



## Ethos House, York Street, Clitheroe BB7 2DL



Source google maps

Change of use of restaurant Class E to offices on the ground floor and three one-bedroom apartments Class C3 dwellinghouses on the first floor, including external alterations to the building.

[Planning, Heritage, Design and Access Statement](#)

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**STATEMENT IN SUPPORT OF A FULL APPLICATION FOR THE CHANGE OF RESTAURANT CLASS E TO OFFICES ON THE GROUND FLOOR AND THREE ONE-BEDROOM APARTMENTS CLASS C3 DWELLINGHOUSES ON THE FIRST FLOOR, INCLUDING EXTERNAL ALTERATIONS TO THE BUILDING AT ETHOS HOUSE, YORK STREET, CLITHEROE BB7 2DL.**

**1 INTRODUCTION**

- 1.1 This Planning, Design and Access Statement has been prepared by Judith Douglas Town Planning Ltd on behalf of the applicant in support of a full planning application for the conversion of the ground floor of the building to offices and first floor to three one-bedroomed apartments including the installation of a new entrance door.
- 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 accords with Government policy and guidance as detailed within the National Planning Policy Framework (2024).
- 1.4 The Statement should be read in conjunction with the accompanying information:

Ordnance Survey Location Plan 1:1250  
6006 E03C Existing plans and elevations  
6006 P03C Proposed plan and elevations

**2.0 THE APPLICATION SITE AND SURROUNDING AREA**

- 2.1 The application site comprises a two-storey building with a frontage onto York Street. The front of the building has a recessed display window on the ground floor and cover external seating area at the first floor. The remainder of the building is constructed out of red brick with some stone on the upper north east elevation and it has a blue slate roof. There is an external metal staircase and platform giving access to the first floor. The building is 'L' shaped increasing in width to the rear of the site. A passageway down the side of the building gives access to the rear of the building at the ground floor. The passageway is covered where it is beneath the external platform. The last use of the whole of the building is as a restaurant.

- 2.2 Adjacent to the site to the south west is Bank House and Bowland Chambers, which front Harris Court. To the north east is the retail unit Maison Interiors on York Street. The rear of the building is adjacent to a garden of one of the residential properties on Wellgate beyond which is a second garden to another property further down Wellgate. To the east but not directly adjacent is the car park off Back York Street which belongs to The Grand. The site is in the town centre close to commercial properties but there are also residential properties along Wellgate and within the upper storeys of commercial buildings nearby such as in the building opposite the site on York Street.
- 2.3 The location is in the town centre with its shops, offices, commercial, community and cultural services, bus services and the railway station. There are parking restrictions outside the building. The site is within the settlement boundary of Clitheroe Key Statement DS1, inside the main centre boundary (MCB1), inside the conservation area Policy DME4, but outside the Principal Shopping Frontage policy DMR1. The building is not a listed building but is designated as a building of townscape merit in the Clitheroe Conservation Area Appraisal Map as are its neighbours. The nearest listed buildings are the library, 2-6 York Street and 29-33 Wellgate.

### 3.0 SITE HISTORY

- 3.1 The Council's online planning register indicates the following applications.
- 3/2024/1006 Prior approval for proposed change of use of first floor from use class E (restaurant) to three one-bedroom dwellings (use class C3) under Part 3, Class MA of the GDPO. Refused 09.01.2025
- 3/2020/0360 Proposed conversion of first floor space above existing unit (use class A3), to create three self-contained, one-bedroom apartments (use class C3a) with mezzanine levels in roof space. Withdrawn 12.08.2020
- 3/2016/0989 Proposed fenestration alterations and removal of projecting front balcony. Withdrawn 14.07.2017
- 3/2006/0960 Shop front modifications including external terraces, re-forming windows and raising section of roof. Approved 07.02.2007
- 3/2003/0466 Proposed change of use from Class A1 to Class A3 (Retail to restaurant/café). Approved 17.07.2003

3.2 The most recent application was for prior approval to confirm permitted development rights to change the first floor to three one-bedroom apartments. The prior notification was rejected on the basis that the building did not have the requisite permitted development rights, not on the merits of the scheme, indeed the merits of the scheme were not considered.

#### 4.0 THE PROPOSED DEVELOPMENT

4.1 It is proposed to change the use of the property from Class E restaurant to Offices Class E on the ground floor and three dwelling houses within Use Class C3 of the Town and County Planning Use Classes Order 1987 (as amended) on the first floor. The proposal also involves minor alterations to the exterior of the building to create an entrance door through a partly modified existing first floor window opening and the provision of obscure glazing to the lower panes of the first-floor windows in the rear elevation.

#### 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 (2024).

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 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 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 and the protection of trees.
- **Policy DME4** – expands on the requirements of Policy EN5 with regard to heritage assets.
- **Policy DMB1**- Supports business growth and the local economy

5.3 The National Planning Policy Framework (2024) ('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 39 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.

## 6 HERITAGE ASSESSMENT

6.1 The site is within the Clitheroe Conservation Area, Character Area 3 York Street and Well Terrace. A Conservation Area is a designated heritage asset within the terms of the NPPF. The Clitheroe Conservation Area Townscape Appraisal Map indicates the building to be a building of townscape merit. The buildings adjacent to the site are also designated as buildings of townscape merit. The nearest listed buildings are opposite the site on York Street which are in Character Area 1 Clitheroe's Historic Core.

6.2 The Clitheroe Conservation Area Appraisal "*Character Area 3: York Street and the environs of the Grammar Scholl including Well Terrace and the southern end of Pimlico Road*" describes York Street. "*York Street descends in an open sweeping curve from Market Place to Clitheroe Royal Grammar School. At the top end are three large three-storey stone buildings (NatWest Bank, Public Library and the White Horse pub) but as the street continues northwards, and downhill, commercial uses give way to residential and the scale of development declines. The central length of York Street is notable for two opposing rows of early/mid-19th century three-storey terraced houses. On the west side, opposite the grade II listed nos. 2-18 there is a small open space with trees beside a picturesque stone-paved lane leading up to Church Street. Two key historic buildings, Stanworth House and the historic building of Clitheroe Royal Grammar School, uncharacteristically stand well back from the road.*" The Conservation Area

does not specifically refer to the application site but does mention the nearby buildings of the former Nat West Bank, the library and the former White Horse pub.

- 6.3 The Heritage Assessment submitted with the application in 2020 suggested that historic ordnance mapping indicates that the *“majority of the current building was constructed approximately 100 years ago, between 1912 and 1932, with the front elevation set back from the pavement line. This was then brought level with the main building line sometime after the 1947 map information -assumed 1950s.”*<sup>1</sup>

## 7 PLANNING POLICY AND EVALUTION

### 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.

- 7.2 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, beautiful and safe places, 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 protect and enhance 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.”*

- 7.3 The site is within the main town centre of Clitheroe. Office use is listed as a main town centre use in the glossary to the NPPF

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<sup>1</sup> Heritage Statement Sunderland Peacock Architects Surveyors March 2020

## Core Strategy

### *Principle of development*

- 7.4 The site is within the main town centre of Clitheroe. Key Statement DS1: Development Strategy focuses new housing development to the strategic site on the outskirts of Clitheroe and the principal settlements of Clitheroe, Longridge and Whalley. The creation of three new dwelling on the site is in accordance with Key Statement DS1. The proposed development will contribute to this requirement and provide dwellings in a highly sustainable location in line with Key Statement DS2: Presumption in favour of suitable development, DMG2: Strategic Considerations and the NPPF.
- 7.5 The property is currently vacant and undergoing refurbishment. The proposal is to convert the ground floor to offices and the first floor to three residential flats. Class E includes town centre uses such as retail E(a), financial and professional services E(c), and administrative offices E(g) (i). Class E includes offices and is appropriate to this location. The site is not part of the principal shopping street as defined by policy DMR1: Retail Development in Clitheroe. Policy DMR1 does not apply in this case.

### *Office development in a sustainable location*

- 7.6 The location of the proposed offices in the town centre is a highly sustainable location close to public transport. An office use within the property is appropriate as the surrounding properties are mixture of residential and commercial properties. The creation of offices in this town centre location close to public transport and public car parks does not require any off-street parking. The existing use of the building as a restaurant has a greater floor area being over both floors than the ground floor which is proposed to become offices. Policy DMB1: Supporting Business Growth and the Local Economy states that *proposal for the development, redevelopment or conversion of site with employment generating potential in the plan area for alternative uses will be assessed with regards to the following criteria:...4 the economic and social impact caused by the loss of employment opportunities to the Borough*". In respect of criterion 4 the re-use of the ground floor for office use preserves employment generating potential on the ground floor. The change of use of the first floor provides social benefits to be gained by the community through the provision of housing in a highly sustainable location.
- 7.7 Prior to 2003 the premises was a shop "Ethos Gallery". This was changed to a restaurant use "The Olive Press". After 5 years this closed and since then it has been an Indian restaurant. A Smoke House and another Indian restaurant. The current owners purchased the property in 2020 after it has been vacant for 18 months. It opened as "Vista Cielo", but this closed in March 2024. It changed to an Italian restaurant in April 2024, but this folded after 3 months. Since then, the building has been on the market to rent but there have been no takers. The property

has a poor business history with multiple restaurant operators having limited success indicated by short tenancies. The property has been marketed for rent or over 6 months. The loss of the first-floor restaurant use will have limited impact on the economy and the ground floor retains employment generating potential. The proposal in accordance with criteria 5 of policy DMB1 which requires the development which includes the loss of employment generating potential to have been marketed for a period of at least 6 months. The redevelopment of the first floor is likely to result in an overall benefit in terms of the provision of additional residential planning units within a highly suitable location within a Principal Settlement and the retention of an employment generating use on the ground floor which is compatible with the surrounding land uses including residential use.

7.8 The current restrictions on the use of the premises as a restaurant was imposed by a condition on planning permission 3/2003/0466 Proposed change of use from Class A1 to Class A3 (Retail to restaurant/café). Approved 17.07.2003. At that time Class A3 Food and Drink was for *“Use for the sale of food or drink for consumption on the premises or of hot food for consumption off the premises”*. The condition was imposed to prevent the sale of hot food or drinks for consumption off the premises to safeguard the amenities of the area. The reason for the condition was given as *“In the interests of the appearance and the character of the locality and the amenities of nearby residents.”*

7.9 The Government’s introduction of Use Class E was intended to allow more flexibility in the changes between town centre uses. As the existing and proposed uses on the ground floor are now both within the same use class E and, the switch between restaurant and offices would not affect the amenities of the area, the application should be looked upon favourably. Similarly, if the condition on permission 3/2003/0466 has not been imposed, permitted development rights to change the use of the first floor to three residential units would be available. Class E does not include the use of a premises as hot food takeaway. The condition 3 on the permission 3/2003/0466 is no longer necessary to prevent the sale of hot food and drink for consumption off the premises.

#### *Residential development in a sustainable location*

7.10 The location of the proposed residential units in the town centre is a highly sustainable location close to all amenities and public transport. A residential use within the property is appropriate as the surrounding properties are mixture of residential and commercial properties. The creation of the apartments in this town centre location close to public transport and public car parks does not require any off-street parking. The site is close to public open space at the Castle Grounds and all local amenities. The apartments would be highly attractive to people who do not own a car.

7.11 The Council's Strategic Housing and Economic Needs Assessment (SHENA) 2020 states in the summary to "Section 5 Tenure, Size and Type of Housing Needed" at 5.32 "*Looking at future projections of the changing profile of households in Ribble Valley, the modelling projects a strong growth in the number of one-person households and the number of families without children*". The provision of three one-bedroom apartment in a sustainable location will make a modest positive contribution to the provision of housing for one-person and "families without children" households.

*Alteration to a building of townscape merit within the conservation area*

7.12 Development in conservation areas and within the setting of listed building is acceptable provided that the development conserves and enhances the significance of heritage assets and their settings (Key Statement EN5: Heritage Assets). The NPPF at paragraph 210 states

*" In determining planning application, local planning authorities should take account of:*

*a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

*b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

*c) the desirability of new development making a positive contribution to local character and distinctiveness."*

7.13 The proposed changes to the exterior of the building are very minor. This includes an entrance door through a partly modified existing first floor window opening and the provision of obscure glazing to the lower panes of the first-floor windows in the rear elevation. The proposed doorway is within a passageway such that views of it from the public realm are obscured by the adjacent building. The change in appearance of the windows in the rear of building is minimal. The changes do not amount to any harm to the character of this building of townscape merit and do not harm the visual quality and character of the Conservation Area a designated heritage asset. There are public benefits in bringing the building back into use and the provision of housing and employment space in a sustainable location. The proposal is compliant with the requirements of the NPPF, Key Statement EN5 and policies DME2 and DME4.

*Precedent*

7.14 Similar developments for the conversion of commercial and community buildings to residential use have been approved close to the site, within the town centre, within the Clitheroe

conservation area and within the setting of nearby listed buildings. These include apartments within the former White Horse Pub, York Street 3/2015/0928, 44-46 King Street 3/2017/1002, 10-12 Castle Steet 3/2021/1010 and the former Salvation Army Building at 16-18 Lowergate 3/2024/0363,

#### *Residential amenity*

- 7.15 The last use of the building was as a restaurant. The existing first floor windows in the rear elevation lit a service area and storage area which would have been in used by staff when the restaurant was open. One of the windows was adjacent to a sink area as there is a sticker on the window stating, “*this sink is for food wash only*”. Staff occupying these areas would have had views through the windows over the neighbouring gardens. The ability for the occupiers of the building to see over the neighbours’ garden presumably would have been the same since the building was first built and occupied and could continue if the existing use as a restaurant resumes.
- 7.16 The proposed plan shows the lower panes of the window are to be fitted with fixed obscure glazing to prevent overlooking of the neighbours’ gardens. The upper panes remain clear and retain an open aspect towards Pendle Hill. This accords with policy DMG1.



View from the rear window.

7.17 The development provides three one-bedroom apartments with floor areas which exceed Governments Nationally Described Space Standards. Table 1 of the standards is below. The apartments have the following floor areas and storage areas.

Apartment 1. Total floor area 50m<sup>2</sup>. Storage area 2.7m<sup>2</sup>.

Apartment 2. Total floor area 65.7m<sup>2</sup>. Storage area 3.0m<sup>2</sup>.

Apartment 3. Total floor area 60.8m<sup>2</sup>. Storage area 2.2m<sup>2</sup>.

7.18 The site is within flood zone 1 on the GOV.UK website Flood map for Planning. Flood zone 1 is an area least likely to flood.

**Table 1 - Minimum gross internal floor areas and storage (m<sup>2</sup>)**

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

7.19 The existing use of the premises is as Class E. The Officer's report to application 3/2024/1006 explains that a condition was added to the permission 3/2003/0466 Proposed change of use from Class A1 to Class A3 (Retail to restaurant/café) which restricted the use of the building. The condition (condition 3) reads as follows:

*"The premises shall not be used for any purpose within Class A3 of the schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) other than as a restaurant/café. For the avoidance of doubt, no hot food or drinks shall be sold for consumption off the premises from the restaurant/café use hereby permitted."*

The Officer considered that the existing use of the building was Class E, but the use of the building is limited by this condition.

7.20 It follows that as the existing use of the building is within Class E the use of the ground floor for any other use within Class E would not require planning permission if the condition was not in place and planning permission would not be required to use the ground floor as offices as proposed. As we have already stated, the original reason for the condition to prevent the sale of hot food off the premises is no longer relevant.

7.21 Given that the application seeks permission for the use of the first floor for residential accommodation it is appropriate to consider whether the use of the ground floor is compatible with a residential use. Class E uses include:

#### Class E- Commerical Business and Service

- **E(a)** Display or retail sale of goods, other than hot food
- **E(b)** Sale of food and drink for consumption (mostly) on the premises
- **E(c)** Provision of:
  - **E(c)(i)** Financial services,
  - **E(c)(ii)** Professional services (other than health or medical services), or
  - **E(c)(iii)** Other appropriate services in a commercial, business or service locality
- **E(d)** Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)
- **E(e)** Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- **E(f)** Creche, day nursery or day centre (not including a residential use)
- **E(g)** Uses which can be carried out in a residential area without detriment to its amenity:
  - **E(g)(i)** Offices to carry out any operational or administrative functions,
  - **E(g)(ii)** Research and development of products or processes
  - **E(g)(iii)** Industrial processes

The use of the ground floor of the premises as Offices E(c), or E(g)(i) would be compatible with a residential use at first floor as they are likely to be active only during office hours 08.00 to 18.00 Monday to Saturday and not require noisy equipment or generate noise. It would not be unreasonable allow the permission, if granted, to include other Class E uses which would be compatible with a first-floor residential use such as E(a) retail, and E(e) provision of medical or health services. The imposition of a condition excluding other Class E uses which would not be compatible with a first-floor residential use without special measures to protect amenity such as noise insulation could be imposed.

## Highways

7.22 The site currently has no off-street parking and there is no rear access to the property. Deliveries currently take place on-street. The site benefits from a town centre location with readily available walkable access to a number of methods of sustainable public transport and walkable access to a wide range of services. The proposed use is unlikely to result in any undue impact upon the operation of the immediate highway network over and above the traffic characteristics of the existing use. The proposal complies with Key Statement DMI2 and Policy DMG3.

## 8 CONCLUSION

- 8.1 This Planning Statement has been prepared to accompany an application for full planning permission for the conversion of the ground floor of the building to offices and first floor to three one-bedroomed apartments including the installation of a new entrance door.
- 8.2 It demonstrates that the principle of development is wholly compliant with the provisions of the National Planning Policy Framework and the adopted Ribble Valley Core Strategy with regard to the type and nature of the proposed use.
- 8.3 In addition, no environmental or technical matters have been identified which would weigh against the development. In light of all the issues detailed within this Statement, the presumption in favour of sustainable development should be applied and the application supported.