



JUDITH DOUGLAS TOWN PLANNING LIMITED

9 Birtwistle Terrace, Whalley Road, Langho, Lancashire  
BB6 8BT.

Change of use and conversion of first floor to self-contained flat and variation of condition 1 of planning permission 3/2023/0928 in relation to the design of the shop front (retrospective).

Planning Statement

JDTPL0455

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**STATEMENT IN SUPPORT OF A PLANNING APPLICATION FOR THE CHANGE OF USE AND CONVERSION OF FIRST FLOOR TO SELF-CONTAINED FLAT AND VARAITION OF CONDITION 1 OF PLANNING PERMISSION 3/2023/0928 IN RELATION TO THE DESIGN OF THE SHOP FRONT (RETROSPECTIVE).**

**9 BIRTWISTLE TERRACE LANGHO BB6 8BT**

**1 INTRODUCTION**

- 1.1 This planning statement has been prepared by Judith Douglas Town Planning Ltd on behalf of the applicant to seek permission in retrospect for the creation of a first floor self-contained flat and alterations to the design of the shop front to the hairdressing salon.
- 1.2 This statement provides a description of the site and the proposed development, its compliance with the development plan and an assessment of other material considerations.
- 1.3 The application should be read in conjunction with the following information:

Location plan 1:1250

Block Plan 1:500

22X048\_001 Pre Existing Elevation

22X048\_002a Existing Proposed Elevation

22X048\_020a Pre Existing First Floor Plan

22X048\_021a Proposed Existing First Floor Plan

Acoustic Insulation Assessment and Specification

**2 THE APPLICATION SITE AND SURROUNDING AREA**

- 2.1 9 Birtwistle Terrace is an end of terrace, two storey property which is built of stone with stone detailing and a blue slate roof. Planning permission was granted in May 2023 for the conversion of the ground floor to a hairdressing salon, this development is complete, and the salon is open. The permission granted indicated that the first floor would be used as ancillary storage.
- 2.2 Since permission was granted the first floor has been converted into a one-bedroom self-contained flat. Access to the flat is from the existing entrance door which opens on the side street. The entrance door opens into a lobby area which has access to the first floor flat and

to the ground floor hair salon. The customer entrance to the hair salon is at the front of the building through the shop front. The layout of the flat is such that the main living room and kitchen is at the front of the building with the bedroom occupying the two-storey outrigger at the rear. In between is the shower room and separate storage room.

- 2.3 The details of the approved shop front are proposed to be amended to reflect the as-built design. The existing shop front is a simple design using slender powder coated aluminium frames in a buff colour which complements the surrounding sandstone walls. The simple fascia and lettering are sufficient to indicate that the business is a hairdresser.
- 2.4 The building fronts onto Whalley Road the A666 a main traffic route through the area which carries a frequent bus service with bus stops nearby. There is also a train station in Langho about 225m from the site. There are no parking restrictions on the road outside the site.
- 2.5 In close proximity to the site are a range of local commercial and community facilities including a Spar convenience store on Portland Road, Langho Pharmacy, a sandwich shop, a barbers and St Mary's Church.
- 2.6 The adopted proposals map sheet 5 inset 15 to the Ribble Valley Housing and Economic Development, Development Plan Document (HEDDPD) shows the site to be inside the settlement boundary of Langho. Langho is classified as a tier 1 settlement in the Core Strategy. The site is in a mainly residential context with some commercial uses.

### **3 SITE HISTORY**

- 3.1 Planning permission was granted on appeal for the hair salon and shop front on the 17 May 2023. Reference 3/2022/0873.
- 3.2 Planning permission 3/2023/0928 was granted on appeal on the 22 May 2024 for the extension of the opening hours at the salon subject to the various conditions including:
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (Scale 1:1250), Site Plan (Scale 1:500) and Proposed Plan and Elevations (Drawing No: 22X048-002 Rev/Issue No: A).

### **4. THE PROPOSED DEVELOPMENT**

- 4.1 It is proposed to retain the existing first floor one-bedroom flat and the simplified details of the shop front.

## 5. DEVELOPMENT PLAN POLICY

5.1 The Development Plan for the purposes of this application comprises the Core Strategy 2008-2028 A Local Plan for Ribble Valley, the adopted Housing and Economic Development, Development Plan Document (HEDDPD) proposals map and the National Planning Policy Framework (NPPF) (2021).

The following policies of the Core Strategy are relevant to this appeal:

- Key Statement DS1 (Development Strategy) – which focuses new development towards tier 1 settlements in addition to the strategic site at Standen and the borough's principal settlements.
- Key Statement DS2 (Presumption in favour of sustainable development) –The Council will work proactively with applicants jointly to find solutions which means that proposal can be approved wherever possible, and to secure development that improves economic, social and environmental conditions in the area.
- Policy DMG1 (General Considerations). Lists general matters which should be taken into account in all planning applications
- Policy DMG2 (Strategic Considerations) – expects development to be in accordance with the Development Strategy and that development proposals in defined settlements should consolidate, expand or round-off development so that it is closely related to the main built-up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.
- Policy H1 (Housing Provision) -sets out the targets for the delivery of housing over the plan period.
- Policy DMG3 (Transport and Mobility)- in decision making the Council will take into account the availability of public transport, access on foot and by cycle and development which promotes development within existing developed areas which are highly accessible by means other than the private car.

5.2 The National Planning Policy Framework (2024) ('the Framework') sets out the Government's planning policies for England and how they should be applied. It requires local planning authorities to apply a presumption in favour of sustainable development which means, as paragraph 11c explains, that development which accords with an up-to-date development plan should be approved without delay. National Planning Policy Framework.

5.3 In determining planning applications, paragraph 39 of the Framework expects local planning authorities to approach decisions in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social and

environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

5.4 Paragraph 116 requires that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

## 6 EVALUATION

6.1 The proposal is to retain the flat and the alternative design of the shop front.

6.2 The main issues arising are:

Principle of the development

Residential amenity

Design and visual amenity

Highways and parking

### Principle of the Development

6.3 The proposal is for residential development within the settlement boundary Langho one of the tier 1 settlements. Key Statement DS1: Development Strategy focuses new housing development to the strategic site on the outskirts of Clitheroe and the principal settlements of Clitheroe, Longridge and Whalley as well at tier 1 villages. The creation of a new dwelling on the site is in accordance with Key Statement DS1. The proposed development will contribute to this requirement and provide dwellings in a highly sustainable location in line with Key Statement DS2: Presumption in favour of suitable development, DMG2: Strategic Considerations and the NPPF. It will also make a small contribution to housing supply in accordance with policy H1.

### Residential amenity

6.4 Consideration needs to be given to whether the proposed first floor flat would have suitable noise insulation from the hair salon use on the ground floor. A noise report has been commissioned which confirms that the works carried out comply with Building Regulations in this respect, and no additional works are required.

6.5 Planning permission was granted for the conversion a two-storey dwelling to a hair salon on the ground floor with ancillary storage at first floor. A condition was attached to the permission requiring the first floor to be used as ancillary storage and for no other purposes. The

Inspector in the appeal decision applied this condition “*in the interests of the living conditions of surrounding residential occupiers*”. We therefore need to consider if the return of the use of the first floor to residential use would have any negative impact on the occupier of the neighbouring dwelling. The noise report confirms that the existing structure is adequate to protect the future occupiers of the proposed flat from noise arising from the salon activities on the ground floor. The report also confirms that the existing structure is adequate to protect the occupiers of the adjacent dwelling and the occupiers of the proposed flat from noise transmission between the properties.

6.6 The layout of the proposed flat does not impact negatively upon the privacy of the neighbouring dwellings. The flat is accessed by an internal staircase. No new window openings have been installed in the property. The bathroom is in the same location as it was when the building was a dwelling. Pre-existing window openings have been used to light the proposed living room, kitchen, bedroom and storeroom. The flat has access to the yard at the rear of the property via the yard gate. The yard is quite spacious. There is sufficient space for the storage of bins for the salon and the flat. There is space to accommodate a cycle store. All the rear windows on the ground floor of the salon are obscure glazed which provides privacy between the salon and the use of the yard by the occupiers of the flat. See image 1. As such the proposal is compliant with the requirements of policy DMG1: General Considerations.



Image 1 Rear and side elevation of 9 Birtwistle Terrace

Design and visual amenity.

Image 2. Existing shop front.

6.7 Policy DMG1: General considerations states: '*All development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing and style...particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character.*' The existing shop front is a simple design using slender powder coated aluminium frames in a buff colour which complements the surrounding sandstone walls. The simple fascia and lettering are sufficient to indicate that the business is a hairdresser without being overly ostentatious. The top of the fascia lines up with the top of the stone detailing above the neighbours' front door and provides a harmonious appearance in the street scene.

6.8 The proposed shop front meets the requirements of policy DMG1.

Highways

6.9 The site is in an accessible sustainable location where local services including a local shop (Spar on Portland Road) are accessible on foot in the village of Langho, and access to other service is available by public transport. A bus service runs along Whalley Road providing half-hourly service between Clitheroe and Blackburn. There is a train station in easy walking distance of the site and provides an hourly daytime service to Clitheroe and Manchester.

There is a marked cycle lane along Whalley Road. Access to public transport makes the proposed flat attractive to persons without access to a car. The proposal accords with the requirements of policy DMG3 in that it is in an existing settlement which has good transport links and has good access on foot or by cycle.

6.10 The proposed flat is a one bedroom two-person unit. The Lancashire County Council car parking standards require one parking space for a one-bedroom dwelling. There is no off-street parking proposed as part of the development.

6.11 The existing approved use of the ground floor as a hair salon. The maximum number of stylists and clients using the salon at any one time as six people. This is composed of two stylists having a maximum of two clients each. The more complex and time-consuming hair colouring appointments are on a one-to-one basis. It can be said with certainty that the hair salon has a relatively low number of customers during the day and evening and the activity associated with the use is low key.

6.12 The original opening hours of the salon was

0900 and 1700 Tuesday-Friday, and 0900 and 1500 on Saturdays, and at no time on Sundays or Public Holidays.

These hours were extended when permission was granted on appeal to extend the opening hours into the evening as follows:

9am to 6pm Tuesday; 9am to 8pm Wednesday and Thursday; 9am to 6pm Friday; and 9am to 4pm on Saturdays; and at no time on Sundays or Public Holidays.

6.13 The Inspector considering the first appeal for the use of the ground floor as a hair salon said in relation to parking that "*given the small scale of the proposed use, I do not consider that the parking demand arising would give rise to any unacceptable impact*". An the second appeal for the extension of the opening hours the Inspector commenting on parking stated "*The Council did not refuse the variation of condition application on highway or parking grounds. Whilst I am therefore not required to consider this matter further, parking is a matter of concern amongst several residents, and there are no specific parking spaces for use by clients. However, a number of properties have off-street parking, on-street parking is available, and there are no parking restrictions on the road by the site. Extension of the opening hours would therefore not result in an increase in the number of customers parking on the road, to such an extent it would lead to severe parking issues, even at a time when neighbouring residents may be home from work*".

6.14 The Local Highway Authority did not object to either of the previous planning applications on the grounds of lack of parking.

6.15 The matter to be considered is whether the increase in demand for on-street parking in the vicinity of the site due to the proposed use of the first floor as a flat would lead to severe parking issues. The requirement for parking in association with the flat is likely to outside the working day and be in the evenings and early morning. There are no parking restrictions on the road outside the site. Concerns raised by residents on previous applications focused on parking issues around school drop-off and pick-up times when the occupants of the flat are likely to be out at work. The use of the first floor flat as a single bedroom dwelling would not make any significant impact on the availability of parking in the area. The proposal accords with the requirements of policy DMG1 and NPPF paragraph 116.

## 7 CONCLUSION

7.1 The principle of the development is acceptable as it relates to a dwelling within a tier 1 settlement which is a location that has been identified by the Core Strategy to receive new housing development. We have demonstrated through the submission of a noise assessment that there will be no loss of amenity to the neighbouring property 7 Birtwistle Terrace and no negative impact on the occupiers of the proposed flat from the existing use of the ground floor as a hair salon. The proposed use of the flat will not lead to a loss of privacy to neighbouring properties.

7.2 The proposed shop front integrates well with the existing property and the terrace of dwellings which forms a part. The increase in demand for car parking for the flat is one car space according to the Lancashire County Council car parking standards. The additional on street parking as a result of the development is unlikely to create an unacceptable impact on highway safety.