



JUDITH DOUGLAS TOWN PLANNING LIMITED

6 Nab View Whalley, Clitheroe BB7 9YG.

Regularisation of conversion of garage to home gym and store.

LPA reference 3/2025/0344

Householder Planning Appeal Statement Rev A

September 2025

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**APPEAL UNDER SECTION 78 OF THE TOWN AND COUNTRY PLANNING ACT 1990  
BY  
MR AND MRS A WELDON  
AGAINST THE REFUSAL OF RIBBLE VALLEY BOROUGH COUNCIL  
TO GRANT HOUSEHOLDER PLANNING PERMISSION FOR REGULARISATION OF  
CONVERSION OF GARAGE TO HOME GYM AND STORE.  
AT  
6 NAB VIEW WHALLEY, CLITHEROE. BB7 9YG**

**GROUNDS OF APPEAL STATEMENT**

**1.0 INTRODUCTION**

- 1.1 The planning application which is the subject of this appeal was received by Ribble Valley Borough Council on the 29<sup>th</sup> April 2025 and given the reference number 3/2025/0344. The householder application sought planning permission to regularise the conversion of the garage to a home gym and store.
- 1.2 This statement describes the site and its surroundings and the relevant planning guidance. The planning issues will be discussed before arriving at the conclusion that the proposed development accords with the development plan and national planning policy. Consequently, it is concluded that the appeal should be allowed.

**2.0 APPEAL SITE AND SURROUNDINGS**

- 2.1 6 Nab View is the end of a terrace of three properties on Nab View. It is a four bedrooomed property. The property has a front garden with a parking space for one vehicle and rear garden. The property also has a single garage now converted into a home gym and store, in an adjacent building. The adjacent building 8 Nab View, is two storeys and was constructed as an apartment on the first floor and a single garage on the left-hand side of a vehicle passageway which leads to a communal parking area at the rear and serves the neighbouring dwellings. The garage to the right of passageway belongs to 6 Nab View and has been converted to home gym and store, the appeal relates to this part of the building.
- 2.2 The site is within the settlement boundary of Whalley in the adopted Ribble Valley Housing and Economic Development, Development Plan Document.
- 2.3 6 Nab View is approximately 360m on foot from Whalley train station which provides services to local towns Clitheroe, Blackburn and to Manchester. It is 275m from a bus

stop on Mitton Road near to the railway station which provides regular services to Clitheroe and surrounding villages as well as schools' services. There is a footpath link from Nab View between number 27 and 29 Nab View which links to this bus stop on Mitton Road. The site is in walking distance of Whalley primary school, shops and services in the village centre as well as the bus interchange on King Street which provides services to the large towns of Accrington, Burnley and Blackburn as well as schools and higher education colleges. See Appendix 1 Bus Services and Appendix 2 Train Service.

### **3.0 PLANNING POLICY**

3.1 The Development Plan for the purposes of this appeal comprises the Ribble Valley Core Strategy which was adopted in 2014. Key Statement DS1 (Development Strategy) identifies Whalley as a Principal Settlement. Policy DMG3 (Transport and Mobility) attaches considerable weight to the availability and adequacy of public transport to serve those moving to and from the development. Considerable weight is given to proposals which are highly accessible by means other than by the private car and levels of parking provision which discourage reliance on the car for work and other journeys where there are effective alternatives. Policy DMG1 (General Considerations) seeks to protect the amenities of the surrounding area.

#### National Planning Policy Framework (NPPF)

- 3.2 Paragraph 116 relating to highway safety
- 3.3 Paragraph 198 relating to noise

### **4.0 PLANNING APPRAISAL**

4.1 According to the Council's decision notice, the appeal proposal would result in an unacceptable level of parking for the host property and would result in increased on-street parking to the detriment of highway/pedestrian safety. It also states that insufficient information has been provided on the impact of noise on the occupiers of 8 Nab View.

4.2 The internal measurements of the garage at 6 Nab View when constructed were 5.4m by 2.8m. As was set out in the Planning Statement accompanying the householder planning application this measurement is less than the internal measurement for a domestic garage suggested by the local highway authority (LHA) Lancashire County Council and Department for Transport Manual for Streets which is 6m by 3m. The LHA did not object to the previous application 3/2024/0982 stating "*the garage is substandard and therefore the proposal does not affect existing parking arrangements*". See appendix 3. LHA comments 12.12.2024 on 3/2024/0982. The LHA did not waiver from this view that the garage is substandard when commenting on the appeal application.

4.3 The LHA commented on the appeal application that the garage, although substandard for parking a car, could support "*storage of bicycles and other smaller transport options*". They acknowledged that the proposed development does include secure cycle storage. The storage area has sufficient space to store cycles or other smaller transport options such as a motorcycle or a scooter and indeed is used for storing cycles. See image. The LHA also commented that the cycle storage provision will "*promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions*".



Interior of store at 6 Nab View.

4.4 Having assessed the application the LHA did not raise an objection and suggested a planning condition to prevent any intensification of the use of the detached building for commercial activities. The LHA have not stated that on-street parking issues are

particularly acute in this area, or that on-street parking is causing highway and pedestrian safety issues.

- 4.5 The appeal site is in an accessible location within walking distance of a range of facilities and services that the town centre of Whalley, (a designated “principal settlement” under Key Statement DS1), has to offer. It is also close to the railway station and bus stops which carry regular services to surrounding towns. Occupiers of the property would not be reliant on a car for day-to-day trips. In these circumstances a lower parking provision than the one suggested by the LHA is appropriate.
- 4.6 The Council’s Core Strategy does not include parking standards. Policy DMG3 states that it will give considerable weight to the adequacy of public transport to serve those moving to and from the development. It will also give considerable weight to development proposals which limit parking provision to discourage reliance on the car for work and other journeys where there are effective alternatives.
- 4.7 The Council states in the Officer’s Report dated 24/06/2025 on page 4 that it disagrees with the views of the LHA and that if allowed the development would be a detriment to highway/pedestrian safety. However, no justification has been put forward to support this view that it is essential to retain the substandard sized garage to preserve highway/pedestrian safety or why one car parking space and secure cycle storage would not be sufficient to meet the day-to-day needs of the current occupiers or future occupiers of the dwelling in this highly accessible location.
- 4.8 The Council has not said that there are current on-street parking issues in the near vicinity of the site. There are no on-street parking restrictions such as residents only parking which would indicate this. The site is not close to a road junction, and due to the nature of the road within a housing estate, traffic speeds are low and there is a 20mph limit. There are no uses near to the site which would attract higher levels of on-street parking such as a school or commercial business. In these circumstances, limited additional on-street parking is unlikely to result in highway/pedestrian safety issues. As such the development is not in conflict with policy DM3 of the Council’s Core Strategy and paragraph 116 of the NPPF.
- 4.9 The planning application submission included a noise assessment ref 20250415 9772 Whalley Gym BS8233. The author Mel Kenyon has provided comments in a Technical Note on the refusal of planning permission reference 20250808 9772 Whalley Gym

TN. See Appendix 4. The applicants submitted the noise assessment to demonstrate that the development would be unlikely to create noise which would exceed the indoor ambient noise levels for dwellings as set out in table 4 of BS8233. The application was submitted with the intention of providing noise information sufficient for the Council to be able to determine the application. The Council's Environmental Health Officer commenting on the previous application 3/2024/0982 had suggested a planning condition which set out the details that needed to be provided, and this request was relayed to the applicant via the Planning Officer after planning permission had been refused. See appendix 5. Email from the Environmental Health Officer to the Planning Officer dated 13th of January 2025.

- 4.10 On the 20th of May 2025 the email from the Environmental Health Officer to the Planning Officer indicates that the submitted noise assessment suggests that there should not be an issue in granting planning permission from a noise point of view. The Environmental Health Officer requests a condition that the gym is not used at night between 2300 hours and 0700 hours. See appendix 6 email from Environmental Health Officer 20th of May 2025.
- 4.11 Later, on the 19th of June the Planning Officer by email requests an update from the Environmental Health Officer. The Environmental Health Officer's response on the 20th of June says that the objector in the upstairs flat is inferring that there is flanking transmission and the submitted noise report has not covered this.
- 4.12 I contacted the Council on the 23<sup>rd</sup> of June to ask about the progress of the application. The response received on the 24<sup>th</sup> June indicates that the Council had decided to refuse the application on highway grounds, and they considered there was a lack of information relating to flanking transmission. An offer to provide additional information was rejected. See appendix 1 of 20250808 9772 Whalley Gym TN.
- 4.13 We are of the view that the conclusion reached in the submitted noise report stands and that the information provided is sufficient to show that "*even significantly overestimating the 'gym noise' levels and significantly underestimating the likely sound insulation performance of the separating floor, the predicted 'gym' noise levels are well below [i.e. within] the criteria selected by the local authority, and therefore complies with planning requirements*". Conclusion 20250415 9772 Whalley Gym BS8233. The proposal therefor complies with Policy DMG1 and paragraph 198 of the NPPF.

### Third parties

4.14 Comments raised by the third parties in relation to highways do not state that the area already has issues with on-street parking which is causing a danger to highway users and pedestrians. The objection from the occupier of 8 Nab View raises a concern that the proposed gym will be used for business purposes which is not the case. The proposal is for a home gym for use by the occupants of the property. Any business use, such as for the provision of personal training sessions would require a separate planning permission.

4.15 In relation to noise, the objections from the neighbour at 8 Nab View states that she has been disturbed at 6.00am relates to a period of time when the gym was being used for personal training sessions. This has now ceased. The cessation of these sessions is acknowledged by the objector who states "*I also have other serious concerns that should planning permission be granted;*"  
*(a) there will be a reinstatement of people arriving at the property to be trained in the garage. Mrs Weldon is a personal trainer and until the dispute different cars would arrive at around 6:00 AM and the training sessions were being carried out,"*

4.16 The submitted noise assessment at section 3.2 sets out the home gym use pattern. This confirms that the gym is not used at night (23.00-07.00) and that a busy day would entail a maximum of say three hours total use. Given that this is a home gym and the occupants also work and attend school it is unreasonable to assert that the home gym would be in constant use. The home gym is an incidental use to the primary use of the dwelling.

4.17 The Technical Note on noise refers to the redacted versions of the objection letters from the third party relating to noise. See appendix 7 and 8.

4.18 The appellants wish the Inspector to consider their own responses to the matters raised by their neighbours in the objection letters see appendix 9 Letter from appellants Alex and Rachel Weldon dated 8 September 2025.

## 5.0 SUMMARY AND CONCLUSION

- 5.1 This Appeal Statement has justified the acceptability of planning application reference 3/2025/0344 which sought permission for the regularisation of conversion of garage to home gym and store.
- 5.2 It has been clearly demonstrated that the proposal will not have an adverse impact upon highway/pedestrian safety. The proposal fully accords with the requirements of Policy DMG3 of the Ribble Valley Core Strategy. Contrary to the Council's reason for refusal the noise report submitted with the application and as explained in the Technical Note accompanying this appeal shows that the development noise levels are well below [i.e. within] the criteria selected by the local authority and therefore complies with planning requirements and complies with Policy DMG1 of the Ribble Valley Core Strategy.
- 5.3 The proposal fully accords with the requirements of the National Planning Policy Framework in particular paragraphs 116 and 198. We respectfully request that the Inspector allows this appeal.

## APPENDICES

Appendix 1 Bus Services

Appendix 2 Train Service Manchester to Clitheroe via Whalley

Appendix 3 LHA comments 12.12.24 on 3/2024/0982.

Appendix 4 Technical Note 20250808 9772 Whalley Gym TN

Appendix 5 Email from the Environmental Health Officer to the Planning Officer dated 13th of January 2025.

Appendix 6 Email from Environmental Health Officer 20th of May 2025.

Appendix 7 Neighbour objection to application 3/2024/0982 redacted

Appendix 8 Neighbour objections to application 3/2025/0344 redacted

Appendix 9 Letter from appellants Alex and Rachel Weldon dated 8 September 2025

