



# Appeal Decision

Site visit made on 17 March 2020

**by M Russell BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 28 April 2020**

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## **Appeal Ref: APP/T2350/Z/19/3236354**

### **1 - 3 King Lane, Clitheroe BB7 1AA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr David Parker – DJP Domestic Appliances Ltd against the decision of Ribble Valley Borough Council.
  - The application Ref 3/2019/0497, dated 18 July 2019, was refused by notice dated 23 July 2019.
  - The development proposed is refurbishment of existing shopfront.
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### **Decision**

1. The appeal is dismissed.

### **Procedural Matter**

2. The decision notice confirms the decision was based on a revised planning application form received by the Council on 19 July 2019. The Council has provided a copy of the revised application forms and they seek planning permission only with no reference to any proposals for advertisements. I have considered the appeal on that basis. I have also taken the application date from the signed declaration on the revised application form.
3. The Council's decision notice confirms that the decision relates to the revised plan received on 24 July 2019. The information submitted with the Council's appeal questionnaire confirms that this is the revised 'Proposed Elevation' drawing ref. 1137-02 Rev C (received 24 July 2019). I have therefore based my assessment on this revised plan.

### **Main Issue**

4. The main issue is the effect of the proposal on the character and appearance of the Clitheroe Conservation Area (CA).

### **Reasons**

5. 1 – 3 King Lane is a two-storey building in use as a domestic appliance shop. The Clitheroe Conservation Area Appraisal (CCAA) identifies King Lane as sitting within the historic core of the CA. King Lane is characterised by a mix of residential and commercial uses. Several features contribute to the significance of the CA including the historic street pattern and numerous buildings of visual merit which often incorporate traditional architectural detailing and materials. Such features make a positive contribution to the character and appearance of the CA and add to its significance.
6. The elevations of the appeal building incorporate a mix of contemporary and traditional materials. However, at street level, features including the single

pane, timber framed windows, decorative pilasters and stone headed brick plinth all positively contribute to the overriding traditional grain of the CA. Timber window frames are also commonly used on the other commercial units on King Lane.

7. Even accounting for the vertical glazing bars included on the revised plan, the double glazed aluminium framed glazing units would be out of keeping with the prevailing traditional context of the CA. The loss of the decorative tops to the pilasters and the removal of a section of the stone headed brick plinth to facilitate a widening of the entrance doors would further erode elements of the building which presently respond positively to its position within the historic core of the CA. As a result of these factors the proposal would neither enhance nor preserve the character and appearance of the CA.
8. My attention has been drawn to modern materials on other shop fronts in the CA. I also noted on my site visit that uPVC window frames have been installed on some of the neighbouring residential properties and at first floor level on the appeal building. However, the CCAA identifies amongst other things the use of inappropriate modern materials as being a threat to the CA. The use of aluminium window frames in the appeal proposal would add to an incremental erosion of the character and appearance of the CA. I do not therefore find these other examples act as justification for the proposals.
9. Taking into account the proposal relates to the shop front of a single retail unit in the CA, the development would result in less than substantial harm to the character and appearance of the CA. Paragraph 196 of the National Planning Policy Framework (the Framework) states that 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.
10. The unit is occupied and the business is therefore operational without the proposal. I am therefore not convinced that the proposal is a necessity to secure the optimum viable use of the building or to help retain the vitality and viability of the town centre. There would be modest economic benefits through the construction work required to carry out the proposed works. However, I must pay special attention to the desirability of preserving the setting of the CA. Taking the above issues into consideration, I find that there are no public benefits of a sufficient weight to outweigh the less than substantial harm that would result from the proposal.
11. To conclude, the proposal would have a harmful effect on the character and appearance of the CA. Consequently, in that regard, the development would be contrary to Key Statement EN5 (Heritage Assets) Policies DME4 (Protecting Heritage Assets) and DMG1 (General Considerations) of the Ribble Valley Borough Council Core Strategy 2008 – 2028 A Local Plan for Ribble Valley (2014) and the Framework.

### **Other Matters**

12. The windows and entrance door at the appeal site are fitted with slotted steel shutters which are only open during trading hours. Even so, the alterations would still be visible when the shop and others in the area are open. Consequently, the alterations would be appreciated at times when it is more likely people would be in the area. A lack of objection from neighbouring

occupiers and the Clitheroe Civic Society does not convince me that the proposals preserve or enhance the character and appearance of the CA.

**Conclusion**

13. For the above reasons the appeal is dismissed.

*M Russell*

INSPECTOR