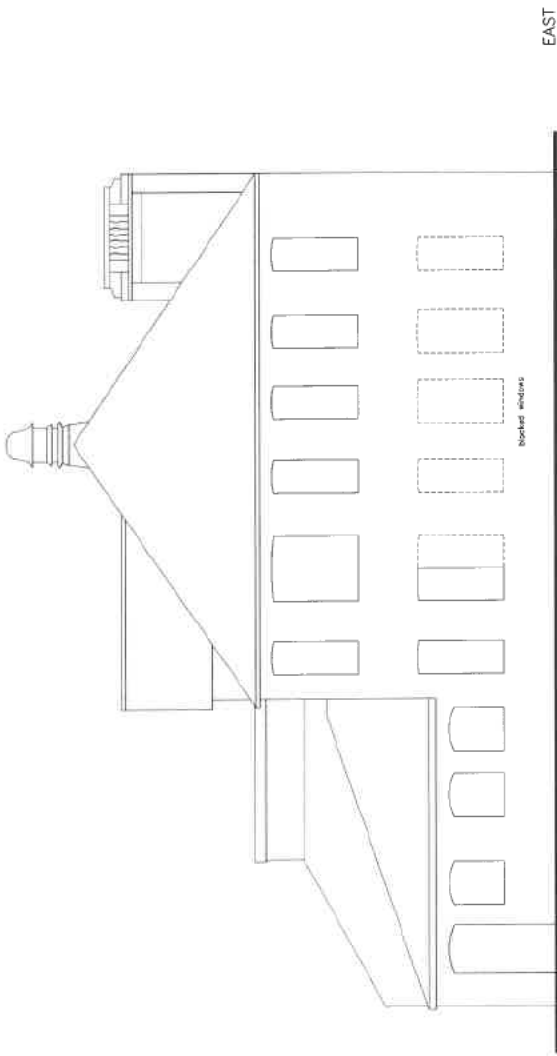
DATE OF SURVEY: MARCH 2022

STEPHEN HAIGH
 Buildings Archaeologist

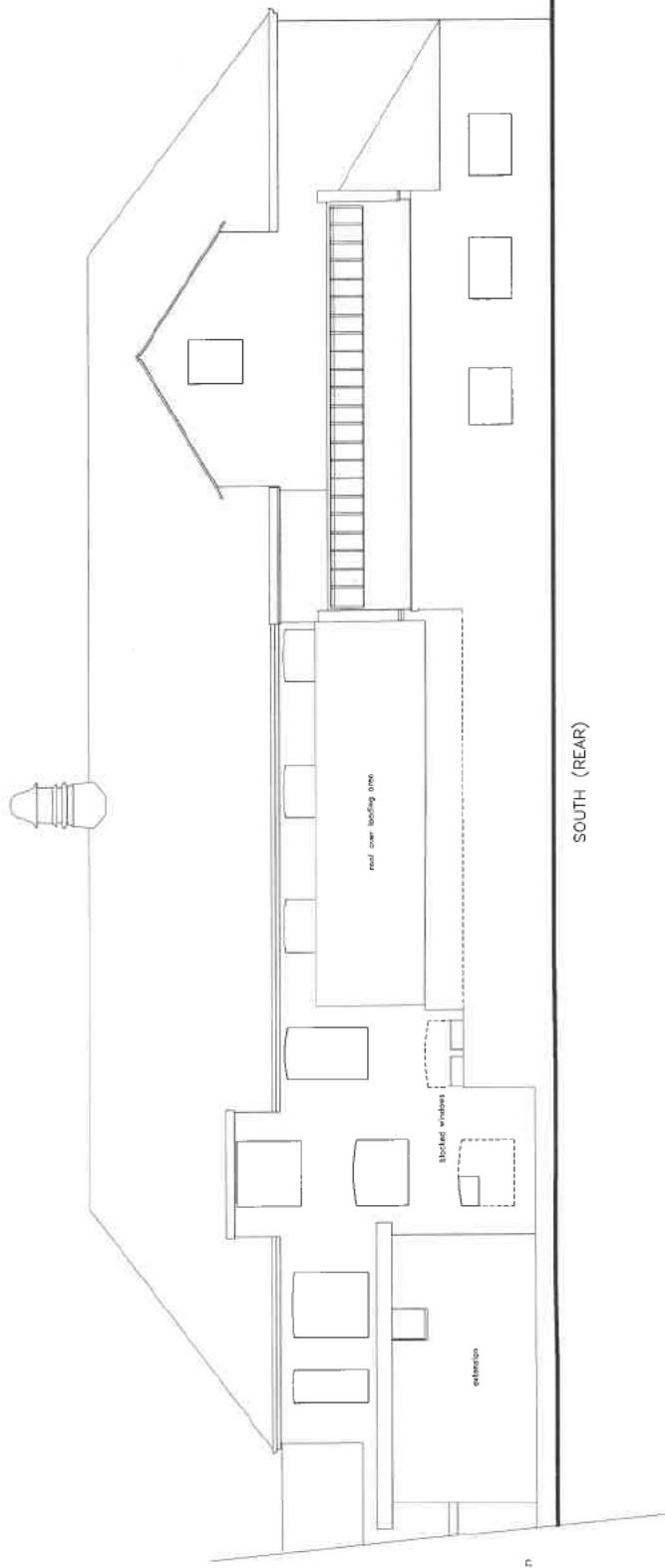
10m

based on original drawing by Peter Hitchen Architects

NB: RECORDING CONFINED TO THOSE PARTS TO BE DEVELOPED



EAST



SOUTH (REAR)

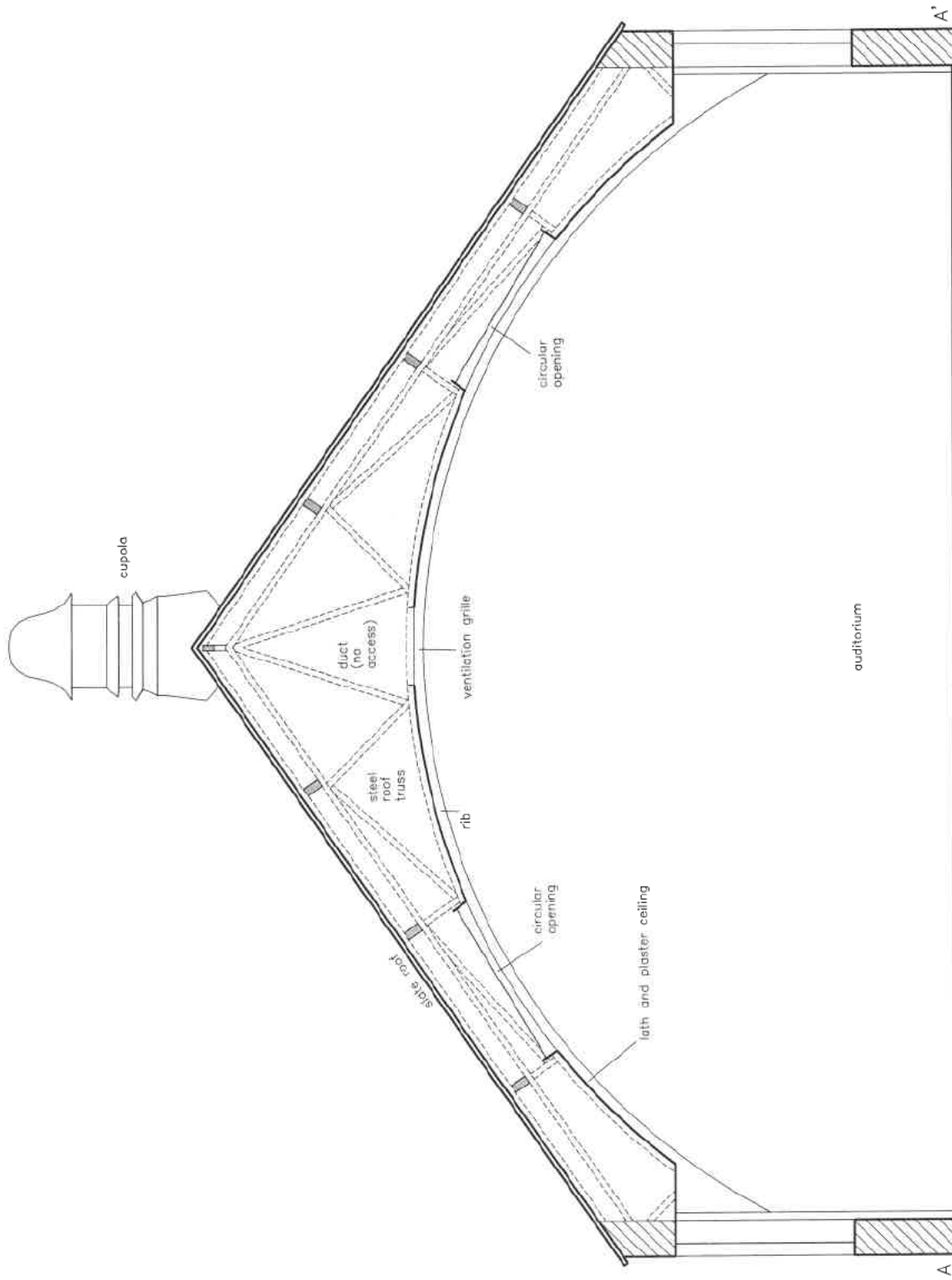
late C20 extension



based on original drawing by Peter Hiltchen Architects

NB: RECORDING CONFINED TO THOSE PARTS TO BE DEVELOPED

11, 13, 7, GEORGE STREET MANCHESTER (NR: SD 73271, 30246) HISTORIC BUILDING RECORD	FIGURE 12 ELEVATIONS (6)	SCALE 1:100 (A1 A2)	DATE OF DRAWING: AUGUST 2022
STEPHEN HAIGH Buildings Archaeologist			



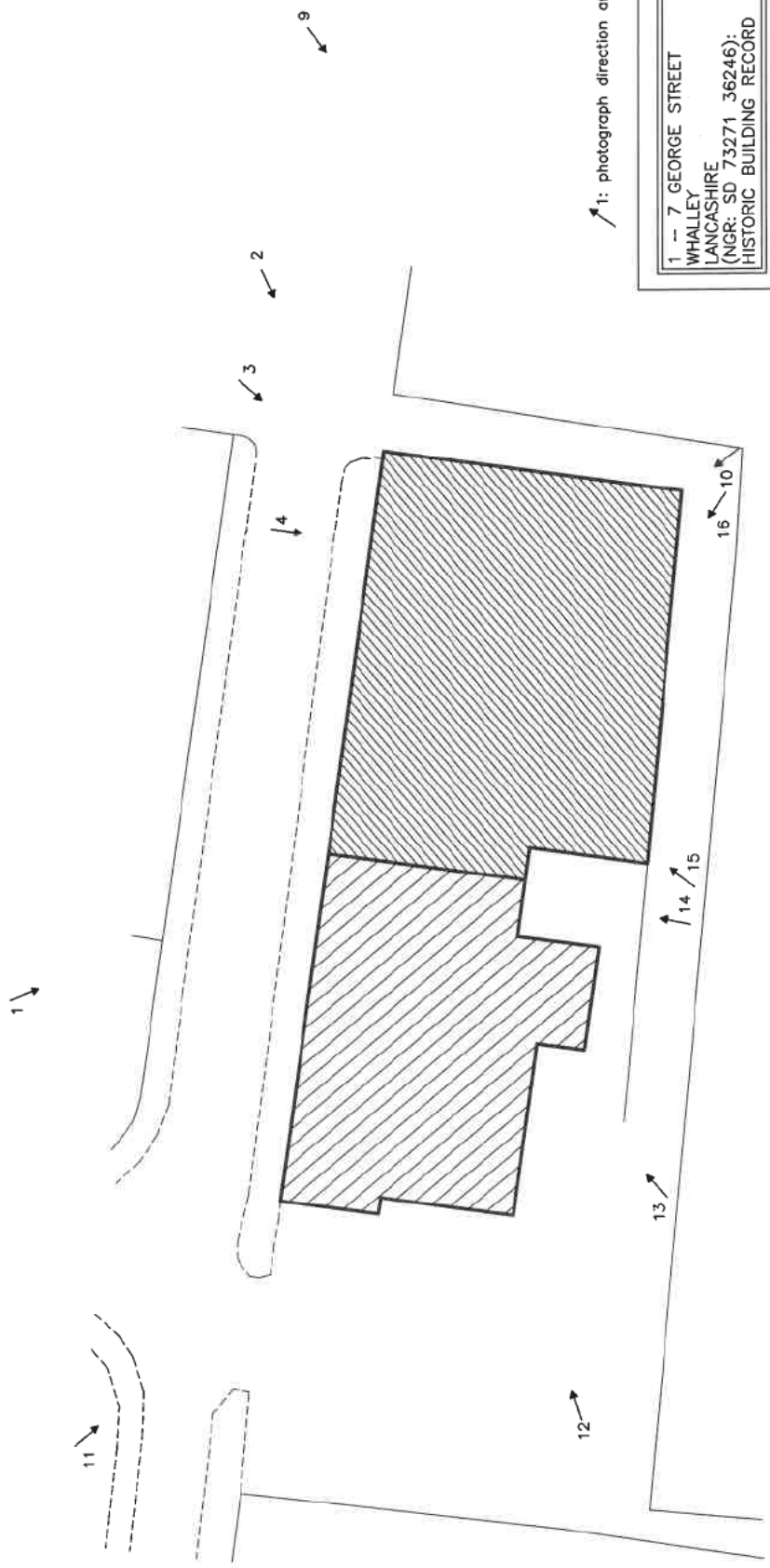
1 - 7 GEORGE STREET
 WHALLEY
 LANCASHIRE
 (NGR: SD 73271 36246)
 HISTORIC BUILDING RECORD

FIGURE 13:
 TRANSVERSE SECTION
 THROUGH CINEMA

SCALE: 1:50 (at A3)
 DATE OF SURVEY: AUGUST 2022

STEPHEN HAIGH
 Buildings Archaeologist





↗ 1: photograph direction and number

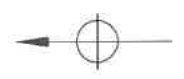
1 -- 7 GEORGE STREET
 WHALLEY
 LANCASHIRE
 (NGR: SD 73271 36246);
 HISTORIC BUILDING RECORD

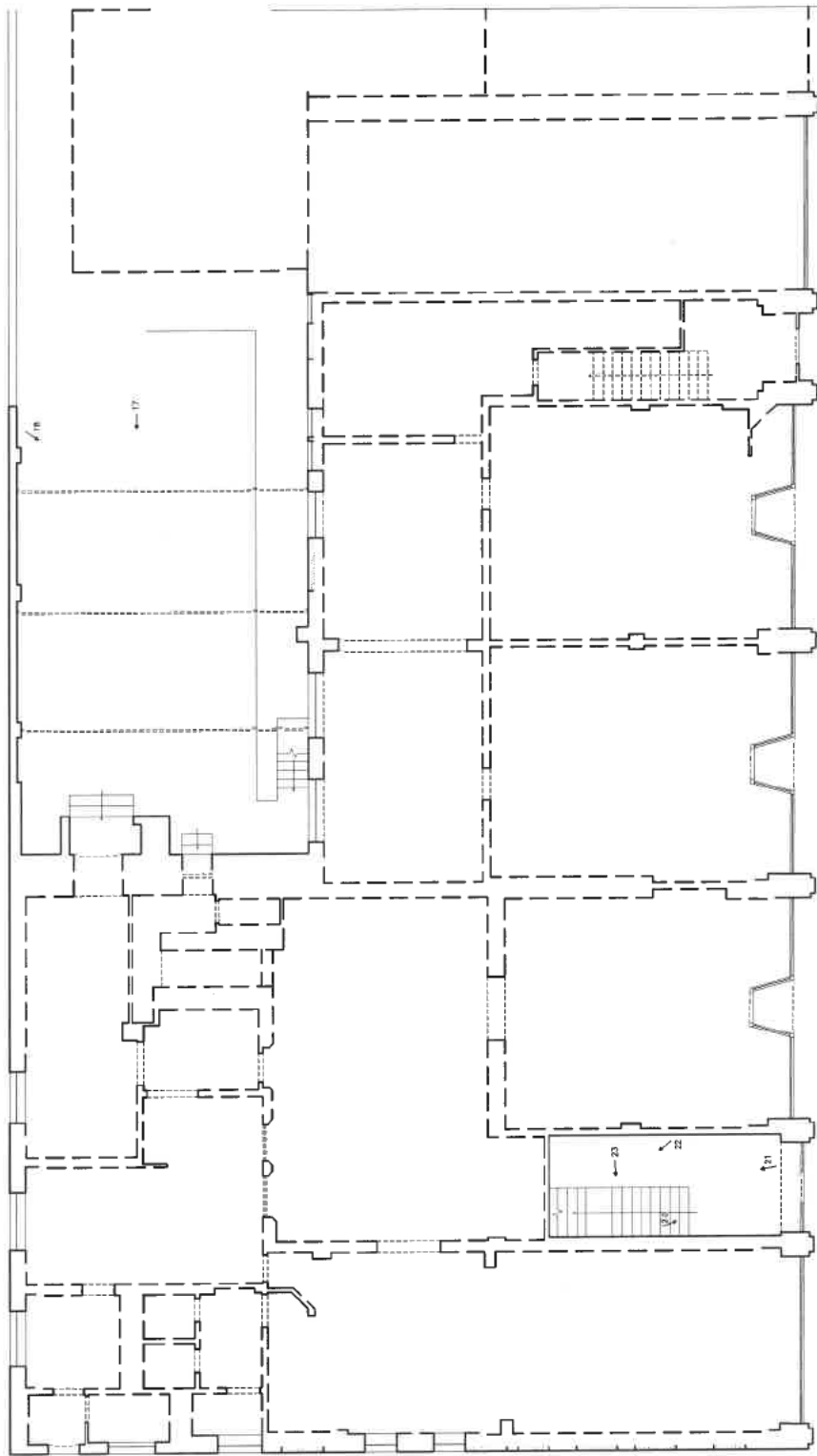
FIGURE 14:
 SITE PLAN
 WITH PHOTOGRAPH LOCATIONS

SCALE: 1:500 (at A4)

DATE OF SURVEY: AUGUST 2022

STEPHEN HAIGH
 Buildings Archaeologist





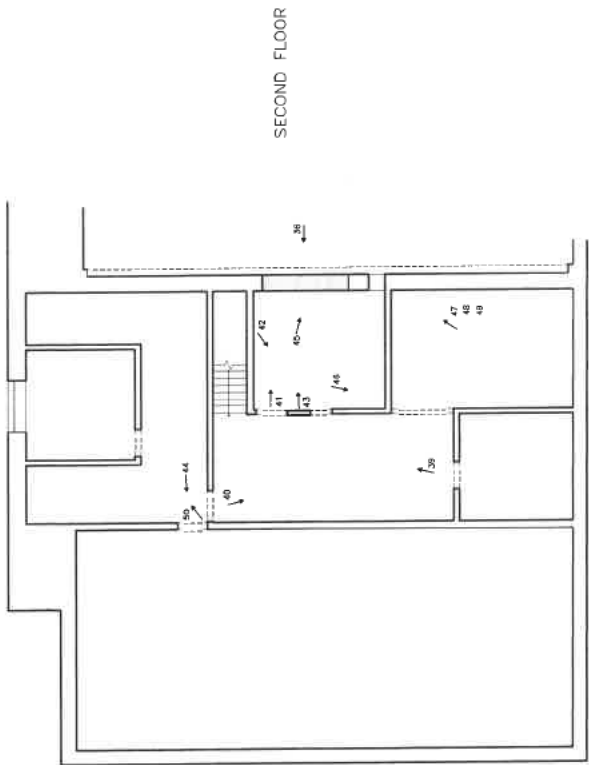
KEY
 /: photograph direction and number

1 - 7 GEORGE STREET WAVERLEY NSW (NSR: SD 73271, 36245) HISTORIC BUILDING RECORD
FIGURE 15: GROUND FLOOR PLAN WITH KEY TO PHOTOGRAPHS
SCALE: 1:100 (G1 A2)
DATE OF SURVEY: AUGUST 2022
STEPHEN HAIGH Buildings Archaeologist

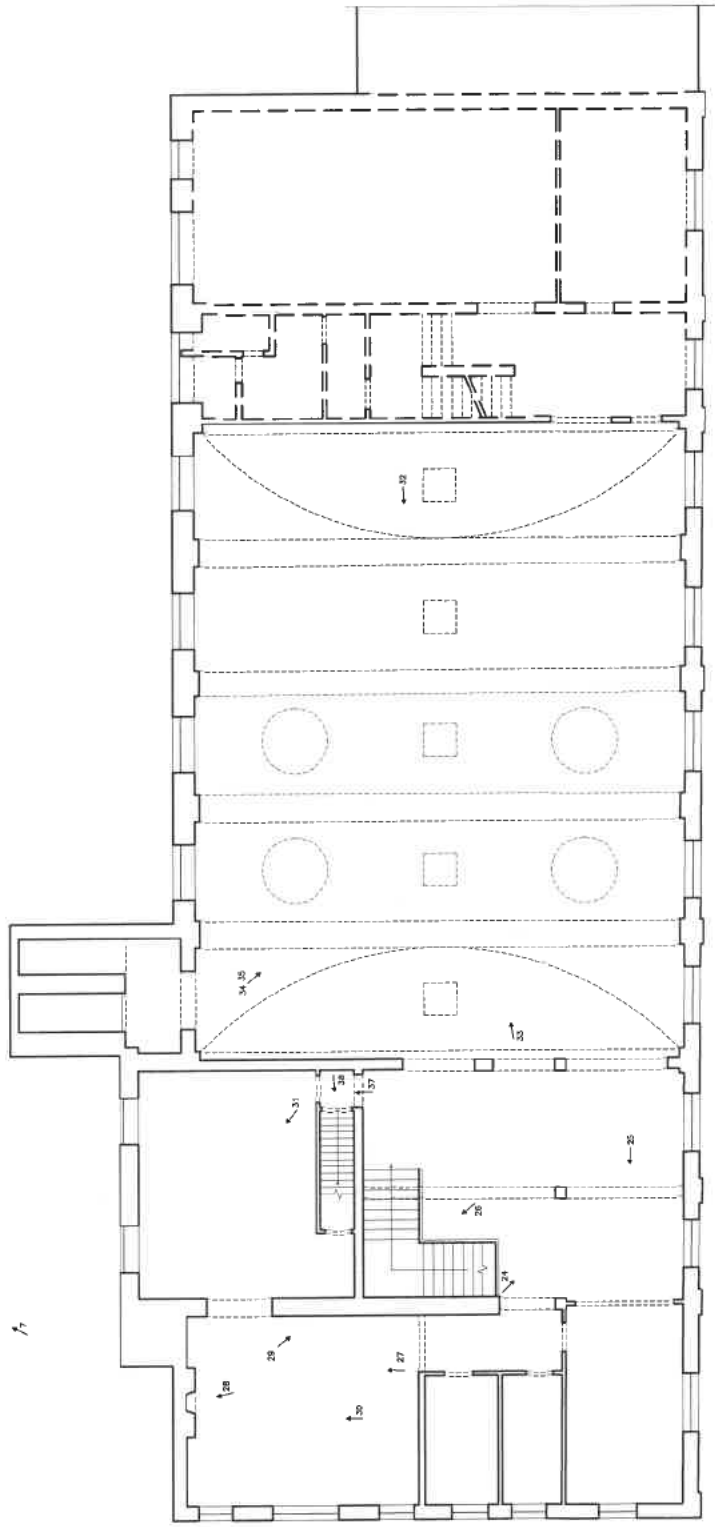


10m

NB: RECORDING CONFINED TO THOSE PARTS TO BE DEVELOPED



SECOND FLOOR



FIRST FLOOR

KEY
/ : photograph direction and number

1 - 7 GEORGE STREET WHALLEY (NSW, SD 3271 35240) HISTORIC BUILDING RECORD
DATE: 15 FIRST & SECOND FLOOR PLANS WITH KEY TO PHOTOGRAPHS
SCALE: 1:100 (A3)
DATE OF SURVEY: AUGUST 2022
STEPHEN HAIGH Buildings Archaeologist



NB: RECORDING CONFINED TO THOSE PARTS TO BE DEVELOPED



Photo 1: Front of the building, looking south-east across George Street

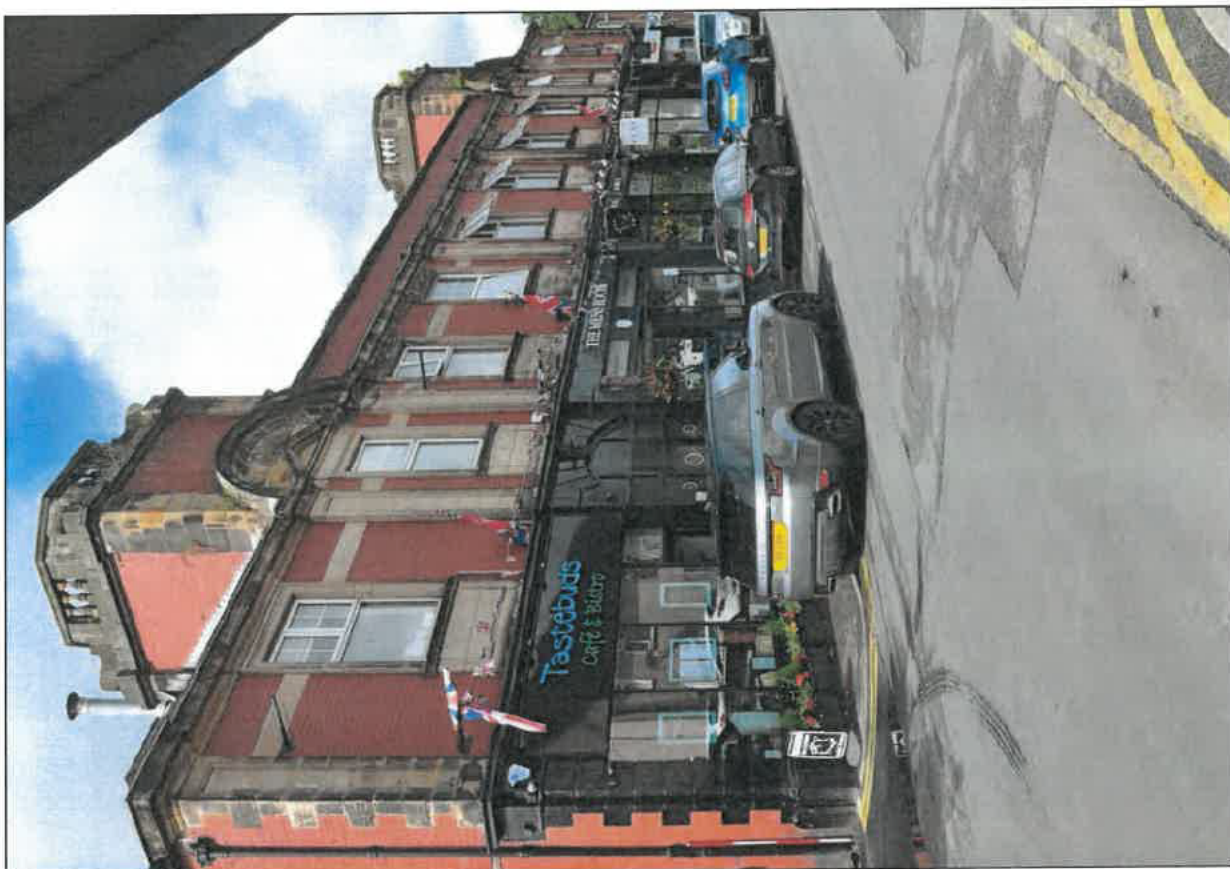


Photo 2: Front of the building, looking south-west across George Street



Photo 3: Front of the building, looking south-west across George Street



Photo 4: Street entrance to east stairwell, George Street elevation



Photo 5: Detail of first floor window, east end bay, George Street elevation

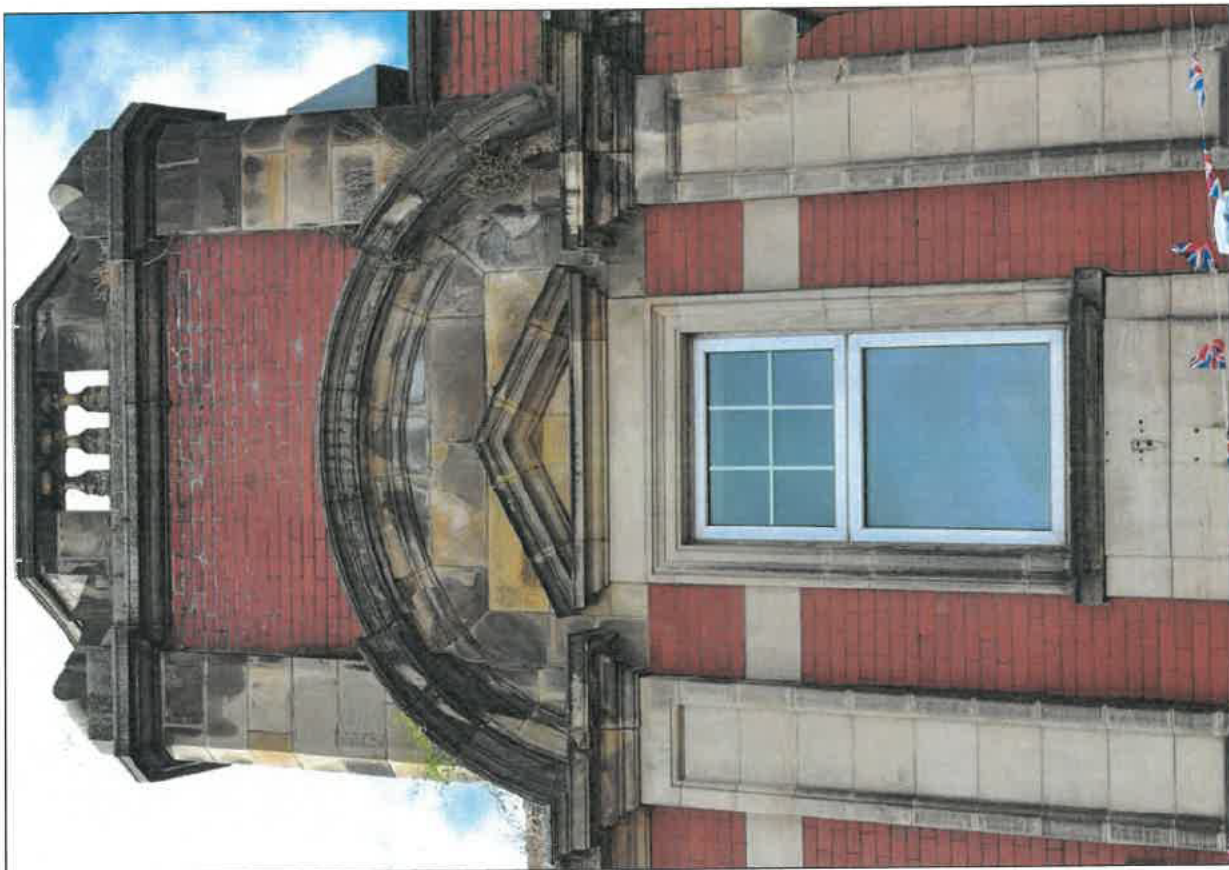


Photo 6: Detail of first floor window and east turret, George Street elevation



Photo 7: Detail of east turret, looking south-west, George Street elevation, looking south-west



Photo 8: Detail of roof, with cupola (vent) and dormer window, George Street elevation, looking south-west



Photo 9: General view of the building, looking south-west across George Street



Photo 10: South-east corner of the building



Photo 13: General view of the rear of the building, looking north-east



Photo 14: Rear of building, west of loading area, looking north



Photo 15: Covered loading area at rear of building, looking north-east



Photo 17: Interior of covered loading area, looking east



Photo 19: Detached, leaded window pane stored inside building



Photo 20: Ground floor: entrance lobby between numbers 1 and 3,
looking north

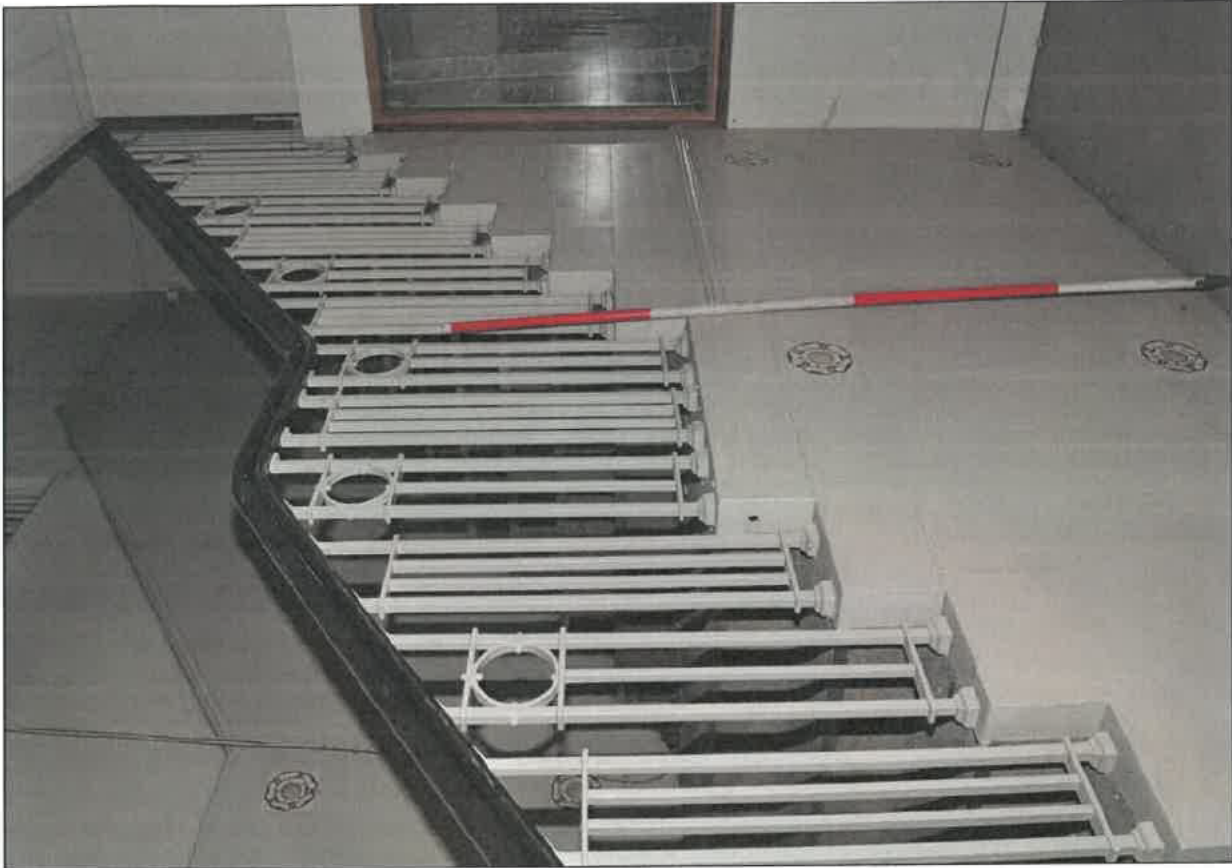


Photo 22: Ground floor: staircase in entrance lobby between numbers 1 and 3, looking south-east



Photo 23: Detail of tiling with red rose on side of stairwell



Photo 24: Former foyer to cinema, on first floor, looking north-west



Photo 28: Detail of fireplace in board room or similar, looking south



Photo 30: Detail of ceiling over board room or similar



Photo 32: Former cinema, looking east



Photo 33: Former cinema, looking west



Photo 34: Former cinema, looking north-west



Photo 35: Ceiling over former cinema, looking north-west



Photo 37: Door at foot of stairs to second floor, looking south



Photo 39: Main second floor room, looking south

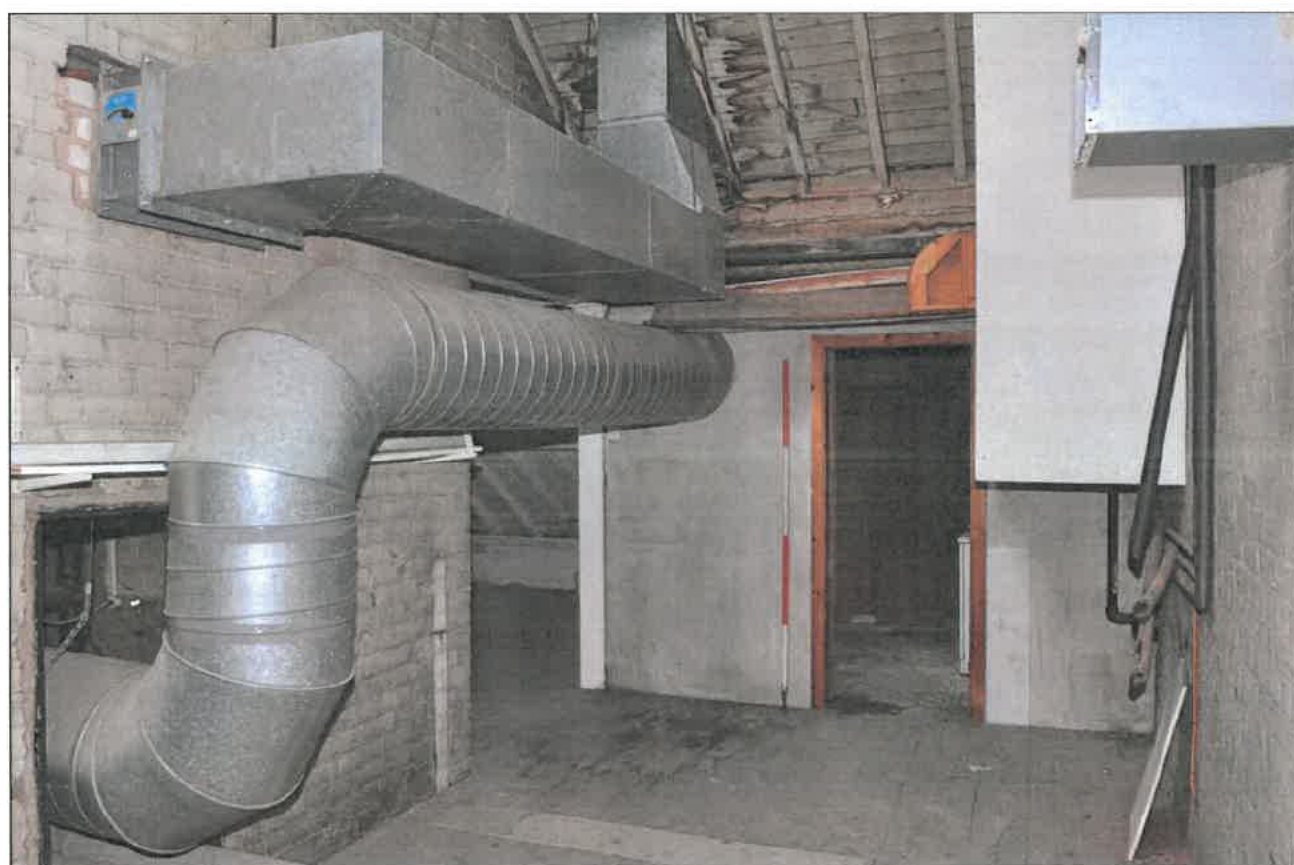


Photo 40: Main second floor room, looking north-west



Photo 41: Interior of projection room, looking west



Photo 42: Interior of projection room, looking north-east



Photo 43: Ceiling over projection room (corrugated iron), looking west



Photo 44: Fireproofed door on second floor (probably re-hung and originally serving projection room)



Photo 45: Detail of wiring installation on west side of projection room



Photo 46: Detail of wiring installation on north side of projection room

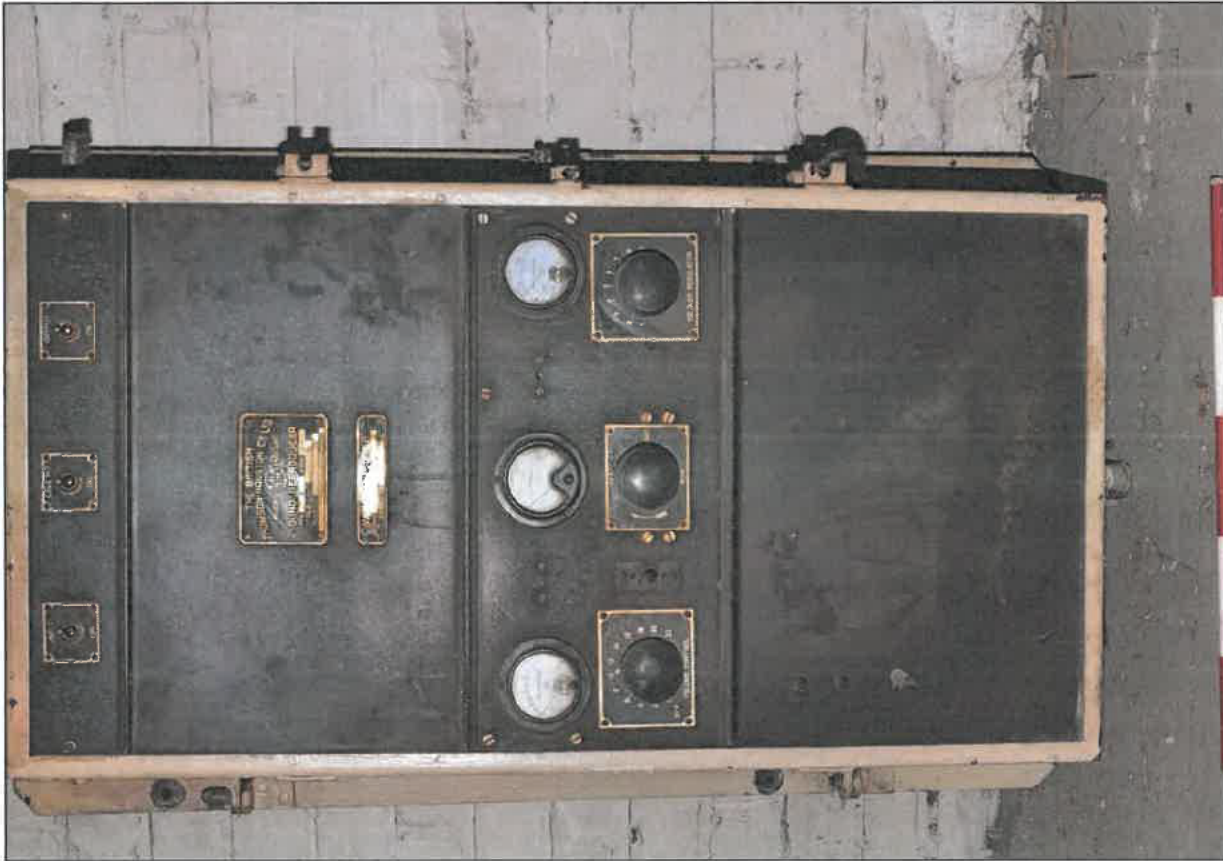


Photo 47: Sound recorder/valve amplifier, detached, located on second floor



Photo 49: Sound recorder/valve amplifier, detached, located on second floor

Appendix 2

Chronology of all RVBC Planning Applications prior to and including this Appeal

Instructed Architect for Points 1 & 2: Mr. Peter Hitchen, Whalley / Instructed Development Architect from Point 3 Onwards: Mr. Lee McGregor, Burnley

1). 3/2021/1004 - Received 29/09/21 - Registered 22/10/21 - Committee 10/03/22 - Reporting Officer Mr. Adrian Dowd - Recommended for refusal -

Outcome: Recommendation Rejected by Members and determined as Minded to Approve.

2). 3/2021/1004 - Received 29/09/21 - Registered 22/10/21 – Officers’ Decision 08/04/22 - Reporting Officer Mr. Adrian Dowd

Outcome: Consequential to the Committee's Minded to Approve decision on 10 March 2022, the Application was approved with 13 conditions of which 11 (numbered 3 to 13) were to be discharged in due course and this Application is now referred to as the "Consent".

3). 3/2022/0566 - Received 13/06/22 - Registered 16/06/22 – Officers’ Decision 25/08/22 - Reporting Officer Mr. Adrian Dowd - Request to discharge Consent Conditions 7 and 8.

Outcome: Condition 7 partially discharged and Condition 8 fully discharged.

4). 3/2023/0264 - Received 29/03/23 - Registered 26/04/23 - Officers Decision 07/06/23 - Reporting Officer Mr. Will Hopcroft - Request to vary Consent Condition 2

Outcome: Refused - Reasons: The proposed external alterations, namely to the rear (south) and side (east) roof slopes, are prominent, incongruous, and conspicuous and have a harmful impact upon the character and appearance of Whalley Conservation Area (CA) and the setting of nearby listed buildings namely the Church of Mary and All Saints, 10-13 Church Lane, 14 and 15 Church Lane, 16 Church Lane, 1, 2 and 3 Poole End, Poole House and 2, 3 and 4 The Square. This is contrary to Ribble Valley Core Strategy Key Statement EN5 and Policy DME4 and DMG1 as well as the National Planning Policy Framework.

5). 3/2023/0538 - Received 04/07/23 - Registered 27/07/23 – Officers’ Decision 25/10/23 - Reporting Officer Mrs. Kathryn Hughes - Application seeking approval of details reserved by Consent Conditions 3, 4, 5, 6, 7, 12 & 13

Outcome: Consent Conditions 5 (Cycle Store) was partially discharged and Condition 7 became fully discharged following its partial discharge on 25 August 2022. Conditions 3 (Materials) and 4 (Specifications and cross-sections) could not be discharged due to an alleged lack of information and allegedly, differing from approved drawings, despite validation. Conditions 6 (Glazing), 12 (Rear Wall) and 13 (Balcony Details) could not be discharged due to an alleged lack of information, despite validation.

6). 3/2024/0304 - Received 17/04/24 - Registered 23/04/24 – Officers’ Decision 17/09/24 - Reporting Officer Mrs. Kathryn Hughes - Approval of details reserved by Consent Conditions 1. Commencement; 2. Approved plans; 3. Materials; 4. Windows doors roof lights and solar panel specifications and sections; 5. Secure cycle stores; 6. Glazing specification; 9. Noise attenuation; 10. Extraction / ventilation systems; 11. Electric vehicle charging points; 12. Boundary wall specifications; 13. Rear balcony screening from planning permission 3/2021/1004.

Outcome: Condition 1 - Commencement. It was acknowledged that works had commenced, but formal confirmation that the development had lawfully commenced could not be given in a discharge of condition application.

Condition 2 - Approved Plans. This condition could not be discharged at this stage, as the Council had concerns that the development had not been carried out in reasonable accordance with the approved plans. The Condition was required to remain in force until the development had been completed.

Condition 3 - Materials. This condition could not be discharged as not all materials and specification details had been submitted including the natural larch boarding, white render, zinc, dormer, roof lights and solar panels. In addition, the submitted plans showed some of these features to differ from the configuration as shown on the approved plans. Furthermore, uPVC materials proposed for the windows were “not acceptable”.

Condition 4 - Specifications and cross sections. This condition could not be discharged as insufficient details and specifications of the proposed windows and doors had been submitted. The details submitted for the dormer, roof lights and proposed solar panels differed from those shown on the approved plans. These all needed to be clarified and agreed with a full roof plan.

Condition 5 - Cycle Stores. This condition had been partially discharged but could not be fully discharged because the submitted details showed that it was reliant on a new building which in turn, did not benefit from planning permission.

Condition 6 - Glazing on southern elevation. This condition could not be discharged as uPVC materials were “not acceptable” and insufficient details had been submitted that did not include proper detail of the obscure glazing.

Condition 9 - Noise Attenuation. The Officer confirmed that whilst the professionally-prepared submitted noise report was accepted, it had relied upon the installed windows which were not approved as part of condition 3. Therefore, Condition 9 could not be discharged at this stage.

Condition 10 - Extraction/Ventilation Systems. This condition could not be discharged as insufficient details had been submitted.

Condition 11 - Electric Vehicle Charging Points. The Officer required charge points to be installed in accordance with the details specified in the Condition which as worded, may involve up to 7 individual EV points. Whatever the number, these did not require the submission of any further detail.

Condition 12 - Boundary wall specifications. The plans submitted differed from the approved plans in relation to the staircase, so the boundary wall detail could not be agreed at this stage.

Condition 13 - Rear balcony screening. This condition could not be discharged, as sufficient detail of the screening for the rear balcony had not been submitted.

7). 3/2024/0933 - Received 13/11/24 - Registered 14/11/24 - Reporting Officer Mrs. Kathryn Hughes - Non-material amendment application to the Consent involving changes to window; change and increase of size from the extension to the retail unit at ground floor to a store room; addition of a bin store adjacent to the store room; addition of cycle storage within the store room; addition of a rendered masonry wall covering the external stair; external glazing moved from the face of the rear stairwell; roof/third floor level skylights amended.

Outcome: The Application was withdrawn having been email-advised by the Reporting Officer that if not withdrawn, the Applicant would receive a Refusal Notice.

8). 3/2024/0944 - Received 13/11/24 - Registered 21/11/24 - Reporting Officer Mrs. Kathryn Hughes - Approval of details reserved by Consent Conditions 3 (external materials), 4 (details of new windows/doors/roof lights/solar panels), 5 (cycle stores), 6 (south elevation glazing), 10 (odour assessment), 12 (boundary wall specifications) and 13 (rear balcony details) of the Consent under planning permission 3/2021/1004.

Outcome: Application withdrawn having been advised by the Reporting Officer that if not withdrawn, the Applicant would receive a Refusal Notice within 14 days of its receipt at RVBC.

9). 3/2024/1016 - Received 13/12/24 - Registered 03/02/25 - Committee 13/03/25 - Reporting Officer Mrs. Kathryn Hughes

This "Regularisation" Application to achieve a fair compromise was to be determined at the Committee meeting on Thursday 17 April. By Wednesday 5 March, the Committee Report had been authored. The Applicant had offered to agree a 3-week extension to 31 March. On the afternoon of 5 March, the Appellant discovered that the Application had been placed on the Committee agenda for Thursday 13 March with a Recommendation for Refusal for the following reasons:

1). *The proposed uPVC windows on the front, rear and side elevations, the dark grey cladding on the front dormer and rear gables, the rear wall enclosing the first floor terraced area and balcony areas in the absence of any suitable mitigation and the lighting scheme, are prominent, incongruous and conspicuous and result in a harmful impact upon the character and appearance of Whalley Conservation Area and the setting of nearby listed buildings namely 10 – 16 (consecutive) Church Lane and the Church of Mary and All Saints. This is*

contrary to The Planning (Listed Buildings and Conservation Areas) Act 1990, Key Statement EN5 and Policies DME4 and DMG1 of the Ribble Valley Core Strategy 2008 – 2028 as well as the National Planning Policy Framework.

2). The proposal fails to demonstrate that the scheme does not result in significant measurable harm to the residential amenities of the occupiers of numbers 4 - 8 (consecutive) Church Lane by virtue of overlooking and loss of privacy from the first-floor rear terraced area and rear stairwell access to apartment G. In addition, the proposed lighting scheme would have an unacceptable impact on neighbouring properties 6 and 7 Church Lane, by virtue of the resultant light pollution. This would undermine and diminish Page 70 the enjoyment of the occupiers of the properties contrary to Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028 as well as the National Planning Policy Framework.

3). The proposed uPVC windows on the front, rear and side elevations, dark grey cladding on the front dormer and rear gables, rear wall enclosing the first floor terraced area and balcony areas in the absence of any suitable mitigation, and the lighting scheme, results in an incongruous, unsympathetic, and discordant form of development, that fails to respond positively to the visual character of the area contrary to Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028 and the National Planning Policy Framework.

APP. 3

RIBBLE VALLEY BOROUGH COUNCIL

Development Department

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

Telephone: 01200 425111 www.ribblevalley.gov.uk planning@ribblevalley.gov.uk

Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

APPLICATION NO: 3/2024/1016

DECISION DATE: 22 April 2025

DATE RECEIVED: 31/01/2025

APPLICANT:

Mr S Ronnan
Ronnan Corporation Ltd
Marathon House
The Sidings
Whalley
BB7 9SE

AGENT:

Donna Barber
Eden Planning
1 market Street
Altrincham
WA14 1QE

DEVELOPMENT PROPOSED:

Regularisation of works including extension to rear ground floor to include internal secure residents cycle store with roller shutter door; re-instate rear boundary wall to 1.351m high maximum; alterations to rear external staircases; upvc windows and doors to front, side and rear; aluminium windows to the front dormer; screening feature to the rear balconies; ground floor bin store; central cladding to front dormer window on third floor; rooflights; external lighting scheme to rear and two electric charging points.

AT: 1 to 7 The Picture House George Street Whalley BB7 9TH

Ribble Valley Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission **has been refused** for the carrying out of the above development for the following reason(s):

1. The proposed uPVC windows on the front, rear and side elevations, the dark grey cladding on the front dormer and rear gables, the rear wall enclosing the first floor terraced area and balcony areas in the absence of any suitable mitigation, the lighting scheme and the proposed larch cladding to the rear stairwell, are prominent, incongruous, and conspicuous and result in a harmful impact upon the character and appearance of Whalley Conservation Area and the setting of nearby listed buildings namely 10 – 16 (consecutive) Church Lane and the Church of Mary and All Saints. This is contrary to The Planning (Listed Buildings and Conservation Areas) Act 1990, Key Statement EN5 and Policies DME4 and DMG1 of the Ribble Valley Core Strategy 2008 – 2028 as well as the National Planning Policy Framework.

**RIBBLE VALLEY BOROUGH COUNCIL
REFUSAL OF PLANNING PERMISSION CONTINUED**

APPLICATION NO: 3/2024/1016

DECISION DATE: 22/04/2025

2. The proposal fails to demonstrate that the scheme does not result in significant measurable harm to the residential amenities of the occupiers of numbers 4 - 8 (consecutive) Church Lane by virtue of overlooking and loss of privacy from the first floor roof terraced area. In addition, the proposed lighting scheme would have an unacceptable impact on neighbouring properties 6 and 7 Church Lane, by virtue of the resultant light pollution. This would undermine and diminish the enjoyment of the occupiers of the properties contrary to Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028 as well as the National Planning Policy Framework.
3. The proposed uPVC windows on the front, rear and side elevations, dark grey cladding on the front dormer and rear gables, rear wall enclosing the first floor terraced area and balcony area in the absence of any suitable mitigation, the lighting scheme and the proposed larch cladding to the rear stairwell, results in an incongruous, unsympathetic, and discordant form of development, that fails to respond positively to the visual character of the area contrary to Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028 and the National Planning Policy Framework.

Note(s)

1. Applications for planning permission are assessed against the National Planning Policy Framework and the policies within the Core Strategy for the Ribble Valley. The Local Planning Authority adopts a positive and proactive manner and will consider representations, liaise with consultees, and seek amendments to proposals where appropriate within statutory timescales.
2. The proposal does not comprise sustainable development and there were no amendments to the scheme, or conditions that could reasonably have been imposed, which could have made the development acceptable. It was therefore not possible to approve the application.
3. This Decision Notice should be read in conjunction with the officer's report which is available to view on the website.

Nicola Hopkins

NICOLA HOPKINS
DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

Notes

Right of Appeal

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

· If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

· If this is a decision to refuse planning permission, or approve with conditions, a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

RIBBLE VALLEY BOROUGH COUNCIL
REFUSAL OF PLANNING PERMISSION CONTINUED

APPLICATION NO: 3/2024/1016

DECISION DATE: 22/04/2025

· If this is a decision to refuse planning permission, or approve with conditions, a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision> . If it is a householder appeal it can be made online at: <https://www.gov.uk/appeal-householder-planning-decision> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

Purchase Notices

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council of the county borough or county district in which the land is situated a purchase notice requiring that Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

APPENDIX 4

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

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

Telephone: 01200 425111 www.ribblevalley.gov.uk planning@ribblevalley.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2021/1004

DECISION DATE: 08 April 2022

DATE RECEIVED: 12/10/2021

APPLICANT:

Mr S Ronnan
Ronnan Corporation (Property) Ltd
Marathon House
The Sidings
Whalley
BB7 9SE

AGENT:

Mrs J Douglas
Judith Douglas Town Planning Ltd
8 Southfield Drive
West Bradford
Clitheroe
BB7 4TU

DEVELOPMENT PROPOSED: 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 and rebuilding boundary wall at the rear and associated alterations.

AT: 1 to 7 George Street Whalley BB7 9TH

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings: Location Plan Proposed Site Plan A1.2 20/8/2021; Proposed Elevations A2.2A 26/10/2021; Proposed Ground and First Floor Plans A1.4 20/8/2021; Proposed Mezzanine and Upper Floor Plans A1.5 13/9/2021; Proposed Sections Showing Distances to Church Lane Properties A3.2 13/9/2021; Solar PV Location Section A3.3 12/10/2021 Materiality

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. Notwithstanding that submitted, precise specifications and samples of proposed wall, roof, window, door, roof light and solar panel materials shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works. The development thereafter shall be implemented in accordance with the approved details.

REASON: In order to ensure acceptable materials.

P.T.O.

4. Precise specifications (including cross-section drawings) of proposed new windows, doors, roof lights and solar panels shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works. The development thereafter shall be implemented in accordance with the approved details.

REASON: In order to ensure acceptable windows, doors, roof lights and solar panels.

5. No building or use hereby permitted shall be occupied or the use commenced until secure cycle stores are provided at the site for use by the occupants of the apartments. The details regarding the cycle stores shall be submitted to and approved in writing by the Local Planning Authority. The respective cycle stores shall be retained at all times thereafter.

REASON: In the interest of providing suitable storage for cycles and sustainable modes of travel.

6. Notwithstanding that submitted, precise specifications and samples of proposed south elevation glazing (including details of obscure glazing) shall have been submitted to and approved in writing by the Local Planning Authority before its use in the proposed works. The development thereafter shall be implemented in accordance with the approved details.

REASON: To safeguard the residential amenities of adjoining properties on Church Lane.

7. No development including any demolition works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of building recording, analysis and reporting work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise the creation of a record of the building to level 3 as set out in "Understanding Historic Buildings" (Historic England 2016). It should include a full description of the buildings, inside and out, drawn plans, elevations and at least one section (which drawings may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the building and its features into context. The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

P.T.O.

8. No development shall take place until details of an assessment of all significant noise sources likely to affect the proposed development has been submitted in writing to and approved by the Local Planning Authority. The noise report shall: a) Determine the existing noise climate including from existing commercial premises and from plant noise forming part of the development b) Predict the noise climate in bedrooms (night-time) and other habitable rooms of the development (day-time) c) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the proposed dwellings. If the noise attenuation measures include windows being kept closed, then details of alternative ventilation over background ventilation will be required. This assessment shall demonstrate that the following standards are met within the proposed development. LAeq 50-55dB 16 hours - outside living areas (for example balconies where appropriate) LAeq 35dB 16 hours - indoors daytime (08.00-23.00) LAeq 30dB 8 hours - indoors night-time (23.00-07.00) LAFmax 45dB 8 hours - indoors night-time (23.00-07.00) LAFmax 45dB 4 hours - indoors evening (19.00-23.00)* * The evening standard LAFmax will only apply where the existing evening LAFmax significantly exceeds the LAeq and the maximum levels reached regular occur, for example several times per hour. The assessment shall be carried out for the most sensitive hours.

REASON: To safeguard residential amenities.

9. Before the development is first brought into use all works which form part of the sound attenuation scheme as specified in the agreed noise report shall be completed and written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority. If it cannot be demonstrated that the noise levels specified in the agreed noise report have been achieved, then a further scheme shall be submitted for the written approval of the Local Planning Authority incorporating further measures to achieve those noise levels. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

REASON: To safeguard residential amenities.

10. Before the development is first brought into use, an assessment of the sources of potential odour that might be detrimental to the amenity of future occupants of the proposed development, in particular from activities in nearby commercial properties from cooking and extract ventilation systems, shall have been submitted in writing to and approved by the Local Planning Authority. The assessment will detail the odour sources and demonstrate how the amenity of future occupants of the proposed development will be protected from these odour sources. Any necessary mitigation measures shall thereafter be implemented as part of the development and retained in perpetuity thereafter.

REASON: To safeguard residential amenities.

P.T.O.

11. Prior to the first occupation each dwelling shall have an electric vehicle charging point. Charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle currently.

REASON: In the interests of supporting sustainable travel.

12. Precise specifications of the proposed re-building of the boundary wall shall have been submitted to and approved in writing by the Local Planning Authority before the implementation of this element of the proposed works. The development thereafter shall be implemented in accordance with the approved details.

REASON: In order to ensure an acceptable development.

13. Notwithstanding the rear balcony details, further plans shall be submitted and agreed in writing by the Local Planning Authority incorporating proposals to minimise direct overlooking of the adjacent properties on the rear elevation. The details shall thereafter remain in perpetuity.

REASON To safeguard residential amenity.

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
3. The Local Planning Authority has endeavoured to work proactively and positively to resolve issues and considered the imposition of appropriate conditions and amendments to the application to deliver a sustainable form of development.
4. It is recommended that the methodology for any noise assessment be submitted in writing to the RVBC Environmental Health Service prior to any assessment taking place.

John Machole

pp NICOLA HOPKINS

DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

P.T.O.

Notes

Right of Appeal

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission, or approve with conditions, a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date

of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

Purchase Notices

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council of the county borough or county district in which the land is situated a purchase notice requiring that Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

APP. 5

Peter Hitchen
Architects

RIBA #
Chartered Practice

Peter Hitchen Architects Ltd
Marathon House
The Sidings Business Park
Whalley
Lancashire
BB7 9SE
27 September 2021

**STATEMENT TO SUPPORT THE PLANNING APPLICATION
FOR THE PROPOSED REDEVELOPMENT AND EXTENSIONS
OF 1-3 GEORGE STREET TO CREATE SEVEN RESIDENTIAL
APARTMENTS WITH REAR ACCESS.**



INTRODUCTION

This design statement supports the planning & heritage statements for the planning application proposing the creation of seven new apartments located above the existing ground floor units at 1-3 George Street, Whalley. The apartments are proposed on 3 levels with a new mezzanine floor constructed between the existing first and second floor spaces. The works also include extensions at the rear, roof windows and dormer constructions.

The existing building at 1-3 George Street is a substantial early 20th century, three storey commercial premises with a number of retail units on the ground and first floors. The building is constructed in red brick with sandstone detailing and dressings to the front (North) elevation displaying an Edwardian character with a neo-baroque theme. The building is predominantly characterised by a pair of turrets at either end of the front elevation, beneath the turrets are stair wells that provide access to the upper floors from George Street and between the turrets above the parapet wall is a flat roofed dormer.

The building boasts a vast amount of space within the hipped, slated roof. The first floor has a fairly simple arrangement of large window openings, with modern frames. The eastern end of the building is entirely brick, as is the western end which accommodates the spar and was extended in the late 20th century. The rear of the building backs onto a narrow access road off the Church Lane properties and is very much concerned with servicing, including a sheltered loading bay with bin storage and a flat-roofed, pebble-dashed extension, and lift shaft as well as access points to a number of the units on the ground floor.



1 George Street Existing Situation

The building lies within the Whalley Conservation Area and is identified within Ribbles Valley Borough Councils' Conservation Area Appraisal map as a Building of Townscape Merit and a focal building. The building has accommodated a number of different uses since its construction (between 1910 and 1929), most notably as Maureen Cookson's women's wear store from 1974-2018 having been built as a Co-op originally with the village's cinema upstairs. Photographs below show a stone band which has the names of the various Co-operative departments, e.g. offices, and groceries and provisions, these are now hidden or entirely removed and replaced by the present shop signs.

Reference to the heritage statement produced by Stephen Haigh explains an assessment of the significance of heritage assets and their settings affected by the development.



1 George Street Circa 1962-63

A planning application for the change of use of the first floor from Retail (A1) to Restaurant (A3) was approved with conditions in March of 2019 (App no. 3/2018/1137). By virtue of the size of the existing first floor space (Photographs below) little interest was shown for use as a restaurant unit by potential tenants. Therefore, the applicants new desire is to create a residential solution which will be a more appropriate and unobtrusive use on the immediate area.



Existing First Floor Space (Original Cinema Room)

CONCEPT

The existing space within the upper floors of 1-3 George Street (particularly the tall curved ceiling in the old cinema room) is not practical for a single storey use, this is reflected in its uninhabited state since the vacancy of Maureen Cookson's store in 2018. Therefore, the concept for the proposal was principally to utilise and maximise the significant volume of upper floor and roof void spaces that 1-3 George Street possesses. In addition and extremely important is the refurbishment and enhancement of the external appearance specifically at the rear is also an important element to the proposal.

Demolition work and consolidation of the air-conditioning plant at the rear of the building is required in order to create a neat and ordered solution which expresses the residential use and improves the view from the properties on Church Lane, the layout and organisation of this work must be set out in conjunction with understanding the requirements of servicing the commercial units at ground floor. This is opposed to the cluttered and visually harmful existing situation (see photos).



Existing Cluttered Rear Elevation of Conflicting Structures

It is integral that the scheme respects the architectural style of the building with regard to materiality and massing as well as respecting the privacy of the residential amenity at the rear of the houses on church lane.

PROPOSAL

The proposal is to remove the existing gable dormer at the rear of George Street and replace it with a new gabled extension of the same proportions extended on the roof, closer to the main ridge of the building. A symmetrical gable extension on the other side of the rear elevation forms the bulk of the new massing to the rear, both gables are proposed incorporating standing seam zinc and cedar boarding materiality.



Proposed Rear Elevation

The larger of the two gables will provide access to two apartments and the new plant area is designed to conceal all plant units with a powder coated aluminium louvred screen and subsequently rationalise the rear elevation. All five other apartments are to be accessed through adapted existing window openings via the proposed rear access and internal corridor.

A white render (K-Rend or similar) materiality is proposed in place of the existing red brick to give the building a new fresh appearance, timber panelling is proposed to the larger gable to soften the aesthetics & increase the privacy to the adjacent properties on Church Lane when moving through the space. A significant amount of tall plantation is proposed on both terraces in order to provide sufficient screening to the rear of Church Lane especially on the higher terrace off apartment A.

Internally the apartments are to be positioned on three floors, a new mezzanine floor is proposed to take advantage of the vast space between the existing first and second floors, this will provide two-storey living to five of the seven apartments. Velux cabrio windows are proposed in the roof space to the rear (apartments F & G) these are in line with the advice given in the pre application enquiry received previous to this planning application submission.

The existing flat roof dormer extension on the front elevation is to be replaced with a larger flat roof dormer with a chamfered standing seam zinc materiality in order to provide the space for two-bedroom apartments on the upper floor. Elsewhere on the building all windows are to be replaced in order to further rejuvenate the building.



Proposed Apartment (Apartment G)



Proposed Front Elevation

CONCLUSION

The proposal's overall design has been carefully considered and the impact on the existing & surrounding buildings has been assessed. The building presents a great opportunity to create a new residential solution within the village of Whalley, the proposals aim is to protect, improve and revive a building that has been extremely important to the village for over a century and enhance the appearance of the conservation area whilst not detracting or causing harm to the immediate surroundings and residential amenity at the rear.



Peter Hitchen Architects Ltd
Marathon House
The Sidings Business Park
Whalley
Lancashire
BB7 9SE
27 September 2021

APPENDIX 6

From: [REDACTED]
Sent: 24 September 2024 15:55
To: [REDACTED]
Subject: RE: 1-7 George Street - 3/2024/0304

Dear Mr Ronnan,

Application Number: 3/2024/0304

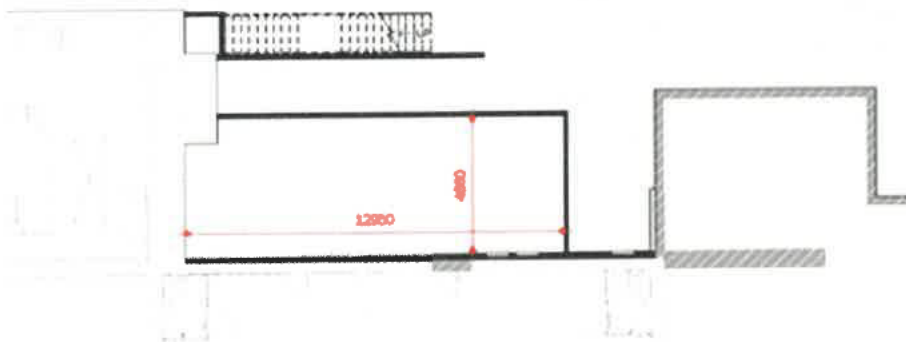
Proposal: Approval of details reserved by conditions 1 (commencement), 2 (approved plans), 3 (materials), 4 (windows doors rooflights and solar panel specifications and sections), 5 (secure cycle stores), 6 (glazing specification), 9 (noise attenuation), 10 (extraction/ventilation systems), 11 (electric vehicle charging points), 12 (boundary wall specifications) and 13 (rear balcony screening) from planning permission 3/2021/1004.

Location: 1 to 7 The Picture House Apartments George Street Whalley

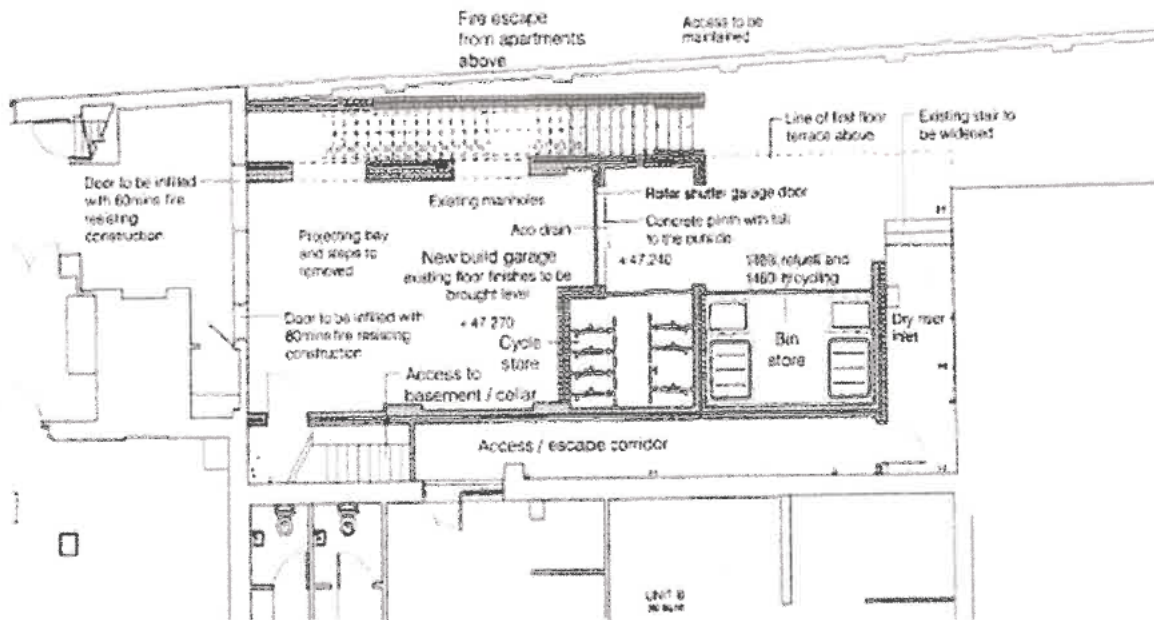
Following the decision on the above discharge of condition application, I have revisited the development site and discussed the works which have occurred with the Development Management Officers. There are a number of discrepancies between the approved development and the development under construction which will need a new application to seek to regularise, the main areas of difference which are set out below. The current position is that the development under construction is in breach of conditions 2, 3, 4, 6, 8 and 12 of planning approval 3/2021/1004.

The main differences within the development is the construction to the rear of the building at ground floor level which was not detailed on the approved plans:

APPROVED GROUND FLOOR LEVEL



DISCHARGE OF CONDITION APPLICATION



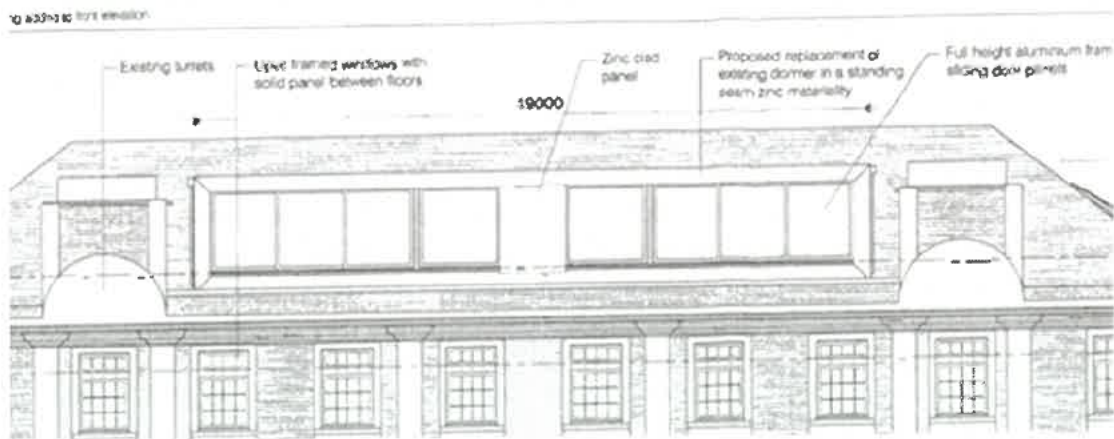
AS CONSTRUCTED



APPROVED DESIGN OF DORMER



DISCHARGE OF CONDITION APPLICATION



AS CONSTRUCTED



Windows: As previously advised the use of UPVC is not acceptable within the building and the UPVC windows will need to be replaced with a suitable window treatment (such as timber or aluminium). Condition 3 requires specifications and samples of proposed wall, roof, window, door, rooflight and solar panel materials before their use in the proposed works which has not been satisfactorily provided.

The changes to the development which are currently / have been constructed do not have the benefit of planning permission and will need a new full application to seek to regularise the changes

which have occurred (this includes changes to the configuration of solar panels, other features and changes to the boundary wall).

I would advise that a new full application is submitted to seek to regularise the development under construction. This application should include:

- 1) **Elevation, floor and sectional plans of the development as constructed.**
- 2) **Precise specifications, cross section and samples of proposed wall, roof, window, door, rooflight and solar panel materials including the replacement of UPVC where it has been used to date.**
- 3) **Details of secure cycle storage.**
- 4) **Specifications and samples of proposed south elevation glazing (including details of obscure glazing).**
- 5) **An assessment of all significant noise sources likely to affect the proposed development based on the amended window detail.**
- 6) **An assessment of the sources of potential odour that might be detrimental to the amenity of future occupants.**
- 7) **Details of the as constructed boundary wall.**
- 8) **Details of the proposals to minimise direct overlooking of the adjacent properties on the rear elevation. The Officers have suggested incorporating both obscured glazing in the rear elevation along with established planting (evergreen hedge at least 1m high) within the balcony planters to act as a screen.**

I would be grateful if you could please confirm, within 2 weeks of the date of this e-mail, when a new full application will be submitted for the development as constructed. If such an application is not forthcoming within a reasonable timeframe the Council will need to consider formal enforcement action.

Kind regards,

Liam O'Donnell | Enforcement Officer

Ribble Valley Borough Council, , Council Offices, Church Walk, Clitheroe, Lancashire BB7 2RA



**Ribble Valley
Borough Council**

www.ribblevalley.gov.uk

APPENDIX 7

From: Don Proctor <[REDACTED]>

Date: 5 March 2025 at 19:27:56 GMT

To: Kathryn Hughes <[REDACTED]>

Cc: Nicola Hopkins <[REDACTED]>

Subject: George Street

I am frankly amazed to discover this afternoon that this item is on the committee agenda for March committee accompanied by an extensive report which must have been prepared for some time with reasons for refusal dealing very largely with the issues we discussed at our recent meeting and upon which we are preparing significant information and amendments, which we are to submit shortly.

As discussed and in various emails even today this will address the outstanding issues.

We have corresponded on the question of time extensions and your recent email suggested we had still got until 28th March , when we can discuss if an extension is required later etc.,

The committee report must have been prepared even as we were having this dialogue and discussing amendments being made .

Are you seriously putting this to committee without the benefit and consideration of these further submissions as discussed?

I need your response to this urgently as I have the unenviable task of trying to explain this to my clients and their anxious backers who will consider I have misled,

Don Proctor

On 6 Mar 2025, at 14:21, Kathryn Hughes <[REDACTED]> wrote:

Hi Don

Yes, we are. This is a regularisation application and any additional information can be reported to the meeting. That is not an unusual situation. In terms of the EOT that is for us, as LPA, to request as necessary, however, but we should always aim for the 8 week target for decisions.

Regards

Kathryn Hughes

Kathryn Hughes
Principal Planning Officer
Economic Development and Planning
Ribble Valley Borough Council

www.ribblevalley.gov.uk

Further information and additional advice on permitted development rights and submitting planning applications can be found at www.planningportal.co.uk

From: Don Proctor <[REDACTED]>
Sent: 06 March 2025 17:01
To: Kathryn Hughes <[REDACTED]>
Cc: Nicola Hopkins <[REDACTED]>
Subject: Re: George Street

That is totally unsatisfactory, how can members assess the significant amount of information on the spot with a twenty page report recommending refusal in front of them.

Given the toing and froing over many months it would have been reasonable to have had this information considered properly by yourselves and then presented to members in the normal way.

Without being cynical it appears to me that your minds are made up regardless of any information or amendments we submit.

Can you answer the question I asked the other day about the use of upvc and notwithstanding your personal opinion disliking its use per se do RVBC object to the use of upvc at this site in principle or is it the design of the windows or both?

It is also not unusual for applications to go beyond eight weeks in certain circumstances and this is a case in point, so much still to be considered.

Don Proctor

APPENDIX 8

From: Don Proctor [REDACTED]
Date: 11 March 2025 at 10:55:05 GMT
To: Kathryn Hughes [REDACTED]
Cc: Andrew Ronnan [REDACTED] Lee McGregor [REDACTED] Sean Ronnan [REDACTED]
Subject: George Street, Whalley. 3/2024/1016

I write on behalf of my clients in connection with this application and further to our recent meeting on site.

As discussed at that meeting we have addressed outstanding issues and are submitting today further information and amended drawings.

I have asked my clients architect to send you the amended drawings and visuals accordingly, which I will briefly explain below.

Boundary wall - the new drawing shows the height of this boundary wall along its length, the wall itself constructed on the original foundations.

Rear staircase - the new drawing shows a design amendment to remove the potential for overlooking of properties to the rear .This is in the form of vertical aluminium slats, spaced vertically between cladded beams, with gaps at less than 100mm.

Balcony screening - the three dimensional image submitted shows how the existing screen walling surmounted by a synthetic hedge will enclose this space and prevent overlooking. Synthetic hedges such as this are used extensively for screening purposes and particularly as in this case where we do not wish to introduce soil and hence further weight to the balcony, in addition of course to maintenance considerations.

Rear lighting - in close liaison with our lighting consultants we have carried out light surveys to the rear and under separate cover I will be submitting the calibrated results of these surveys . These show light levels well within industry accepted ranges and will not cause material harm to neighbours at the rear.

We have already submitted detailed specification for the lights, which if I may remind you are motion activated and therefore not illuminated continuously.

UPVC fenestration - I would like to summarise the applicant's position on this issue.

Firstly this is not a new feature but this is replacement of upvc at the site in place for many years.

Upvc was in place at the time this site was included within the Conservation Area in 2006.

The design of the proposed replacements was discussed with your officers before the original application submission and it was agreed a "Georgian" style would be appropriate which we have tried to achieve.

The upvc replacements are to a significantly improved specification achieving maximum Energy Performance Certificate ratings.

The dark grey colour was chosen to complement the 120 years old dark grey slate roof and the black paintwork and fenestration across all of the ground floor units. This now unifies the whole of the George Street frontage to the site and represents a dramatic improvement in its appearance.

Before and after photographs show the significant improvement to the appearance of the site and its contribution to the character of the Conservation Area. The originally submitted Heritage Report contains many photographs showing the tired, disjointed George Street frontage and the appalling appearance at the rear.

We have also submitted a survey showing the extensive use of upvc within the Conservation Area and beyond including on buildings considered to have townscape merit.

On this issue you have still not clarified the RVBC position as to whether you object to the use of upvc in principle (which would probably be unlawful) or insofar as it relates to this site.

Correspondence, decision notices have made repeated references to the unacceptability of upvc with no explanation.

Don Proctor

APPENDIX 9

1 to 7 Picture House Apartments, George Street, Whalley, BB7 9TH

Planning Application Reference 3/2024/1016

Position Statement

Purpose

The purpose of this note is not set out a concise summary of our understanding of the current planning position of this application, to support your consideration of these matters, ahead of the next planning committee meeting.

Summary of Key Issues

The applicant is mindful of the fact that some of the works undertaken on site are not fully compliant with the original approval and you and I are very aware of the difficulties caused and appreciates the ongoing engagement with officers.

Committee (13th March 2025) deferred the determination of this application to enable these issues to be explored further and you and I have had email exchanges accordingly.

Below is a summarised position statement in table form which may be helpful. This also clearly identifies drawings that are to be formally submitted as updates to the application and those drawings that are now superseded. A full schedule of drawings is attached for completeness.

	Matter	Applicant's Response	Comments
1.	Screening to Rear Terrace.	A synthetic hedge to be erected around the balcony edge and from ground level. For illustrative purposes visuals are provided: x 2 - Balcony and from Ground Level Drawing Numbers: 2232-1M-001 2232-101 AB1; 102 AB1; 103AB1; 301 AB1. Supersedes 101; 102; 103 & 301	Synthetic planting is to be erected around the balcony edge attached to the substantial screening feature (planter box) already in place. We have extended this planting up the stairs from ground floor to the balcony which will add verticality and break up the extent of render. This planting is widely used and provides effective screening all year round and is low maintenance. No material weight increase to structural roof. This approach removes any potential for overlooking of properties to the rear from the balcony.
2.	Rear Open Staircase.	Vertical larch-wood cladding, as per original consent to prevent overlooking.	The officers' suggestions have been considered by the design team and the engineers. A fully enclosed stairway is not achievable due to fire safety

		<p>For illustrative purposes visuals are provided: x 2 - Balcony and from Ground Level.</p> <p>Revised drawings: 2232-101AB1; 2232-102AB1; 2232-103AB1; 2232-301AB1.</p> <p>Supersedes: 2232-101; 102; ; 103 & 301</p>	<p>issues. Unrestricted access required to the installed fire hydrant.</p> <p>Therefore, the decision was made to move back to the original design.</p> <p>Critically, this approach secures the screening required to protect residential amenity officers raised as a key issue.</p>
3.	Appropriateness of uPVC Window Replacements.	<p>uPVC to be retained as per drawings.</p> <p>Grey colour to match roof slates and complement black ground floor retail shops.</p> <p>Revised Drawing: 2232-300 AB1 (including existing colour specification RAL 7016 Anthracite Grey).</p> <p>Supersedes: 2232-300</p>	<p>Original uPVC windows fitted during 1986 retail showroom refurbishment undertaken by Ingham's Builders, Clitheroe.</p> <p>The windows (design and finish) are considered appropriate in this location/context.</p> <p>Choice of uPVC material was driven largely by technical advice to maximise thermal performance and in design terms screen the floor levels which cross these openings.</p> <p>The grey colour (RAL 7016 Anthracite Grey) matches the grey slate roof and complements the black ground floor units.</p> <p>Any replacement costly, disruptive and unnecessary for the existing residents and neighbours.</p> <p>Any change to the colour or finish is not considered necessary. However, if considered essential the applicant would accept appropriately worded conditions to this effect.</p>
4.	Front Dormer Cladding.	<p>Cladding to be retained.</p> <p>Grey colour as above considered appropriate.</p> <p>Revised Drawing: 2232-300 – AB1 (including existing colour specification RAL 7016 Anthracite Grey).</p> <p>Supersedes 2232-300</p>	<p>Choice of aluminium cladding material is based not only on appearance and finish. But also, on technical advice and fire safety.</p> <p>The design change was because of the need for fire resistant distance between the two apartments and enabled internal design to be approved.</p> <p>We consider there is limited difference visually or aesthetically.</p>

			Dormer external design amendment improved internal layout. As with the uPVC windows, if Members consider a different colour/finish to be inappropriate then presumably a colour finish can be agreed by condition.
5.	Rear Lighting Scheme.	Amended. Kosnic Blanca fittings with eyelid light-deflector option. Specification to be provided.	The rear lighting scheme is to be retained but we highlight that these lights are motion activated and not therefore permanently illuminated. Light deflector eyelids to be fitted which have the effect of turning these into downlighters and further limit the potential for light spill.
6.	Other Matters.	<ul style="list-style-type: none"> • Cycle Store repositioned. • Bin Store retained. • Roller Shutter Door retained. • EV Charging Points x 2. Revised Drawing: 2232-100 AB1. <p>Retained rear boundary wall on original foundation. Revised Drawings: 2232-410cC; 2232-100 AB1. Superseded Drawings 2232-410 & 100</p>	<p>This will be retained inside the building as submitted to improve security and ease of access. Bin Store: RVBC confirmed no further information is required. Roller Shutter: RVBC confirmed no further information is required.</p> <p>EVCP: Expert/qualified advice received on limited grid-load capability. There is no development plan requirement for 1 EV Charging Point per dwelling. Rear wall: Wrongly described as re-positioned. New wall has been built on original foundations. More secure with better access.</p>

Other Benefits

The focus of discussions has been to ensure the best design is achieved and that the amenity of adjacent residents is protected. There are also other benefits that must be weighed into the planning balance.

As well as securing the future of the building, the development also delivers (Source: House Builders Federation Calculator).

7 new homes in sustainable location.

Total investment circa £2.3 million.

Employment of approximately 80 to 100 full and part-time contractors during construction.

Ongoing maintenance workers circa 10 contractors retained.

Circa £15,000 per year Council Tax Revenue.

Conclusion

Ahead of committee we respectfully request that the revised drawings are formally uploaded as part of the application and together with other information provided, we consider constitutes the application for determination.

The applicant has actively listened to officers and comments received and worked to incorporate as many amendments as possible, whilst maintaining integrity of the design and avoiding disruption for the existing tenants.

We believe this is a quality scheme which enhances the street scene in accordance with policies and RVBC Core Strategy DS1; DS2; EN5; EC1 and DM12. Also, Policies DMG1; DMG2; DMG3 and DME4 and that the measures proposed will protect residential amenity.

This was reinforced at Committee on 13 March by Councillors Horkin MBE, O'Rourke, Brown and Street who commented on the major improvements visually to the street scene with Councillor Horkin MBE describing the building as "stunning".

As outlined above, this major investment providing seven new quality residential units in a sustainable location and the boost to confidence it will give to Whalley as an attractive place to live and work is entirely in line with the above-stated policies and wider Government objectives to significantly boost the supply of homes in sustainable locations (NPPF para 61).

Whilst we acknowledge and regret these matters are being dealt with retrospectively, we trust that officers can reconsider their recommendation and enable this matter to move forward positively.

Schedule of Drawings and Documents

Cover Letter

Fee (paid)

Forms and Documents:

Completed and signed application forms
Revised Planning and Design Statement
Heritage Statement Addendum
Noise Report - Martin Environmental Solutions Ltd
Applicant's uPVC survey
Lighting Statement Lighting photographs 2232-804
Velux window detail images
Proposed materials sample images
Window detail images
Optima specification
Sound attenuation vent details

Drawings:

Location plan 21-1004
Site Plan Proposed ground floor plan 2232-100AB1
First floor plan 2232-101AB1
Second floor plan 2232-102AB1
Third floor plan 2232-103AB1
Roof plan 2232-104AB1
Front and car park elevations 2232-300AB1
King Street side and rear elevations 2232-301AB1
First floor terrace and stairs in three layouts 2232-401C
Boundary wall details and elevations 2232-401C
Lighting layout 2232-801; 802 & 803

The following drawings are superceded: 2232-100; 101; 102; 103; 104; 300; 301; 401 & 410.

For Illustrative Purposes:

Two visuals of balcony planting, balcony and ground level Drawing Number: 2232-IM-001.

Information Note: Comparison of zinc and aluminium performance

From: Don Proctor [REDACTED]
Sent: 07 April 2025 10:13
To: Kathryn Hughes [REDACTED]
Cc: Andrew Ronnan [REDACTED]; Sean Ronnan <[REDACTED]>; Lee
McGregor [REDACTED]
Subject: George Street, Whalley 3/2024/1016

I write in connection with this application due to be considered at next committee.

We have submitted a considerable amount of information in the form of updates, revisions and explanation of our position on the various issues outstanding.

Do you have all the information you now need from us or do you need anything further or additional clarification?

We believe we have successfully dealt with the potential overlooking and light pollution issues and that matters such as bin store, roller shutter doors, charging points do not cause you concern.

We have explained again the rationale behind the choice of material and colour for the replacement windows and dormer and a number of Members at Committee agreed with us on the significant visual improvement this scheme has brought to this part of the Conservation Area, which is the key policy test.

I trust you will now feel able to take this forward to Committee on a minded to approve basis. Don Proctor

