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11 July 2024

Dear Stephen

**RE: Consultation on planning application and listed building consent 3/2024/0439  
and 3/2024/0440  
Duke of York Inn, Grindleton Brow, Grindleton BB7 4QR**

I write in my capacity as Clerk to Grindleton Parish Council. As a statutory consultee, the Parish Council always seeks to balance any proposed residential development against the wider amenity of the village of Grindleton, and to ensure that any application is in keeping with the parish's rural heritage. The above applications have been circulated for comment around members of the Parish Council, who considered them sufficiently important to convene an extraordinary meeting (held on 8 July) 2024) in order to ensure that all views could be gathered and collated. As a result, I have been asked to submit the following observations on members' behalf.

1) Background

Grindleton Parish Council is very aware of the sensitivity of this site and its importance to the village. Before entering into the substance of their discussions on 8 July, members noted that the Duke of York Inn is:

- within the Forest of Bowland National Landscape (AONB);
- within the Grindleton Conservation Area;
- a Grade II listed building (as per list entry number 1072148 held by Historic England); and
- listed by Ribble Valley Borough Council under the Localism Act 2011 as an "asset of community value".

Given this protected status, it would be true to say that the Parish Council has taken a keen interest in planning applications submitted in relation to the premises over a number of years. Indeed, members have been consistent in their ongoing opposition to any change of use which would allow residential occupancy. This is shown in their consultation responses to applications 3/2019/0049 and 0050; 3/2020/0219; and 3/2021/1248 and 3/201249, all of which were refused by the Local Planning Authority. The sole previous applications which

the Parish Council did not oppose were 3/2022/0883 and 3/2022/0884; these proposed a mix of commercial and community use which – as will be seen below - the Parish Council still believes to be valid.

Such is the significance of the building to the local community that the Parish Council has included the future of the site as an issue in both its current draft / revised Parish Plans. However, when considering applications 3/2024/0439 and 3/2024/0440 on 8 July, members were reminded of the importance of not seeking to pre-judge the nature of the applications before them, but instead to ensure that they were given due weight and consideration based solely on their individual merits. That they have taken this approach is evidenced by the detailed and specific nature of this response.

## 2) Specific comments relating to the application

The following major aspects of the planning aspects will be discussed in turn:

### a) Change of use from public house with living accommodation to residential use

The applicant maintains that the Duke of York does not have a viable future as a public house, having been closed since 2017 and with a successful competitor business (the Rum Fox) trading across the road. Members debated this key point at some length, and indeed would concede that – on a national basis – pubs are under severe pressure. New analysis (June 2024) from the trade group UK Hospitality suggests that the number of pubs in England and Wales fell by 239 in the first quarter of 2024, a rate of almost 80 a month. However, members observed that - for a 25-year period in the recent past - the village has successfully maintained two pubs and, despite current economic turbulence, could do so again. It was noted that the nearby village of Waddington has 3 pubs (plus a social club), all of which collectively generate business as clients move from one to the other. The adjacent village of West Bradford lacks a pub, providing a potential catchment of users. The Rum Fox is acknowledged to be a “high end” business focused on a more affluent clientele, leaving an opportunity for a more informal licensed premises to thrive. With appropriate marketing, the synergy arising from two pubs in close proximity could help to sustain both businesses.

It is not for the Parish Council to tell the applicant how to run a successful business, but members note that planning consents 3/2022/0883 and 3/2022/0884 are still extant. These consents allow for change of use from a public house with bar serving food and living accommodation, to a public house with bar serving food, cafe and B&B accommodation with holiday apartments (residency being restricted to a manager’s accommodation). In suggesting that the case for this consented business model remains strong, members would point out that:

- when seeking approval, the applicant held a public meeting at which he proposed to allow villagers to access the licensed bar alongside apartment /B&B users. This idea received considerable local support;
- the statement submitted as part of applications 3/2024/0439 and 3/2024/0440 does not present any evidence as to why a café could no longer be successful. It is notable that there is no other café in the village, and the premises’ location is

ideally situated for serving walkers in the adjacent and popular Millennium Wood (on which the Woodland Trust has recently invested c£90,000 to improve footpaths). Grindleton parish is home to the longest length of public rights of way in the county, and the opportunity to capture business from the large number of walkers is considerable;

- retention of such a community facility would give potential rise to use as a post office or village shop, both of which are absent in the village. Following the recent closure of Waddington sub-post office, this also provides an opportunity to gain business from people not wishing to travel to Clitheroe; and
- with regard to bed and breakfast accommodation / holiday lets, the Ribble Valley is considered a national leader for the wedding hospitality trade, with local accommodation always in short supply. The current trend is for less expensive and shorter “twilight” wedding ceremonies, where guests may be looking for somewhere to relax in the vicinity of the wedding venue.

In essence, the applicant’s main argument in support of change of use is that the business model on which planning consents were predicated is no longer valid. The Parish Council does not believe that this case has been made out, for all the reasons above. With a little creativity, it is perfectly possible for a mixed-use commercial establishment to thrive in that location. (It is understood that the Copy Nook, a similar premises in a nearby location, may soon be revived using a similar business model to that above).

b) Inability to sell the property for its consented purposes

Paragraph 7.8 of the submitted Statement asserts that the property “has been unsuccessfully marketed continuously since 2019 the most recent period for 12 months following the approval of permission for the development of the site.” [sic]

Members would respectfully question the extent to which the applicant has genuinely sought to sell the property. The Statement gives little detail on this point, and it is noted that the applicant has substantially increased the sale price of the property (from its purchase price of c£300,000 to £500,000, the only difference being the granted planning application). Furthermore, it is understood that at least two genuine offers to buy the Duke of York, either at or above the purchase price, remain on the table.

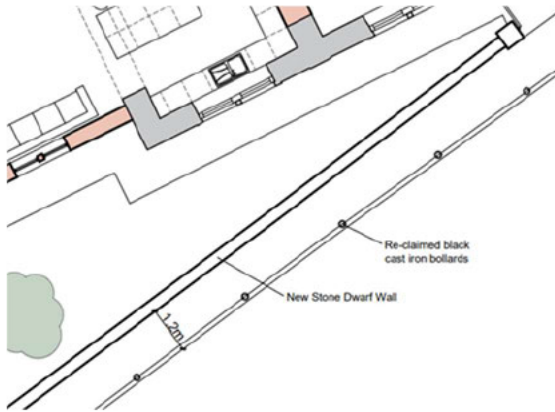
Members would observe that the current poor condition of the property (which the applicant has done little to maintain) may also contribute to any lack of interest in purchasing it. This deterioration in the property due to lack of investment is particularly concerning, given the sizeable differential between the acquisition and sale prices.

c) The proposed design

Members would wish to make the following comments on the plans submitted under the application:

i) Bollards / pavement

The proposed design – as outlined in paragraph 4.2 of the Statement - features a new dwarf wall to be constructed along the site frontage, along with cast iron bollards intended “to deter vehicles from parking on the pavement”. This is illustrated in the plan below:



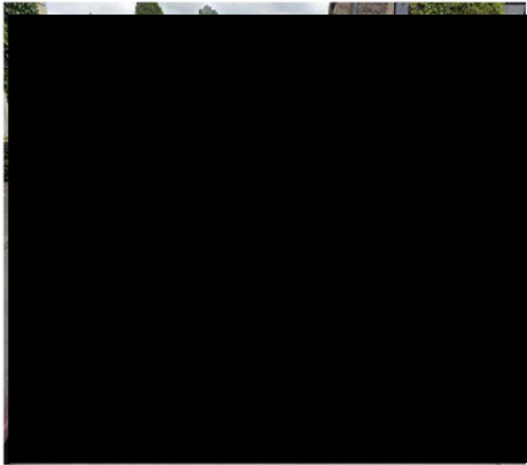
It is noted that the “red edge” on the submitted location plan purports to show that the dwarf wall and bollards would be erected on land to the front of the building which is owned by the applicant:



When the applicant proposed the use of such bollards in a prior application, 3/2021/1248, the Parish Council vigorously put forward its objections on grounds of public safety. The bend in the road at Brow Top is busy and dangerous, and it has been custom and practice for many years to use the footpath for safe passage. This is already hindered by the applicant’s use of planters (depicted), which already narrow the footpath to the extent that a wheelchair user or person pushing a pram would need to use the highway.



This problem is compounded by the complete absence of footpath on the other side of Grindleton Road, directly across from the Duke of York:



Furthermore, this footpath to the front of the premises is currently used as a pick-up point for children traveling to school travelling by bus. Should approval be granted, a safe and suitable alternative arrangement would need to be found.

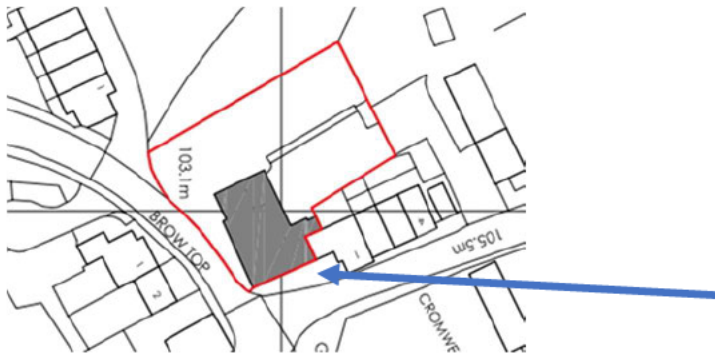
Parking is already difficult in the vicinity of the Rum Fox, and members fear that the installation of bollards would force customers to park on the highway directly outside the Duke of York's frontage. This would add to the risks to traffic as it ascends the steep brow and turns the corner heading through the village.

For all these reasons, the Parish Council asserts that the potential loss of footpath in front of the Duke of York would be detrimental to the safety of residents of the village.

Members also addressed the issue of the proposed installation of bollards to the eastern side of the premises, as per the plan below:



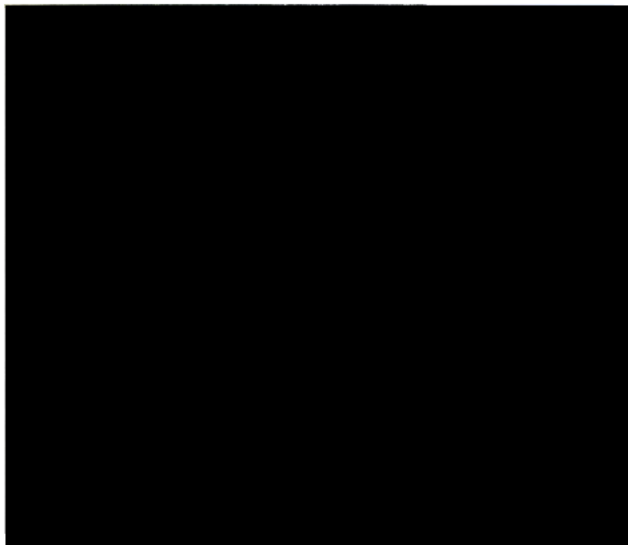
Members would point out that, according to the "red edge" referred to above, this area falls outside the curtilage of the property:



Not only do members object to the application proposing to erect bollards on land which he may not own, but again it is feared that this action would endanger pedestrians who would be obliged to cross the busy Main St / Grindleton Rd junction in order to pass safely.

ii) Proposed new driveway

The applicant proposes to install a new driveway to the property at the southern corner of the site. Again, members would object to this proposal on grounds of highway safety. The proposed entrance would be in very close proximity to the end of Buck St, which is used by both residential and commercial traffic.



Proposed site of entrance

Any traffic emerging from a residential property onto the highway at this point would pose a potential further distraction for drivers coming up Grindleton Brow, as well as other vehicles entering / leaving Buck St.

3) Conclusion

Members of the Parish Council would wish to restate their ongoing opposition to the proposed change of use (from public house to residential). It is believed that the village and its Conservation Area would be best served by maintaining the premises for some form of community use. A cogent argument has been put forward suggesting that the village could sustain a second licensed premises (particularly if this were to form part of a “mixed use”

commercial package as consented in applications 3/2022/0883 and 3/2024/0884 and to which the applicant was fully committed).

Members would contest the assertion that any sale of the premises is “unviable”, believing that multiple other buyers have already expressed their interest.

Should consent for change of use be granted, concerns regarding the traffic / road safety implications arising from the proposed design still remain.

Members of Grindleton Parish Council would be grateful if their comments above could be considered when planning applications 3/2024/0439 and 3/2024/0440 are determined.