


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	MC	Date:	20/06/2025	Manager:	LH	Date:	24/6/25
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Application Ref:	3/2025/0344			 <div>Ribble Valley Borough Council</div> <hr/> <div>www.ribblevalley.gov.uk</div>
Date Inspected:	N/A	Site Notice:	13/05/2025	
Officer:	MC			
DELEGATED ITEM FILE REPORT:				REFUSAL

Development Description:	Regularisation of conversion of garage to home gym and store.
Site Address/Location:	6 Nab View, Whalley, BB7 9YG

CONSULTATIONS:	Parish/Town Council
<p>Whalley Parish Council formally objects to the application seeking the regularisation of the conversion of a garage to home gym and store. A previous application was advised that there should be no deviation from the approved use as a garage. WPC does not support this proposal, as it disregards fundamental planning procedures. They consider that regularising the change after it has already occurred undermines the integrity of the planning process and could set a precedent for other property owners in the area to bypass the planning process.</p>	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	<p>The Local highway Authority (LHA) raise no objection subject to a condition that the garage is kept for purposes ancillary to the main dwellinghouse.</p> <p>The LHA note that the recommended minimum internal dimensions for a single garage size is currently 6m in length and 3m wide, as the garage is smaller than the current recommended dimensions the LHA is of the view that the garage would not provide effective parking provisions for a standard family car, although it would support storage of bicycles and other smaller transport options.</p> <p>Concerns are raised regarding the under-provision of parking spaces with a reliance on on-street parking which could lead to the detriment of highway safety and the cumulative effect of homes being extended without additional parking. However, this would not raise an objection.</p> <p>Secure cycle storage can also be provided within the store to promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions.</p>
RVBC Environmental Health Officer:	<p>The EH Officer considers that there is insufficient information submitted within the application to assess flanking transmission within the current noise report. Given the fact that the upstairs flat is inferring there is flanking transmission, the application may be detrimental to the amenity of the upstairs flat.</p>

CONSULTATIONS:	Additional Representations.
Two objection has been received raising the following concerns:	

- Concerns regarding harmful noise levels from gym equipment
- Concerns that gym will not be used as ancillary
- Concerns regarding inadequate parking for the main dwelling
- Parking area is being used as a playground

RELEVANT POLICIES AND SITE PLANNING HISTORY:

Ribble Valley Core Strategy:

Key Statement DS1: Development Strategy

Key Statement DS2: Sustainable Development

Policy DMG1: General Considerations

Policy DMG2: Strategic Considerations

Policy DMG3: Transport & Mobility

National Planning Policy Framework (NPPF)

Relevant Planning History:

3/2024/0982

Regularisation of conversion of garage to home gym.

Refused

3/2022/0893

Proposed alterations to the existing garage to incorporate rear french doors.

Approved with Conditions

Condition 4 of this permission states:

'The garage is not to be used for any purpose (including any purpose ordinarily incidental to the enjoyment of the dwelling house as such) which would preclude its use for the parking of a private motor vehicle.'

Reason: In the interests of visual amenity and to facilitate adequate vehicle parking to serve the dwelling'.

3/2022/0602

Certificate of Lawfulness for a proposed single storey rear extension and dormer loft conversion.

Approved

3/2016/1044

Revision of planning permission 3/2016/0226 (variation of 3/2012/0637) for replacement of warden's office with one bungalow (plot 138); re-positioning of plots 47 and 48 including associated parking area and the addition of parking bay to plot 53.

Approved with Conditions

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to a semi-detached property, situated within the settlement boundary of Whalley.

The property consists of red brick to the elevations, with slate roof tiles, zinc cladding to the dormer extension and white UPVC window and door features. The dwelling has a detached garage within a building which comprises a maisonette coach style property above garage block.

Proposed Development for which consent is sought:

Permission has already been granted for the insertion of the patio doors to the rear elevation. The garage has been converted to a store and home gym and planning permission is required to regularise the change of use due to the restrictive condition on planning permission ref: 3/2022/0893.

It should be noted that planning permission has been recently refused for the change of use to a gym for the following reasons:

1. The conversion of the garage to a home gym would result in an unacceptable level of parking for the property at 6 Nab View and would result in an increase in on-street parking to the detriment of highway/pedestrian safety, contrary to Policy DMG3 of the Ribble Valley Core Strategy.
2. Insufficient information is provided within the application for the Council to fully consider the impact of the development on the amenity of nearby residential receptors, notably No. 8 Nab View, by way of excessive noise, contrary to Policy DMG1 of the Ribble Valley Core Strategy.

A noise assessment has now been undertaken and a further supporting statement submitted with this application in an attempt to overcome the previous reasons for refusal.

Principle of Development:

The development involves the conversion of the existing residential garage to a home gym and store which are considered to constitute an ancillary use. As such, subject to compliance with the relevant policies within the Ribble Valley Core Strategy, the proposal is considered to be acceptable in principle.

Impact Upon Residential Amenity:

Policy DMG1 of the Ribble Valley Core Strategy states that all development must not adversely affect the amenities of the surrounding area.

The main neighbouring property that would be impacted by the development is no. 8 Nab View which is located above the garage at no. 6. The change of use is for a home gym and store and the submitted planning statement indicates that an additional ceiling has been constructed under the existing ceiling which includes acoustic insulation. However, the occupier of no. 8 has raised concerns regarding the gym being used as a business and very early in the morning. The neighbour notes that the use as a gym is causing excessive noise disturbance which is affecting their amenity.

A Noise Assessment has been submitted as part of this application. The Noise Assessment states that sound levels were taken from the home gym, however arrangements made to take sound levels from the property at no 8 above were withdrawn. One objection has been received in response to this, whereby the occupier of no. 8 contests this statement but still raises concerns regarding audible 'thudding' at the property.

The Noise Assessment concludes that the gym would not result in detrimental noise levels, taking into consideration the worst-case scenarios in terms of sound levels and building materials used between the lower and upper floors of the building. Notwithstanding this, the Environmental Health Officer has been consulted on the application and raises concerns that the noise assessment does not fully assess the impact of 'flanking transmission' within the report, for which the neighbour has raised as a concern. Without this assessment, there is insufficient information submitted within the application to fully assess whether the development results in harm to the amenity of neighbouring properties, contrary to Policy DMG1 of the Ribble Valley Core Strategy.

Visual Amenity/External Appearance:

The development has not resulted in any external changes to the building. As such, the development accords with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

Highways and Parking:

Ribble Valley Core Strategy Policy DMG3 states that:

'All development proposals will be required to provide adequate car parking and servicing space in line with currently approved standards'.

In addition, Policy DMG1 states that all development must:

- '1. consider the potential traffic and car parking implications.*
- 2. ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated'.*

Lancashire County Council as the Local Highway Authority (LHA) have been consulted on the development. The LHA note that the application is retrospective and as per the previous application, they note the garage is substandard in size and would therefore not constitute a parking space or impact on existing parking arrangements, notwithstanding the fact that the 4 no. bedroom property should have 3 no. off-street parking spaces and if the conversion were allowed it would result in 1 no. off-street parking space.

They note that the under-provision of parking spaces with a reliance of on-street parking could lead to the detriment of highway safety due to the cumulative effect of homes being extended without providing any additional parking facilities. They consider that although any increased demand for on-road parking is difficult to absorb without causing additional loss of amenity for existing residents, this would not be to such an extent that would raise an objection.

The supporting statement provides information in relation to the size of the garage parking space as per the Joint Lancashire Structure Plan and considers that the garage should not be counted as a parking space as it does not meet the defined size. In addition, the supporting statement suggests that the original application and subsequent variation for the housing development (appeal decision APP/T2350/A/12/2188887 and planning ref: 3/2016/0226) did not restrict the use of the garage for the housing of private vehicles.

While this may be the case, as per the previous reason for refusal, the Council still consider that the garage configuration prior to the conversion was reasonable to count as a parking space and could house a small vehicle. Whilst a condition was not added to the original planning application to secure the garages for the parking of vehicles, a condition nonetheless was imposed on a previous permission (3/2022/0893) restricting its use to a garage and that condition is still considered to be enforceable. Whilst inward opening patio doors were permitted / installed in the rear elevation, these doors could be kept shut when a vehicle is parked inside therefore not inhibiting the amount of available space. The Council disagree with the views of the LHA and consider that the if the permission were to be allowed, there would be an under-provision of parking spaces for the existing dwelling with a reliance on on-street parking to the detriment of highway/pedestrian safety.

As such, the proposal fails to comply with Policy DMG3 of the Ribble Valley Core Strategy.

Ecology:

No ecological constraints were identified in relation to this proposal.

With regards to biodiversity net-gain, the development is exempt from having to achieve the mandatory Biodiversity Net Gain requirement as it is a householder application.

Observations/Consideration of Matters Raised/Conclusion:	
As such, for the above reasons and having regard to all material considerations and matters raised, the application is recommended for refusal.	
RECOMMENDATION:	That planning consent be refused for the following reason(s).
01:	The conversion of the garage to a home gym would result in an unacceptable level of parking for the property at 6 Nab View and would result in an increase in on-street parking to the detriment of highway/pedestrian safety, contrary to Policy DMG3 of the Ribble Valley Core Strategy.
02:	Insufficient information is provided within the application for the Council to fully consider the impact on the amenity of nearby residential receptors, notably No. 8 Nab View, by way of excessive noise, contrary to Policy DMG1 of the Ribble Valley Core Strategy.