


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	AR	Date:	23/03/2026	Manager:	LH	Date:	24.3.26
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Application Ref:	3/2025/1000			 Ribble Valley Borough Council <small>www.ribblevalley.gov.uk</small>
Date Inspected:	N/A	Site Notice:	06/01/2026	
Officer:	AR			
DELEGATED ITEM FILE REPORT:				APPROVAL

Development Description:	Listed Building Consent for replacement of existing shop front windows.
Site Address/Location:	Macfarlane Dental Practice 33 King Street Whalley BB7 9SP

CONSULTATIONS:	Parish/Town Council
Received 19/01/2026: Whalley Parish Council asks that the planning authority give due consideration to the heritage and architectural factors, including the style, materials, and character of the building and its surroundings, in determining this application.	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	
N/A	
CONSULTATIONS:	Additional Representations.
No representations received in respect of the proposal.	

RELEVANT POLICIES AND SITE PLANNING HISTORY:
<p>Ribble Valley Core Strategy:</p> <p>Key Statement DS1: Development Strategy Key Statement DS2: Sustainable Development Key Statement EN5: Heritage Assets</p> <p>Policy DMG1: General Considerations Policy DMG2: Strategic Considerations Policy DME4: Protecting Heritage Assets</p> <p>Planning (Listed Buildings and Conservation Areas) Act National Planning Policy Framework (NPPF)</p>
<p>Relevant Planning History:</p> <p>3/2026/0011: Planning permission for replacement of existing shop front windows (Registered).</p> <p>3/2025/0738: Listed Building Consent for internal re-writing including wall-mounted trunking for sockets and IT in extension; replacement of doors; re-opening original doorway; removal of raised roof section to extension; installation of rooflight above workshop; installation of WCs including association stud walling; installation of suspended ceiling; replacement of shop frontage; installation of internal fire corridor and associated walling. RSJ support to strengthen proposed surgery floor; overlay existing floor to support proposed dental chairs and protect floor; make good existing walls on all floors (Registered).</p>

3/2025/0573: Listed Building Consent for structural support to floor below proposed new dental surgery with RSJ; closure of existing doorway on second floor with stud work and lead lining; removal of plaster on 2nd floor and replacement on wall with windows using lime-based plaster – all other works to be studded; protection of second-floor floor surface with plywood overlay (Withdrawn).

3/2025/0574: Listed Building Consent for internal re-writing including wall-mounted trunking for sockets and IT in extension; replacement of doors: re-opening original doorway; removal of raised roof section to extension; installation of rooflight above workshop; installation of WCs including associated stud walling; installation of suspended ceiling; replacement of shop frontage; installation of internal fire corridor and associated walling (Withdrawn).

3/2024/0540: Planning permission for change of use of residential unit (33B King Street) to commercial involving i) change of second floor to part of 33A King Street (Dentist) and ii) change of first floor to become part of existing commercial unit on the ground floor (Approved with conditions).

3/2024/0539: Listed Building Consent for breaking through a previously blocked doorway to give access between 33a and 33b King Street on the second floor level; construction of a fire partition and installation of a fire door to provide an emergency exit from floors 2 and 3 to the existing fire escape at the rear of the building. Reconfiguration of the layout of 33b King Street (second floor) including making an extra doorway to provide access to the fire escape route (Approved with conditions).

3/2022/0291 Listed Building Consent for retrospective permission for the removal of part of a block wall erected in 1985 to divide the attic room above 33 and 33a King Street. The alteration was carried out in 2009 to provide an escape room for staff and patients in the event of a fire, as well as providing additional storage and office space (Approved with conditions).

3/2016/0670: Fitting of wooden flood door to front of property (Approved with conditions).

3/2016/0668: Installation of framework into the front doorway to hold floor barriers when required. Installation of 3 self-sealing air bricks to replace current 3 normal bricks (Approved with conditions).

3/2012/0512: Proposal to replace existing windows to front of premises on second floor (Where ground floor = 0) with exact copy in hardwood (Painted white) (Refused).

3/2012/0511: Proposal to replace two third storey windows with exact copies of existing windows (Refused).

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to a mid-C18, 3-storey brick-built building fronting the pavement to the west side of King Street in the village of Whalley. Originally one half (5 bays) of a pair of matching Grade II Listed Buildings 33 and 35 King Street (List Entry 1317638), the proposal property is currently arranged as 2 separate properties divided from bay 3, with the current dental practice occupying the whole loft space, and a modified doorway in the 5th bay.

The building is also located within the designated Whalley Conservation area, being within the defined settlement limits of Whalley, and being located within the defined 'Main Centre Boundary' of the settlement. The property also faces additional constraints due to its location in Flood Zones 2 and 3, carries a high risk of surface water flooding.

The area is largely commercial in character, with the immediate area accommodating a spectrum of various uses that are typical of 'Town Centre' uses.

Proposed Development for which consent is sought:

The application seeks Listed Building Consent for works to the internal and external fabric of 33 King Street, for the replacement of existing shop front windows. The works proposed are as follows:

- Replacement of existing softwood shop front windows (not original) with 32 paned double-glazed windows in a hardwood (sapele) off-white painted frame. Windows to be in Georgian style to match existing.
- Off-white painted frame to be painted in Farrow and Ball 'off-white'
- New replacement surrounding sideboards and panels with Bolection Mould Panel Bead panels in tricoya.
- Fascia boards to be painted in a 'true' black from Farrow and Ball.
- Removal of built-up timber display obscuring the window.

Impact upon Listed Building(s) and Setting (Where Applicable):

The application relates to a building which forms part of a pairing of Grade II Listed Buildings, 33 and 35 King Street, Whalley (List Entry 1317638), with the list reading as follows:

WHALLEY KING STREET (west side) SD 73 NW 2/65 Nos. 33 & 35 - GV II

"Row of houses and shops, mid C18. Brick with sandstone dressings and slate roof. 3 storeys, 10 bays, with chamfered quoins. Windows have plain stone surrounds with keystones. Those on the ground and 1st floor are sashed with no glazing bars. Those on the 2nd floor are sashed with glazing bars. The 3rd bay has a blind attic window and the 8th bay is blind on the 1st and 2nd floors. The 1st and 2nd and the 9th and 10th bays now have shop fronts on the ground floor. In the 3rd and 8th bays there are doors with architraves which have keystones. In the 5th bay there is a door within a former window surround. Chimneys on gables and between 5th and 6th bays. Inside, No.35 has several oak panelled doors of C18 type, and an oak dog-leg stair with open string, turned balusters and wreathed handrail".

In assessing the proposal, regard must be given to the statutory duties imposed on the authority in respect of the preservation and enhancement of such assets. In this respect, at a local level, Key Statement EN5 and Policy DME4 are primarily, but not solely, engaged for the purposes of assessing likely impacts upon designated heritage assets resultant from the proposed development.

Key Statement EN5:

In this respect, Key Statement EN5 states that:

"There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.

This will be achieved through:

- *Recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.*
- *Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area.*
- *Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.*

- *Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.*
- *The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment”.*

Policy DME4:

With Policy DME4 stating, in respect of development within conservation areas or those affecting the listed building or their setting, the development will be assessed on the following basis:

1: CONSERVATION AREAS

“Proposals within, or affecting views in or out of, or affecting the setting of a conservation area will be required to conserve and, where appropriate, enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. Development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.

In conservation areas, there will be a presumption in favour of the conservation and enhancement of elements that make a positive contribution to the character or appearance of the conservation area.”

2: LISTED BUILDINGS AND OTHER BUILDINGS OF SIGNIFICANT HERITAGE INTEREST

“Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported.

Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.”

Policy DMG1:

Policy DMG1 is also engaged alongside Key Statement EN5 and Policy DME4 insofar that the policy sets out general development Management considerations, with the policy having a number of inherent criterion that are relevant to the assessment of the current proposal, which state:

“ In determining planning applications, all development must:

DESIGN

1. *Be of a high standard of building design which considers the 8 building in context principles (from the CABE/English Heritage building on context toolkit.*
2. *Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
3. *Consider the density, layout and relationship between buildings, which is of major importance. particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*

AMENITY

1. *Not adversely affect the amenities of the surrounding area.*

ENVIRONMENT

3. *All development must protect and enhance heritage assets and their settings*”

Planning (Listed Building and Conservation Areas) Act 1990:

Given the proposal relates to a Grade II Designated Heritage Asset, special regard must also be given to the statutory duties imposed on the authority, pursuant to national legislation, particularly in respect of the preservation and enhancement of such assets.

The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 (as amended by s.58B (1) of Levelling-up and Regeneration Act 2023) is to preserve or enhance the special character of heritage assets, including their setting. As such, in determining applications that affect designated heritage assets, the authority must consider the duties contained within the principle Act which states the following;

Listed Buildings – Section 66(1) (as amended by s.58B of Levelling-up and Regeneration Act 2023):

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving or enhancing the building or its setting. Under s.58B (2) this includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.

Listed buildings - Section 16 (2) (as amended by s.58B of Levelling-up and Regeneration Act 2023):

In considering whether to grant listed building consent for any works to a listed building the local planning authority shall have special regard to the desirability of preserving or enhancing the building. Under s.58B (2) this includes preserving or enhancing any feature, quality or characteristic of the asset or setting that contributes to the significance of the asset.

National Planning Policy Framework (February 2025):

The National Planning Policy Framework (NPPF) sets out further duties in respect of determining proposals that affect heritage assets stating that *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”*.

The Framework sets out further duties in respect of considering potential impacts upon designated heritage assets with Paragraphs 212 – 221 reading as follows:

Considering potential impacts:

212:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

213:

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b)

assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

214:

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.

215:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

216:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

217:

Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

218:

Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

219:

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

220:

Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

221:

Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Assessment of Impacts:

A key issue is whether the proposal would result in any harm to the significance of the listed building. The property's significance lies in its aesthetic and historic context, primarily evidenced in the building's C18th fabric and architectural form/appearance. In this context, as a listed building, it can be attributed as having high significance.

The submitted details identify internal works to remove built-up timber-boarded bulkheads to allow for a new suspended ceiling and services in the void. However, this falls outside the scope of this application.

The application proposes the removal of timber displays obscuring the front window. This is considered to fall within the scope of the application to facilitate the new shop window. It is not considered that these displays are of any significance in respect of the inherent character of the building.

The proposal seeks to replace a rotten soft-wood, multipaned Georgian-style shop-front window – installed in 1985 – with a hardwood, off-white-painted frame, maintaining the Georgian style of 32 individual glazed units while incorporating toughened, slim-line double glazing. The off-white painted frame will be painted in Farrow and Ball 'off-white' No.3, one of their original colours; a traditional, slightly aged neutral, which is considered in keeping with the building's exterior.

Whilst a traditional shop front would have been preferred, given that the current shop window is not traditional then the proposed alterations will cause no measurable harm to the inherent character or significance of the building. Moreover the proposed interventions are sympathetic to the existing architecture and with materials that will improve the shop fronts' longevity.

As such, taking account of the above matters, it is not considered that the proposed development raises any significant direct conflict(s) with Chapter 16 of the National Planning Policy Framework and would accord with Policy DMG1, Policy DME4 and Key statement EN5 of the Ribble Valley Core Strategy. Nor any significant measurable conflicts with the aims, objectives and requirements of the duty's imposed by S.66(1) and S.16(2) of the Planning (Listed Building and Conservation Area) Act 1990. Particularly in respect of measurable adverse impacts upon or development that would result in measurable harm to a Grade II Designated Heritage Asset.

Impact upon Whalley Conservation Area and Setting:

In considering whether to grant listed building consent for development which affects a conservation area the Local Planning Authority shall have regard to the desirability of preserving the asset or any special features of special architectural or historic interest which it possesses as required by S.66(1) and S.16(2) of the Planning (Listed Buildings and Conservation Areas) Act.

Para 212 of the National Planning Policy Framework states that; when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

A key issue is whether the proposal would result in any harm to the significance of the conservation area. The Whalley Conservation Area includes the more densely built-up area along King Street, where the buildings sit on the back of the pavement with concealed rear gardens, as well as the more spacious, suburban character of the northern part of King Street and Church Lane.

The associated Whalley Conservation Area Appraisal identifies no. 33 and 35 King Street as dating back to the mid-18th century, a pair of substantial, matching townhouses, where sandstone (now painted) provides the decoration – quoins, window architraves, and door surrounds.

The Appraisal further identifies that no. 33 King Street has been negatively affected by poor-quality windows on a listed building, which are proposed for replacement. Whilst a traditional shop front would have been preferred, given that the current shop window is not traditional then the proposed alterations will cause no measurable harm to the inherent character or significance of Whalley conservation area. Moreover the proposed interventions are sympathetic to the existing architecture and with materials that will improve the shop fronts' longevity.

The duty's imposed by S.66(1) and S.16(2) of the Planning (Listed Building and Conservation Area) Act 1990 had been given considerable weight in the comments above.

RECOMMENDATION:	
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That Listed Building Consent be granted subject to the imposition of appropriate conditions.	
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