

# Peter Hitchen Architects

**Peter Hitchen Architects Ltd**

Marathon House  
The Sidings Business Park  
Whalley  
Lancashire  
BB7 9SE  
7 May 2021

**APPELLANT STATEMENT**

**2 BRIDGE END, WHALLEY ROAD, BILLINGTON, LANCASHIRE**

This statement is prepared to support the appeal related to the refusal notice dated 13 April 2021 (application reference – 3/2021/0167)

**Project description**

*Internal alterations to create open plan/ upside down house, with additional mezzanine level. External alterations include new window openings and Velux roof lights.*

**Reason for refusal**

*The proposed development, by reason of its design, would be detrimental to the character and appearance of the building and would fail to preserve or enhance the character or appearance of the Whalley Conservation Area contrary to policies DMG1, DMH5 and DME4 of the Ribble Valley Core Strategy.*

The main issue being the additional window at first floor level as confirmed by the case officer in the emailed correspondence which is included with this statement

**Principal reason for the appeal**

The proposal as submitted for planning approval was presented to the Authority within a pre-application enquiry Ref RV/ENQ/2020/00105 dated 5 November 2020.

Upon receipt of the written response from the case officer we specifically asked for clarification regarding the issue of the additional window located at first floor within the east elevation of the dwelling.

The correspondence issued on the same day as the response letter, was brief and unambiguous :-

*Laura*

*Further to the pre-app response received today and our subsequent phone call, I confirm that you include the new window in the end elevation within the paragraph regarding the acceptability of the new openings/rooflights.*

**Regards  
Peter**

*Hi Peter,*

*Yes I was referring to the new gable window and rooflights within that paragraph*

*The vertical emphasis is in keeping with the other windows and there are no other properties to overlook on that side. Subject to matching materials etc.*

**Regards  
Laura**

It was on the basis of the pre-app response that a formal application was prepared and issued a few months later in 2021.

The formal application was assessed by a different case officer who confirmed that he had a different opinion to the statement made by the pre-app officer with regard to the formation of the additional window.

Emailed correspondence accompanies this statement and documents the communications between ourselves and the case officer immediately this was raised as an issue during the application process.

We offer the inspectorate an opinion that it cannot be the case that a professionally qualified chartered town planner, within an office with other chartered town planners can so advise on a pre-application enquiry for another, in the same office and looking at the same planning policy criteria can come up with a different interpretation

This seriously calls into question the reliability of a pre-app and importantly, questions the missive on the refusal decision notice that tells us that the planning authority have a pre-application enquiry service and that we should make use of it!

*'The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use'.*

We confirm our knowledge that the house is within the conservation area and is a building of townscape merit. The proposal has been designed in order to fully respect these designations and ensure that no planning harm is caused to both the house or the character of the conservation area. The pre-application response substantiated our approach and provided direction for the formal application.

We request that the planning inspector applies considerable weight to the failure of the Authority to provide a consistent service when assessing a very simple proposal of an additional window and we also request that the inspector agrees with the original pre-app response regarding this matter and the window is not a harmful addition to the house or 'detrimental to the character and appearance of the building or conservation area.'

Regards

Peter Hitchen RIBA