



JUDITH DOUGLAS TOWN PLANNING LIMITED

## Duke of York Inn, Brow Top, Grindleton BB7 4QR.



Proposed change of use from public house with living accommodation to residential use. Demolition and replacement of single storey extensions, alteration to vehicle access and landscaping.

Planning and listed building consent applications

Planning, Design and Access Statement

JDTPL 0159

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**STATEMENT IN SUPPORT OF A FULL PLANNING APPLICATION AND LISTED BUILDING CONSENT FOR THE CHANGE OF USE FROM PUBLIC HOUSE WITH LIVING ACCOMMODATION TO RESIDENTIAL USE. DEMOLITION AND REPLACEMENT OF SINGLE STOREY EXTENSIONS, ALTERATION TO VEHICLE ACCESS AND LANDSCAPING.**

**1 INTRODUCTION**

- 1.1 This statement is in support of a planning application for the change of use of the Duke of York from public house with living accommodation to residential use as one dwelling.
- 1.2 This Statement describes the application site, the proposed development and assesses its merits against the relevant up-to-date policies of the development plan, the National Planning Policy Framework and all other relevant material considerations.
- 1.3 It demonstrates that the proposed development is in accordance with the relevant policies of the adopted Ribble Valley Core Strategy (2014) and also accords with Government policy and guidance as detailed within the National Planning Policy Framework (2021).
- 1.4 The Statement should be read in conjunction with the accompanying information:
  - 5977 - PH01 Existing site layout (phasing drawing)
  - 5977 - PH02A Existing floor plans (phasing drawing)
  - 5977 - PH03 Existing elevations (phasing drawing)
  - 5977 - P12-A-Proposed Site Plan and Site Sections
  - 5977 - P13-A-Proposed Floor Plans
  - 5977 - P14-A-Proposed Elevations
  - Ordnance Survey Location Plan
  - Bat Assessment Report
  - Heritage Assessment
  - Report and Valuation JPA Surveyors February 2020
  - Report and Valuation M S W Hewetsons Chartered Surveyors February 2020
  - Marketing report Whiteacres Commercial Property Agents September 2021 (Exempt Information)
  - Viability Report August 2021 (Exempt information)

## 2.0 THE APPLICATION SITE AND SURROUNDING AREA

- 2.1 The application site is set within the village of Grindleton. The proposals maps to the adopted Housing and Economic Development, Development Plan Document indicates that the site is within the settlement boundary of Grindleton, within the conservation area and the Area of Outstanding Natural Beauty. The southern part of the village to the south of Sawley Road is in the area designated as open countryside. The village to the north of Sawley Road is within the Area of Outstanding Natural Beauty. See figure 1.

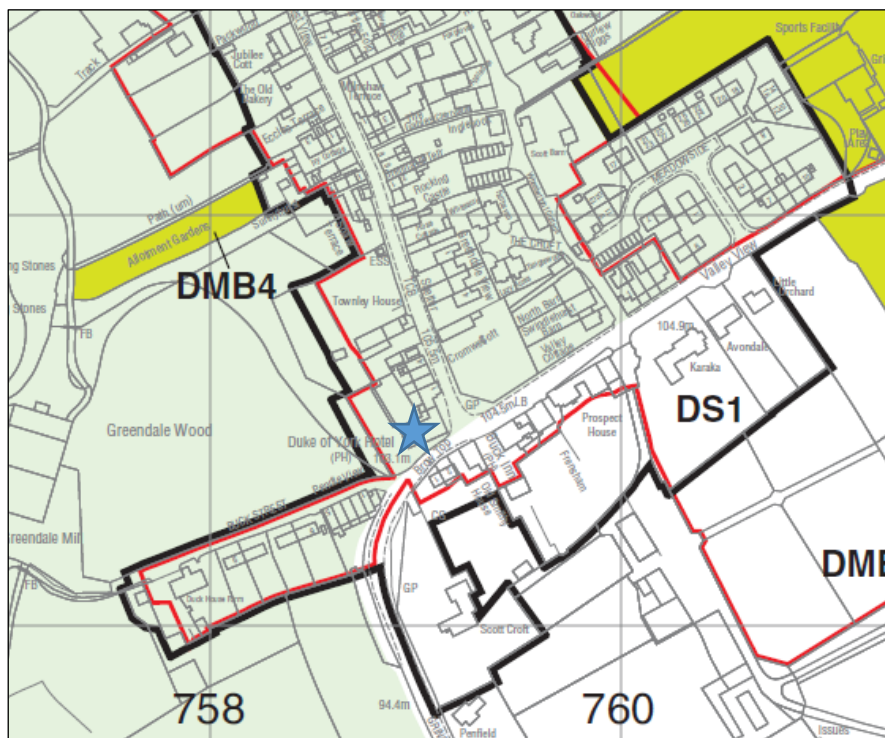


Figure 1 Extract from Inset 26 of the HEDDPD Proposals maps. Location of the site is marked by the blue star.

- 2.2 Immediately to the west of the site is part of the Greendale Woodland and Buck Street leading to Greendale Mill. Adjoining the site to the north is 1-4 Main Street and the garden area of Townley House. The Duke of York and Townley House are listed buildings grade 2. The list description, first listed in 1984 describes the Duke of York as:

*“Public house, early C19th century. Squared sandstone with diagonal tooling. Stone Slate roof. Double pile plan with end stacks and chamfered quoins. 2 storeys with attic, 2 bays. Windows sashed with no glazing bars and with plain stone surrounds. To the left of the door is a double window with centre squared mullion. The door, between the bays, has a plain stone surround and moulded open pediment on console brackets. The gables have copings and footstones. To the left is a further bay having a double window on the ground floor and a single window above, and with quoins having diagonal tooling. Right-hand return wall (facing east) has three windows on the ground floor and 4 on the first floor, similar to those on the main façade. Above is an attic window with plain stone surround and semi-circular head.”*

Townley House, first listed 1984 is described as

*“House, c1800. Pebbledashed rubble with slate roof. 2 storeys, 2 bays. Windows have plain stone surrounds. Those on the ground floor are tripartite with semi-circular heads and square mullions. On the 1<sup>st</sup> floor are 2-light windows with square mullions. The door, between the bays, has a plain stone surround with semi-circular head. Above is a re-set datestone ‘1727’GAA. To the left of the left-bay is a second stone inscribed ‘RA 1624’”*

- 2.3 There are no public footpaths across the site. There is a walk through the woodlands and a public footpath along Buck Street. Sawley Road and Brow Top pass along the southern edge of the village. This road carries a bus service 3 which connects the village to Clitheroe and school bus services. Main Street Grindleton also carries service 66/67 which connects to Clitheroe and Nelson. Grindleton has a primary school and Bowland High School is situated on Sawley Road 1.2km to the north east. Within the village is the Buck Inn (also closed but soon to re-open following the grant of planning permission for replacement extensions and alterations), St Ambrose C of E Church and Grindleton Pavilion community centre.
- 2.4 The site comprises a public house with living accommodation now closed. The ground floor comprises the public bar areas, dining room, toilets as well as a catering kitchen. There are internal stairs to a cellar. The cellar has an external beer drop from the pavement in main street. Internal stairs lead to a first floor flat comprising lounge, kitchen, bathroom and three bedrooms on the second floor is a large attic. Externally there is a lawned garden to the rear of the building and to the side and rear a tarmac surfaced car park. The tarmac of the car park continues around to the front of the building extending up to the kerb.
- 2.5 On the 3<sup>rd</sup> of September 2019 the land and buildings at The Duke of York, Grindleton was included on the list of assets of community value. The nomination to the list was made by the Grindleton Community Pub Limited. On the 8<sup>th</sup> January 2019 the land and buildings at The Buck Inn, Grindleton was included on the list of assets of community value. The nomination to the list was made by the Grindleton Parish Council.

### 3.0 SITE HISTORY

3.1 The planning application history of the site is as follows; it may not be complete:

3/2020/0219	Change of use from public house with living accommodation (A4 drinking establishment) to residential use (C3 dwelling). Resubmission of application 3/2019/0049.	Refused 26/06/2020
3/2019/0050	Change of use from public house with living accommodation to one dwelling with business use. Demolition of existing single-storey extensions and construction of new single-storey extension LB	Refused 12/04/2019
3/2019/0049	Change of use from public house with living accommodation to one dwelling with business use. Demolition of existing single-storey extensions and construction of new single-storey extension. Construction of new, two-storey, three-car garage with business storage above. Construction of three new two-storey holiday lets. planning application	Refused 11/04/2019
3/2009/0288	Proposed level standing/seating area (Resubmission).	Approved with conditions 03/06/2009
3/2009/0289	LB “	
3/2008/0447	Retrospective application for decking to front of building.	Refused 23/07/2008
3/2008/0448	LB “	
3/1997/0841	Extension to rear of premises to form link to toilets and store	Approved with conditions 08/01/1998
3/1997/0842	LB	
3/81/0267	Alterations to make toilet and games room extension	Approved 16.4.81
3/76/0849	Proposed fire escape door	Approved 2.9.76
3/74/0902	Signage (has photo of front)	Refused 14.11.74
BO 1165	extend dining room and kitchen and formation of garage *	Approved 27.7.67
BO 937	Details of car park to BO919 (14 spaces	Approved 15.5.64
BO 919	Car park rear of Duke of York	Approved 24.3.64

\*Refers to extending car park approved under approval BO 1222

### 4.0 THE PROPOSED DEVELOPMENT

4.1 The proposal is to change the use of the public house with living accommodation to one dwelling with garden. This includes the demolition of two twentieth century extensions and their replacement with single storey extensions to create dining area, kitchen and garage. Internal alterations are proposed to return the floorplan and staircase to the pre-twentieth century position. The vehicle access is to be altered and landscaping carried out to reduce ground levels at the rear of the building.

4.2 The existing single storey flat roofed extensions at the side and rear of the building, the mono-pitched side extension and associated kitchen extraction equipment together with a modern tall brick chimney are to be demolished. These extensions which wrap around the side and



rear of the building are to be replaced by two separate extensions. A single storey kitchen and dining room extension of contemporary design entirely glazed except for the entrance door and a double pitched roof garage of traditional design.

- 4.3 The garden area at the rear of the building is raised up so that the ground level is higher than the ground close to the rear of the building and higher than the rear gardens/yards of the houses on Main Street. It is proposed to reduce and even out the land level of the garden and car park area to create a larger garden area and a reduce area of hard surfacing which will be cobbles and used for parking and turning of vehicles. At the front of the building the edge footway will be defined by a new stone wall and a garden area will be created in front of the building. New entrance gates will be provided set back a sufficient distance to allow cars to pull clear of the highway before opening the gates. The gates open into the site.

## 5.0 DEVELOPMENT PLAN POLICY

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to the development plan as a whole and requires planning applications to be determined in accordance with the plan, unless material considerations indicate otherwise. In this case the relevant parts of the development plan comprise the Ribble Valley Core Strategy (2014) and the National Planning Policy Framework (2021).
- 5.2 The following policies of the Ribble Valley Core Strategy ('the Core Strategy') are relevant to the determination of this application:
- **Key Statement DS1** – outlines the Council's development strategy with regard to housing, employment, retail and leisure.
  - **Key Statement DS2** – confirms that when considering development proposals, the Council will take a positive approach which reflects the presumption in favour of sustainable development. Wherever possible, it will aim to secure development that improves the economic, social and environmental conditions in the area.
  - **Key Statement EN2** – seeks to protect the landscape value of the Forest of Bowland AONB by controlling the scale, appearance, vernacular style and use of materials in new development.
  - **Key Statement EN5** – seeks to conserve and enhance the significance of heritage assets and their settings within the Borough.
  - **Policy DMG1** - sets out various criteria to be considered in assessing planning applications, including the proposed development being sympathetic to existing land uses, highway safety and not adversely affecting the amenities of the area.

- **Policy DMG2** – confirms that new development should be in accordance with the Core Strategy development strategy and should support the spatial vision.
- **Policy DMG3** – consider the availability and adequacy of public transport the relationship to the primary road network and access to the development on foot or by cycle.
- **Policy DME2** - requires development to protect the landscape and townscape including elements such as scale, form and materials that contribute to the characteristic townscapes of the area
- **Policy DME4** – expands on the requirements of Policy EN5 with regard to heritage assets.
- **Policy DMB1** – confirms that proposals which result the conversion or redevelopment of sites with employment generating potential will be considered against a number of criteria. These requirements will be expanded upon in the Policy and Evaluation section below.
- **Policy DMR3**- allows for the change of use of ground floor commercial premises within villages boundaries where the change of use will not lead to adverse effects on the local economy.

5.3 The National Planning Policy Framework (2021) ('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.

5.4 In determining planning applications, paragraph 38 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.

5.5 In relation to heritage assets, paragraph 194 confirms that it is the duty of the applicant to describe the significance of any heritage assets affected by the development, including their setting. Paragraphs 201 and 202 outline matters of substantial and less than substantial harm to the significance of designated assets and how those impacts should be considered, including the weighing of public benefits that any given proposal may generate against any harm created.

## 6 PRE-APPLICATION ADVICE

- 6.1 A pre-application advice request was submitted to the Council on the 31<sup>st</sup> of August 2018 for the proposed conversion of the public house to a dwelling (with ancillary offices); erection of holiday cottages; erection of detached garage and storage. A written response was received on the 5<sup>th</sup> of November 2018 reference RV/2018/ENQ/0079.<sup>1</sup> It was accepted that the proposal would not result in the creation of a new dwelling since a dwelling already exists within the building. It advised that the provision of information which demonstrates that the existing business is not viable would confirm that the loss of the public house is acceptable under policies EC2 and DMB1 of the Core Strategy.
- 6.2 This pre-application advice was followed up by planning and listed building applications which were refused permission. Reference 3/2019/0049 and 3/2019/0050. A further request for pre-application advice was submitted on the 30<sup>th</sup> of May 2019 for the proposed change of use from public house with living accommodation to public house with letting bedrooms, holiday cottage and construction of detached manager's accommodation. Demolition of single storey extensions and creation of parking area. Pre-application advice was received in September 2019<sup>2</sup>. The pre-application advice suggests the proposal was an improvement on the earlier scheme and indicates support in principle. However, this support is heavily caveated requiring appropriate justification. There is continuing concern in regard to the proposed physical changes to the listed building and the effect of the development on the setting of the listed building and the character of the conservation area. It also expressed concern in regard to relocating the residential accommodation within the site.
- 6.3 This was followed by the application 3/2020/0219 Change of use from public house with living accommodation (A4 drinking establishment) to residential use (C3 dwelling) which was refused permission on the 26<sup>th</sup> of June 2020.
- 6.4 Pre-application advice was sought for the change of use from public house with living accommodation to public house with letting bedrooms, construction of four holiday apartments and managers accommodation. Demolition and replacement of single storey extension to create café area and creation of parking area. Reference RV/2020/ENQ/00097 6<sup>th</sup> January 2021<sup>3</sup>. Whilst there was support in principle for the proposed holiday accommodation, the development as a whole did not received support due to the potential impact upon the setting of the Duke of York (loss of open historic curtilage), nearby listed buildings and Grindleton Conservation Area. Contrary to earlier advice the Council stated it considers the first-floor

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<sup>1</sup> Appendix 1 Pre-application advice 2018/ENQ/00079

<sup>2</sup> Appendix 2 Pre-application advice 2019/ENQ/00067

<sup>3</sup> Appendix 3 Pre-application advice 2020/ENQ/00097



accommodation not to be a C3 dwellinghouse ancillary to the primary use of the building as a public house, a use that is classified as 'sui generis' since 1 September 2020.

- 6.5 Highways pre-application advice was sought for the change of use from public house with living accommodation to public house with living accommodation and two letting bedroom (bed and breakfast) in the existing public house building and the construction of a new five one-bedroom holiday apartment with a double garage. The advice received was generally supportive of the proposal.<sup>4</sup>

## 7 PLANNING POLICY AND EVALUATION

### Principle of the development

- 7.1 *"The purpose of the planning system is to contribute to the achievement of sustainable development"* is the opening statement of section 2 of the Framework. The three overarching objectives of sustainable development are:

*"a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."*

- 7.2 Paragraph 11c) states *"For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay;"*

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<sup>4</sup> Appendix 4 Highways pre-application advice 17<sup>th</sup> May 2021

- 7.3 The public house currently has four bedroomed living accommodation at first floor. The Council's pre-application advice in January 2021 stated that the public house and manager's accommodation form a single planning unit with the managers accommodation being ancillary to the operation of the public house. In the Council's opinion, in terms of the policies in the local plan the change of use of the building to one dwelling is creating a new dwelling.
- 7.4 Key Statement DS1 says that development that has recognised regeneration benefits will be considered in all of the borough's settlement. As the building is currently unused, and if left unused will begin to deteriorate there is a regeneration benefit in bringing the building back into use. The application proposal would result in the regeneration of the building. A similar proposal for the conversion of the Eagle and Child public house at Hurst Green (a tier 2 settlement) to dwellings was approved in 2016. This was a pub with living accommodation. The Council accepted that the building had been unsuccessfully marketed and the continued operation as a public house was not financially viable. As such it was considered that there was a legitimate concern that the building would remain vacant and fall into a state of disrepair. The same circumstances apply in this case, and it follows that the proposal if approved will secure regeneration benefits .
- 7.5 Grindleton is a tier 2 settlement. Policy DMG2 sets out that within tier 2 villages development must meet at least one of the following considerations:
1. The development should be essential to the local economy or social wellbeing of the area.
  2. The development is needed for the purposes of forestry or agriculture.
  3. The development is for local needs housing which meets an identified need and is secured as such.
  4. The development is for small scale tourism or recreational developments appropriate to a rural area.
  5. The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.
  6. The development is compatible with the enterprise zone designation.

The proposal meets criteria 5 as the development is small scale and the development has regeneration benefits.

- 7.6 Policy DMH3 restricts residential development in the open countryside or AONB to, amongst other scenarios, the appropriate conversion of buildings to dwellings provided they are suitably located, and their form and general design are in keeping with their surroundings. The Officer report to application 3/2019/0049 confirmed that in relation to policy DMH3 *"in terms of 'suitably located', the site falls within the existing and emerging settlement boundary for Grindleton, would not be isolated from the village and thus is considered to be 'suitably located' for the purposes of this policy."* It can be concluded that as the proposal will provide

regeneration benefits and is suitably located within and existing settlement the development is compliant with Key Statement DS1, and policies DMG2 and DMH3.

7.7 The proposal is also acceptable under policy DMB1 and DMR3 as there are environmental benefits to the community in preventing the site from deteriorating and returning it to a viable use. The Officer's report to application 3/2019/0049 stated *"it is not considered that the loss of the Duke of York would result in significant detriment to community facilities in the village and the loss of the Duke of York as a public house may indeed help to sustain the Buck Inn."* and the *"loss of the public house would not result in considerable harm to the social and economic wellbeing of Grindleton"*. The applicant has provided robust evidence that the facility is no longer viable and there is no real prospect of the public house re-opening as follows. No economically viable commercial use has been found for the property despite extensive marketing the proposed change of use also complies with policy DMR3.

7.8 The Whiteacres marketing report of the 8<sup>th</sup> of September 2021<sup>5</sup> provides details of the recent marketing of the site which was unsuccessful. Whilst there has been some interest in the building the Agent states that the general feedback was as follows

- *"purchasers were deterred by the fact that the building has Grade II listed status.*
- *The building requires significant refurbishment works and buyers have been deterred by the cost of refurbishment.*
- *Prospective buyers are concerned that the building has not traded successfully as a pub/restaurant in the past and are worried this trend may continue.*
- *A number of parties have expressed interest in converting the site into a single dwelling however this planning use was not in place."*

The report shows that the position has not changed since their previous report dated 18<sup>th</sup> February 2020<sup>6</sup>. We have for completeness included the marketing report produced by Westlake date 30<sup>th</sup> May 2018<sup>7</sup> and the valuation reports produced in early 2020<sup>8</sup>.

7.9 A viability report has been commissioned from Atkinson Associates Property Consultants<sup>9</sup>. The report author is a specialist in licensed trade matters with over 40 years of experience of the property market in this region. It is a comprehensive report and considers the particular circumstances of the Duke of York. The report covers the local business environment, and trading potential. It considers the likely cost to re-equip and refurbish the premises against the

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<sup>5</sup> Appendix 5 Whiteacres marketing report 8<sup>th</sup> September 2021

<sup>6</sup> Appendix 6 Whiteacres marketing report 18<sup>th</sup> February 2020

<sup>7</sup> Appendix 7 Westlake marketing report 30<sup>th</sup> May 2018

<sup>8</sup> Appendix 8a and 8b Valuation reports 13<sup>th</sup> February 2020

<sup>9</sup> Appendix 9 Atkinson Associates Viability Report 25<sup>th</sup> August 2021

likely level of trade that would be needed for the business to be profitable. The author concludes *“In my opinion the market would not consider the Duke of York to represent a sustainable licensed trade opportunity at the present time, current indicators making the possibility of such an outcome increasingly less likely in the foreseeable future”*. The report also considered that whilst the property could have alternative commercial occupation, demand would be limited, and adaptation costs remain a significant issue.

7.10 The applicant has also explored development opportunities which could have enhanced viability by diversifying the income generating capacity of the site. This has included a planning application and pre-application enquiries. Additional development within the curtilage of the site has met with strong resistance with concern being expressed regarding the impact of development on the setting of the Duke of York (loss of open curtilage), nearby listed buildings and Grindleton Conservation Area. Pre-application advice RV/2020/ENQ/00097.

7.11 Community facilities, such as public houses, are afforded protection through Key Statement EC2, Policies DMB1 and DMR3 and paragraphs 84 and 93 of the Framework. The site has been in commercial use and was employment generating however the business had been under-performing for some time and the property has been unsuccessfully marketed including as a going concern. The marketing of the property has been extensive and over a lengthy period. The viability report robustly demonstrates that the previous business as a public house is not viable. This satisfies the requirements of Key Statement EC2 and policies DMB1 and DMR3.

7.12 Whilst the Duke of York has been designated as an Asset of Community Value (ACV), the threshold for designating an ACV is relatively low with the local authority only needing to have a realistic belief that the facility has a community use that could continue. The village has alternative community facilities including the Buck Inn and the Grindleton Pavilion. The Buck Inn has recently received planning permission for extensive alterations and will now receive significant investment by its new owners. The granting of permission for the change of use to a dwelling is not in conflict with the requirements of policy DMB1.

#### Impact on the significance of the designated heritage asset

7.13 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that *‘when considering applications for listed building consent, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’*. NPPF21 paragraphs 199-200 state:

*“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.*

*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”.*

7.14 Core Strategy Key Statement EN5 applies a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. Policy DME4 states that *‘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.’* In relation to conservation areas, it says that *‘proposals within, or affecting views into and 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.*

7.15 The National Planning Policy Guidance sets out what is the optimum viable use for a heritage asset and how it is taken into account in planning decisions. It says:

*“ The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.”* and

*“ It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.*

*If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable use may not necessarily be the most economically viable one. Nor need it be the original use. However, if from a conservation point of view there is no real difference between alternative economically viable uses, then the choice of use is a decision for the owner, subject of course to obtaining any necessary consents.*

*Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised.”*

- 7.16 As we have stated in the preceding paragraphs the current use of the building as a public house is non-viable. The applicant has endeavoured to find an alternative use for the site which retains the public house in use, but this has been unsuccessful. It can be concluded that the change of use of the property to a residential dwelling is the optimal viable use of the building and this use will ensure that the building is brought back into active use. The advice in the NPPG warns of the harm that could result from a series of failed ventures. It also states that “*generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time*”. We also consider that ‘moth-balling’ is not appropriate in this case as the gradual deterioration of the building if left unoccupied is very likely and the lack of use of the building is detrimental to the character of the conservation area.
- 7.17 The Heritage Assessment confirms that significance of the building is in the features of the building that date from that period. As the interior of the building has been extensively altered the significance of the building is primarily in its external qualities and street scene presence. The principle historic elements of the interior are those few which survive from this original phase ie two wide king post roof trusses and vaulted cellar rooms. The public access to the interior of the building as a public house is confined to the public areas on the ground floor. These areas are largely interiors from the 20<sup>th</sup> century of lower importance and do not possess the core early 19<sup>th</sup> century character that is the basis of the building special interest. The loss of access to these public areas will not result in serious harm to the heritage significance of the building. The harm, if any, is “less than substantial” as defined in paragraph 202 of the Framework.
- 7.18 The return of the building to use as a single dwelling is supported by the Heritage Assessment. The listed building currently has twentieth century additions which will be removed. These extensions are poor quality, incongruous and detract from the architectural quality of the original building. The proposed extensions are sensitive to the character of the listed building. The attached garage is traditional in design, set back from the main elevation and will be constructed in materials which are sympathetic to the building. The rear extension is a light touch construction which is clearly contemporary in design. The alterations to the exterior of the building including the proposed extensions are also supported by the Heritage Assessment. The development works to the listed buildings are considered to be an enhancement to the listed building overall.



- 7.19 The setting of the listed building will be enhanced through the reduction in hard surfacing around the building and its replacement with landscaping. This will preserve the open curtilage. It will preserve the building's prominence at the top of Grindleton Brow and its status as a focal building within the Conservation Area.
- 7.20 The restoration of the staircase to its original position and the restoration of the ground floor and first floor plans to their original positions will enhance the significance of the building and this outweighs the significance of the floor plan and staircase which was introduced in the early twentieth century. This is in accordance with the approach advocated in Historic England Advice Note 2 Making Changes to Heritage Assets.
- 7.21 The change of use to residential and the works required to bring that change about would result in an enhancement to the significance of the listed building through the reduction in the area of car parking and the removal of the incongruous twentieth century additions to the building. The public areas of the listed building are of little historic interest. The loss of public access to the interior of the building would lead to very low if any harm to the significance of the building. We have demonstrated that the public house use is no longer viable and no other commercial use is likely to be viable given the cost and constraints to refurbishment of this listed building. There is a public benefit in restoring the building to its optimal viable use.
- 7.22 Public benefit also accrues from the provision of a family dwelling within the settlement of Grindleton and economic benefits to the local economy through the renovation works to the property. The viability of the Buck Inn also increases as the threat of competition from the re-opening of the Duke of York is extinguished which enhances certainty and encourages investment. The recent granting of permission for extensive alterations to The Buck heralds significant investment into this public house. It is clear that the village cannot sustain two public houses, so the community facilities of the village are secured by the reduction in the number of pubs from two to one. If the Council considered that the proposal would lead to less than substantial harm this is outweighed by the public benefit of securing the optimal viable use of this listed building and other public benefits already outlined. The proposal meets the requirements of the NPPF.

**Technical considerations**Residential amenity

- 7.23 The proposed development would result in no loss of amenity for neighbouring residents and is a more compatible use than the previous use as public house with beer garden close to residential properties. It complies with the requirements of policy DMG1

Access & highway safety

- 7.24 The removal of the existing commercial use is likely to create a betterment in terms of traffic and parking in the vicinity, as trips and movements associated with a single dwelling will be significantly less than the previous active use as a public house. As such there are no inherent highway safety or capacity issues associated with the proposals. Sufficient space is available for parking and turning for vehicles as well as providing garaging. The site is close to a bus service. The proposal is compliant with policy DMG3

Waste storage

- 7.25 The site maintains more than sufficient space for the storage and collection of domestic waste containers.

Ecology & Trees

- 7.26 The proposed conversion works raise no adverse issues regarding ecology, protected species or trees. The proposal is compliant with policies DME3.

Drainage

- 7.27 The site benefits from existing drainage connections and is located in Flood Zone 1, as such there are no inherent risks associated with the proposals.

## 8 CONCLUSION

- 8.1 The proposed re-use of the pub and manager's accommodation as a single dwelling, is the optimal viable use for this designated heritage asset. The proposal has regeneration benefits and will prevent further decline. There is an alternative public house in the village which has recently received planning permission for replacement extensions as part of an extensive refurbishment scheme. The permanent closure of the Duke of York will increase the viability of the Buck Inn by reducing perceived potential competition and the village also benefits from The Pavilion so that the community is not disadvantaged.
- 8.2 The proposal will return the building to a residential use which the heritage assessment asserts is the use for which the building first built. The heritage assessment confirms that the proposed works *“will enhance the significance of the interior by reinstating the layout that existing when the property was built: removing unsightly and incongruous late 20<sup>th</sup> century extensions; replacing them with subservient, light-touch structures of contemporary and traditional appearance; and enhancing its setting by improvements to the adjoining parking area and garden. The impact upon the listed building is undoubtedly positive. The impact on the conservation area and setting of the listed buildings relates to the external works only, and in this regard is positive also.”* The proposed alterations to the building do not amount to harm and provides clear enhancements.
- 8.3 The proposal preserves the special historic interest of the listed building and the character and appearance of Grindleton Conservation Area and fully complies with the policies of the Core Strategy and the NPPF.

## Appendices

- Appendix 1 Pre-application advice 2018/ENQ/00079
- Appendix 2 Pre-application advice 2019/ENQ/00067
- Appendix 3 Pre-application advice 2020/ENQ/00097
- Appendix 4 Highways pre-application advice 17<sup>th</sup> May 2021
- Appendix 5 Whiteacres marketing report 8<sup>th</sup> September 2021
- Appendix 6 Whiteacres marketing report 18<sup>th</sup> February 2020
- Appendix 7 Westlake marketing report 30<sup>th</sup> May 2018
- Appendix 8a and 8b Valuation reports 13<sup>th</sup> February 2020
- Appendix 9 Atkinson Associates Viability Report 25<sup>th</sup> August 2021