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From: Contact Centre (CRM) <contact@ribblevalley.gov.uk>
Sent: 19 May 2025 17:55
To: Planning
Subject: Planning Application Comments - 3/2025/0316 FS-Case-715940081

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Lancashire

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Planning Application Reference No.: 3/2025/0316

Address of Development: 27-29 Bawdands Clitheroe BB7 2LA

Comments: Again, as last time, There are already 2 Large HMO's within 300m of this property.
- Parking is already an issue, with small terrace street (and including parents dropping off / picking up / staying to watch the Martial arts centre next door to this property) this property will exacerbate the situation
- Would be more suited to large family home, that would actually be be affordable to those on lower income.
- possible Noise / antisocial behavior increased chance of occurring.

Planning App Ref: 3/2025/0316 Proposed change of use from (Use class E / Use Class C3) to House in Multiple Occupation with six rooms (Use Class C4).

1: Applicant's Planning Statement

1.1: In the introduction to the Planning Statement it is stated that "*The proposed works relate to change of use from use class E at ground floor level and use class C3 private dwelling unit at first floor level to a 6no person House in Multiple Occupation, which is planning use class C4*"

And

"Planning Change of Use class C3 to class C4 is permitted development under the legislation of 'The Town and Country Planning (General Permitted Development)' (England) Order 2015, Schedule 2, Part 3, Class L(b)"

1.2: Ref 1.1. While it is accepted that Change from Use Class 3 to Use Class 4 is permitted development under the GPDO, it should be noted, that the works already carried out at first floor level, as indicated on the existing and proposed First Floor Plans do not fall within the category of "Change of Use" under permitted development, as the rooms are described in the Planning Statement as "self contained" and there are no "shared facilities" other than at ground floor level which has a use class of Class E.

1.3: Planning History. A number of previous applications are listed in the Planning Statement, in addition to these is: Application Ref: 3/2025/0014 - *Lawful Development Certificate for proposed reinstatement of previous use.*

1.4: The above application was submitted in an attempt to circumvent a previous refusal by stating that the LPA had determined that "*as the premises were currently unused, the building had no defined use class*". The planning officer subsequently confirmed that at no point had it been conveyed to the applicant that either the Use Class 3 and Use Class E had ceased to exist, therefore, this application was also refused.

2: Highways & Parking

2.1: As this proposal is not covered by permitted development and requires a Change of Use application, the LPA is obliged to consider the effects of the development on the highway network and parking.

2.2: In the Lancashire Highways Authority (LHA) report, the officer states: "*The LHA note that concerns have been raised previously regarding demand for on street parking provisions within the local area, however the LHA are of the opinion that Houses in Multiple Occupation tend to have lower car ownership rates compared to single-family households, the development is also located within a sustainable areas as such the LHA does not expect the development to have a significant impact on nearby street parking provisions*".

2.3: Re 2.2. In the applicant's advertising of the development it states that their typical clientele are "working professionals aged between 22 and 35, therefore, I would suggest that this demographic are more likely to be car owners than the generally accepted "norm" occupants of HMOs, i.e students, those on low income and unemployed persons, which I would argue formulates the general opinion of the LHA.

2.4: Re 2.2. The LHA also states that it *"does not expect the development to have a significant impact on nearby street parking provisions"*. "Does not expect" does not equate to "will not" and as there is a real shortage of parking within the area and with parking restrictions along the property boundary on Corporation Street and along Bawdlands for the length of the adjoining terrace, ANY additional parking will impact significantly.

Considering the previous comment regarding the clientele (Para 2.3) this development has the potential to create a parking requirement for an additional six vehicles.

I refer you to photograph Ref P1 which would suggest that existing parking provision in the area is insufficient, with a vehicle directly outside the application property parked on double yellow lines and blocking the pavement immediately adjacent to a dropped kerb crossing.



2.5: A previous suggestion that permits could be provided for long stay car parks is unacceptable, as, A) there is no guarantee they could be obtained and B) If they were to be obtained they is no guarantee they could be maintained in perpetuity to serve the property.

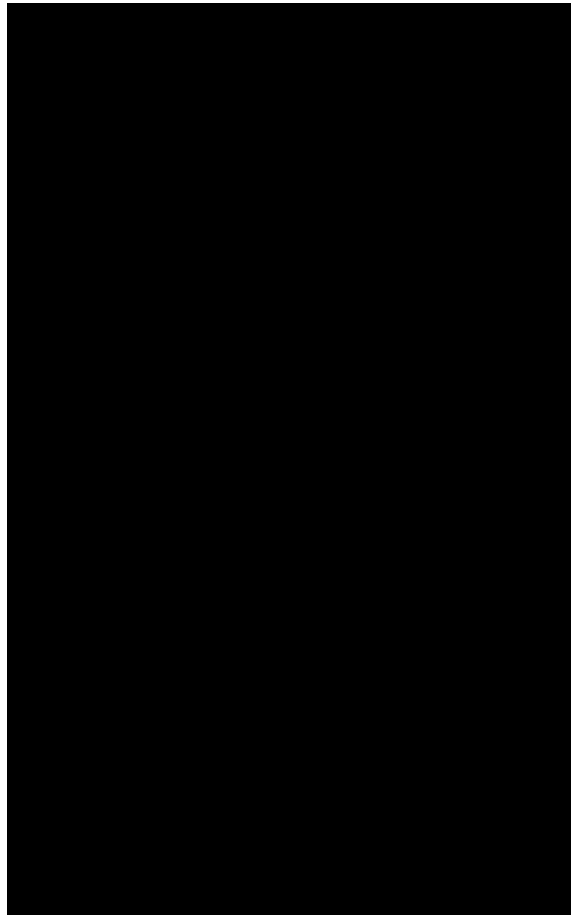
The nearest car park is some distance from the property and already serves a small number of house owners on Mitchell Street and visitors to the Castle Park. The loss of further visiting public car parking spaces would be detrimental to the town.

2.6: An earlier suggestion for the refused application, that the applicant would include in tenants contracts that they could not park on the streets is completely unacceptable. It is not within the applicant's power to prevent anyone from parking on a street and it could not be enforced.

2.7: In the Planning Officers report for the original application it is stated that, *"as the existing ground floor benefits from existing commercial use, if retained it would give rise to occurrences of on street parking that could easily exceed that arising from the proposed change of use of the property"* This argument is flawed and totally misses the point. The property is vacant, it has been for over 3 years. Attempts to sell the property as a commercial unit have been unsuccessful, which is a contributing factor the Planning Officer recommending the original application for Change of Use for approval. So

over the last three years, there has been no parking associated with the property at all, however, during those three years there has been, predominantly due to the inordinate amount of housing development in the Henthorn and Low Moor areas, what has proven to be an unquestionable detrimental increase in traffic levels in the area of the application site. The effect on traffic movements and parking requirements generated by this proposal therefore, can and must be assessed solely on its potential to further impact on the current situation and not against a hypothetical alternative, which, given the property has failed to attract any commercial interest, is just that, hypothetical. Further, I would suggest that the LPA should give consideration that a major factor why the property has failed to attract any commercial interest is as a consequence of the lack of parking in the area.

2.8: What the LHA report does not address are the previous concerns of residents with regard to vehicle movements in the area. Although a two way street, current parking on both sides of Corporation Street, in effect render the street one way at any one time, causing tail backs and congestion not only along Corporation Street but into the junction with and along Bawdlands. ANY increase in vehicle numbers as a result of the proposal will only exacerbate the current problems. I refer you to photograph Ref P2 which highlights current problems often experienced, especially at weekends.



2.9: Once again, LHA has buried its head in the sand and totally ignored residents concerns over the current problems and the developments potential and likely detrimentally impact on vehicle movements and car parking.

2.10: I would ask the question "who is better suited to make reasonable and qualified judgments on the functioning of a highway network and adequacy of on street parking, an officer in County Hall, or the very people being asked for their views based on living in the immediate area who experience the daily problems of too much traffic and lack of adequate parking provision?."

3: Cycle Storage Provision

3.1: In the LHA consultation it is stated that "*The submitted documentation also indicates secure and waterproof cycle parking will be provided, which should provide adequate space for 6 bicycles, supporting social inclusion and promoting sustainable forms of transport. However, due to the potentially more transient number of residents, the cycle storage provision would be better suited to individual pods rather than a communal area*"

3.2: If the cycle storage would be "*better suited*" to individual pods rather than a communal area. Then the current proposal is not suited nor the one of preference of the LHA. It is not the duty of and there is no onus on the LPA to give approval to a less suited alternative simply because the applicant failed to abide by the Planning process in completing the works without the necessary approval.

3.3: Regarding the cycling provision provided, there are no specific details of the cycle storage in the current application, however, as the bin / cycle store has not changed from the refused application, it is presumed that the storage would be the same i.e. vertical wall hung cycle storage.

3.4: Key considerations for vertical cycle storage are:

A) Bicycle Envelope - The amount of floor space required on plan to store a bicycle vertically. It is generally recommended that a distance (projection from the supporting wall) of 1200mm be provided.

B) Loading Distance - This is the amount of space required in addition to the bicycle envelope to manoeuvre the bicycles into the wall hangers. This is recommended as a min of 1300mm and is key to making the storage area efficient, safe and easy to navigate.

The width of the proposed store scales 2300mm, taking into account the 240ltr waste bins with a depth of 740mm the available space for the Bicycle Envelope and the Loading Distance is reduced to 1560mm.

Compounding the above problem are two further issues, 1) The jambs of the internal and external door openings are around 750mm and 550mm respectively, from the wall the bicycles would be hung from, resulting in the aisle between the two door openings being impacted by the Bicycle Envelope. 2) The store is accessed by an external recessed single door with 3 steps rising approx 500mm. In short the store is not big enough.

Given the above I would suggest that the limited available free space, stepped access and narrow single door are inadequate, fail to meet the requirements for "social inclusion", and are therefore in direct conflict with CS Policy DMG3.

3.5: *The LHA consultation also states that a condition should be attached to any forthcoming approval. The condition is "Prior to first occupation, cycle storage provisions for the residential unit shall be submitted to the Local Planning Authority, in consultation with the Local Highway Authority. These cycle facilities shall thereafter be **kept free of obstruction** and available for the **parking of bicycles only at all times.***

This condition is somewhat puzzling. The LHA officer has had scrutiny of and is fully aware of the provisions for the cycle storage in what was described by the Planning Inspector as "*a small area*". The officer is also aware that there is no external space associated with the property to provide individual pods, which it states, the proposal would be "better suited to" so what is there to submit and consult upon?

3.6: The area proposed to house the "cycle facilities" **is not** for the parking of bicycles only, it is a shared space for ancillaries, waste storage bins and a proposed portable ramp. As at the time of the planning appeal it also served as a plumbed in laundry area.

3.7: The Planning Inspector also stated that due to the limited size of the store that "*some residents may be faced with the alternative of carrying bicycles upstairs, which may be difficult for some*". It should be noted that this statement applies generally to the current application in that **all** residents would have to carry cycles up and down the 3 steps accessing the store.

4: Refuse / Bin Store

4.1: There does not appear to be any information regarding the size or number of waste bins to be provided, but new recycling legislation being introduced by the government will separate waste into 4 categories, therefore providing a minimum requirement of 4 bins. Since October 2018, local authorities have been required to regulate a condition on the provision of suitable refuse storage facilities in HMOs, **due to the recognition that HMOs with multiple and separate households, generate more waste than single-family homes**. Given the foregoing, it is questionable if the minimum requirement of 4 bins would be adequate for the current proposal.

4.2: In the recent Appeal Decision, the Planning Inspector made reference to the bin store, in particular; the installation of washing machines, the operation of the door, the inclusion of 3 steps down to the pavement on Corporation Street and the resulting gradient of a suggested "ramped access", all leading the Inspector to state "*I am not satisfied from the information before me that this internal refuse storage space would be useable by future occupiers, particularly when having to move heavy refuse bins outside for collection. As no alternative refuse storage has been indicated, the proposal has not demonstrated suitable servicing arrangements for future occupiers in this respect*".

4.3: Ref 4.2. With regard to the size of the bin / cycle store there has been no change from that refused at the Appeal, although there has been a reduction from 8 to 6 cycle spaces, a requirement for storage of a portable ramp has now been added.

4.4: The potential problem with the door opening, and significantly, the defined problems with the 3 external steps and gradient remains.

4.5: In attempting to overcome the identified issue of the steps, a portable ramp has been indicated. There is no specific detail of the ramp in the application documents, however, a ramp directly down the pitch of the 3 steps would have a gradient of circa 1 in 1.36, which would be totally unsuitable for the manoeuvring of fully laden wheelie bins, it would constitute a danger for the operative and a danger for passing pedestrians on a busy pavement.

An extended ramp (approx 1300mm long) to manoeuvre the bin onto the pavement without going onto the highway would lower the gradient to around 1 in 2.5, again too steep and would totally block the pavement, being disruptive and dangerous to pedestrians.

To compound the problem of the steep gradient of a ramp, there would be a cross fall across its width at the bottom of the ramp as the pavement itself has a gradient falling from Bawdlands along the length of Corporation Street, this would render any portable ramp unstable.

To put it into perspective, the maximum gradient for access into a building under Building Regulations is 1 in 12. Applied to the access into the bin / cycle store this would mean a ramp of no less than 6.0 metres long would be required, which would be impractical and unachievable. A portable ramp is not therefore, a feasible solution.

5: External Space

5.1: The provision of private outdoor space is not only preferred to accommodate secure vehicle / cycle storage, refuse bins and purposes of drying washing etc, but it is also an essential component, playing an important role in supporting residents physical and mental health and their general well being, by providing access to daylight and fresh air and enabling social interaction with other residents within the confines of their homes. There is no external space associated with the proposal whatsoever.

6: Summary

6.1: The current application incorporates various amendments in response to the dismissal of the original application. However, there still remains the concern over the detrimental impact on vehicle density and parking, which, although the LPA and LHA refuse to acknowledge them, the local community can attest are real and valid.

Significantly, the issues with regard to the bin / cycling store leading to the Planning Inspector to state "*the proposal has not demonstrated suitable servicing arrangements for future occupiers*". have **not** been resolved, the only alterations being the cycle provision has been reduced by 2, but there is now a requirement for storage of a portable ramp, which is shown in para 4.5 is not feasible. Given this statement by the Planning Inspector and as the issues have not been satisfactorily addressed, I suggest that there is no basis on which a recommendation for approval could be formed.

It must be noted that had the applicant, Boutique Homes, not shown an arrogant disregard to the due process of the planning system and contempt for local residents and their concerns, in not only commencing works prior to determination of the application, but completing the works including furnishing the property after receiving the Refusal Notice prior to the Appeal, then the issues leading to the Planning Inspector dismissing the earlier appeal may have been addressed and designed out at an earlier stage, that they were not and the works were completed, is not, should not, and cannot be reason for the LPA to now give approval to a scheme which does not incorporate the "more suited" choice of LHA with regard to cycle storage and which does not address the concern of a Planning Inspector with regard to unsuitable servicing arrangements for future occupiers.

I therefore ask, that the application be refused as being contrary to the relevant planning policies.