

Application 3/2020/0219

Duke of York Inn Grindleton Brow Grindleton BB7 4QR

Planning Statement

The applicant's weighting to relevant material considerations at section 6 is not understood. Paragraph 6.2 separates conservation area and listed building considerations from 'in-principle' considerations despite the duty to give '*special attention*' (s72) and '*special regard*' (s66) to these matters in the planning balance (because of this weighting, are these in-principle considerations?). The key issues appear to be the harm to listed building historic interest (architectural interest appears unaffected at this stage – although layout does not appear conducive to residential use as a single dwelling*) and conservation area historic character from the loss of a use which has been central to the community for approximately two hundred years. Similar matters were considered recently in appeals relating to the Grade II listed Dog and Partridge at Tosside (the loss of historic interest in proposed conversion was considered to result in *substantial* harm). <http://www.legislation.gov.uk/ukpga/1990/9/contents>

<https://www.ribblevalley.gov.uk/planningApplication/23285>

<https://www.ribblevalley.gov.uk/planningApplication/27552>

Paragraph 6.9 appears to suggest a successful marketing exercise and property purchase in January 2018.

Paragraph 6.11 appears to suggest that there is continued interest in the property.

There is no suggestion that the building is in or will fall into a poor state of repair; no contractor employment is suggested to result from the development (therefore no public benefit from the harm resulting from the loss of the historic business use?).

'Vacant Historic Buildings' (Historic England, 2018) is of interest "*This guidance is intended to help owners and purchasers of vacant historic buildings to reduce the risks by undertaking a range of precautionary measures and adopting an 'active management' approach that can prevent unnecessary damage, dereliction and loss of historic fabric. Owners will also benefit by maintaining the value of their assets and increasing the chances of bringing them back into permanent use*".

<https://historicengland.org.uk/images-books/publications/vacanthistoricbuildings/>

There are references to an Optimum Viable Use but this is not explained and potential alternatives (with less harm to the designated heritage assets) are not examined or discounted.

'Alacrity and alternative proposals' (IHBC, 2017) considers recent Planning Inspectorate decisions and mothballing as a development option:

“In the Fulham case, the building was not “at-risk” and not deteriorating rapidly but the Inspector had stated that “mothballing removes the urgency of accepting the first scheme to come along, which could cause significant harm”, in order to save a heritage asset from total loss. Mothballing could “throw the buildings a lifeline in the hope of an alternative solution” arriving”;

“It may be concluded from this that local planning authorities should be confident in considering the bigger picture and not feel compelled to accept the only offer on the table at a particular time”.

https://ihbconline.co.uk/toolbox/guidance_notes/alacrity.html

Heritage Statement

Historic special interest and historic character are only briefly considered. Mindful of the Development Description it is not understood why the Executive Summary identifies “there will be no change to the listed building”.

The photographs at page 11 suggest that the Duke of York was a historic meeting point for the village.

Grindleton Conservation Area Appraisal

The ‘Townscape Appraisal Map’ identifies the Duke of York as one of only three buildings which provide focus to the Grindleton Conservation Area’s character and appearance. Notably, the Duke of York’s focus is not specifically identified as visual i.e. not in the ‘Key Views and Vistas’ section or shown within ‘Important Views’ (Map).

‘Definition of the Special Interest of the Conservation Area: Activities/uses’ suggests that Grindleton’s two pubs provide all of the non-residential special interest.

‘Strengths’ identifies community spirit and buildings to be important to conservation area character.

Listing Selection Guides: Commerce and Exchange Buildings (Historic England 2017)

“Community interest: Commercial premises, as prominent places of public gathering, have sometimes played leading parts in the story of a community and their claims to note should be considered accordingly” (2.9) <https://historicengland.org.uk/images-books/publications/dlsg-commerce-exchange-buildings/heag121-commerce-and-exchange-lsg/>

Adrian Dowd BSc (Hons) MA (URP) MA (Arch Cons) RTPI IHBC
Principal Planning Officer

For information:

‘Marketing of Heritage Assets’ (IHBC, 2019)

https://ihbconline.co.uk/toolbox/guidance_notes/heritage_assets.html

* *“Although no physical alteration would be made, the functional significance of the building (which from the list description, was purpose built as a public house) and its central status in village life would be lost through the proposal. Once in domestic use the outer appearance of the listed building would inevitably change with time – the signage denoting its use would have to change to prevent mistaken attempts at access and the currently open frontage would become private. With the proposed change of use, all of the historic ground floor accommodation would be removed from public access and the traditional use of the public house would be fundamentally altered. Thus, the change of use at the main ground floor of the building would cause substantial harm to the special historic interest of the listed building, through the loss of its historic function as a public house”* (Appeal re: 3/2012/0729 – Dog and Partridge, Tosside).

Non-tangible harm to designated heritage assets is also discussed at the recent appeal re: 3/2018/1121 – the Stables rear of King Street Whalley.

https://www.ribblevalley.gov.uk/planx_downloads/Appeal_Decision_3233488.pdf