

From: Mark Waleczek

To: Adrian Dowd

cc: Colin Hirst

Ext: 4581

Date: 03/02/2022

Location: Duke of York Hotel Grindleton Brow Grindleton BB7 4QR

Re: Consultation on planning application 3/2021/1248

Brief Description of Proposal

The proposal seeks consent for the change of use from public house with living accommodation to residential use. Demolition and replacement of single storey extensions, alterations to vehicle access and landscaping. This application follows refused applications 3/2019/0049 and 3/2020/0219.

Policy Response

The latest application submitted makes amendments to design elements of the previous proposal including changes to the internal layout and replacement extensions, however, the principle of development to be assessed within this response remains the same as that which has been previously determined.

The village of Grindleton is identified as a tier 2 settlement in the adopted Core Strategy; as such, it is considered as one of the less sustainable settlements in the borough. Policy DMG2 sets out that within tier 2 villages and outside the defined settlement areas development must meet at least one of six specific criteria, which includes 'development for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated'. This proposal would contribute to the regeneration of a site within Grindleton's settlement boundary which has been vacant for several years, and in this regard is perceived to bring demonstrable benefit, fulfilling DMG2, criteria 5. Furthermore, by making use of existing buildings and curtilage for residential development the proposal satisfies policy DMH3, by virtue of the site also being 'suitably located' as the policy states (the site is within the settlement boundary and would not be isolated from the village).

However, Public Houses such as the Duke of York Inn benefit from protection through local policy and the NPPF as a result of both their value as community assets as well as their employment generating potential as a commercial business. Key Statement EC2 states:

'Proposals that have an adverse impact on existing community facilities would only be permitted as an exception where the proposed development would bring defined and demonstrable benefits ... The Council will continue to require robust evidence that much needed smaller retail and other facilities in the more rural parts of the area are no longer viable before considering other forms of use'

By bringing the building back into use, the proposal would successfully support regeneration in the village and enable the retention of a historic asset, both of which provide 'defined and demonstrable benefit' as the policy states.

The sentiment of Key Statement EC2 is reinforced by Policy DMR3, which clarifies that proposals seeking a change of use of ground floor commercial properties within the villages boundaries will need to demonstrate the change of use will not lead to adverse impacts on the local economy. Furthermore, the policy places a requirement on the applicant to provide information to demonstrate there is no demand to retain the premises in commercial use:

'The property will be expected to have been offered for sale on the open market for a period of at least 12 months at a realistic price (confirmed by independent verification). Information on all offers made, together with copies of the sale particulars will also be required accompany the application'.

I acknowledge that a series of marketing reports, viability assessments and valuations are referenced in the attached planning statement. Having reviewed these documents it is clear that there is a longstanding issue with the viability of a commercial use at this site and it is known the unit has been vacant for several years. In addition, the marketing information supplied suggests there is little demand for an alternative employment generating use at this location. On this basis the proposal is seen to satisfy the viability and marketing tests of Policies DMB1 and DMR3 of the Core Strategy.

The Duke of York is a grade II listed building located within Grindleton Conservation Area and has also been listed as an asset of community value. As a result, there would be rather critical heritage implications to this proposal which must be balanced accordingly. The prominence of the building within the village is significant and I note that previous refusals reference the harm that would be inflicted upon Grindleton Conservation Area as well as the buildings special historical interest.

Policies EN5 and DME4 ensure the protection of these assets within the borough, with the authority committed to ensuring the long-term protection of heritage assets by ensuring a viable use is found, optimising opportunities for sustaining and enhancing their significance. This is echoed by para 202 (formerly 196) of the Framework, weighing public benefit and securing the **optimum viable use** of the building against the harm that would be done through the implementation of proposals such as this. These considerations will need to be carefully balanced against the policy tests regarding the local economy as outlined above.

Conclusion

The impact of this proposal on the significance of the Duke of York as a heritage asset, as well as Grindleton Conservation Area as a whole, must be determined solely by the case officer but is clearly the primary matter relevant to the application's determination. I have little doubt that a Public House on this site is not viable, and therefore an alternative optimum viable use will need to be found in the future which preserves its significance and built form. The policy tests of the local plan are satisfied in relation to the local economy and therefore the change of use to a single dwelling raises no policy principles of concern, notwithstanding the judgement of the case officer regarding the ability of the proposal to both retain the significance and enable the protection of a heritage asset in compliance with Core Strategy policies EN5 and DME4.

If you have any further questions, please do not hesitate to contact me.

Mark Waleczek BA

Assistant Planning Officer (Policy)