

Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	LW	Date:	17/9/26	Manager:	LH	Date:	17/9/26
----------------	-----------------	-----------	--------------	----------------	-----------------	-----------	--------------	----------------

Application Ref:	3/2026/0452			 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	25/08/26	Site Notice:	25/08/26	
Officer:	LW			
DELEGATED ITEM FILE REPORT:				
				APPROVAL

Development Description:	Proposed change of use from retail to restaurant and bar.
Site Address/Location:	3a Swan Courtyard, Castle Street, Clitheroe, BB7 2DQ.

CONSULTATIONS:	Parish/Town Council
No comments received.	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	No objection subject to the imposition of a planning condition restricting the use of the premises to that in association with the Swan and Royal Hotel.

CONSULTATIONS:	Additional Representations.
-----------------------	------------------------------------

Three letters of representation have been received. The concerns raised can be summarised as follows:

- The south-western elevation does not show the impact of external venting from the new toilets;
- The south-western elevation shows new doors placed in the existing archway leading up from Lowergate car park impacting public access;
- There are already plenty of bars and restaurants in Swan Courtyard and around Clitheroe;
- Proposal doesn't align with Clitheroe's desired atmosphere – drinking establishments discourage shoppers.

RELEVANT POLICIES AND SITE PLANNING HISTORY:

Ribble Valley Core Strategy:

Key Statement DS1: Development Strategy
 Key Statement DS2: Sustainable Development
 Key Statement EN5: Heritage Assets
 Key Statement EC1: Business and Employment Development
 Key Statement EC2: Development of Retail, Shops and Community Facilities
 Key Statement DMI2: Transport Considerations

Policy DMG1: General Considerations
 Policy DMG2: Strategic Considerations
 Policy DMG3: Transport & Mobility
 Policy DME4: Protecting Heritage Assets
 Policy DMB1: Supporting Business Growth and the Local Economy

Planning (Listed Buildings and Conservation Areas) Act
National Planning Policy Framework (NPPF)

Relevant Planning History:

No planning history relevant to the determination of this application.

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to No. 3a Swan Courtyard, a basement unit formerly occupied as a retail premises. The unit is accessed via an external staircase and a covered walkway that connects the public car park on Lowergate to Swan Courtyard.

The site is located within the defined Main Centre Boundary of Clitheroe and within the designated Clitheroe Conservation Area. A number of Grade II listed buildings are situated in close proximity to the site, including the Swan and Royal Hotel and No. 26 Castle Street.

Proposed Development for which consent is sought:

The application seeks planning permission for the change of use of the premises from retail (Use Class E) to a restaurant and bar (sui generis), to operate in association with the Swan and Royal Hotel. A small outdoor seating area is also proposed.

In connection with the proposed change of use, alterations are proposed to the building, including the replacement of the existing entrance doors and installation of security shutters and the replacement of the existing door adjacent the bottom of the access steps from Swan Courtyard with a timber framed window. New doors are also proposed at the entrance to the covered external area from Lowergate car park, providing additional shelter for patrons using the outdoor seating area.

Principle of Development:

The application seeks consent for the change of use of an existing Class E retail unit to a restaurant and bar (sui generis) within the Main Centre Boundary of the settlement of Clitheroe. As such, Key Statements EC1, EC2 and Policy DMB1 are primarily, but not solely, engaged in respect of assessing the compatibility of the proposed use with that of the aims and objectives of the adopted Development Plan.

In this respect, Key Statement EC1 seeks to direct employment development towards the Principal Settlements of Clitheroe, Whalley and Longridge. Key Statement EC2 also seeks to support development that *'supports and enhances vibrancy, consumer choice and vitality and unique character of the areas important retail and service centres of Clitheroe, Longridge and Whalley'*.

Policy DMB1 is also engaged in that it offers support to business growth and the local economy stating:

'Proposals that are intended to support business growth and the local economy will be supported in principle. Development proposals will be determined in accordance with the Core Strategy and detailed policies of the LDF as appropriate'.

As such, taking account of the above, together with the nature of the proposal, it is considered that the proposed change of use would align with the broad aims and objectives of Key Statement EC1, EC2 and

Policy DMB1 of the Core Strategy, insofar that the proposal would be located within the town centre of Clitheroe and would support business growth and the local economy.

It is noted that third-party representations have raised concerns regarding the need for the proposed development, given the number of existing restaurants and bars within Clitheroe, and the potential for the proposed use to discourage shoppers from visiting the town centre/ nearby retail units. However, whether there is a need for an additional restaurant/bar is not a material planning consideration and there are no policy restrictions on specific uses within the Town Centre. Furthermore, the site occupies a town centre location where a range of commercial, retail, leisure and hospitality uses are supported in principle. As such, these concerns carry limited weight in the determination of the application.

Taking account of the above matters, the development is considered acceptable in principle, subject to an assessment of the other development management and material planning considerations.

Impact upon Listed Buildings and Setting and the Character/ Appearance of Conservation Area:

The application site is located in close proximity to the Grade II Listed Swan and Royal Hotel and No.26 Castle Street and within the designated Clitheroe Conservation Area. Accordingly, regard must be had to the statutory duties relating to the conservation of designated heritage assets and their setting.

At the local level, Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy are relevant. These policies establish a presumption in favour of the conservation and enhancement of heritage assets and their settings and seek to ensure that development proposals preserve significance and avoid harm to designated heritage assets. Development that would adversely affect the significance of a Listed Building or their setting will not normally be supported. Furthermore, the policies require development within Conservation Areas to preserve, and where appropriate enhance, their character, appearance and significance. In particular, proposals should have regard to the special architectural and historic interest of the area and retain and enhance those elements which make a positive contribution to its significance.

In addition, Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires the Local Planning Authority, when considering whether to grant planning permission for development affecting a Listed Building or its setting, to have special regard to the desirability of preserving the building, its setting, and those features which contribute to its significance.

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 also requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when determining planning applications affecting land or buildings within it.

National policy is set out within the National Planning Policy Framework (NPPF). Policies H4, H5 and H9 require development affecting heritage assets to conserve their significance, secure uses compatible with their long-term conservation, and retain features that make a positive contribution to the character and appearance of Conservation Areas. Great weight should be given to the conservation of designated heritage assets, and proposals which make a positive contribution toward their significance should be supported.

The external alterations associated with the proposed change of use are limited in scope and comprise the replacement of the existing entrance doors, the installation of security shutters and two extraction grilles, replacement of an existing door with a full-height timber framed window and the addition of doors at the entrance to the covered accessway from Lowergate car park.

It is noted that a third-party representation raised concerns that the proposed extraction grilles were shown on the proposed floorplans but not the elevation drawings. An amended elevations plan has since been submitted which details the location and size of the grilles on the south-western elevation of the building showing these would be very modest additions to that elevation.

The principal entrance doors would be recessed within the existing openings and finished in painted timber with glazed panels. The security shutters would take the form of vertically boarded timber doors, which would be secured in an open position against the wall during operating hours and closed across the glazed entrance doors when the premises is not in use. The proposed doors serving the accessway from the car park would similarly be constructed in timber with glazed panels.

Having regard to the scale and nature of the proposed alterations, it is considered that they would preserve the character and appearance of the host building and would not appear incongruous within the surrounding area. As such, the proposed restaurant and bar use, together with the associated external works, would not result in any undue harm to the significance or setting of nearby Grade II listed buildings, including the Swan and Royal Hotel and No. 26 Castle Street, nor would they adversely affect the character or appearance of the Clitheroe Conservation Area.

As such, taking account of the above matters, the proposed development does not raise any significant direct conflict with Key Statement EN5 or Policy DME4 of the Ribble Valley Core Strategy, nor any measurable conflicts with the aims, objectives and requirements of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the relevant policies of the National Planning Policy Framework.

Impact Upon Residential Amenity:

The site is located in close proximity to several residential properties, including Nos. 52a and 54b Lowergate. Given the proposed restaurant and bar use, the development has the potential to generate noise and disturbance, and it is therefore necessary to consider its impact on nearby residential amenity.

A Noise Impact Assessment, dated July 2026, was submitted in support of the application. This was reviewed by the Council's Environmental Health Officer, who raised concerns regarding both the assessment methodology and the proposed operating hours.

The Environmental Health Officer noted that, whilst the Assessment stated that the premises would operate until midnight, noise monitoring had only been undertaken until 23:00. Furthermore, the sound level meter had been positioned approximately 0.5 metres from plant equipment within Swan Courtyard. It was considered that this location would have artificially elevated background noise readings and would not accurately reflect noise levels experienced at nearby residential properties. The applicant was therefore requested to revise the assessment, with particular regard to the residential properties overlooking Lowergate car park and the full extent of the proposed operating hours. Concerns were also raised regarding the use of the outdoor seating area until 23:00.

In response, an amended Noise Impact Assessment, dated September 2026, was submitted to address the above concerns. The assessment confirms that the premises would operate until midnight with low-level background music only, and no live music or external speakers proposed. A range of mitigation measures are also recommended, including the installation of an automatic door closure mechanism, acoustic treatment to entrance doors, the provision of a cover to the outdoor seating area, and the implementation general management measures aimed at minimising disturbance and promoting responsible use of the external space. In addition, the hours of operation for the outdoor seating area have been reduced, with its use now proposed to cease at 21:00.

The amended assessment has been reviewed by the Environmental Health Officer, who raises no objection to the proposal. It is recommended that conditions be imposed requiring the development to be carried out in accordance with the submitted mitigation measures and noise management plan. A further condition is recommended to ensure that the premises is designed to ensure that music and associated noise is controlled, so as to be inaudible inside any residential premises within the vicinity.

Subject to the imposition of these conditions, it is considered that the proposal would not give rise to an unacceptable impact on the living conditions of neighbouring occupiers.

Visual Amenity/ External Appearance:

As mentioned elsewhere within this report, the external alterations associated with the proposed change of use are limited in scope would not appear incongruous within the surrounding area. As such, no significant concerns are raised with respect to visual amenity or external appearance.

Highways and Parking:

The application has been reviewed by Lancashire County Council Highways, who raise no objection to the proposal. The Local Highway Authority (LHA) acknowledges that the site does not benefit from any dedicated parking provision; however, it is located within a highly sustainable location in Clitheroe town centre, with convenient access to public transport services and nearby public car parks. On this basis, the LHA considers that the proposed development would not result in a significant impact on the operation of the highway network or give rise to any significant highway safety concerns.

The LHA has recommended a condition restricting the operation of the restaurant and bar to use in conjunction with the Swan and Royal Hotel, in order to prevent the creation of a separate business that may be substandard in terms of parking provision and vehicular manoeuvring facilities. However, having regard to the site's sustainable town-centre location and the LHA's conclusion that the proposal would not adversely affect highway safety or capacity, it is not considered that such a restriction would be necessary to make the development acceptable in planning terms. As such, the proposed condition would fail to satisfy the tests and is not considered justified in this instance.

Landscape/Ecology:

No ecological constraints have been identified with respect to the proposed development.

Other Matters:

Restriction of public access from Lowergate car park

Concerns have been raised through third-party representations that the proposed doors at the entrance to the accessway from Lowergate car park would restrict public access between the car park and Swan Courtyard. However, this route does not constitute a definitive public right of way, and it is understood that the covered walkway is privately owned land. Accordingly, this matter does not weigh significantly against the proposal. The granting of planning permission would not override any covenants allowing public access rights across this private land, should they be in place, which would need to be pursued / resolved under separate legislation which sits outside of the planning process.

Signage

The applicant is advised that separate Advertisement Consent may be required for the installation of new signage to the building.

Building Control

It is understood there are concerns with the proposal from a Building Regulations perspective. The applicant needs to secure the relevant consents before commencing development / the use.

Observations/Consideration of Matters Raised/Conclusion:

As such, it is for the above reasons and having regard to all material considerations and matters raised that the application is recommended for approval.

RECOMMENDATION:	That planning permission be granted subject to the imposition of conditions.
------------------------	--