

**APPENDICES FOR APPEAL STATEMENT
of
COLIN SHARPE DipTP MRTPI**

For and on behalf of

**Mr & Mrs T Gridley
The Dog and Partridge Public House
Tosside BD23 4SQ**

**APPEAL STATEMENT against the decision by
Ribble Valley Borough Council to refuse planning
permission (2016/0708) and Listed Building Consent
(2016/0709) for the change of use of a public house,
owners' living accommodation and Bed and
Breakfast facility into two dwellings**

AT

**THE DOG AND PARTRIDGE PUBLIC HOUSE,
TOSSIDE, BD23 4SQ**

**LPA Refs: 2016/0708 AND 2016/0709
Our Ref: Gri/754/2266/CS
Date: April 2017**

APPENDIX 1

**Committee Report and Appeal Decision Letter relating to Application
2012/0729**

**C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES
RECOMMENDS FOR REFUSAL**

APPLICATION NO: 3/2012/0729/P (GRID REF: SD 387147 450852)
PROPOSED CHANGE OF USE FROM PUBLIC HOUSE, BIKE HIRE AND DWELLING TO
HOTEL, BIKE HIRE AND DWELLING AT DOG AND PARTRIDGE, TOSSIDE, LANCASHIRE,
BD23 4SQ.

BOLTON-BY-BOWLAND,
GISBURN FOREST &
SAWLEY PARISH COUNCIL:

The PC object to this application and express the following
significant concerns about this scheme:

1. A Public House is often the central focal point for the village community as well as being an attraction for tourists as a place to eat and drink whilst on holiday. There is a growing population of tourists, bikers and walkers in the Tosside area with the development of the cycle and walking trails in Gisburn Forest in addition to the increase in camping and holiday cottages available.
2. If the village has no Public House that is a significant disincentive for those people to want to come and may therefore detract from the area for tourism.
3. Due to the drink drive laws it is important that a Pub is within a safe and reasonable walking distance for tourists, the obvious place being within the village.
4. The Community Hall has its uses for large functions but it is not intended to be a replacement for the Pub.
5. Crowtrees Inn is much further out of the village and its sole purpose is to serve its own static caravan site.
6. Nothing is lost to the owners if it remains as a Pub, however if it is no longer a Pub, the village will have lost something they may never get back.

LCC TRAFFIC AND
DEVELOPMENT ENGINEER:

No objections.

UNITED UTILITIES:

No observations.

ADDITIONAL
REPRESENTATIONS:

Thirty one letters of objection have been received along with a petition containing 45 signatures and comments. The following points of objection have been summarised where possible:

1. The Community Hall is not a village pub and cannot, and will not, replace the Dog & Partridge,
2. The Community Hall actually replaced the Tosside Institute which provided similar facilities to now,
3. The Community Hall and Crowtrees were both running before the applicants purchased the pub,
4. Tosside Community Link have been careful not to set up in direct competition,
5. D&P is deliberately run to deter local/visiting trade through

- limited opening and turning away bookings,
6. D&P is closed every Christmas and New Year, and the owners do not celebrate events (Olympics/Jubilee etc.),
 7. They have made no effort to run the village pub as a local focal point,
 8. Pool and darts teams (now disbanded) were already running before the applicants took over so the claim THEY set them up to help business is false,
 9. The pub quiz HAS moved to the Community Hall through necessity due to the D&P being closed,
 10. The proposal is clear that they wish to make the property into housing,
 11. What was once a thriving pub is now a part time café/bike shop,
 12. There are no hours of opening proposed?
 13. There are already facilities to run the establishment as a hotel and this planning application seems to be a way of removing the pub area and closing it for good,
 14. Someone else should be given the chance to rebuild the D&P if they do not wish to try,
 15. Applicants have abused previous consents at the site so should not be granted further consent,
 16. The café is no longer there, as the bike shop has been extended into it, contrary to permission 3/2008/0196/P as the bike shop was not to exceed 20sq.m.
 17. An isolated village like Tosside needs a public house accessible to all,
 18. We have lost the school, our post office, our garage and if the pub goes I fear our village will die,
 19. The application appears full of flaws in terms of the plans being incorrect as well as the number of staff employed,
 20. D&P IS needed as the Community Hall can only be booked in advance, meaning that locals cannot just pop in for a drink, like they can at a pub,
 21. I know there is a recession but the village is flooded with mountain bikers and visitors so surely this establishment COULD work?
 22. When people staying at our Caravan site (10 minutes walk away) ask where the nearest pub is, due to inconsistent opening times we do not recommend the D&P,
 23. The D&P was once one of the most popular pubs in the area and with the right management could be again, how can a business in this prime tourist location not be profitable?
 24. If approved this would be detrimental to the village.

Proposal

The application is for full planning permission to change the use of the building from a public house with bike hire and dwelling to a hotel, bike hire and dwelling. The proposals do not involve/propose any alterations to the building. The existing internal floor space for the

business/commercial uses on site measures at 334.2 sq.m. The proposed new business/commercial floor space measures at 235.9 sq.m. a reduction of 81.5sq.m. (25%). The main changes on site include the café/bike area being changed to a guest lounge/dining room, the beer cellar and bottle store being changed to bike store and hire area and the change in the ground floor area of the public house into residential accommodation. There is no increase in the number of letting rooms on site (three). The car parking area to the rear also remains as it is at present.

Site Location

The Dog and Partridge Public House is sited centrally within the village of Tosside, on the northern side of the B6478 within the AONB. It sits adjacent to the Church of St Bartholemew, and opposite the Tosside Community Hall. The property itself is a Grade II Listed building. The site lies off an access track to, and within 200m of, the edge of Gisburn Forest, a significant tourist attraction within this location of the AONB. The public house also sits within a 5km drive of a recently approved visitor centre at Stephen Park, within the heart of Gisburn Forest, that is due to be completed at opening early 2013. The nearest other Public House is the Crowtrees Inn, a Public House and Restaurant that is part of the Crowtrees Park Holiday Complex. This lies within the Holiday Complex approximately 1 mile away from this site.

Relevant History

3/2008/0196/P - Change of part of existing ground floor to mountain bike storage and service area – Granted Conditionally.

3/2005/0282/P - Single storey porch on south elevation – Granted Conditionally.

3/2004/0611/P - Removal of part external stone skin on front and rebuilding, first floor extension with pitched roof, new lean-to extension to provide bottle store and other minor alterations (LBC) – Granted Conditionally.

3/2004/0323/P – Demolition and re-building of restaurant together with first floor accommodation over, alterations to lean-to toilets and construction of bottle store – Granted Conditionally.

3/1999/0110/P – Change of Use from a Pub to a single dwelling including altering car parks to form gardens – Refused.

3/1998/0595/P – Change of Use to form guesthouse with cafe/bar – Refused.

3/1998/0216/P – Change of Use from a Public House to a Private Dwelling – Refused.

3/1997/0689/P – Change of Use of a function room to living accommodation (LBC) – Granted.

3/1997/0688/P - Change of Use of a function room to living accommodation – Granted.

3/1991/0645/P – Use of land for the stationing of residential staff caravan – Refused.

3/1990/0335/P – Demolition of modern porch to main entrance to reveal original entrance (LBC) – Granted.

Relevant Policies

National Planning Policy Framework.

Policy G1 - Development Control.

Policy G4 – Settlement Strategy.

Policy ENV1 – Forest of Bowland Area of Outstanding Natural Beauty.

Policy ENV19 – Listed Buildings.

Policy H15 – Building Conversions - Location.

Policy RT1 – General Recreation and Tourism Policy.

Policy S6 – Loss of Shopping Facilities in Villages.

SPG – Retention of Public Houses in Rural Areas.

Core Strategy 2008/2028 - A Local Plan for Ribble Valley Regulation 22 Submission Draft

- Policy DMG1 – General Considerations.
- Policy DMG2 – Strategic Considerations.
- Policy DME2 – Landscape and Townscape Protection.
- Policy DMH3 - Dwellings in the Open Countryside and AONB.
- Policy DMH4 – The Conversion of Barns and other Buildings to Dwellings.
- Policy DMB3 – Recreation and Tourism Development
- Key Statement DS1 – Development Strategy.
- Key Statement EN2 – Landscape.
- Key Statement EN5 – Heritage Assets.
- Key Statement EC3 – Visitor Economy.

Environmental, AONB, Human Rights and Other Issues

The main consideration with regards to this application is the loss of the remaining Public House within Tosside, whether there has been sufficient justification provided in support of this and whether the benefits of the proposed new use outweigh this loss. The scheme proposes no alterations to the property, a Grade II Listed building, as part of this application, and there are no issues in relation to the proposals impact upon the amenity of the occupiers of adjacent dwellings or its impact upon highway safety at this location.

The policy basis against which this scheme should be appraised is set out in the context of national, regional and local development plan policies. At a national level the National Planning Policy Framework (NPPF) came into force on 27 March 2012 and states that at the heart of the NPPF is a presumption in favour of sustainable development which means that for decision making purposes that:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out of date, granting permission unless,*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or*
 - *specific policies in this framework indicate development should be restricted.*

Paragraph 28 of the NPPF advises that 'Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

The compliance with this element of the NPPF will be discussed in due course.

From a Local Planning Policy view, saved Policy S6 advises that 'The change of use of ground floor commercial premises to residential accommodation within the village boundaries will be approved providing it has been demonstrated that the change of use will not lead to adverse effects on the local rural economy.' This is due to the fact that the loss of retail uses or other community related commercial premises to residential use in villages could have a serious detrimental effect on the economic and social well being of the local rural areas served. Policy H15 also considers the conversion of buildings to dwellings stating that planning permission will be granted where there would be no detrimental effect on the rural economy.

The Council also have a saved SPG that specifically covers applications of this nature, and is called the 'Retention of Public Houses in Rural Areas'. This particular SPG deals with the issues associated with the change of use of public houses to other, non community based uses, such as residential and it is intended that the guidance is applied mainly in the rural areas of the borough, since this is where the impact of loss is most significant.

Pubs perform important social and economic functions in maintaining the viability of rural areas, and they also have important links to leisure and tourism, and contribute to the distinctiveness of rural landscapes and villages. The village pub (sic) provides an important community benefit to rural areas in that it offers a meeting place for the villagers to come together and mix informally or formally for meetings of clubs and societies, as well as having a significant impact upon the economic vitality of the village and the rural areas beyond by providing a source of employment, supplying many full time and part time jobs to villagers themselves, often in areas where jobs suitable for locals are at a premium. They can also play a vital tourism role providing an important service, offering accommodation, food etc to tourists and can provide a visitor attraction in their own right, especially in such a location as this one where it also plays an important role in the visual appearance of the village. This is particularly true where the pub is located within the AONB, as it provides a vitality and attractiveness to the village and also affords a visible social focus, which marks the centre of the village. The rural public house can also provide important environmental benefits as it cuts down the need for extra travel, as people are not forced to visit other public houses in nearby villages. The retention of public houses also accords with the general intentions of national strategic and local policies for the promotion of access to the countryside, and provisions for recreation and tourism.

It is clear that pubs play important social, economic, visual and environmental roles in rural areas, and it is therefore important that the Borough Council should seek to try and retain them. However, even with such a policy the Borough Council cannot prevent an owner or occupier from closing a public house, although it does have control over any subsequent reuse of the premises. Equally, the Borough Council cannot influence market forces or the trading ability of a business. On this basis, any submission of a planning application for a change of use of a pub to a non-community use will generally have to be accompanied with evidence to show that adequate attempts have been made to market the business as a going concern. This has not been carried out in this instance due to the applicant seeking to continue a similar 'business' from the site. The applicants have stated that they have sought to explore other avenues/uses in conjunction with the public house, namely the bike hire and café element with letting rooms above, within the extension to the rear of the main building. These elements have supported the main business, however the applicants now highlight that all elements of the current business uses on site are now failing, hence the reason and justification for the proposed application. The Applicant highlights that the Tossie Community Hall (built in 2009) now provides such a meeting place for social clubs and societies, with the Crowtrees Inn on Crowtrees Park providing the public house function for the village. They site both of these

businesses as having an impact upon their trade. Whilst these two businesses do provide a level of service for the wider local area, the following points are considered important:

1. The Crowtrees Inn lies within a Holiday Park and could, at any point, prevent visitors from off-site from using the facilities, and
2. Whilst the Tosside Community Hall provides a bookable facility for groups and societies, this is not considered to provide the same level of publically available services that a public house would.

The proposal here is to effectively extend the residential area of the property into what is the Public House at ground floor, and then subsequently concentrate on the marketing and letting of the existing B&B/guest rooms within the extension to the rear of the main building. The scheme does include the creation of a dining/lounge area below these rooms, where the bike shop was previously, and the applicant has suggested that this element will be open during the day/evenings/weekends for people not staying at the B&B/Hotel, therefore still providing elements the existing business that are doing well. However, as this proposal is not for the expansion of a tourism/visitor facility and more of a decrease in a service provided (given the significant reduction in the floor area of the commercial element on the premises), the applicant must provide sufficient and reasoned justification for this proposed change. Details have been provided that indicate that the business has been running at a loss since 2007, however a number of letters from the general public suggest that there is a demand to retain the premises in commercial use as a Public House, but that the applicant's have sought to orchestrate the demise of the business in order to then apply for the change of use now presented. The applicant's refute this suggestion, however having met with them on site and assessed the current commercial aspects of the business, I do have concerns that some elements of the commercial uses on site have not been run as a going concern for a while. This is highlighted by the lack of a cycle shop or café in the ground floor area of the rear extension and the fact that the public house itself is only open between noon and 8pm on Saturdays and Sundays. The only exception is that the rooms to let have been kept to a high standard and are being let out to holiday makers, and I do not doubt that the applicants would make every effort to run this element of the business, and which would provide a suitable income for the applicants, however if approved this business element in relation to the overall floor space on site would clearly be ancillary to its main use, namely as a residential property. Indeed there is considered to be little weight to the suggestion that it is also an employment-generating proposal as there would be significant difference in the staff required for this business compared to a pub. As a final consideration, the property has not been offered for sale on the open market as a going concern, as suggested within the SPG.

The scheme has also been discussed with the Council's Regeneration & Economic Development Officer, Craig Matthews, who advises the following. 'It is accepted that the pub sector is probably going through one of its toughest times ever, hitting those in particular located in remote and rural locations such as this where the sector is regarded as being in transition and change. Despite this it's disappointing that that this proposal has come forward on the basis of a declining or non-sustainable business. The implications of this application for change of use of the Dog and Partridge pub in particular, as well as representing loss of a functioning business and employment facility should not equally be undervalued in its role to act as an important tourism and community asset for the wider area as a whole. Whilst the public house and associated facilities currently as they stand might not be operating to the expectations of both the current owners and others, that should not be a reason to undermine their future potential. Its site and location in particular seem to suggest that the potential remains untapped, the fact it is adjacent to Gisburn Forest which has seen a dramatic surge in visitor numbers from 10,000 to

around 50,000 visitors a year and still increasing since the opening of the award-winning Gisburn Forest Mountain Bike Trail in 2009 and new investments, facilities and trails coming on stream next spring. There are also a number of areas where they seem to be missing out on marketing opportunities, as they don't appear to have a functioning website themselves or a presence on any of the main sites linked with Gisburn MTB / walking etc. However despite all this, the business should at least be marketed as a going concern if the current operators are not able to make it viable.'

In considering the proposal put forward, despite the assurances of the applicant that the business is not considered to be economically viable, the information presented is not considered sufficient to fully justify this statement. Without this, it is considered likely that the closure of the pub will have a visual impact upon the attractiveness of the village, the social and economic vitality of the village. This is therefore not considered to comply with the main thrust of the relevant local and national policies in that the more important element of this current community facility will be lost from this village. The proposal is therefore recommended accordingly.

RECOMMENDATION: That planning permission be REFUSED for the following reason:

1. The proposed development is contrary to Policies G1, G4 (c), ENV1, H15 (iv) and RT1 (i) of the Districtwide Local Plan, the Council's adopted Supplementary Planning Guidance Note Retention of Public Houses in Rural Areas, Policies DMG1, DMG2, DMH3, DMH4 and DMB3 and Key Statements EN2 and EC3 of the Core Strategy 2008/2028 Regulation 22 Submission Draft, and guidance within paragraph 28 of the NPPF. If approved, the development would lead to the loss of a valuable community facility, without sufficient justification, which would be to the detriment of the rural economy and vitality of the area, and would impact on the provision of suitable tourist facilities within this particular area of the Forest of Bowland AONB.



Appeal Decision

Site visit made on 25 June 2013

by Wenda Fabian BA Hons Dip Arch IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 July 2013

Appeal Ref: APP/T2350/A/13/2193965

Dog & Partridge, Tosside, Skipton, North Yorkshire BD23 4SQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs T J Gridley against the decision of Ribbles Valley Borough Council.
 - The application Ref 3/2012/0729, dated 8 August 2012, was refused by notice dated 18 January 2013.
 - The development proposed is change of use from public house, bike hire and dwelling to hotel, bike hire and dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) whether the proposed change of use would preserve the special architectural or historic interest of the listed public house and would safeguard the character and appearance of the Forest of Bowland Area of Outstanding Natural Beauty; and
 - ii) whether the effect of the proposal on the provision of community and tourist facilities in the local area, the rural economy and the vitality of the area would be justified, in accordance with development plan policies and the associated guidance.

Reasons

Listed building

3. The Dog and Partridge is a traditional country pub, which is listed Grade II. It is built of squared watershot sandstone with a stone slate roof and probably dates from the late 18th century. It is a handsome two storey, four bay building with paired casement windows in raised plain stone surrounds. The main off-centre front entrance has a modest stone porch, added more recently, and there is a secondary front entrance at one end. The Dog and Partridge pub is one of the most prominent buildings in Tosside; it sits at its heart in an attractive roadside setting, close to the church, the community centre and the historic stone marker at the central road junction. In this context, it is a designated heritage asset of considerable significance; both due to its architectural interest and its traditional function within the settlement. It is

also located within the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

4. The proposal is for changes of use within various parts of the building, but with no physical alterations.
5. At the rear, behind the lean-to single storey former stores and outbuildings attached to the historic building, is a two storey modern extension connected into the upper main floor by a glazed link. This was authorised and built in 2005 and is an attractive high quality extension that is visually separate from the main historic building. It has good views to the west of the beautiful open landscape of the AONB beyond the courtyard.
6. This new part of the building currently provides three en-suite bed and breakfast guest bedrooms at first floor, including a family or group bed room, and a café/bike shop area at ground floor. There is a ground floor entrance and foyer area, leading from the rear external parking and seating area. The proposal is to re-focus the public facility into this rear extension as a hotel, with the café/bike store area at ground floor converted for a bar/dining area and the bike hire provision moved to a store behind the main building. Bike storage for customers would be within the former beer cellar in the main building. The purpose-built bed and breakfast accommodation and the ground floor catering kitchen in the historic building would both remain unchanged.
7. As a result of the proposal, the main historic building, the two storey public house, would become wholly residential and would be used as a private dwelling for the appellant. The reconfigured hotel and bike hire accommodation would be wholly within the new rear part of the building with access via the rear courtyard area.
8. The National Planning Policy Framework (the Framework) sets out that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. An applicant should be required to describe the significance of any heritage assets affected to enable an understanding of the potential impact of the proposal on their significance. No heritage assessment of the listed building has been provided, other than its listing description and this provides little information as to its history, the original layout of the spaces within the building or their functions.
9. From what I have seen, at present the use of the main historic part of the building seems to have remained largely as it was built (albeit that some layout alterations have been made) with the ground floor in use as a public house and the upper floor in residential use.
10. Like many country pubs, the economic balance between drinking and eating has altered and here the traditional bar and lounge have been adapted; the tap room at one end now provides the drinking space, with a separate front entrance. It is hard paved, with a sparse utilitarian feel. Beyond this, interconnected and sharing a continuation of the bar is a larger central beamed space, with the only remaining ground floor fireplace. This would previously have been likely to have provided a more comfortable lounge bar; it is now given over mainly to dining tables, with a catering kitchen at the other end. An historic and much worn stone dog-leg winder staircase, located behind a door at the back of the lounge but opposite the main building entrance, leads to the residential floor above.

11. Although no physical alteration would be made, the functional significance of the building (which from the list description, was purpose built as a public house) and its central status in village life would be lost through the proposal. Once in domestic use the outer appearance of the listed building would inevitably change with time – the signage denoting its use would have to change to prevent mistaken attempts at access and the currently open frontage would become private. With the proposed change of use, all of the historic ground floor accommodation would be removed from public access and the traditional use of the public house would be fundamentally altered. Thus, the change of use at the main ground floor of the building would cause substantial harm to the special historic interest of the listed building, through the loss of its historic function as a public house.
12. This would also cause a small degree of harm to the character and appearance of the AONB, an effect resisted by policy ENV1 of the *Ribble Valley Districtwide Local Plan*, 1998 (LP). Although dated, this policy is in compliance with the aims for the natural environment set out in The National Planning Policy Framework (the Framework), which places great weight on conserving the scenic beauty of the AONB.
13. The Framework requires a balanced judgement to be taken having regard to the scale of harm and the significance of the heritage asset. Great weight should be given to the asset's conservation. In this case, I judge that the harm arising from the proposed change of use would be substantial.
14. The appellants suggest that like at many places throughout the country, the public house trade here has diminished. They consider that it is no longer viable in such an isolated rural location. The appellants consider that this particular public house has little prospect of surviving without reconfiguring the accommodation as proposed. The current arrangement requires staffing in two different locations, in the public house at the front and the café at the rear. The balance of areas dedicated to commercial and private residential uses would be dramatically altered by the proposal; around 30% of the commercial area of the building would become domestic and at ground floor this would amount to a change in use from commercial to residential of around 50% of the floor space.
15. If the building was to fall out of use and, where no viable use that would enable its conservation can be found in the medium term through appropriate marketing, then, in such circumstances, the Framework requires the harm arising from a proposal to be weighed against the benefit of bringing it back into use.
16. I consider viability matters below. However, in terms of the effect on the listed building, even if it was necessary to alter the balance of residential to commercial space, the current proposal would not be the only means of achieving this and I conclude that it would fail to preserve the special historic interest of the listed building as set out above.

Viability, tourism and community facilities

17. My attention has been drawn to several policies from the Council's *Core Strategy 2008-2028 A Local Plan for the Ribble Valley*. As this document is a submission draft I can afford little weight to these policies. From the development plan, saved LP policy S6 seeks to protect ground floor commercial

space within villages from a change to residential use where this would have an adverse effect on the local rural economy. LP ENV1 also requires development to have regard to the economic and social well being of the area within the AONB. These aims are all in compliance with the Framework, which seeks to support economic growth in rural areas and promotes the retention and development of local services and community facilities such as public houses in villages.

18. The Council's related supplementary planning guidance (SPG) – *Retention of Public Houses in Rural Areas*, does not have the status of the development plan but amplifies the LP policies and sets out the social and economic importance of pubs in rural areas. It emphasises the Council intention to safeguard this role and requires that any submission of a planning application for the change of use of a pub to a non community use should provide evidence to show that adequate attempts have been made to market the business as a going concern. It also highlights that consideration will be given to the effect of the proposal on the visual impact, attractiveness and vitality of the village, even where few physical alterations to the building are proposed. Advice to landlords is offered by the Council's Economic Development Officer and suggestions are provided in the SPG as to alternative ways to ensure that rural pubs are kept open, including the use of volunteers from the community.
19. Since they bought the pub in 2003, the appellants have sought to attract new business arising from the outdoor activities that are being promoted in the wider area of the AONB and to provide in particular for cyclists who visit the purpose built Gisburn Forest trails close-by. The bed and breakfast accommodation built in 2005 has proved successful and they wish to focus the business as a hotel provision for this market sector as the public house part of the enterprise is running at a loss.
20. The appellants have provided a record of the visitor numbers to the public house over the weekends of 11/12 and 18/19 May 2013; the highest visitor rate in a day was 17, the lowest 7 and a little over a half of the customers each day bought food. However, I am mindful that this part of 2013 was characterised by a particularly cold spring, uncondusive to tourism or visitor trips to the countryside and neither of these weekends was during a particular holiday period; they may not be representative of the potential trade in the summer and holiday seasons.
21. Profit and loss records from the 7 months to 31 March 2008 through successive years to 31 March 2012 have been provided. They indicate sales turnover rising until to March 2010 and then diminishing in the two successive years. The gross profit rises in the first 4 years and falls substantially in the final year. Director's and staff wages follow a similar profile. Losses of between £31,676 and £40,140 are recorded each year. The accountant's letter with these states that they are a true record, except for the directors' salaries and rent, which are adjusted to give a more realistic reflection of the value of the property and the effort put into the business by the appellants. No comparative rents for similar properties in the area have been provided.
22. Without further detail, it is difficult to form a clear picture of the financial circumstances. The accounts are headed *Gisburn Forest Bikes Limited*; it is not clear whether they relate wholly to the bike business or include the other parts of the business. Whilst the cost of sales are itemised with *opening stock* and *bike shop* separately attributed there seems to be little reference to the public

house or bed and breakfast aspects of the business. I note that the appellants have owned the pub since 2003. Financial records between 2003 and 2008 have not been made available, but the appellants state that customer numbers have fallen during the whole period of their ownership. They attribute this to the general decline in rural pubs due to the availability of cheap alcohol, drinking at home and the smoking ban.

23. A table of bar takings has also been provided for comparative weeks in February and August for three consecutive years from 2010. This also shows a marked decline in income, with both food and bar takings reducing by a substantial proportion each year from 2010 onwards.
24. The appellants suggest that other nearby facilities have competed with the public house, to its detriment. These are the Tosside Community Hall and the Crowtrees Inn, which is within a nearby caravan park. I am unconvinced on this matter; the Crowtrees Inn is signposted as open for non-residents, but is not visible from the public highway and is at a considerable distance along the private access road into the site, an approach which I saw is a deterrent to casual public use. It is clear that the community hall is well used; it is a modern purpose built facility with parking, which opened in 2004 (according to the appellant¹) and has space for groups of up to 200 and a smaller room for around 20. It is licensed and provides for functions and social clubs. Some of these occur during the day, others are regular evening events. However, overall it is usually used for limited hours in the week, amounting to around half the normal operating hours of a public house.
25. I have read numerous representations by local residents, other business operators (including those for the nearby campsite), the Parish Council and the Council that assert that the public house side of the business has been operated sporadically and inconsistently, to the extent that regular customers have been deterred, such that the community feels it has already lost a facility and the campsite operator is unable to recommend it to tourist guests. I appreciate that a lack of custom and declining profitability can result in the need to scale back provision; this can be a vicious circle. The Council has acknowledged the other facilities described above may draw some custom away, but suggests that in the context of the expanding tourism facilities at the Forest of Bowland nearby the public house business here could be promoted more successfully.
26. In terms of the potential loss of a community facility, public houses have long provided the central focus to village life and are highly valued for this community function especially in widely dispersed rural areas such as this. Their role is parallel but different to that of the village church and here they are located adjacent. The perceived loss of a pub such as this one, even where access would be provided to a relocated bar at the rear, is emotive.
27. There are persuasive arguments on both sides. I note that the appellants do not wish to close the business but to re-focus it. They have not sought to sell it as a business and as such there is no evidence of marketing – as required by the SPG. I have seen other public houses in the wider area that appear to be operating successfully in similarly rural locations. In the circumstances before me there is little apparent reason why the business could not be re-focussed as a small hotel with a public bar and access for non-residents to dining as

¹ According to the Council, 2009.

intended by the appellants, but within the main part of the listed building, without the harmful effect to its historic character that would result from the proposal. In business terms also, heritage assets such as this listed building are recognised to provide an added draw in particular for tourist facilities, which would be lost by pushing these to the rear of the main building.

28. Overall I conclude that the proposal would fail to preserve the special historic interest of the listed public house and would, consequently, to a small degree harm the character and appearance of the Forest of Bowland Area of Outstanding Natural Beauty. In the absence of a persuasive justification for the proposal to demonstrate that the listed building could not be operated on a financially viable basis, this consideration is sufficient in itself to justify dismissing the appeal. In addition, for the same reasons there is insufficient evidence to show that the loss of a substantial proportion of the commercial floor area within this tourism and community facility, which would harm the rural economy and the vitality of the local area, would be justified, contrary to development plan policies.
29. Taking these and all other matters raised into account, the appeal should be dismissed.

Wenda Fabian

Inspector

APPENDIX 2

Heritage Asset Statement and evidence of previous uses of the building

HERITAGE ASSET STATEMENT

IN RESPECT OF:

**A FULL PLANNING APPLICATION AND AN APPLICATION FOR
LISTED BUILDING CONSENT FOR THE CHANGE OF USE OF A
PUBLIC HOUSE, OWNERS LIVING ACCOMMODATION AND BED
AND BREAKFAST FACILITY INTO TWO RESIDENTIAL
DWELLINGS**

AT

**THE DOG AND PARTRIDGE PUBLIC HOUSE
TOSSIDE
BD23 4SQ**

**Prepared by: Paul Fay for and on behalf of Gary Hoerty Associates
Our Ref: Gri/754/2103/PF
Our Client: Mr and Mrs T Gridley
Date: June 2016**

Contents

1.	Introduction	Page 3
2.	Background Information	Page 3
3.	Assessment of the Heritage Asset	Page 5
4.	Impact on the Heritage Asset	Page 9
5.	Conclusion	Page 9

1. Introduction

- 1.1 Gary Hoerty Associates have been instructed by Mr and Mrs T Gridley, of The Dog and Partridge Public House, Tosside, BB23 4SQ, to submit a planning application on their behalf for the change of use of the Dog and Partridge Public House, owners' living accommodation and bed and breakfast facility into two dwellings.
- 1.2 As the subject property has listed building designation any proposed development requires the preparation of a Heritage Asset Statement. This report has been produced in support of an application for the above mentioned development, and will consider the impact of the proposals on the designated heritage asset ¹
- 1.3 This document has been prepared in line with policy guidelines set out in the National Planning Policy Framework (DCLG, 2012) and guidance on the historic environment found in 'Conservation Principles, Policies and Guidance' (English Heritage, 2008). The research and recording work follows English Heritage Guidance 'Understanding Historic Buildings' (2016).

2. Background Information

2.1 Site Location

- 2.1.1 The application site is situated in Tosside, which is a small village that straddles the boundary between Lancashire and Yorkshire. The application site is in the western part of the village which is within the borough of Ribble Valley, with the eastern side of the village being in the Craven District. This is shown on the site plan in image 1 below. The boundary denoted by the dashed magenta line. The whole of the village is situated within the Forest of Bowland Area of Outstanding Natural Beauty. Tosside is a rural area and is sparsely populated. The site has an approximate National Grid reference of SD 76890 56065.

2.2 Site Description

- 2.2.1 The application site comprises the property known as The Dog and Partridge, which is a detached property with associated car park area. The property is of part two, part three storey construction. The roof of the entire property is clad in natural stone slates and the walls are natural random stone.
- 2.2.2 The site is situated inside the boundary that designates the area as an Area of Outstanding Natural Beauty.
- 2.2.3 The Site plan is given below in Image 1;

¹ As required by paragraph 128 of National planning Policy guide (NPPG) 2012

between bays one and 2 is a mounting block with 4 stone steps and a flagged top. The gables have copings. Chimney on right-hand gable, between bays one and 2 and between bays 3 and 4.

Listing NGR: SD7689656067

2.4 Proposed Works

- 2.4.1 The proposed works considered through this statement is the proposed blocking up of three internal doors to effectively separate the building into two separate dwellings. The proposal is considered in more depth in the accompanying Planning Statement, which should be read in conjunction with this Heritage Statement for understanding and clarity. The proposals are illustrated on plan, reference: Gri/754/2103/01.

3. Assessment of the Heritage Asset

3.1 Historical Background

- 3.1.1 This Heritage Statement contains extracts from historic maps; the maps are from circa.1910 and 1976. In this section historic background information and information gained from these maps is commented upon below.

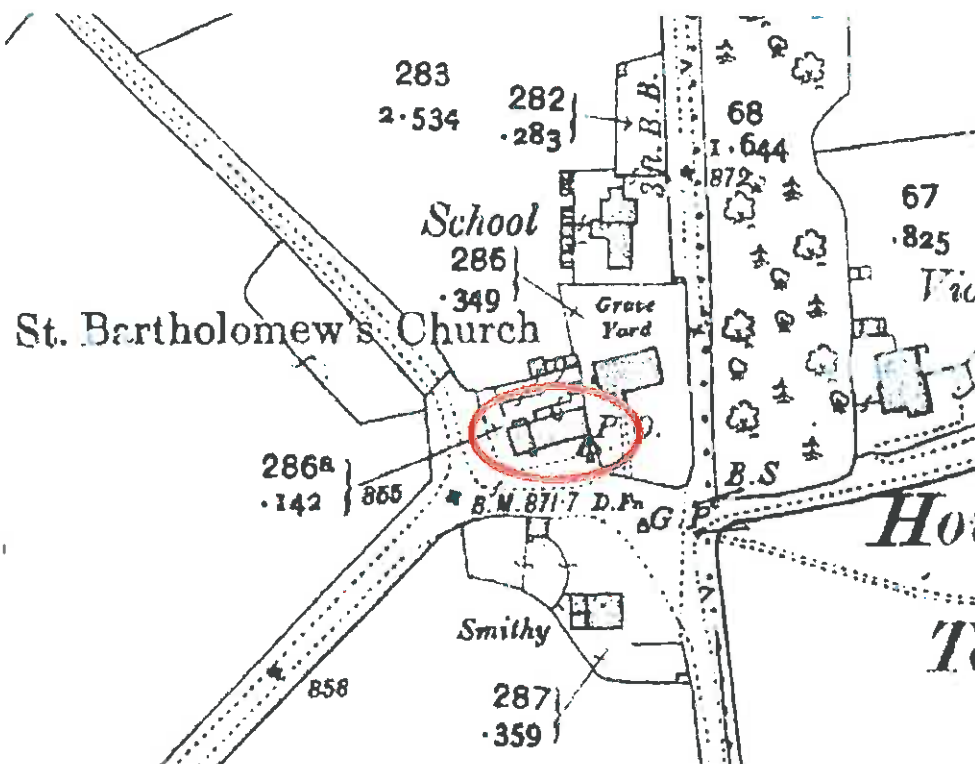


Image 2 – Extract of c.1910 OS map showing plan form of the Dog and Partridge.

that the building had come full circle as was now again trading as a public house. (Newhouse) ⁴

3.2 Appraisal of Heritage Value

- 3.2.1 In considering the buildings significance, this appraisal considers the heritage values outlined in the 'Conservation Principles, Policies and Guidance' (English Heritage, 2008). These values are: evidential, historic, communal and aesthetic values. An appraisal of these values allows a careful consideration of the significance possessed by the heritage asset and the guidance is intended to facilitate change through intelligent management of the historic environment. The values are commented on below;

Evidential Value

'Evidential value derives from the potential of a place to yield evidence about past human activity'

- 3.2.2 The building represents physical evidence of a traditional public house; illustrating local styles and methods of construction that would have been prevalent during the period. The building also provides evidence of the siting of public houses; traditionally alongside the main road on travel routes. The fact that the building has been subsequently extended and adapted provides evidential value of the changing requirements of the building. This extension and adaption, however, is also harmful to the level of evidential value of the building. Had the building remained unaltered the evidential value would have been regarded as high. As it is the evidential value has been diminished by the subsequent extensions to the building so lessens the value.

Historical Value

'Historical value derives from the ways in which past people, events and aspects of life can be connected through a place to the present. It tends to be illustrative or associative'

- 3.2.3 The primary historical value of the building is in the buildings historical use as a pub. The main route through Tosside would have been one used by travellers and traders. The pub would have serviced their needs as well as being a hub for village life therefore the pub provides a physical connection to these past activities. This is where the historical value lies.
- 3.2.4 Illustrative value of the exterior of the building; the exterior of the Dog and Partridge fits with the collective buildings of the village as the choice of walling materials match and the plain stone window and door surrounds emulate the existing openings on the block. The roof covering of stone slate also adds to the illustrative value.

⁴ Tosside Parish Magazine (March 1990)

Aesthetic Value

'Aesthetic value derives from the ways in which people draw sensory and intellectual stimulation from a place'

- 3.2.5 The building is an attractive roadside building. Faced with local stone and stone slate roof. It displays vernacular features congruous to the local historical environment. It is a landmark presence in the village. Its traditional aesthetic quality has been detracted from slightly by a series of more recent extensions which, although sympathetically constructed, do not possess the same heritage value as the original parts of the building. The aesthetic value of the building primarily rests with the roadside elevation, which has a high value. The rest of the building is low.

Communal Value

'Communal value derives from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory'

- 3.2.6 The Dog and Partridge is a longstanding feature of the local environment and being a publicly accessible building, a prominent feature of the village and a place for socialising it has a rich communal value. The site also has communal value as a local land mark building, being central to the village. Like many pubs, however, it has struggled to maintain its fundamental importance as the main place for local social activity with the local Community Hall now being the primary venue for activity in the village. As with previous proposals for the pub the communal value of the Dog and Partridge will also be gauged by the opinions voiced by the local community during the public consultation stage of the application.

4. Impact on the Heritage Asset.

4.1 Heritage Impact Assessment

- 4.1.1 The impact on the sites evidential value will be low as the design has carefully considered the buildings most significant and sensitive elements, and leaves these unaltered. The extensions and alterations to the building over the years have eroded the evidential value somewhat anyway. Any residual risk of harm to the building's evidential value can be mitigated by planning conditions, such as the use of an archaeological watching brief to ensure any below ground excavations, say for drainage connections, are overseen by experts. Expert recording through a written scheme of investigation can be required by planning conditions to ensure a good record is retained on the public record of the pub in its present state.
- 4.1.2 The impact on the buildings associative historical value will be high, as the primary historical value stems from the historic use as a public house. The impact on illustrative historical value will be low as although the proposal

would represent a change to use of the building any changes would be sympathetic and minimal.

- 4.1.3 The impact on the aesthetic would be low or positive. The conversion would incorporate minimal external alterations and introduce new work which strongly upholds and enhances the building's aesthetic value by removing inappropriate interventions.
- 4.1.4 The impact on the site's communal value would be high as converting the building into dwellings naturally changes the building from public to private access.
- 4.1.5 The proposed works contained within this statement are concerned with protecting the existing building through finding a sustainable use for it. Policy recognises that the optimum viable use is that which best sustains the heritage asset. Securing the optimum viable use is recognised in the planning practice guide⁵ as a public benefit⁶ which can outweigh 'less than substantial harm' arising from the alterations to achieve a new use. The proposed works have been designed best to uphold the heritage values, with consideration given to the materials or techniques. The proposal will see three internal doors blocked up. This will provide separation for the two proposed dwellings, but is a reversible intervention. The internal finishes are substantially modernised and therefore renewal will be predominantly like for like with no loss of special interest.
- 4.1.6 There will be no proposed changes to the external façade of the building except the removal of the pub signage. Other buildings in the village, which have historically been in commercial use, have been successfully changed to residential use in ways that uphold the buildings' character and special interest and this usually entails making the minimum necessary intervention to the elevations. This respects the traditional village feel and vernacular of the setting.

5. Conclusion

- 5.1 The Dog and Partridge is recognised locally as a building of heritage significance. This is primarily on account of its age, history and prominence in the village. It is a traditional village public house. It is a detached two storey building with two storey extension to the rear. It is built using locally sourced materials in a vernacular style typical at the time of construction. It has designation as a listed building, and is situated in an area designated as an

⁵ Planning Practice Guide ID: 18a-008-20140306 Para 008 *'Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused provided the harm is minimised'*

⁶ *'Public benefits may include... securing the optimum viable use of a heritage asset in support of its long term conservation'*

Area of Outstanding Natural Beauty. Its prime heritage significance is in the historic and communal value associated with the sites use as a public house.

- 5.2 The potential closure of the pub due to economic pressure is a familiar story across the country with many similar pubs failing due to the shift in social activity resulting in the loss of trade⁷. Closure in this case is imminent and no viable alternative use has been found other than conversion to residential use. The proposals seek to formalise consultation on this issue and engage in structured discussion to consider all the options. Redundancy and closure with no future use would leave the building at risk of decay and eventual loss. Therefore the findings of this Statement inform proposals which present the Council with the opportunity to grant consent for the change of use of the building from an unsustainable business into two attractive family homes that will not only provide two high quality dwellings but also has very little impact on the overall street scene and the AONB as a whole.
- 5.3 The heritage impacts have been assessed overall as low, with some benefits, such as, to the aesthetic value of weaker parts of the building's appearance. The harm has largely been minimised by sensitive design and the remaining harm can be mitigated through planning conditions.
- 5.4 There are minor proposed changes to the exterior of the building which comprise of the removal of the public house signage and the subdivision, to the rear, of the allocated curtilage for each proposed dwelling. The materials and landscaping proposal have been developed to enhance the buildings setting. By minimising physical changes the proposals substantially avoid harm to the historical and evidential value of the asset.
- 5.5 The communal value is most affected by the proposal to develop private dwellings. The business faces considerable risks from dwindling local and passing trade and this value cannot be sustained in the present use.
- 5.6 Having also considered the proposals against guidance outlined in the National Planning Policy Framework (see accompanying Planning statement), the nature of the proposals are structured with providing a consistent use for the building but with enhancement and protection of the heritage asset as the primary driver. By examining the significance of this building, and the impact of the proposals, it has been demonstrated that the proposals conform to policy and the associated guidance. The Council is therefore invited to look favourably upon this application for consent.

Signed.....Date.....

Paul Fay BSc (Hons) for and on behalf of Gary Hoerty Associates

⁷ CAMRA reports 29 pub closures per week.



THE DOG AND PARTRIDGE

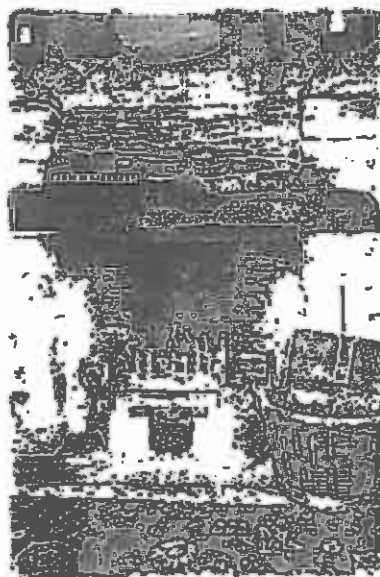
This is certainly the best known building in Tosside and is similar in appearance to the church – they were probably built about the same time. Near to the door is the old mounting-block, enabling people who came to pub or church by horse to mount for the journey home.

At one time (possibly because board and lodgings were provided) the Dog & Partridge were known as “The Board” – in the West Riding Directory of 1822 it was given as “The Board” and the “victualler” was one John Rowsthorne.

In days gone by, the farm rents were collected here – in a small private room – and the story is told that one year, the farmers all came with the tale that “farming was bad” and they had not enough money for the rent. The Agent took pity on them and reduced the amounts that they had to pay, whereupon they all trooped into the bar and ordered drinks. The landowner was so incensed by this that he arranged for the license to be revoked and “The Board” became “The Temperance Hotel” – providing board and lodgings and refreshments – but no alcohol.

Most country pubs used to have a small farm attached to them –

to help eke out a living before the advent of the motor-car – and the fields of this one stretched down both sides of the road towards the Chapel. Later, both Ridds (up Bailey Lane) and Streethouse (opposite the Chapel) became attached to “The Temperance”.



After a while, a shop and Post Office were established here – what had been the bar became the shop counter and the rest of the building was used as a private farmhouse with one large upstairs room being used for private functions, Mothers Union meetings, etc.

In the early 1960's, “The Temperance” along with Skirden Hall and Sandy Syke was acquired by The Bleakholt Animal Sanctuary and used as a rest home for old horses, donkeys and other animals. The Temperance stood empty for a number of years until Bleakholt sold off their holding in lots, the building and one small field being one of the lots. It has now come full circle and is again the Dog & Partridge public house – refurbished and renovated with the telephone kiosk and post box removed from beside the front door and the sloping, cobbled forecourt turned into a level car park.

Tosside - from past to present

Notes on the history of Tosside and district from Vera Newhouse of Well House Farm

Here is another in the series of articles prepared by Vera just as they were written some 15 years ago for the Tosside Parish Magazine.

November 1989

The Old Smithy

Across the green from the Dog and Partridge was the village blacksmith's. The house was considerably smaller than it is now and the blacksmith's shop occupied one end of it - opening straight out onto the village green. When travel by horse declined and motor transport came in, the blacksmith's shop was turned into a garage workshop and part of the green was taken over to house the petrol pump. Gradually the business spread onto what had been the village pinfold. During that time the Bleakholt Animal Sanctuary had The Temperance (now the 'Dog'). First the shop and then the Post Office there were closed and business was transferred across the road. To begin with the shop was in a wooden hut at the Institute end of the house (before the extension was built there), then it moved into what had been the garage and a new workshop was built alongside. It was shortly after this that the telephone kiosk was moved across to the Institute and the post box was put in its present position - which was by the shop door then (since moved again!).

When Bleakholt sold off their property, the old coach-house and garden were added to the Smithy property and a craft shop was established in the converted coach-house. This later became the General Store and Post Office as we know it today.

Tosside - from past to present

Notes on the history of Tosside and district from Vera Newhouse of Well House Farm as written 14 years ago for the Parish Magazine

March 1990

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(to be continued next time)

Tosside - from past to present

Notes on the history of Tosside and district from Vera Newhouse of Well House Farm as written 14 years ago for the Parish Magazine.

March 1990

The Dog & Partridge (continued)

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the Dog and Partridge public house - refurbished and renovated with the telephone kiosk and post box removed from beside the front door and the sloping cobbled forecourt turned into a car park.

April 1990

Tosside Church

We don't know exactly when the Church was built, but it was in existence before 1650 because in a Parliamentary Survey in the time of Oliver Cromwell, it was recommended that "Houghton Chapel in the Forest of Gisburne be made a Parish Church and have some maintenance annexed, being entirely dependant on the benevolence of the people." Two hundred and twenty years later this recommendation was carried out - things moved slowly in those days.

The Church was at first a Chapel-of-Ease in charge of the Vicars of Gisburn. As the Tosside Registers don't start until 1769 when Richard Carr became the incumbent, it is presumed that the Vicars of Gisburn officiated until this time and records were kept amongst the Gisburn Registers, although in the 1650 Parliamentary Survey it mentions that "...Mr John Crambleholme was a preacher Minister there."

Between Richard Carr in 1769 and the formation of the Parish in 1970, there were six other incumbents - one of them, John Foster was here for 35 years. Another, Henry Burn, is buried in Tosside churchyard, to the left of the porch. Tosside Vicarage wasn't built until about 1870 and there appears to be no record of where the incumbent lived.

Tosside - from past to present

Notes on the history of Tosside & district from Vera Newhouse of Well House Farm, as written 14 years ago for the Parish Magazine.

(continued from the last edition)

When the Parish was formed in 1870 by the amalgamation of Tosside, Houghton Chapel and Knotts, John Ellerbeck, who came as incumbent in 1864, became the first Vicar. His stipend was £135 per annum! Since 1870, there have been 17 vicars, one of whom, the Rev'd A.E. Wicks was here for over 30 years. Gisburn still has an interest in the parish, in that the Vicar of Gisburn is Patron of the living.

In the early part of this century, the Church looked very different inside from how it does today. The organ purchased in 1877 stood in the NE corner, whilst the pulpit was in the SE corner. The Communion rails were round the raised step where the Communion table stands, and the pews came much further forward than they do now. In the NW corner, where the organ now stands, was a gallery supported by

pillars. A square block of wood can be seen in the floor, near the organ seat, filling the place where a pillar once stood. Until the plaster was removed from the west wall recently, marks could be seen indicating the line where the stairs went.

On the wall, each side of the east window, were wooden panels on which were written the words of the Lord's Prayer and the Ten Commandments. Lighting was by paraffin lamps, some of which hung from the beams, and some were supported on poles which slotted through holes in the book rests of the pews - these holes can still be seen. A stove stood where the present clergy stall is - the base is still there and the floor all around is quite black - apparently it "smoked back" when the wind was in a certain direction. As time went on, the population of the village dwindled and, as fewer people came

to church, the gallery was removed. Later the panels were removed from the east wall and replaced with an oak reredos. The stove was replaced by one under the grating in the centre aisle, and the paraffin lamps gave way to calor gas lighting. A new clergy stall was placed on the base of the old stove, and choir stalls were installed on the south side facing the clergy stall. The Communion rails were moved to the present position and at some stage during all this, the old beams were encased in pine boards and the organ moved to its present site.



TOSSIDE ANIMAL SANCTUARY and Home of Rest for Horses was opened on Sunday. It is administered by the Bleakholt Animal Welfare Organisation. Six-year-old Tony Wrigley, son of one of the staff, feeds some of the 21 donkeys which, with 59 horses, live on the 320 acres of the sanctuary. Craven Herald and Pioneer picture.

opens animal JUNE 1st - 1962 sanctuary

ACTRESS Margot Bryant, who plays the part of Minnie Caldwell in I.T.V.'s popular "Coronation Street" programme, was among the many people who watched the official opening, on Sunday afternoon, of the Tosside Animal Sanctuary and Home of Rest for Horses, established by the Bleakholt Animal Welfare Organisation.

She saw some of the 21 donkeys and 59 horses which are currently in residence on 360 acres.

"It's lovely to visit the country for a change," she observed. "I love animals so much that I am only too pleased if I can help in any way."

The opening ceremony was performed by the Mayor of Bury, Coun. W. Alkers, and afterwards Mrs Olive Lomas, the founder of Bleakholt, thanked the "faithful friends and subscribers over the past years."

Mr. R. D. Leather, Bleakholt's chairman, who presided, said the day was going to be one of the greatest in the history of the organisation, for Tosside was the first farm they had ever owned, the others having been rented.

Said the Mayor of Bury, referring to the organisation's Lancashire origins, and the fact that Tosside is in Yorkshire: "I am delighted that two ancient foes are getting together, and Lancashire and Yorkshire are showing the rest of the country how to do this job."

guest at horse sanctuary opening

TOSSIDE Horse Sanctuary, the "green pastures" for 100 elderly animals, including horses, ponies, donkeys, goats, dogs, cats and a monkey, will be officially opened on Sunday.

Special guest will be Miss Margot Bryant, who plays Minnie Caldwell in Granada T.V.'s "Coronation Street", and the openers will be Mrs. G. Stanton, of Chesterfield, and Mr. H. Watson, of Newton-le-Willows.

The sanctuary, run under the auspices of the Bleakholt Animal Welfare Organisation, of Shuttleworth, near Ramsbottom, came into being when three former farms, Temperance, Sandy Sike and Skirden Hall were bought by the Bleakholt organisation last year.

The organisation, founded four years ago by Mrs. Olive Lomas, needs £200 every week to run the sanctuary and to pay the salaries of the supervisors. All this money is raised to save the animals from the slaughterhouse.

To-morrow will be open day at the sanctuary.

TOSSIDE RETREAT FOR HORSES

Christmas cards to raise DEC funds 1962

Eight Christmas cards have reached a number of Craven addresses, and 20,000 similar ones will go out to help the funds of the animal sanctuary, Bleakholt, Tosside, near Settle. On the cards are photographs of animals now living in retirement.

Mrs. Beryl Adamson, of Halifax, local secretary of the organisation, said that the cards with envelopes are 6d., and she hopes to have calendars at 2s.6d. available soon. "Many people have ordered both."

Four of the cards show horses or donkeys. Perhaps the most attractive one shows Andy, a donkey, with his ears cocked high, looking over a wall "determined not to miss anything at Bleakholt."

There is also Momma, an aged donkey, who gave many hours of pleasure to youngsters on Blackpool sands. The other four in the set include a silhouette of three goats, three orphan kittens, an orphan puppy (since placed in a new home) and Frankie the cow.

19 Bleakholt Animal Welfare Organisation

The Baby Donkeys and "Big Ham," on behalf of the equine residents at the new "Tosside Animal Sanctuary" (between Skidburn-Long Preston) will be "At Home" to receive Xmas gifts and donations on Saturdays, Dec. 9, 16 and 23, between 2 and 4 p.m. (Headquarters, Bleakholt Animal Welfare Organisation, Ramsbottom, Lancs.

URGENTLY WANTED TO RAISE FUNDS FOR BLEAKHOLT AND TOSSIDE HORSE SANCTUARIES

Clean H/H Clothing, small pieces of Furniture, Rugs, Carpets, Crockery, Ornaments, Jewellery, etc. Will gladly collect.

BLEAKHOLT HORSE SANCTUARY RAMSBOTTOM, LANCs.

Tel. 2577 any time. 1963

HAY WANTED-URGENT

preferably baled
C.O.D. or will collect

TOSSIDE AND BLEAKHOLT HORSE SANCTUARIES,

Tel. Long Preston 228, or
Ramsbottom 2577.

2 October
1961
EXPERIMENTAL
KIRKDALE HALL
SANDY SYKE
FARMS

HOME OF REST FOR HORSES

A Tosside experiment

The Bleakholt Animal Welfare Organisation announced this week that it has taken over and amalgamated three farms at Tosside, near Settle, for use as a home of rest for horses. Hon. secretary and founder of the society is Mrs. Olive Lomas.

"We have now found a farm large enough to accommodate all our permanent residents," said Mrs. Lomas. "It is a combination of three farms with separate accommodation and buildings, and approximately 300 acres of land, of which about 98 acres is meadowland."

"It is because the land basically needs a change of grazing animals and the buildings need repairs and alterations that the property has been offered at a fairly reasonable price."

"They had been advised that it would be ideal as a home of rest for horses."

"It could easily turn out to be a disastrous and financial nightmare, but I honestly feel it is a wonderful challenge and opportunity," said Mrs. Lomas.

Bales
of hay.

Mrs. Olive Lomas, founder and hon. secretary of the Bleakholt Animal Welfare Organisation, which now has 380 acres of land at Tosside, tells me that feeding the animals—including between 130 and 140 horses, ponies and donkeys—means that 500 bales of hay a week have to be found until the grass grows again in the Spring. This is one of the basic concerns of an organisation concerned with domestic creatures. The folk in Tosside area are growing accustomed to having one of the largest populations of horses of any parish in the country, and on my last visit to the hill-top village I saw Mr. Keith Wrigley and Geoffrey Wilson were busy seeing that the appetites of the animals were fully satisfied. It was a ray of day and they were indoors, away from the clutch of the wind. When the animals are turned out in spring it will be a memorable sight.

R.S.P.C.A. TAKE

THE REINS 1963
By JOHN WYATT, Yorkshire Post
Special Correspondent

The Royal Society for the Prevention of Cruelty to Animals is holding an inquiry into conditions at the Tosside Horse Sanctuary, 1,000ft up in the rolling country between Settle and Gillthorpe. This is as a result of The Yorkshire Post report on Monday.

I understand that Travelling Chief Superintendent H. Goodenough, of the RSPCA, is in charge. It is hoped that a satisfactory solution can be found for the welfare and possible removal of the 90 animals.

The Sanctuary is run by Mrs. Olive Lomas, of Bleakholt Farm, Shuttleworth, on behalf of Bleakholt Animal Welfare Organisation. Considerable concern has been expressed in the Skipton, Hellfield and Long Preston districts for the animals quartered there during the severe weather.

27 horses at sanctuary to be destroyed

Twenty-seven horses kept at a home run by the Bleakholt animal welfare organisation at Tosside, near Skipton, are to be destroyed following a visit by RSPCA officials. The visit was made after complaints from people living near by about conditions at the sanctuary.

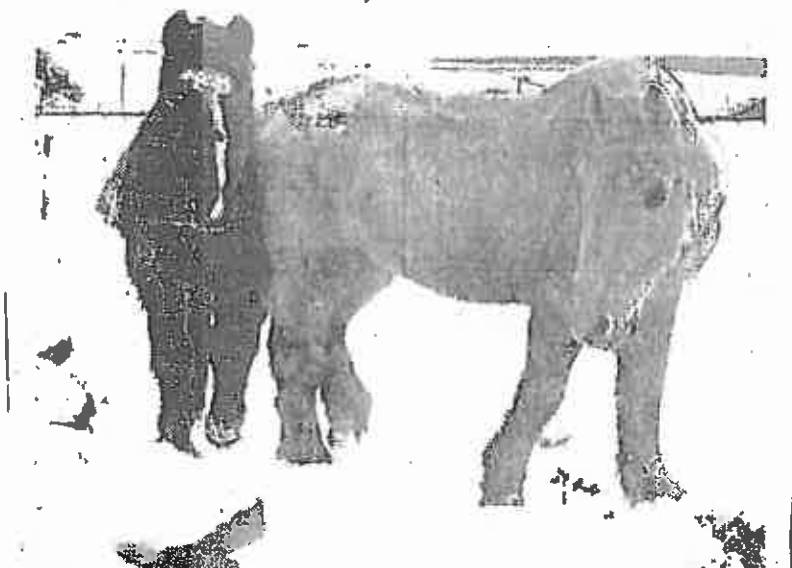
Yesterday the secretary of the organisation, Mrs. Olive Lomas, of Bleakholt Farm, Shuttleworth, near Bury, said they had been told by the RSPCA that at least 40 horses must go. She added:

"The criticisms concerned the exposed nature of the sanctuary and the state of buildings. Our members know that we have run on a shoestring through many months of trial, and I suppose that criticisms from outside sources have been inevitable. No one has been more aware of our difficulties and shortcomings than I have."

"This severe weather has brought additional difficulties. The horses which have to die are infirm and some are incurable. We were trying to keep them as long as possible. Now we must cherish and care for the remaining ones beyond the slightest criticism."

Mrs. Lomas was a founder member of the Bury branch of the International League for the Protection of Horses. The Bleakholt organisation has branches in Bury, Bolton, and Skipton, and cares for about 150 horses and ponies.

Yorks Post
Mon Jan 21
1963



Two of the horses at the animal sanctuary.

ROW OVER SANCTUARY FOR HORSES

By JOHN WYATT, Yorkshire Post
Special Correspondent

A SANCTUARY for 90 animals, in a bitterly cold area 1,000ft. above sea level is causing concern in the Skipton, Hellifield and Long Preston districts. The Tosside Horse Sanctuary is run by Mrs. Olive Lomas, of Bleakholt Farm, Shuttleworth, on behalf of the Bleakholt Animal Welfare Organisation.

When I discussed it with her she admitted the financial position "was rather a nightmare at the moment." Following my inquiries, an offer of help has been made by the International League for the Protection of Horses.

Mrs. Lomas ran a branch of the League up to two years ago. Then the League severed its connection.

Yesterday, after hearing of the problems connected with Tosside, Mr. Kay Colvin, a director of the League, and Mrs. Ann Newton, of Leeds, also a director and a Council member, jointly said:

"We will buy the horses from Mrs. Lomas on condition that we have those put down that should be destroyed on veterinary advice and look after the others." Earlier Mr. Colvin told me: "Unless she is prepared to give an undertaking not to concern herself in any organisation whose avowed object it is to protect equine animals the League does not intend to encourage her financially or otherwise."

"I make no complaint about Mrs. Lomas's ideals, but my colleagues and I feel strongly that her continued policy of buying horses without regard to whether or not she can look after them properly has led in many cases to the opposite of protection for the horses concerned."

Mr. Colvin said the League severed its connection with Mrs. Lomas for six reasons. "She did not carry out the policy laid down for her by the League," he said, "and we had the utmost difficulty in getting proper accounts."

"In the end we could not get any at all. We were also dissatisfied with the management of the horses and we told Mrs. Lomas again and again not to buy horses that she could not look after properly. When she placed the horses she did not inspect the new quarters and we gave her several warnings

out, electrically, gas, or water. After being told of the League's offer of help she said: "We will call an emergency meeting of the trustees, committee and staff as soon as possible."

DISAGREEMENT

Of the League's reasons for severing the connection, she said: "It was a disagreement on policy over bringing Irish horses across to Bleakholt to be saved from slaughter."

"There was dissatisfaction on both sides for some considerable time. Officials of the League came up from London to Bleakholt and after a survey, recommended that certain horses should be put down."

"We did not carry it out and at least one is alive today. We did not lose any of them that winter," Mrs. Lomas added.

"We have done so well since we left the League that it is only because we have decided to keep so many animals that we have got into difficulties. If people who have helped us save horses would help to keep them we would not be in trouble—what horses we have lost have died of old age and peacefully."

LEGACY

Mrs. Lomas said she heard last week of a legacy from Blackburn of £2,000 which would greatly help the Trust. "We have always worked from our hearts rather than our heads," she said, in defence of her Trust.

I visited Tosside, north of Clitheroe, with Mr. Ted Gifford, a racehorse trainer, under Jockey Club and National Hunt Rules, Mr. Gordon Goswell, a former National Hunt trainer and jockey, and a Yorkshire Post photographer were with us.

Mr. Gifford, who trains at Bell

Busk, about seven miles from Skipton, looked at the cold scene and said: "This is bad land, even in summer, and I think the place is unsuitable."

In a walled off portion by the road three horses and five donkeys were walking around with a cat and a dog. The donkeys, harder than horses, looked well enough but two of the horses seemed too weak to withstand the extreme cold at that height.

A field away a grey horse was breathing heavily. The animals were not out for long and were taken inside soon after arrival.

Mr. Gifford said: "This is no place for horses of this age." Mr. Goswell, also with a lifetime experience of horses, agreed—and both thought two of the horses would be better put to sleep.

SNOW DANGER

"I am not decrying their efforts," said Mr. Gifford, "but they should not have a place like this up here. An animal must have warmth; cold, rain, and snow will kill an animal even if it is getting fed but the human element."

Boards propped up on walls and the near-by Post Office proclaimed the need for funds. "The Tosside Horse Sanctuary." Open 2-6 p.m. Saturdays and Sundays. Visitors welcome. Inquiries at Post Office. £1,000 appeal. Donations urgently required."

Another stated: "You can become a member of our organisation today. Adults 6s. Children 2s. 6d. Life membership 10 guineas. Emergency appeal. Donations desperately required. Receipts given at house."

On the Post Office another notice proclaimed: "All proceeds in aid of Bleakholt Animal Welfare Organisation." Further displays pointed out that second-hand clothes, jewellery, oddments and books were on sale and that home-made jam could be bought at only 2s.

Outside on the glass verge was a bundle of limp wet hay. Of this Mr. Gifford commented afterwards: "The hay I saw in front of the building was bad and wet."

Two landlords of hostels in the district told me that they thought the situation of the sanctuary too bleak. Most people in the area did not dispute the idea behind the Sanctuary but thought that in view of the apparent need for funds there were too many animals belonging to the Trust.

Mrs. Lomas told me: "We rely on public subscriptions and our own efforts. It is rather a nightmare at the moment."

"With bad weather and transport our position is almost unbearable. We have always been overworked since Christmas with the additional difficulty of the weather."

APPEAL

I invited Mrs. Lomas to comment on an advertisement in a local newspaper appealing for hay to be delivered. She said: "Our own stocks of hay, grown ourselves, had run out."

"We put out a general appeal for hay to be collected or delivered. We are working under difficulties."

Senior Inspector Ralph Taylor, of the Skipton branch of the Royal Society for the Prevention of Cruelty to Animals, told me: "The RSPCA are keeping it under supervision."

Perhaps the League have the strongest point of all to make on this subject. As Mrs. Newton said: "I think that every charity should be registered and a balance sheet published."

APPENDIX 3

Evidence relating to Financial Matters

1 August 2012

Our Ref: G147/JAR/JW

Janet Dixon Town Planners Limited
10a Whalley Road
Clitheroe
BB7 1AW

Dear Janet

T & G Gridley, The Dog & Partridge, Tosside.

Further to our telephone conversation last week I enclose a copy of the amended Profit and Loss Account summary for the 5 accounting periods since the company was incorporated.

The figures are a true copy of the accounts with the acception of the rent and the directors salaries. The actual figures have been substituted with more realistic amounts reflecting the value of the property and the effort put into the business by Tim and Grace.

They have tried to improve the business in a lot of ways since taking on the pub but despite their efforts there appears to be no way that it can be sustainable if they are properly rewarded.

If you require anything further please let me know.

Yours sincerely

Alan Roberts FCA
For McDade Roberts Accountants Ltd

Gisburn Forest Bikes Limited**Trading and Profit and Loss Account
for the Year Ended 31 March 2012**

	Year to 31.3.12 £	Year to 31.3.11 £	Year to 31.3.10 £	Year to 31.3.09 £	7 month period to 31.3.08 £
Turnover					
Sales	83,190	113,749	131,841	109,105	55,856
Bike shop	6,217	11,807	2,292	-	-
Building work	-	6,714	2,172	-	-
	<u>89,407</u>	<u>132,270</u>	<u>136,305</u>	<u>109,105</u>	<u>55,856</u>
Cost of sales					
Opening stock	8,297	7,750	1,901	1,717	2,657
Purchases	33,871	44,962	59,909	47,103	23,953
Bike shop	4,307	10,102	6,019	-	-
Building work	-	673	66	-	-
Closing stock	<u>(6,587)</u>	<u>(8,297)</u>	<u>(7,750)</u>	<u>(1,901)</u>	<u>(1,717)</u>
	<u>39,888</u>	<u>55,190</u>	<u>60,145</u>	<u>46,919</u>	<u>24,893</u>
GROSS PROFIT	<u>49,519</u>	<u>77,080</u>	<u>76,160</u>	<u>62,186</u>	<u>30,963</u>
Other income					
Sundry receipts	-	-	75	100	-
Deposit account interest	<u>4</u>	<u>5</u>	<u>4</u>	<u>42</u>	<u>9</u>
	<u>4</u>	<u>5</u>	<u>79</u>	<u>142</u>	<u>9</u>
Expenditure					
Rent	24,175	24,175	24,175	24,175	14,000
Rates and water	1,773	2,098	1,919	1,156	657
Insurance	1,847	1,940	1,855	1,204	773
Light and heat	6,169	7,581	8,133	9,326	4,097
Directors' salaries	26,000	35,000	34,000	32,000	19,000
Wages	16,266	24,970	25,108	21,965	14,426
Telephone	997	922	1,003	511	227
Post and stationery	35	12	307	-	-
Advertising	915	117	-	355	-
Motor expenses	1,150	1,658	377	648	279
Licences and insurance	145	464	496	569	70
Repairs and renewals	3,112	6,409	4,491	2,889	3,140
Household and cleaning	-	-	635	1,151	238
Sundry expenses	507	365	42	1,043	1,490
Accountancy	1,360	1,300	1,505	1,165	1,585
Stocktaking	90	180	90	111	-
Donations	<u>-</u>	<u>50</u>	<u>-</u>	<u>-</u>	<u>-</u>
	<u>84,541</u>	<u>107,241</u>	<u>104,136</u>	<u>98,093</u>	<u>59,982</u>

Gisburn Forest Bikes LimitedTrading and Profit and Loss Account
for the Year Ended 31 March 2012

	Year to 31.3.12 £	Year to 31.3.11 £	Year to 31.3.10 £	Year to 31.3.09 £	Period to 31.3.08 £
Finance costs					
Bank charges	<u>985</u>	<u>1,071</u>	<u>1,110</u>	<u>670</u>	<u>377</u>
	<u>985</u>	<u>1,071</u>	<u>1,110</u>	<u>670</u>	<u>377</u>
Depreciation					
Plant and machinery	2,349	2,187	2,916	3,589	2,289
Computer equipment	<u>49</u>	<u>65</u>	<u>87</u>	<u>116</u>	<u>-</u>
	<u>2,398</u>	<u>2,252</u>	<u>3,003</u>	<u>3,705</u>	<u>2,289</u>
Total overheads less other income	<u>87,920</u>	<u>110,559</u>	<u>108,170</u>	<u>102,326</u>	<u>62,639</u>
LOSS ON ORDINARY ACTIVITIES BEFORE TAXATION	<u>(38,401)</u>	<u>(33,479)</u>	<u>(32,010)</u>	<u>(40,140)</u>	<u>(31,676)</u>

Fiona Gardner

From: Colin Sharpe [colin.sharpe@ghaonline.co.uk]
Sent: 06 July 2016 10:08
To: fiona.gardner@ghaonline.co.uk
Subject: FW: G150 Profit & loss report
Attachments: imagec70f5d.PNG; Untitled attachment 00041.htm; image9b9b3f.PNG; Untitled attachment 00044.htm; imagee14737.PNG; Untitled attachment 00047.htm; SKM_C284e16070608380.pdf; Untitled attachment 00050.htm

From: Grace Gridley [mailto:grace@dogandpartridgetosside.co.uk]
Sent: 06 July 2016 09:54
To: colin.sharpe@ghaonline.co.uk
Subject: Fwd: G150 Profit & loss report

Hi Colin, Here are the last four years accounts, will forward the other email showing the others. See you at 12.30hrs
 Grace

Sent from my iPhone

Begin forwarded message:

Resent-From: <grace.gridley@btconnect.com>
From: Christine Richards <christinerichards@mcdaderoberts.co.uk>
Date: 6 July 2016 at 08:33:04 BST
To: "grace.gridley@btconnect.com" <grace.gridley@btconnect.com>
Subject: G150 Profit & loss report

Hi Grace,

I'm sorry I didn't get chance to return your call last night, I was in a meeting which ran later than expected.

Please find attached a similar summary to the one which Alan sent you. This covers the last four years whilst you have been operating as a sole trader instead of the limited company. This has been extracted from the accounts we have prepared for you for those periods.

Please let me know if I can be of any further assistance.

Kind regards

Christine

Christine Richards | ACA | Office Manager

Please contact me to find out about our next auto enrolment seminar. Don't miss out.

KG Gridley

**Trading and Profit and Loss Account
for the Year Ended 5 April 2016**

	5.4.16 £	5.4.15 £	5.4.14 £	5.4.13 £
Income				
Sales	24,730	35,316	23,846	16,453
	<u>24,730</u>	<u>35,316</u>	<u>23,846</u>	<u>16,453</u>
Cost of sales				
Opening stock	349	329	335	790
Purchases	9,662	12,619	9,476	6,054
Closing stock	(387)	(349)	(329)	(335)
	<u>9,644</u>	<u>12,599</u>	<u>9,482</u>	<u>6,509</u>
GROSS PROFIT	<u>15,086</u>	<u>22,717</u>	<u>14,362</u>	<u>9,944</u>
Expenditure				
Rent	-	-	-	44
Rates and water	2,058	2,081	1,748	998
Insurance	355	953	975	1,331
Light and heat	4,929	5,333	3,267	3,547
Wages	2,905	2,979	3,023	2,800
Telephone	763	883	793	340
Post and stationery	36	29	25	13
Motor expenses	1,583	1,478	1,044	232
Repairs and renewals	424	1,443	249	473
Household and cleaning	301	206	116	53
Licences	676	601	-	-
Sundry expenses	-	-	-	2
Accountancy	486	594	298	650
Planning fees	-	-	-	1,920
	<u>14,516</u>	<u>16,580</u>	<u>11,538</u>	<u>12,403</u>
Finance costs				
Bank charges	561	673	426	169
Mortgage	1,490	1,490	-	-
	<u>2,051</u>	<u>2,163</u>	<u>426</u>	<u>169</u>
Depreciation				
Plant and machinery	746	997	1,057	621
Computer equipment	119	-	-	-
	<u>867</u>	<u>997</u>	<u>1,057</u>	<u>621</u>
Total overheads	<u>17,434</u>	<u>19,740</u>	<u>13,021</u>	<u>13,193</u>
NET (LOSS)/PROFIT	<u>(2,348)</u>	<u>2,977</u>	<u>1,341</u>	<u>(3,249)</u>

Bar and Food Takings over five weekends June/July 2016

DATE	BAR	FOOD	WEEKEND TOTAL
Sat 11/6/2016	£67.00	£123.45	
Sun 12/6/2016	£45.90	£44.40	
TOTAL	£112.90	£167.85	£280.75
Sat 18/6/2016	£60.40	£44.15	
Sun 19/6/2016	£28.60	£64.35	
TOTAL	£89.00	£108.50	£197.50
Sat 25/6/2016	£127.00	£92.80	
Sun 26/6/2016	£9.25	£21.75	
TOTAL	£136.75	£114.55	£251.30
Sat 2/7/2016	£70.75	£97.15	
Sun 3/7/2016	£25.10	£41.50	
TOTAL	£95.85	£138.65	£234.50
Sat 9/7/2016 & Sun 10/7/2016	£42.35	£74.75	£117.10
FIVE WEEKENDS TOTAL TAKINGS			£1081.15

APPENDIX 4

Evidence relating to Marketing

Jackie Webb

From: Colin Sharpe [colin.sharpe@ghaonline.co.uk]
Sent: 19 July 2016 09:31
To: 'Jackie Webb'
Subject: FW: Confirmation from My Online Estate Agent

From: Grace Gridley [mailto:grace@dogandpartridgetosside.co.uk]
Sent: 29 June 2016 16:34
To: colin.sharpe@ghaonline.co.uk
Subject: Confirmation from My Online Estate Agent

Colin, I have received confirmation of the actual dates that our property was advertised for sale. 20/04/2014 until 02/11/2015. 18 months.. Alan from Mc Dade Roberts has sent me the email which he sent to Janet Dixon back in 2012, showing the accounts. I have asked him to forward the accounts from 2012 to date. Will keep you posted. I can come to the office next Tuesday or Wednesday this should have given him enough time to get the figures to me. Which day is best for you? kindest Regards Grace

From: MOEA Sales <Sales@myonlineestateagent.com>
Sent: 29 June 2016 12:22
To: Grace Gridley
Subject: RE: Message from Contact Us Form

Dear Mrs Gridley, Thank you for your email , I can confirm we first advertised the property for sale on the 20/4/2014 and removed it from our listing on the 2/11/2015

Kind Regards

Sandra Jones
Manager
E: Sandra@myonlineestateagent.com
T: 0333 240 2712



My Online Estate Agent.com
Manchester International Office Centre, Styal
Road, Manchester M22 5WB



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Please consider the environment before printing this email

From: MOEA Enquiries
Sent: 29 June 2016 10:50
To: MOEA Info <info@myonlineestateagent.com>
Subject: Message from Contact Us Form

Keeping it personal

my online
estate agent 

You have received a message from Mrs grace gridley

Please respond to this person using the email grace@dogandpartridgetosside.co.uk

Or telephone number **01729840668**.

The message entered is as follows:

F.A.O Sandra, Please could you email me with the date that we put the Dog and Partridge Tosside BD23 4SQ on the market with My Online Estate Agent and the date we took it off. I think it was @May2014/Oct2015. Many Thanks for all your help. Grace

www.myonlineestateagent.com tel: 0333 240 2712

My Online Estate Agent Ltd Trading As My Online Estate Agent
Suite 30 WAC, Snyal Road, Macclesfield M22 5NH Company No: 09032726 VAT No: 189104865

This email has been scanned by the MxScan Email Security System.



(/)

0333 240 2712 (tel:03332402712)

8 bedroom Commercial Property for sale

Offers in Excess of £700,000

8 bedroom Commercial Property for sale in Ribble Valley

Gisburn Forest, Tosside, Ribble Valley
Skipton, North Yorkshire, BD23



Property Type

Commercial
Property

Description

Floorplan

EPC

Map

Video

Bedrooms

8

Tenure

Freehold

The Dog and Partridge is located in the small village of Tosside surrounded by marvellous scenery of Gisburn Forest.

Tosside is on the border of North Yorkshire and Lancashire. It lies within the Forest of Bowland an Area Of Outstanding Natural Beauty and is between the villages of Slaidburn in Lancashire and Wigglesworth in North Yorkshire. The village is 11.5 miles north of Clitheroe and 17 miles

northwest of Skipton.

This impressive 16th century grade 2 listed building, briefly comprises of:

Ground floor:

Two main bar areas, staff area, rear entrance hall, mens and ladies toilets, kitchen with pantry, utility room, secondary bar, study and breakfast room/retail unit.

The ground floor is rustically decorated throughout. There are exposed green oak beams, wooden and stone flagged floors. Attractive exposed stonework, fireplaces, oak window seats, spot and ceiling light points in some rooms. Fully equipped stainless steel units in the large commercial kitchen with appliances, strip lights and down lights to the work surfaces. Practical storage cupboards.

First floor:

Three separate en-suite bedrooms which are used for Bed and Breakfast, and boasts the extensive private residential living area. There is a lounge, dining room, kitchen, four bedrooms, main bathroom and additional shower/wc room.

Stairs lead to the first floor landing to the extensive private residential living accommodation, and the separate three en-suite bedrooms used for Bed and Breakfast accommodation. The private accommodation includes a lounge, dining room, kitchen, five bedrooms, four on this floor, family bathroom, additional shower/wc room, and stairs leading to the second floor. The bathroom has a four piece white suite with the focal point being an ornate free-standing bath and wooden flooring.

Again all rooms are beautifully decorated with period features such as fireplaces with surrounds, exposed wooden beams and useful storage cupboards. The en-suite bathrooms have ceiling spotlights and modern white suites.

Second floor:

Stairs with wooden balustrade give access to the second floor where the master bedroom is situated, another room which is immaculately presented with Velux windows, carpeted flooring and extensive eaves storage.

There are front and rear entrances to the property.

Externally there is a car park to the rear, with direct access into Gisburn forest mountain bike trails, with the front aspect having a traditional stone wall with wooden entrance gates.

My Online Estate Agent strongly recommends early viewing of this incredible property.

This Property is Commercial and Residential. Council Tax and National Non Domestic Rates are paid to RVBC.

There is a Primary School and High School nearby, a bus is provided by the council free of charge.

Trains run from Long Preston and Clitheroe.

Features

- Extensive Private Living Accommodation Five Bedrooms.
- Three En-Suite B/B Letting Bedrooms (Sleeps 10).
- Commercial and Residential Property.
- Two Kitchens.
- Original Features.
- Immaculately Decorated.
- Fantastic views over Gisburn Forest and Pendle Hill
- Direct access into Gisburn Forest Mountain Bike Trails
- AONB Area of outstanding natural beauty in the Forest of Bowland
- Central location in a Rural Village in the Ribble Valley.

SAVE PROPERTY (/bookmarks/3150/add)

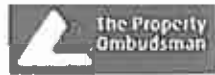
PRINT

SEND TO FRIENDS (/send-property/3150)

REQUEST DETAILS (/request-details/3150)

Call 0333 240 2712





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APPENDIX 5

Documents relating to planning permissions for the C.O.U. of other rural public houses in Ribble Valley to residential use

Ribble Valley Borough Council

DELEGATED ITEM FILE REPORT - APPROVAL

Ref: GT

Application No:	3/2009/0076/P
Development Proposed:	Change of use from Public House to residential with ancillary bed & breakfast at The Craven Heifer, Chipping Road, Chaigley, Lancashire, BB7 3LX.

CONSULTATIONS: Parish/Town Council

Parish Council – No objection.

CONSULTATIONS: Highway/Water Authority/Other Bodies

LCC Traffic and Development Engineer – No objections in principle on highway safety grounds.

LCC Planning Officer (Archaeology) – No archaeological comments to make.

CONSULTATIONS: Nearby Residents

No representations have been received.

RELEVANT POLICIES:

Policy G1 - Development Control.
 Policy G5 – Settlement Strategy.
 Policy ENV1 – Area of Outstanding Natural Beauty.
 Policy EMP11 – Loss of Employment Land.
 Policy RT1 – General Recreation and Tourism Policy.
 SPG - “The Retention of Public Houses in Rural Areas”.

COMMENTS/ENVIRONMENTAL/AONB/HUMAN RIGHTS ISSUES/RECOMMENDATION:

Permission is sought for a change of use from an existing Pub/Restaurant to residential with B&B Accommodation. The application site is on the south side of Chipping Road, nr the hamlet of Chaigley, approx. 2.5 miles from Chipping and Hurst Green and approx. 3 miles from Clitheroe, and it sited on land within the Forest of Bowland Area of Outstanding Natural Beauty as designated by the Ribble Valley Districtwide Local Plan. The building subject to this application is a two storey, stone built property with a one and a half storey addition to the side elevation, and has an area of car parking space to either side of the property.

Given the proposed loss of an employment generating business on site (the public house/restaurant), and its replacement with a residential property/B&B, we must consider Policy EMP11 of the Local Plan and the SPG “The Retention of Public Houses in Rural Areas”. Policy EMP11 notes that proposals for redevelopment of employment generating sites will be assessed on various criteria, including whether or not attempts have been made to secure an alternative employment generating use at the site. The SPG notes the social, economic and visual/environmental benefits that Public Houses bring to villages and rural areas, however it is considered that the general thought process of this document is in considering the loss of pubs in ‘village settlements’, and not for pubs in isolated locations such as this. In addition, it also notes that ‘any submission of a planning application for a change of use of a pub to a non-community use will have to be accompanied with evidence to show that adequate attempts have been made to market the business as a going

concern', and that 'other considerations such as prevailing level of service, viability and the size of settlement may influence a planning decision concerned with a change of use'.

In respect of these two Policies, the agent/applicant have provided a number of documents and letters from various parties outlining the previous attempts to market the business as a going concern prior to the current owner purchasing the business, and subsequent details from the owner's accountant regarding the viability of the business at this site. However, in addition to whether the scheme complies with these Policies, the following points regarding the principle of this proposal are considered to be important;

- Domestic/residential accommodation already exists at the site (the managers first floor living accommodation), and
- The proposed B&B Accommodation will provide an employment/income generating use by virtue of letting out the B&B rooms.

Bearing in mind the above written comments, and the details supplied within the application, I have drawn the following conclusion. In respect of the increased residential use of the building, given that there is already a large element of residential floor space within the property, I have no objections to this particular element of the scheme. With regards to the loss of the public house and its replacement with B&B accommodation, it is noted that attempts to run a number of pub/restaurant businesses at this site have been unsuccessful, with perhaps the isolated location of the building playing a part. However the intentions of the current owner to maintain a business at the site with the proposed B&B use must be considered not only against the Policies referred to above, but also against the relevant Tourism Policies within the Local Plan, namely RT1. The building is located adjacent to a Public Right of Way, and deep in the heart of the tourist attraction that is the Forest of Bowland A.O.N.B. Given that the scheme involves no physical alterations to the property, and as such will have no visual impact on the A.O.N.B., it is considered that on balance the benefits to the local economy by virtue of additional tourist accommodation outweigh the loss of the public house business in this location.

With regards to access to the site, parking and other highway issues, there are no objections to this proposal on road safety grounds.

As such, bearing in mind the above, the application is recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL:

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

RECOMMENDATION: That conditional planning permission be granted.

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

Fax: 01200 414488

Planning Fax: 01200 414487

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2009/0076

DECISION DATE: 24 April 2009

DATE RECEIVED: 19/03/2009

APPLICANT:

Mr John Ashworth
The Craven Heifer
Chipping Road
Chaigley
Lancs
BB7 3LX

AGENT:

Planning & Development Network
Stanley House
Lowergate
Clitheroe
BB7 1AD

DEVELOPMENT Change of use from Public House to residential with ancillary bed and breakfast.

PROPOSED:

AT: The Craven Heifer Chipping Road Chaigley Lancashire BB7 3LX

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 19th of March 2009.

Reason: For the avoidance of doubt since the proposal was the subject of agreed amendments.

Relevant planning policy

Policy G1 - Development Control
Policy G5 - Settlement Strategy
Policy ENV1 - Area of Outstanding Natural Beauty
Policy EMP11 - Loss of Employment Land
Policy RT1 - General Recreation and Tourism Policy
SPG - "The Retention of Public Houses in Rural Areas"

Summary of reasons for approval

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

P.T.O.

Note(s)

APPLICATION NO. 3/2009/0076

DECISION DATE: 24 April 2009

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
3. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath 26 in the parish of Aughton, Bailey and Chaigley affects the site.

STEWART BAILEY
DIRECTOR OF DEVELOPMENT SERVICES

Ribble Valley Borough Council

DELEGATED ITEM FILE REPORT - APPROVAL

Ref: CS/CMS

Application No:	32012/0356/P
Development Proposed:	Conversion and redevelopment of a redundant public house and hotel with conference facilities into 3 private residential properties at the Moorcock Inn, Slaidburn Road, Waddington

CONSULTATIONS: Parish/Town Council

Parish Council – No representations have been received within the statutory 21 day consultation period.

CONSULTATIONS: Highway/Water Authority/Other Bodies

Environment Directorate (County Surveyor) – No objection in principle to the application on highway safety grounds but would recommend the addition of a section of footway or similar frontage treatment to provide an element of separation for residents from passing traffic on the access road.

The anticipated highway activity associated with this development, both pedestrian and vehicular, will be hugely reduced from the previous usage. The consequent reduction in the number of potential turning movements to and from Slaidburn Road where the national speed limit continues to operate is to be welcomed.

Environment Agency – N/A.

CONSULTATIONS: Additional Representations.

A letter has been received from the owner of land adjoining the application site (but who lives in Dunsop Bridge). The land is used for the grazing of livestock (alpacas). The landowner raises concerns about previous problems experienced with the existing private drainage system (the existing septic tank being located on his land) that have not been properly addressed by the owners of the Moorcock Inn. He also expresses concern that any boundary treatment should be strong enough and high enough to prevent pet dogs entering his land and possibly harming his livestock.

The landowner stresses that his concerns do **not** constitute an objection to the application in principle.

RELEVANT POLICIES:

Policy G1 - Development Control.
 Policy G5 - Settlement Strategy.
 Policy ENV1 - Area of Outstanding Natural Beauty.
 Policy H15 - Building Conversions - Location.
 Policy H16 - Building Conversions - Building to be Converted.
 Policy H17 - Building Conversions - Design Matters.
 Policy EMP11 - Loss of Employment Land.
 National Planning Policy Framework (NPPF).

PTO

COMMENTS/ENVIRONMENTAL/AONB/HUMAN RIGHTS ISSUES/RECOMMENDATION:

The application relates to the former Moorcock Inn public house and hotel that is located on the west side of Slaidburn Road within the Area of Outstanding Natural Beauty approximately 2 miles north of Waddington Village. The buildings have not been in use since the business was closed in the summer of 2010 because (as claimed in a Supplementary Statement submitted with the application) it was no longer commercially viable.

The agent states in the Supplementary Statement that the buildings have started to fall into disrepair and, in the absence of any purchasers for the property for it to continue in its previous use, and in order to be able to dispose of the property, his clients have had no choice but to look at alternative uses for the property. This application has therefore been submitted for a scheme involving demolition, conversion and new-build in order to provide three dwellings.

The principle elevation of the existing buildings is the two-storey south facing elevation that looks down Slaidburn Road towards Waddington village. The buildings have been much altered and extended over the years with the most recent (and most inappropriate) additions being at the rear of the main south facing original part of the building.

The proposal involves the demolition of those relatively recent additions at the rear of the building. The retained main part of the building would then be altered, reconfigured and extended at its western end in order to form three dwellings. Each dwelling would have a rear garden (basically occupying the area presently covered by the buildings that are to be demolished). Each of the dwellings would also have a new build detached garage/annex building at the rear. The existing vehicular access to the south of the building would be retained and would be extended (over part of the existing car park) to run down the western side of the building (as extended) to give access to the garages at the rear.

This proposal involves numerous considerations, the first of which is the presumption in favour of sustainable development that is the main element of NPPF. It could be argued that this site is in an unsustainable location whatever its use (including its existing authorised use as public house/restaurant/hotel). In a pre-application enquiry, the applicant sought advice on a proposal to convert the building for light industrial use (Classes B1 and B8) as well as a residential dwelling for the owner of the business. The business concerned would have been relocated to the site from its existing more sustainable location in Clitheroe. It was stated in the pre-application response that this question of sustainability would be an important consideration in the determination of any formal planning application for such a mixed-use residential/commercial redevelopment of the site. This current application, however, for just three dwellings, would clearly generate significantly less vehicle movement than either its existing authorised use or any alternative commercial use. Therefore, purely in relation to the consideration of sustainability, the proposal, in my opinion, satisfies the overriding requirement of NPPF.

More specifically in NPPF, paragraph 55 states that "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Eg, where there are groups of smaller settlements, developments in one village may support the services in a village nearby. Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as ...". One of the stated special circumstances is "where the development would reuse redundant or disused buildings and lead to an enhancement to the immediate setting". For reasons that will be amplified in this report, I consider this application to satisfy the requirements of paragraph 55.

Continued.....

Paragraph 55 therefore supports the reuse of existing buildings in isolated rural locations for residential use without any precondition that these should be made available in the first instance for commercial use. This therefore brings the relevance of saved Local Plan Policy

EMP11 into question. Notwithstanding this, the property has been marketed for nearly two years with no serious expressions of interest or offers for any use whatsoever, commercial or residential. In any event (as previously stated) a commercial use could be considered to be inappropriate for sustainability reasons. Nevertheless, if EMP 11 is to be considered, it has, in my opinion, been satisfied by the marketing that has been carried out.

The next consideration relates to the effects of the proposal on the existing building and whether or not the existing building represents a non-designated heritage asset. A Heritage Statement has been submitted with the application which details the history of the building as summarised below:

1. The building appears on an 1847 map as 'Moor Cock'. It was used initially for farming purposes.
2. A picture taken around 1925 shows the building having rendered elevations with stone quoins. It has a door and windows in the right hand side of the south elevation with no fenestration in the other half of that elevation indicating that it had originally been a farmhouse with an attached agricultural building. The photograph, however, also shows the words 'Moorcock Inn' indicating its change of use by that date to a public house.
3. The building grew rapidly between 1924 and 1940 and there is a 1933 date plaque on the front elevation. By this time mock Tudor timbers had been added to the elevations of the building.
4. The building appeared to remain in this style for many years until later extensions were built at the rear with similar but inferior details. At a similar time (ie probably the mid 1960s) a dance floor area was formed with a large flat roofed area above.
5. In the 1970s a fire gutted large areas of the first floor and damaged considerable parts of the ground floor of the building. Large areas of the building were rebuilt following this and the majority of the fabric of the building was rebuilt or altered.
6. Walls within the original farmhouse and Inn have been altered and removed over many years. The internal areas have been re-sculptured and remodelled and very little of the original fabric remains.
7. A picture taken following the rebuilding after the fire shows that the pattern of the timber detailing has been changed and the main roof had also been altered considerably. The entire first floor and roof areas shown on the south elevation have been rebuilt.

The proposed development retains the best (the original parts) of the existing building. The pitched roofs are to be stripped back and re-clad with natural blue slates. The render and timber panelling of the existing external walls would be taken down and rebuilt, re-rendered and painted. In order to break up the appearance of the external elevation, a new random stone-faced section of wall would be constructed from external ground level up to ground floor window sill height. The fenestration would comprise timber casement windows and door openings that would be within stone surrounds. The proposal also incorporates the insertion of several roof lights, all of which would be of the conservation type with centrally fixed glazing bars.

Due to very little of the original building remaining, I do not consider that the proposal could be regarded as detracting from a non-designated heritage asset. On the contrary, the proposal would remove the worst of the additions and alterations and would enhance the appearance of the best part of the building that is to be retained.

The proposal also satisfies Policy H2 that allows the appropriate conversion of buildings outside settlement boundaries into dwellings provided they are suitably located and their

PTO

form, bulk and general design are in-keeping with their surroundings; and that the buildings must also be structurally sound and capable of conversion without the need for complete or substantial reconstruction. The detailed requirements of the conversion policies H15, H16 and H17 are also satisfied, in my opinion.

In relation to the wider visual amenity implications, I consider that this proposal (especially through the removal of the unattractive recent additions at the rear of the building) will enhance the appearance and character of the AONB in accordance with Policy ENV1.

As a conversion that involves the formation of an additional two residential units (there is an existing manager's residence within the public house/hotel) there is no requirement under the document Addressing Housing Need in Ribble Valley for any of the units to be affordable.

There are no highway safety objections to the application (as it would result in less traffic and therefore highway safety improvements) and, although there are other dwellings in the locality, none are close enough such that the proposal would have any detrimental effects upon the amenities of their occupiers. Again, the opposite is probably true in that the less intensive use of the site for three dwellings would probably improve the amenities of nearby residents.

The concerns (not objections) expressed by a nearby landowner in relation to problems with the existing septic tank and the possibility of pet dogs entering his field and harming his livestock, are private matters between the parties concerned and do not represent reasons for refusal of the planning application.

Overall, subject to appropriate conditions, I consider this proposal to be in accordance with the general sustainability requirements of NPPF and the requirements of the relevant saved Policies of the Local Plan. I consider that the proposal will result in benefits in relation to sustainability, visual amenity, the amenities of nearby residents and highway safety.

There is also a precedent in the Borough, at the De Tabley Arms in the open countryside outside Ribchester where permissions were granted in 2009 and 2010 for the conversion of a restaurant/public house business into private residential properties, with the scheme involving elements of demolition and new build (ie similar to this current application).

A Bat and Barn Owl Survey Report submitted with the application concludes that the proposed works could take place without adversely affecting bats or barn owls, subject to compliance with the mitigation measures outlined in the Report. This matter will be covered by an appropriate condition.

SUMMARY OF REASONS FOR APPROVAL:

The proposal represents an appropriate and sustainable alternative use for this building/site that would not have any seriously detrimental effects upon visual amenity, the amenities of nearby residents or highway safety.

RECOMMENDATION: That conditional planning permission be granted.

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

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Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2012/0356

DECISION DATE: 06 August 2012

DATE RECEIVED: 19/04/2012

APPLICANT:

Messrs. S&A Thornber
c/o Agent

AGENT:

Gary Hoerty Associates
6 - 8 Church Street
Clitheroe
Lancs
BB7 2DG

DEVELOPMENT PROPOSED: Proposed conversion and redevelopment of a redundant Public House and Hotel with conference facilities, into three private residential properties.

AT: The Moorcock Inn Slaidburn Road Waddington Lancashire

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990

2. The permission shall relate to the development as shown on Drawing Numbers Tho/1901/1371/02, 03 & 04.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

3. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. The annex accommodation above the detached garages shall only be occupied as ancillary accommodation in conjunction with the dwelling to which it is related and shall not be used as a separate unit.

Reasons: In order to comply with Policies G1 and H9 of the Ribble Valley Districtwide Local Plan as the occupation of these annexes as separate residential units could be injurious to the amenities of the neighbouring occupiers and to the character of the area and would require further consideration by the Local Planning Authority.

P.T.O.

5. A detailed scheme of boundary treatment for the external boundaries of the site and the individual curtilages of the three dwellings shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be fully implemented in accordance with the approved details prior to the first occupation of any of the dwellings hereby permitted, and thereafter shall be permanently maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of visual amenity and to provide a satisfactory level of amenity for the future occupiers of the three dwellings in accordance with the requirements of Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan.

6. Details of a pedestrian footway along the front of the south elevation of the building (or details of a surface treatment that differs from that of the adjoining access road) shall be submitted to and approved in writing by the Local Planning Authority. The footway shall be formed or the surface shall be laid in accordance with the approved details prior to the first occupation of any of the dwellings hereby permitted, and thereafter shall be permanently maintained in the satisfaction of the Local Planning Authority.

Reason: In the interests of pedestrian/highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in strict accordance with the recommendations of the Bat and Barn Owl Survey Report dated 12 March 2012 that was submitted with the application.

Reason: To comply with policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan ensuring that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed.

8. Prior to the commencement of development, a detailed scheme for the disposal of foul and surface waters shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed and completed in accordance with the approved details prior to the first occupation of any of the dwellings hereby permitted.

Reason: To ensure a satisfactory means of drainage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

Relevant planning policy

Policy G1 - Development Control
Policy G5 - Settlement Strategy
Policy ENV1 - Area of Outstanding Natural Beauty
Policy H2 - Dwellings in the Open Countryside
Policy H15 - Building Conversions - Location
Policy H16 - Building Conversions - Building to be Converted
Policy H17 - Building Conversions - Design Matters
Policy EMP11 - Loss of Employment Land
National Planning Policy Framework (NPPF)

Summary of reasons for approval

The proposal represents an appropriate and sustainable alternative use for this building/site that would not have any seriously detrimental effects upon visual amenity, the amenities of nearby residents or highway safety. P.T.O.

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.

JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

Ribble Valley Borough Council

DELEGATED ITEM FILE REPORT - APPROVAL

Ref: CS/EL

Application No:	3/2014/1119/P
Development Proposed:	Proposed demolition of the Moorcock Inn and the erection of one dwellinghouse including associated drive, garden and external landscaping works at the Moorcock Inn, Slaidburn Road, Waddington

CONSULTATIONS: Parish/Town Council

Parish Council - No representations have been received in respect of this application (but, in relation to previous application 3/2014/0592/P, for the erection of 7 dwellings on the site, the Parish Council expressed no objections).

CONSULTATIONS: Highway/Water Authority/Other Bodies

Environment Directorate (County Surveyor) – Comments that the proposed demolition of the public house and erection of one dwelling would result in a significant reduction in terms of the vehicular movement as well as pedestrian movement. This situation is considered to be an improvement in terms of highway use.

During demolition and construction works, there would be several delivery vehicles, skips, contractors vehicles, construction machinery etc visiting the site on a regular basis. All such vehicles should be placed in such a way that they do not affect the adjacent highway.

Overall, there is no objection to the proposed development on highway grounds.

Environment Directorate (County Archaeologist) – Their comments remain as they were for the previous application 3/2014/0592, namely that 'LCAS has no objection to the proposed demolition, nor does it consider it necessary to require the applicant to undertake any archaeological recording of the buildings'.

Forest of Bowland Principal AONB Officer – Comments that his observations remain the same as those made in respect of application 3/2014/0592/P. In respect of that previous application, the AONB Officer commented that 'the removal of the Moorcock Inn and its car park together with the reinstatement of previously lost landscape fabric are clear, positive outcomes of the proposed scheme'. He stated, however, that two detailed aspects of the landscaping elements of the previous proposal needed to be amended. Those points were satisfactorily addressed on an amended landscaping scheme that was submitted to address the points made by the AONB Officer. With those changes having been made, the AONB Officer was of the opinion that the likely landscape and visual effects of the proposed scheme would be acceptable in landscape terms and that the purposes of AONB designation would not be compromised.

The AONB Officer has no further comments to make in respect of this current application.

CONSULTATIONS: Additional Representations.

A letter has been received from a nearby resident who confirms that he has **no objection** to the application. He would, however, object if the application was used as a stepping stone towards a further application for multiple dwellings across the site. As the Council has

rejected previous applications for multiple dwellings on the grounds of sustainability, suitability and precedent (a view that he entirely supports) it would be wrong if this current application was to allow further attempts to build a small hamlet in this remote elevated position outside the curtilage of the village.

A letter has been received from the Moorcock Gun Club who request that the developer be informed that clay pigeon shoots take place in the vicinity of this site on Sunday mornings between 10am and 12 noon.

RELEVANT POLICIES:

The Ribble Valley Core Strategy (Adopted Version)

Key Statement DS1 – Development Strategy.

Key Statement DS2 – Presumption in Favour of Sustainable Development.

Key Statement EN2 – Landscape.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement EN5 – Heritage Assets.

Key Statement DM12 – Transport Considerations.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport and Mobility.

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection and Conservation.

Policy DME4 – Protecting Heritage Assets.

Policy DMH3 – Dwellings in the Open Countryside and AONB.

National Planning Policy Framework (NPPF).

National Planning Policy Guidance (NPPG).

COMMENTS/ENVIRONMENTAL/AONB/HUMAN RIGHTS ISSUES/RECOMMENDATION:

The application relates to the former Moorcock Inn Public House and Hotel that is located on the northwest side of Slaidburn Road within the Area of Outstanding Natural Beauty approximately 2 miles north of Waddington Village. The buildings have not been in use since the business was ceased in the summer of 2010. The application site comprises the area upon which the buildings stand plus the large car park which, together, give a total area of approximately 1.8 acres. There are two dwellings relatively close to the application site, one to the west and one to the southwest, otherwise there are few other buildings or properties within approximately 500m of the site.

In the determination of this application I consider it appropriate to look briefly at the recent planning history of the site and then to consider whether the proposal is acceptable in principle in relation to the sustainability requirements of NPPF and compliance or otherwise with the relevant policies of the adopted Core Strategy.

Permission was granted in August 2012 for the conversion and redevelopment of the public house to provide 3 residential dwellings (3/2012/0356/P). That approved development involved the demolition of the inappropriate recent extensions to the building and the retention and enhancement of the older and more important parts of the building in order to form 3 dwellings. The site of that application did not include the existing car park. No works have been carried out in respect of the implementation of this permission, but it will remain extant until 6 August 2015.

Permission was then sought for the total demolition of the existing buildings and the erection

on a larger site (including the car park) of 3 large detached dwellings (3/2012/0819/P). As this was still for a development of 3 dwellings, it was considered that, purely in relation to sustainability, it would satisfy the overriding requirements of NPPF.

It was, however, considered that, by virtue of their size, the dwellings were not intended to meet a proven local need and the development was therefore contrary to saved Policy H2 of the local plan and Policy DMH3 of the Core Strategy; that the demolition of a non-designated heritage asset was contrary to the intentions of conserving the historic environment as contained in Section 12 of NPPF; and that the group of 3 dwellings by virtue of their size and height and the extent of their curtilages would form a development not typical of the locality that would appear as an incongruous development detracting from the appearance and character of the AONB contrary to saved Policies G1 and ENV1 of the Local Plan and Policies DMG1, DMG2 and DME2 of the emerging Core Strategy. Permission was therefore refused for those reasons.

A further application for the demolition of the existing building and the erection of 3 large detached dwellings (3/2013/0394/P) sought to overcome the objections to the previously refused application. As this intention appeared to be failing, that application was withdrawn by the applicants.

The final previous application (3/2014/0592/P) also sought to address the reasons for refusal of 3/2012/0819/P. It was recognised in this most recent application that, in visual terms, three large detached dwellings would not be appropriate for this prominent and isolated location in the AONB. The application therefore details seven dwellings of more appropriate design and scale including two larger detached dwellings on the western part of the site and five small dwellings arranged around a courtyard on the eastern part of the site.

Application 3/2014/0592/P was the subject of a report to the meeting of Planning and Development Committee on 16 October 2014. The report firstly considered whether the development of seven houses on this site was acceptable in principle and then considered the detailed considerations of visual amenity, residential amenity and highway safety.

In terms of visual amenity, the design, scale, location, external materials etc of the proposed drawings, and the matters of tree retention/protection and landscaping had all been formulated with appropriate input from the relevant officers of the Council and also the Forest of Bowland Principal AONB Officer. As a result, purely in relation to its effects upon the appearance and character of the AONB, the proposal was considered by the officers to be acceptable. There were also not considered to be any detrimental effects in relation to highway safety or the amenities of the limited number of nearby residents.

The report considered the sustainability of the proposal in relation to the three roles of economic, social and environmental; and it was concluded that there would be some 'gains' (eg fewer vehicle movements) but some 'losses'.

However, it is stated at paragraph 12 of NPPF that 'NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date local plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise'. However, irrespective of the high quality of the design of the proposed development, or the debate on sustainability, the fact remained that a development of seven dwellings in this rural location some distance outside the nearest settlements would be contrary to the development strategy defined by Key Statement DS1 of the (then emerging) Core Strategy that was considered to carry substantial weight.

It was therefore considered in relation to that previous application that the proposal to provide seven dwellings in this isolated open countryside location would be contrary to and would be harmful to the Council's development strategy. It was also considered that a permission for the development would create a precedent for the acceptance of other similar applications for isolated dwellings which would be further prejudicial to the implementation of the (then emerging) Core Strategy policies. Application 3/2014/0592/P was therefore refused by Committee, in accordance with the officer's recommendation, for the following reasons:

1. The proposed development is contrary to Key Statement DS1 and Policy DMG2 and DMH3 of the Ribble Valley Core Strategy submission version as proposed to be modified as it would involve the construction of 7 dwellings in an isolated open countryside location that do not meet an identified local need. As such, the proposal would cause harm to the Development Strategy for the Borough as set out in the emerging Core Strategy leading to unsustainable development.
2. Permission for the proposed development would create a harmful precedent for the acceptance of other similar proposals without sufficient justification which would have an adverse impact on the implementation of the emerging planning policies of the Council contrary to the interests of the proper planning of the area in accordance with the core principles and policies of the NPPF.

Following this refusal relating to the erection of seven dwellings on the site, the applicant and his agent wished to find an alternative solution to securing planning permission to develop the site which is still unoccupied and derelict. A pre-application enquiry was therefore submitted which proposed an alternative scheme to demolish the Moorcock Inn and to erect a single dwellinghouse. It was accepted by the officers at pre-application stage that the proposed dwelling would need to be of a scale appropriate to the large size of the site and to ensure that the development would provide the required standard of accommodation and that it would be an economically viable build. It was also generally accepted that a similar design approach to the refused scheme would be appropriate in terms of breaking the proposed dwelling into a variety of building types. Specifically, there would be the main house, a granary type building that would contain a three car garage with a games room at first floor level, a stable block for three horses and a barn type building that would house a swimming pool with an exercise room at first floor level. In common with the previous application, the buildings would be set around a courtyard. All walls would be built of natural reclaimed stone with quoins and dressed stone surrounds and the roofs would be natural slate.

The applicants/agents have also liaised closely with one of the Council's Countryside Officers in drawing up the tree protection and landscaping scheme for the site.

This formal planning application has taken account of the pre-application advice that was given and has drawn upon the positive/acceptable elements of the previous scheme. As a result, it is considered that the submitted scheme is entirely appropriate and acceptable with regards to its effects upon the appearance and character of the AONB.

As with the previous scheme, there would be no detrimental effects in relation to the amenities of nearby residents or highway safety.

The application, however, being for just one dwelling, has also satisfied the 'policy' related reasons for refusal of the most recent previous application. It is considered, accordingly, that permission can be granted subject to appropriate conditions.

RECOMMENDATION: That conditional planning permission be granted.

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

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Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2014/1119

DECISION DATE: 14 May 2015

DATE RECEIVED: 17/12/2014

APPLICANT:

Messrs S and A Thorner
c/o Agent

AGENT:

Mr Stuart Herd
Sunderland Peacock and Ass Ltd
Hazelmere
Pimlico Road
Clitheroe
BB7 2AG

DEVELOPMENT PROPOSED: Proposed demolition of The Moorcock Inn and the erection of one dwelling house including associated drive, garden and external landscaping works.

AT: The Moorcock Inn Slaidburn Road Waddington BB7 3AA

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990

2. This permission shall relate to the proposed development as shown on Drawing Numbers 4512-01-01B, 02, 03, 04, 05, 06 & 685.3A

REASON: For the avoidance of doubt and to ensure compliance with the submitted plans.

P.T.O.

APPLICATION NO. 3/2014/1119

DECISION DATE: 14 May 2015

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) the routing and management of construction traffic;
 - ii) the parking of vehicles of site operatives and visitors;
 - iii) loading and unloading of plant and materials;
 - iv) storage of plant and materials used in constructing the development;
 - v) the erection and maintenance of security hoardings where appropriate;
 - vi) wheel cleaning facilities;
 - vii) measures to control the emission of dust and dirt during construction;
 - viii) details of noise reduction measures;
 - ix) a scheme of recycling/disposing of waste resulting from demolition and construction works;
 - x) the hours during which machinery may be operated, vehicles may enter and leave the site and works may be carried out on the site

REASON: In the interests of highway safety and the amenities of nearby residents and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version)

4. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in the interests of visual amenity and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

5. The Landscaping and Planting Proposals as shown on Drawing Number 685.3A shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of visual amenity and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

P.T.O.

6. The development shall be carried out in accordance with the Amendment to Arboricultural Impact Assessment (AIA) by Bowland Tree Consultancy Ltd dated October 2014 that was submitted with the application.

Prior to the commencement of any development works, including delivery of building materials and excavations for foundations or services, all existing trees identified for retention in the landscaping details required by condition No.7 of this outline permission shall be protected with a root protection area in accordance with the BS5837 [Trees in Relation to Construction]. Details of a tree protection monitoring schedule shall also be submitted to and agreed in writing by the Local Planning Authority before any site works are begun. The monitoring schedule shall then be implemented in accordance with the agreed details.

The root protection area shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble. During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone. In addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented without prior written permission of the Local Planning Authority, which will only be granted when the Authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and will be carried out by an approved arboricultural contractor.

REASON: In order to ensure that the trees within the site that are to be retained are afforded maximum physical protection from the adverse effects of development in order to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

7. Unless otherwise agreed in writing with the Local Planning Authority the development (including demolition works) shall be carried out in strict accordance with the recommendations of the Bat Survey Reports dated 14 June 2014 and 21/22 August 2014 (document reference 4512) that were submitted with the application.

REASON: To ensure that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed, or harmed, and in order to comply with the requirements of Policy DME3 of the Ribble Valley Core Strategy (Adopted Version).

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.

P.T.O.

3. The Local Planning Authority operates a pre-planning application advice service which applicants are

APPLICATION NO. 3/2014/1119

DECISION DATE: 14 May 2015

encouraged to use. This was used in this case and the Local Planning Authority has worked proactively and positively to resolve issues and brought about amendments to the scheme in order to deliver a sustainable form of development .

JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

**RIBBLE VALLEY BOROUGH COUNCIL
REPORT TO PLANNING AND DEVELOPMENT COMMITTEE**

Agenda Item No

meeting date: THURSDAY, 18 SEPTEMBER 2014
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2014/0583/P (GRID REF: SD 380534 445807)
PROPOSED CHANGE OF USE TO RESIDENTIAL; DEMOLITION OF EXISTING TIMBER
FRAME REAR EXTENSION; NEW SINGLE STOREY REAR EXTENSION IN MATERIALS
MATCHING EXISTING BUILDING; AND NEW FIRST FLOOR SIDE EXTENSION IN
MATERIALS MATCHING EXISTING BUILDING AT THE BLACK BULL HOTEL, RIMINGTON
LANE, RIMINGTON BB7 4DS

PARISH COUNCIL: Has commented on the application as follows:

The Parish Council believes that many of the statements made in this application are open to challenge, not least the conclusion that a viable public house business would be unlikely to operate successfully on this site, which is surely a matter of opinion. The Parish Council believe that much of the case made for the application is based on the perceptions of the owners and which the Council do regard as invariably accurate. E.g., it is not beyond reasonable doubt that a public house or any other similar venture could succeed on this site. That would depend entirely on the business plan, determination and competence of new owners. There has been no opportunity to test factually the viability of an establishment reduced in size (as approved by the current permission) and with a significantly reduced business rate. The impact of the change of use of more than half the premises to residential should also be considered in any decision.

During the moratorium and immediately prior to it the owner stated in public that while the Pub was up for sale he would not be making any serious attempt at advertising it, as he regarded this as a waste of money. This attitude renders much of his argued case irrelevant. His claims about licensees, with the exception of the period in which his partner operated as landlady are seriously open to challenge.

Having indicated that the P C do not agree with the case as argued, IF the Pub is finished then they do approve of the development as planned, agreeing with the owners that the provision of this kind of accommodation would be advantageous to the village.

They have two concerns in supporting this application:-

1. The Parish Council are extremely disappointed at the loss of the pub, recognised throughout the Parish by everyone to whom the Parish Council has spoken as an important community asset. They are anxious that this fact must not be overlooked.
2. The last planning application considered and to which the Parish Council raised no objections was for four modestly sized developments on the site next to the Old Manor House. After outline planning was approved by R V B C and The Parish Council this was changed to one much larger and much more expensive development, to which the Parish Council did object. The Parish Council wish to underline their view that development of the Black Bull site into four relatively affordable units is likely to bring younger people into the village improving the age balance. The Parish Council would be implacably opposed to a reduction in the number of units on this site, because they believe it imperative for the health of the community that there should be property available at the lower end of the housing ladder to balance very expensive recent developments.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

Comments that the existing retained gate should open the other way – that is inward away from Rimington Lane, but, otherwise he has no objections to the application subject to conditions relating to the satisfactory provision of parking spaces, a turning area and a visibility splay at the site entrance on to Rimington Lane.

ADDITIONAL
REPRESENTATIONS:

Two letters of support have been received from local residents. The comments made in those letters are summarised as follows:

1. There has been no offer of any kind from the parishioners of Rimington and Middop or elsewhere to continue the use of this building as a public house, despite it being registered recently as a community asset (now expired).
2. The last year that this establishment made any profit was apparently in 2006 and there have since been three failed attempts at continuing to run the establishment at a profit.
3. Since it closed in October 2013, the building has been subject to vandalism. If the building is left unoccupied it is likely that it will deteriorate further either by further vandalism or by general degradation over time. As it is located in the centre of the village close to well-maintained properties and a fashion retailers premises, this building should be redeveloped as soon as possible,

as proposed in this application, to avoid the centre of the village being marred by an empty redundant and vandalised public house.

4. A business woman in Rimington for many years considers the viability of a public house in the village to be doubtful. It would require the total support of the village and this has not been forthcoming in the past. A considerable capital investment would also be required in order to re-open the public house.

Twelve letters have been received from nearby residents who express objections to the application on grounds that are summarised as follows:

1. All reasonable efforts have not been made to secure a viable business on the site. There has never been a 'for sale' or 'for lease' sign displayed on the pub. A Google search for pubs for sale in this locality also does not reveal the Black Bull as a business that is for sale. The market should decide whether the Black Bull is viable or not but, for that to happen, the market should know that it is available.
2. This was a viable business prior to 2006 and for a couple running the business themselves and living and both working there it could be viable again. The fact that it has not been run as a viable business since 2006 does not mean that there is no prospects of it again being so. The 'high end' French cuisine venture was entirely inappropriate for what had been a rural village pub.
3. Planning permission has been granted for a smaller pub but this has never been implemented and so this option has never been tried.
4. Whilst pubs are suffering nationwide there are numerous pubs/restaurants in this locality that are booking this trend.
5. With regards to the proposed four flats, more than two parking spaces per flat would be needed as each adult would be likely to have their own car and there would also need to be provision for visitor parking.
6. It cannot realistically be claimed that the proposed flats would provide 'vitality' when their provision would mean that a vital part of the village would be lost for ever.
7. Would the flats be 'affordable' in terms of policy, or would they just be more affordable than larger properties.
8. With regards to Key Statements EC1 and EC2 of the emerging Core Strategy, once the conversion and extension works have been carried out, the flats would not result in much economic activity, unless they were to be dual use, which does not appear to be part of the proposal. The proposal would therefore result in the end

- of the economic use of the site. Sufficiently robust evidence has not been provided that community facilities are not viable on this site.
9. Other commercial uses such as pub plus shop or pub plus conference facility, do not appear to have been considered.
 10. Leaving windows unrepaired following vandalism in order to evidence that the pub is falling into disrepair is disappointing.
 11. The threshold for showing that the Black Bull is no longer viable has not yet been met.
 12. Prefer conversion to 2 semi detached units.
 13. Groups have attempted to use the facility but considered 'unwanted' by the publican.
 14. A footpath runs across the front of the property and through a stile in the side boundary wall. The route of this would be blocked by the proposed front boundary wall.

Proposal

The application seeks full planning permission for the change of use and conversion of the Black Bull Public House in Rimington to form 1 No 3 bedroom flat and 3 No two bedroom flats. The 3 bed unit would be on the first floor but with 2 of its bedrooms provided at second floor level within the roof space. The submitted scheme involves the demolition of the existing single storey wooden structure at the rear of the building and the construction of 2 No single storey extensions at the rear and an extension at first floor level above an existing single storey extension at the eastern side elevation of the building. All three extensions would have pitched roofs and would be constructed using external materials to match the existing building.

At the rear of the building there would be a grassed garden area beyond which a parking area for 8 vehicles (2 for each flat) and associated manoeuvring area would be formed. The parking/manoeuvring area would be accessed by the existing gated driveway that runs down the western side of the building.

At the front of the building the existing hard surfaced forecourt area would become a grassed area with appropriate pathways leading to the entrance doors to the flats. This grassed area would be surrounded by a 0.6m high stone wall, but the route of the public footpath would not be blocked.

Site Location

The application relates to the presently vacant Black Bull Public House on the north side of Rimington Lane within the settlement boundary of Rimington (a Tier 2 Settlement in the emerging Core Strategy). The site is adjoined to the west by a fashion retailers premises; to the east by residential properties, and to the north by a dwelling in Back Lane. There are open fields and residential properties to the south of the site on the opposite side of Rimington Lane.

Relevant History

3/1989/0309/P – Change of use from Public House/Hotel to private dwelling. Approved subject to a condition requiring precise details of the conversion works to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

3/2013/0597/P – Proposed demolition of existing timber structure and construction of 2 extensions together with the internal reduction in the size of the public house by the conversion of part of the floor space to form a single residential unit. Approved subject to conditions.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Policy H15 - Building Conversions - Location.

Policy H16 - Building Conversions - Building to be Converted.

Policy H17 - Building Conversions - Design Matters.

The Core Strategy Submission version as proposed to be modified

Key Statement DS1 – Development Strategy.

Key Statement EC1 – Business and Employment Development.

Key Statement EC2 – Development of Retail, Shops and Community Facilities and Services.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMH4 – The Conversion of Barns and other Rural Buildings to Dwellings.

National Planning Policy Framework (NPPF).

National Planning Policy Guidance (NPPG).

Environmental, AONB, Human Rights and Other Issues

With regards to the principle of the proposed development, there are two linked matters that need to be addressed. The first relates to the question of whether the use of this building as a public house is any long viable; and the second is whether the proposed alternative use is compliant with the relevant current policies and guidance. If the proposed development is considered to be acceptable in relation to these considerations, it would then be necessary to examine the application in relation to the potential effects upon the appearance and character of the locality, the amenities of nearby residents and highway safety. It is also considered appropriate in this case, to consider the application within the context of the planning history of the site. These matters will therefore all be covered below under appropriate sub-headings.

Planning History

In 1989 permission was granted for the conversion of this public house into one dwelling subject to a single condition that "prior to commencements of works, precise details of the works shall be submitted to and approved in writing by the Local Planning Authority" (3/1989/0309/P). In the event, it appears that no conversion details were ever submitted, the application was not therefore implemented and would have lapsed in April 1994. That permission was obviously granted at a time when different policies were applicable and, as such, is of limited relevance to the Committee's consideration of this current application.

More recently, permission was sought for a scheme that involved the retention of the public house/restaurant (but occupying only part of the existing floor space) with rest of the floor space converted to form a self-contained 3 bedroomed dwelling (3/2013/0597/P). The scheme proposed in that previous application involved the demolition of the existing timber structure at the rear of the building and its replacement within the existing footprint by a purpose designed dining area extension.

A Design and Planning Statement (DPS) was submitted with that previous application. Within the DPS there were financial details relating to the operation of a public house over recent years by a number of different tenants. The conclusions put forward in the previous DPS were that:

- the costs of the building (rates, rent and utility) were too high for the level of business that could be generated;
- some parts of the building were not sufficiently attractive (eg the function room) to be fully utilized and were at the end of their useful life;
- that a viable business could only be created by upgrading the current building, improving usability and attractiveness and delivering a reduction in fixed overheads.

It was therefore stated in the previous DPS that the current owners of the building were prepared to make the capital investment required to upgrade the building provided that there was a prospect of a reasonable financial return on that investment. Without such a scheme they considered it very likely that the Black Bull would have to close again and that it would be difficult to imagine that it would ever reopen as a public house and restaurant. It was therefore explained in the DPS that the objective of that previous planning application was to secure a viable public house/restaurant business on the site and that the creation of a separate residential development as an integral part of the application as this was considered to be required in order to fund the overall scheme.

In respect of application 3/2013/0597/P, permission was granted on 15 November 2013 subject to a number of conditions. No works have been carried out in respect of the implementation of that planning permission, but it is an extant permission that will not expire until 15 November 2016.

Viability of the Business

In Supporting Documentation (SD) submitted with the application, the applicant has outlined the recent trading history of the premises. This is summarised as follows:

1. The last period in which a "stable" business traded at the Black Bull was from the late 1990's until 2006. In 2006 the property changed ownership as a viable business for approximately £750,000.
2. Between 2006 and 2008 the business went into a steady decline until it closed in late 2008. It began this period trading as a public house with food, the provision of food was stopped during 2008 and it traded as a local public house until its closure. The building was repossessed by creditors and was put up for sale for £350,000 and was bought by the current owners in August 2009 for £320,000.

3. Between 2009 and 2011 the current owners renovated the property investing approximately £80,000 into the enterprise and reopened as a country pub and restaurant in December 2009. Accounts are provided for the period December 2009 to May 2011 which show that the business made a loss throughout this period. Evidence is provided that throughout this period a considerable amount of money was invested in advertising and promotional events and in 2010 the pub won Lancashire's Dining Pub of the Year and began to offer accommodation. After a period of initial progress in terms of improving financial performance the trend reversed and the business was closed in July 2011 in order to stem financial losses and avoid insolvency.
4. In 2011-2012, the business was put up for sale. Prior to its closure an attempt to engage the community in a community enterprise was made. During the period there were a number of informal discussions with representatives of the community but no progress beyond this. Between June 2011 and April 2012 there were just two viewings of the property; one of which resulted in the building being leased. There were no offers to buy the business despite a reduction in price of £100,000 from the initial valuation.
5. The Black Bull was reopened in May 2013 trading as a public house and restaurant. Within 3 months this new business was in difficulty. In July 2013 the landlady who was leasing the property stopped paying the rent and in October 2013, vacated the premises removing the fixtures and fittings that were required to run the business therefore leaving an empty building.
6. In early 2013 the Black Bull was designated as an Asset of Community Value. In December 2013 following the third closure in five years, the owners served notice under the provisions of the Asset of Community Value scheme but their intention to dispose of the Black Bull. The Borough Council informed the Parish Council and the moratorium period began. A public meeting of the Parish Council in January 2014 the decision was taken to request the moratorium period be extended even though there was no eligible community group which wanted to put forward a bid. At this meeting the owners offered the community, in addition to their right to a moratorium period to prepare and present a proposal to purchase the property "as is", three other alternative options: (1) purchase a smaller public house following the completion of the approved scheme; (2) lease the property on the terms of the existing lease; (3) lease the smaller public house following the completion of the approved scheme. A number of public meetings took place between 9 January and April 2014 which concluded that, whilst there was general support for a public house in the village, there was little support for a Community Enterprise to take forward either the community right to bid or any other scheme.

From the submitted evidence it appears clear that the business has not been viable in recent years. The local community has had the opportunity to continue the operation of a business from the property, but has not taken up this opportunity. Evidence has been provided that the business has been marketed by "EM and F Group Business Sales" during 2011 to 2012. It is stated, and evidence is provided, that the business was advertised on websites, particulars were produced and a for sale sign was erected. It is stated that the business was initially valued at £500,000 but the initial asking price was reduced to £400,000 with offers invited. This did not result in any offers to buy. Overall, it appears that, despite appropriate advertising, no interest has been shown by any group, individual or company. I therefore consider it reasonable to conclude that the business is no longer viable, and do not consider that there would be any benefit in requiring the applicant to carry out any further advertising and marketing of the property.

In the next section of this report I will therefore assess the application against the relevant policies and guidance on the basis that there is no longer a business operating from the site, and that, despite all the reasonable efforts over a number of years, it appears unlikely that it will be used again as a public house/restaurant.

The Acceptability of the Proposed Alternative Use

Saved Policy G4 of the Local Plan allows a number of specified forms of development in villages (including Rimington) that includes the rehabilitation and re-use of rural buildings. Although more frequently applied to agricultural buildings such as barns, this policy is applicable to other buildings within the villages. Purely as a matter of principle, I consider that this application complies with Policy G4.

Perhaps more relevant, however, are the requirements of NPPF and the relevant policies of the emerging Core Strategy.

In NPPF, paragraph 28 (Supporting a Prosperous Rural Economy) states that LPA's should "promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship". At paragraph 70 (Promoting Healthy Communities) it is stated that, to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should (amongst other things) "ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community".

The Council fully supports these intentions of NPPF but, in this particular case, in order for the facility to be retained, there has to be a body (such as the local community) individual or company who would operate the business on a financially viable basis. Previous attempts at achieving this objective have failed and, despite considerable efforts, no-one has come forward to purchase the property.

Within Key Statement DS1 (Development Strategy) Rimington is a tier 2 settlement where any future development will only be for identified local needs or delivering regeneration benefits. If this application was for new-build development, I consider that it would be contrary to the intentions of Policy DS1. It is, however, for a conversion and, in my opinion, requires consideration in relation to Policy DMH4. This policy allows the conversion of barns and other buildings to dwellings subject to compliance with a number of criteria, one of which is that "there would be no detrimental effect on the rural economy". As stated previously, in the precise circumstances of this application, the proposed conversion would not have a detrimental effect on the local economy. When compared to an empty building, the proposed occupation of four flats would have a marginal benefit to the local economy.

Within Key Statement EC1 (Business and Employment Development) it is stated that "proposals that result in the loss of existing employment sites to other forms of development will need to demonstrate that there will be no adverse impact on the local economy". This requirement has already been covered in this report.

In Key Statement EC2 (Development of Retail, Shops and Community Facilities and Services) it is stated that "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". In this case, the marketing of the building has not been

restricted to its use as a public house/restaurant, but no interest has been forthcoming from anyone interested in setting up an alternative business venture such as retail. In my opinion, this indicates that there is no belief that a retail outlet in Rimington would be viable.

Policy DMB1 states that "proposals for the development, redevelopment or conversion of sites with employment generating potential in the plan area for alternative uses will be assessed in relation to a number of criteria. These include the environmental benefits to be gained by the community; the economic and social impact caused by the loss of employment opportunities to the borough; and consideration of any attempts that have been made to secure an alternative employment generating use for the site and proof that the property/business has been marketed for business use for a minimum period of 6 months, or information that demonstrates to the Council's satisfaction that the current use is not viable for employment purposes. It is considered that bringing this building back into use would result in some environmental benefits to the local community; and that the economic and social impact caused by the loss of the "relatively limited" employment opportunities would be minimal. This property has been marketed, and unsuccessful attempts have been made to keep it in business use for a considerably longer period than 6 months.

I consider that the proposal satisfies the requirements of all the Key Statements and Policies of the emerging Core Strategy as described above; and is generally in compliance with the sustainability requirements of NPPF.

This leads me to conclude that the only alternative use of this building is conversion to residential. As a conversion, there is no overriding policy requirement for the residential units to be "affordable". The Parish Council has commented that ("if the pub is finished") then they do approve of the development as proposed, agreeing with the owners that the provision of this type of accommodation would be advantageous to the village. The Parish Council adds that the development of the site to provide four relatively affordable units is likely to bring younger people into the village improving the age balance. They also comment that they would be strongly opposed to any reduction in the number of units on the site as they believe it to be imperative for the health of the community that there should be properties available at the lower end of the housing ladder to balance very expensive recent developments.

In relation to this particular consideration I concur with the Parish Council that the proposed development of four "market" smaller properties as proposed is the most appropriate and sustainable alternative use for the building.

Effects Upon the Appearance and Character of the Locality

In visual terms, the proposed scheme of conversion and extensions is very similar to the previously approved scheme for the retention of a smaller public house and creation of one residential unit (3/2013/0597/P). As such, I consider the proposed development to be acceptable in this particular regard.

Effects Upon the Amenities of Nearby Residents

With regards to the general matter of noise and activity, the use of the building as four flats would, in my opinion, have considerably less of an impact upon the amenities of nearby residents than its use as a public house/restaurant.

The proposed extensions are similar to those previously approved and would not, in my opinion, have any seriously detrimental effects upon the amenities of any nearby residents in respect of any loss of light, loss of privacy or any overbearing effects.

Effects Upon Highway Safety

Subject to appropriate conditions, the County Surveyor has no objections to the proposed access, parking and turning arrangements; and the traffic associated with four relatively small dwellings would have considerably less of an impact upon the local highway network than a public house/restaurant.

Protected Species Legislation

A bat survey report submitted with the application concludes that "the proposed development is unlikely to cause disturbance to bats or result in the loss of a bat roost or cause injury or death of a European Protected Species (Bats) or result in any significant impact on the local bat population. The scale of impact of the development at site level on local bat populations is likely to be negligible. An EPS development licence is not required and further survey effort is not recommended". A condition, however, is required in order to ensure compliance with appropriate mitigation measures in the event that bats are found during demolition and development works.

Conclusion

Overall, whilst it is obviously regrettable that a public house/restaurant in a village is to be lost, for the reasons explained in this report, it is considered that the proposal complies with all the relevant guidance and policies. It is considered that the proposed conversion to form four flats is the most appropriate and sustainable alternative use for this building.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with submitted drawing numbers AL(00)102 REV.D and 103 REV.C.

REASON: For the avoidance of doubt and to ensure compliance with the submitted plans.

3. Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out in strict accordance with the mitigation measures contained in the Protected Species Survey Report dated 30 May 2013 (Job reference 1319) that was submitted with the application.

REASON: To ensure that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed, or harmed, and in order to comply with the requirements of Policy

ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Core Strategy Submission Version as proposed to be modified.

4. Prior to the first occupation of any of the flats hereby permitted, the existing gate at the entrance into the site from Rimington Lane, shall be altered so that it opens inwards away from Rimington Lane. Thereafter the gate shall be retained in this manner in perpetuity.

REASON: In the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy submission version as proposed to be modified.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device that is in excess of 1m. high above adjoining carriageway level.

The visibility splay that is the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Rimington Lane to points measured 43m in each direction along the nearer edge of the carriageway of Rimington Lane, from the centre line of the access, and shall be constructed and maintained at footway/verge level in accordance with a scheme that has first been agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy submission version as proposed to be modified.

6. The car park shall be surfaced or paved and marked out in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The car parking spaces and manoeuvring areas shall be marked out in accordance with the approved scheme and shall be available for use, prior to the first occupation of any of the flats hereby permitted. Thereafter the access drive, parking and manoeuvring areas shall all be kept clear in perpetuity of any obstructions to their designated purpose.

REASON: In the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy submission version as proposed to be modified.

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

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Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2014/0583

DECISION DATE: 19 September 2014

DATE RECEIVED: 03/07/2014

APPLICANT:

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Northumberland
NE23 7RY

DEVELOPMENT PROPOSED: Change of use to residential. Demolition of existing timber frame rear extension. New single storey rear extension in materials matching existing building. New first floor side extension in materials matching existing building.

AT: Black Bull Hotel Rimington Lane Rimington BB7 4DS

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with submitted drawing numbers AL(00)102 REV.D and 103 REV.C.

REASON: For the avoidance of doubt and to ensure compliance with the submitted plans.

3. Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out in strict accordance with the mitigation measures contained in the Protected Species Survey Report dated 30 May 2013 (Job reference 1319) that was submitted with the application.

REASON: To ensure that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed, or harmed, and in order to comply with the requirements of Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Core Strategy Submission Version as proposed to be modified.

P.T.O.

4. Prior to the first occupation of any of the flats hereby permitted, the existing gate at the entrance into the site from Rimington Lane, shall be altered so that it opens inwards away from Rimington Lane. Thereafter the gate shall be retained in this manner in perpetuity.

REASON: In the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy submission version as proposed to be modified.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device that is in excess of 1m. high above adjoining carriageway level.

The visibility splay that is the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Rimington Lane to points measured 43m in each direction along the nearer edge of the carriageway of Rimington Lane, from the centre line of the access, and shall be constructed and maintained at footway/verge level in accordance with a scheme that has first been agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy submission version as proposed to be modified.

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.



JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

Fax: 01200 414488

Planning Fax: 01200 414487

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2009/0119

DECISION DATE: 24 June 2009

DATE RECEIVED: 29/04/2009

APPLICANT:

Mr P Ratcliffe
Ribbleside House
Salesbury Hall Road
Ribchester
Preston
PR3 3XU

AGENT:

Janet Dixon Town Planners Ltd
10A Whalley Road
CLITHEROE
BB7 1AW

DEVELOPMENT PROPOSED: Change of use of land and buildings from restaurant with manager's flat to 1 no. dwelling, and alterations to door and window openings.

AT: De Tabley Arms Ribchester Road Clayton-le-Dale Lancashire PR3 3ZQ

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. All doors and windows shall be in timber and retained as such in perpetuity.

Reason: To comply with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

3. There shall be no gateposts erected at the access to the site without prior written approval of the Local Planning Authority. Any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway and visibility splay fences or walls shall be erected from the gateposts to the existing highway boundary, such splays to be not less than 45o to the centre line of the access. The gates shall open away from the highway. Should the access remain ungated 45o splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway.

Reason: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan, to prevent the blocking of a public right of way and to permit vehicles to pull clear of the carriageway when entering the site and to assist visibility.

P.T.O.

4. The proposed development shall only be occupied as an extended family unit in conjunction with the property to which it is attached or related to and it shall not be used as a separate unit.

Reasons: In order to comply with Policies G1 and H9 of the Ribble Valley Districtwide Local Plan. The division of the dwelling into separately occupied units could be injurious to the amenities of the neighbouring occupiers and to the character of the area and would require further consideration by the Local Planning Authority.

5. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever possible the retention of existing trees, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

Reason: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwelling including any development within the curtilage as defined in Schedule 2 Part 1 Classes A to F shall not be carried out without the formal written consent of the Local Planning Authority.

Reason: In the interests of the amenity of the area in accordance with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) any future additional structures, hard standing or fences as defined in Schedule 2 Part I Classes E and F, and Part II Class A, shall not be carried out without the formal written consent of the Local Planning Authority.

Reason: In order that the Local Planning Authority shall retain effective control over the development in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and in the interests of safeguarding any adjacent residential amenity or visual amenity.

P.T.O.

8. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services all trees identified shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing, implemented in full and inspected by the local planning authority before any site works are begun.

The root protection zone shall be 12 x the DBH and must cover at least the entire branch spread of the trees, [the area of the root soil environment from the trunk to the edge of the branch spread] and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented with out prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

Reason: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development.

In order to comply with planning policies G1 and ENV3 of the District Wide Local Plan.

9. Within twelve months on completion of all services, buildings and roads the following remedial tree preservation work shall be implemented:

At 1m centres, in 1m concentric rings out from the bark, injections into the soil to a depth of 300mm shall be made over the entire root/crown zone using a Terravent Pneumatic Soil Decompactor.

Soil inoculation of the root/crown zone with a mixture of ecto and VAM mycorrhizae shall be carried out.

The surface area of the entire root/crown zone shall be mulched with a 150mm layer of organic matter i.e. composted green waste, leaf mould and/or chipped forest bark.

Reason: In order to relieve soil compaction in order to facilitate the percolation of moisture through to the root zone, increase stress, drought resistance and availability of nutrients and improve soil fertility and create conditions for healthier root system and to comply with planning policy Env 13.

Relevant planning policy

Policy G1 - Development Control

Policy G5 - Settlement Strategy

Policy ENV3 - Development in Open Countryside

Policy EMP11 - Loss of Employment Land

SPG - "The Retention of Public Houses in Rural Areas".

Summary of reasons for approval

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

p.t.o.

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
3. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath 40 in the parish of Ribchester runs through the site.
4. The River Ribble adjoining the site is designated a "Main River" and is therefore subject to Land Drainage Byelaws. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 meters of the top of any bank of the watercourse without prior Consent of the Environment Agency. Full details of such works, together with details of any proposed proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to us for consideration.
5. The Environment Agency has right of entry to the River Ribble by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. The developer must contact Colin Worswick at 01772 714259 to discuss access requirements or apply for Consent.
6. Any works to the watercourses within or adjacent to the site which involve infilling, diversion culverting or which may otherwise restrict flow, require the prior formal Consent of the Environment Agency under Section 23 of the Land Drainage Act 1991. Culverting other than for access purposes is unlikely to receive Consent within full mitigation for loss of food storage and habitats.

STEWART BAILEY
DIRECTOR OF DEVELOPMENT SERVICES

Ribble Valley Borough Council

DELEGATED ITEM FILE REPORT - APPROVAL

Ref: SW/EL

Application No:	3/2010/0202/P
Development Proposed:	Change of use and conversion of former De Tabley Arms (restaurant with managers accommodation) to six dwellings, including partial demolition of existing buildings, alterations, extensions and erection of new garages (resubmission of planning application 3/2009/0718/P) at former De Tabley, Ribchester Road, Clayton-le-Dale

CONSULTATIONS: Parish/Town Council

Parish Council - No comments received.

CONSULTATIONS: Highway/Water Authority/Other Bodies

Environment Directorate (County Surveyor) - No objections.

County Archaeology – No objections subject to imposition of conditions.

CONSULTATIONS: Additional Representations.

No representations have been received.

RELEVANT POLICIES:

Policy G1 - Development Control.
 Policy G5 - Settlement Strategy.
 Policy ENV3 - Development in Open Countryside.
 Policy H2 - Dwellings in the Open Countryside.
 Policy H12 - Curtilage Extensions.
 Policy H15 - Building Conversions - Location.
 Policy H16 - Building Conversions - Building to be Converted.
 Policy H17 - Building Conversions - Design Matters.
 Policy EMP11 - Loss of Employment Land.
 Affordable Housing of Memorandum of Understanding.
 L4 – Regional Housing Provision – Regional Spatial Strategy.
 L5 – Affordable Housing – Regional Spatial Strategy.
 PPS3 – Housing.

COMMENTS/ENVIRONMENTAL/AONB/HUMAN RIGHTS ISSUES/RECOMMENDATION:

This application details the proposed change of use of the former De Tabley Arms to six dwellings. The scheme involves the demolition of the enclosed terrace/balcony extension to the front of the main building and demolition of extensions that link the main roadside building to the barn to its rear. The latter would then become a free standing five bedroom dwelling with the main building converted to form five dwellings with internal alterations and rear extensions to accommodate the required living space.

Private garden areas would be formed to the rear of the main roadside building with the erection of new garages to serve the proposed dwellings with a new access track leading from the present car park around the rear of the dwellings to serve the garages. In total three detached garage blocks are shown to the rear of the site as follows.

The building to serve plot 5 would accommodate double garage and stable/tack room/store with approximate dimensions of 10.8m x 7m x 4.5m to the apex of its pitch. Plot 4 would have a single garage some 3.5m x 7m x 3.5m in height and plots 2 and 3 would share a double garage structure measuring approximately 7m x 7m x 4.5m in height. Construction materials for all these detached buildings would be natural stone walling under slate roofs with timber effect doors. Additional parking spaces would be provided for Units 2 to 5 to the north of the building on part of the former car park. Plots 1 and 6 would have their parking requirements served by the erection of a four bay garage type structure alongside these with approximate dimensions of 11.8m x 7m x 4.8m in height. The structure would have a green oak frame with weather boarding to the walls and timber garage doors with an eaves gap to the slate roof above.

The hard surfaced car park to the north of the site would be taken up and reinstated as either grass land or woodland tree planting.

The De Tabley is set to the east of Ribchester Road outside any defined settlement limit within land designated open countryside. To its north and south are dwellings, to its west the River Ribble and to its east, ie rear, a cricket field.

Matters for consideration are the principle of development, highway safety, visual and residential amenity.

Principle

In respect of principle this scheme is for the conversion of a building to provide a number of residential units. I am mindful of its commercial history but consent has been granted previously, although not implemented, for the change of use of the building to a single dwelling. Thus, I am of the opinion that in the first instance, the scheme should be assessed under Policy H16 which concerns itself with the conversion of rural buildings. I am satisfied that the scheme complies with the requirements of that saved plan policy. However, I am aware that as the scheme would provide an additional five dwellings over and above the existing manager's accommodation on site, regard should be had to more recent planning policy as expressed in PPS3, the RSS and the Affordable Housing Memorandum of Understanding which is a material planning consideration having regard to the relevant policies of the RSS and the Council's Strategic Housing Market Assessment.

The RSS supersedes the Districtwide Local Plan in that it provides more up to date policy in line with PPS3 which in turn sets out the underlying objectives of providing affordable housing and the approach to determining applications. Policies L4 and L5 of the RSS also set out the development plan policies to be considered in the determination of this application and their implementation is informed by the Affordable Housing Memorandum of Understanding. The Affordable Housing Memorandum of Understanding is based upon the evidence of the recently adopted Strategic Housing Market Assessment in arriving at the localised thresholds and has been the subject of extensive public consultation. It has been adopted by the Council as its affordable housing policy and adopted by Planning and Development Committee as a material consideration. In respect of this development, the threshold of development for requiring a quota of affordable housing is three dwellings or more and the Council would, under the terms of the Affordable Housing Memorandum of Understanding, seek 30% affordable units on site. The scheme in its submitted form does not provide any element of affordable provision. However, the applicant has, under this resubmission, provided information on the viability of the project to demonstrate that it would not be feasible to provide any affordable contribution. Officers of the Council have studied this information and concluded that on the basis of it there is no need to provide any affordable units in this particular instance.

Highway

With regard to highway safety the County Surveyor has commented that the use of the existing vehicular access for the six dwellings suggested would not have a detrimental impact on the existing local highway infrastructure or activity in the immediate vicinity of the site. For these reasons he raises no objection to the development.

Residential Amenity

Turning to potential impact on adjacent residential amenity the dwellings to the north and south of the site are set over 100m away in either direction. I am of the opinion that the conversion of the buildings on site to six units with associated garden areas and garage structures would not have an adverse impact on the amenities which those properties currently enjoy.

Other Considerations

The remaining consideration, therefore, is visual impact. Works to the front of the building, ie its roadside elevation, involve minor revisions to fenestration details and these are not considered to harm the character and appearance of the structure. The majority of alterations to the structure are to its rear and involve the demolition of sections that link the roadside building to the former barn to its rear and provision of projecting two storey gables and single storey lean-tos. In assessing these elements I am mindful of Policies H16 and H17 and, in this particular instance, do not consider that these additions would (when balanced against the miscellany of existing rear extensions) adversely affect the character or appearance of this building. With regard to the detached curtilage buildings, these are sited on land which could be argued to form part of the existing garden area to the De Tabley. The structures are sited so that they run roughly in a line with the eastern gable of the detached barn to be converted to a dwelling. They would be visible in the wider landscape area but, in their revised form, I do not consider that any significant detriment would be caused to the visual amenities of the area. A minor extension of the curtilage to the grounds is proposed in order to facilitate the creation of the rear access track to serve the garages and, again, having regard to the overall development I am of the opinion that an unfavourable recommendation on the basis of a minor encroachment would prove difficult to substantiate on Appeal. I have discussed the options given for the car park treatment with the Council's Countryside Officer, ie grassland or woodland tree planting, and he has stated that he would prefer a woodland as any new broadleaved woodland of an appropriate tree type and species mix has the potential, amongst other things to make a contribution to biodiversity.

Therefore, having very carefully assessed all of the above I am of the opinion that in design terms, highway safety and residential amenity terms the scheme is in accordance with saved plan policy and would not lead to significant detriment in terms of amenity considerations. Sufficient financial information has been submitted in order to demonstrate that no affordable housing is to be provided and I thus recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL:

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

RECOMMENDATION: That conditional planning permission be granted.

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

Fax: 01200 414488

Planning Fax: 01200 414487

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2010/0202

DECISION DATE: 28 May 2010

DATE RECEIVED: 11/03/2010

APPLICANT:

Mr P Ratcliffe
Grassfloor Ltd
Ribbleside House
Salesbury Hall Road
Ribchester
Lancashire
PR3 3XU

AGENT:

Janet Dixon Town Planners Ltd
10A Whalley Road
Clitheroe
Lancs
BB7 1AW

DEVELOPMENT PROPOSED: Change of use and conversion of former De Tabley Arms (restaurant with manager's accommodation) to six dwellings, including partial demolition of existing buildings, alterations, extensions and erection of new garages (Resubmission of planning application 3/2009/0718).

AT: Former De Tabley Arms Ribchester Road Clayton-le-Dale Lancashire PR3 3ZQ

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990

2. The permission shall relate to the development as shown on Plan Reference 09-040 1000 Rev D proposed ground floor plan; 09-040 1001 Rev B proposed first floor plan; 09-040 1002 Rev E proposed elevations; 09-040 1003 Rev C proposed site plan; 09-040 1004 Rev B proposed garaging plans and elevations; 09-040 1005 Rev B proposed streetscenes.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

3. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan.

P.T.O.

4. All doors and windows shall be in timber and retained as such in perpetuity.

Reason: To comply with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

5. No development approved by this permission shall be commenced until a scheme for the disposal of foul drainage to the foul treatment plant has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until such treatment plant has been constructed and completed in accordance with the approved plans.

Reason: To prevent pollution of the water environment in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. No development approved by this permission shall be commenced until a scheme for the containment and storage of manure has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with approved plans.

Reason: To prevent pollution of the water environment in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. The development hereby permitted shall not be commenced until details of the landscaping of the site, including the creation of a broadleaved woodland on the former car park and wherever possible the retention of existing trees, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

Reason: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

8. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order) any future extensions, external alterations to the dwellings including any development within the curtilage as defined in Schedule 2 Part 1 Classes A to F shall not be carried out without the formal written consent of the Local Planning Authority.

Reason: In The interests of the amenity of the area in accordance with Policies G1 and ENV3of the Ribble Valley Districtwide Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order) any future additional structures, hard standing or fences as defined in Schedule 2 Part I Classes E and F, and Part II Class A, shall not be carried out without the formal written consent of the Local Planning Authority.

Reason: In order that the Local Planning Authority shall retain effective control over the development to ensure compliance with Policy G1 of the Ribble Valley Districtwide Local Plan and in the interests of safeguarding any adjacent residential amenity or visual amenity.

P.T.O.

APPLICATION NO. 3/2010/0202

DECISION DATE: 28 May 2010

10. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site is of archaeological importance and archaeological recording will be necessary during any ground disturbance associated with the development to ensure that anything of archaeological importance may be adequately recorded as required by Policies G1, ENV14 and ENV15 of the Ribble Valley Districtwide Local Plan.

Relevant planning policy

Policy G1 - Development Control
Policy G5 - Settlement Strategy
Policy ENV3 - Development in Open Countryside
Policy H2 - Dwellings in the Open Countryside
Policy H12 - Curtilage Extensions
Policy H15 - Building Conversions - Location
Policy H16 - Building Conversions - Building to be Converted
Policy H17 - Building Conversions - Design Matters
Policy EMP11 - Loss of Employment Land
Affordable Housing Memorandum of Understanding
L4 Regional Housing Provision - Regional Spatial Strategy
L5 Affordable Housing - Regional Spatial Strategy
PPS3 Housing

Summary of reasons for approval

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
3. The applicant's attention is drawn to the response from the Environment Agency dated 31 March 2010.

STEWART BAILEY
DIRECTOR OF DEVELOPMENT SERVICES

Report to be read in conjunction with the Decision Notice.

Application Ref: 3/2016/0815

Date Inspected: 14/09/16

Officer: RM



**Ribble Valley
Borough Council**

www.ribblevalley.gov.uk

DELEGATED ITEM FILE REPORT:

APPROVAL

Development Description: Change of use from public house with manager's accommodation to five dwellings, including alterations, including creation of gardens, garages and parking areas.

Site Address/Location: Eagle and Child, 8 Whalley Road, Hurst Green

CONSULTATIONS: Parish/Town Council

Very pleased that this building could be used to provide smaller houses which are much needed in Hurst Green.

CONSULTATIONS: Highways/Water Authority/Other Bodies

LCC Highways: No objection to the proposal, however the 5m wide access road will mean that refuse vehicles will not enter the site.

Planning Policy: Having discussed the proposal with the Councils' Regeneration Team, it is considered that the development would constitute "regeneration benefits" and the principle of the development is acceptable.

CONSULTATIONS: Additional Representations.

One letter of support has been received from a nearby resident, commenting the following:

- Delighted with the proposal;
- Local residents have been concerned by the gradual demise of this property;
- The proposal demonstrates careful consideration of the conservation of the original building along with contemporary design features;
- If permission is not granted the site will be left with a derelict building.

RELEVANT POLICIES:

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement EN2 – Landscape
Key Statement EN4 – Biodiversity and Heritage
Key Statement EN5 – Heritage Assets
Key Statement H1 – Housing Provision

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DME2 – Landscape and Townscape Protection

Policy DMG3 – Transport and Mobility
Policy DME3 – Site and Species Protection and Conservation
Policy DME4 – Protecting Heritage Assets
Policy DMH4 – The Conversion of Barns and Other Buildings to Dwellings

National Planning Policy Framework (NPPF)

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Location/Address:

The application relates to the vacant Public House, known as the Eagle and Child in Hurst Green. The site is located within the settlement boundary of Hurst Green and the Conservation Area, however the site is located just outside of the Forest of Bowland AONB. The Hurst Green Conservation Area Appraisal identifies the application property as a building of townscape merit.

The property itself is two storey and has a cement render finish. The building fronts directly onto Whalley Road and has a traditional pitched roof design with large sash windows (with surrounding stone detail) on the front elevation. To the side is a single storey lean to extension and to the rear a number of single and two storey rear extensions. The site has two existing access points off Whalley Road, one either side of the building and both of these lead to the existing car parking area to the rear of the building.

To the east is the detached dwelling at 10 Whalley Road and to the west is an attractive terraced row (2, 4 & 6 Whalley Road) of residential properties, and this row is designated as a Grade II Listed Building. On the opposite side of Whalley Road is a cluster of bungalows and row of terrace properties. To the south of the site are a number of agricultural buildings and beyond these are open fields.

Description of Proposed Development:

The application seeks consent to convert the vacant Public House into five dwellings, including a two storey side extension. Four of the proposed dwellings would be incorporated into the existing building and the fifth within the proposed extension.

The proposal would provide a mix of both two and three bedroom dwellings and in order to provide access two new door openings would be provided within the front elevation facing Whalley Road, along with converting an existing window opening into a door. All other windows in the front elevation would be retained and incorporated into the proposed use. At the rear the property would undergo significant changes, including the removal of some non-original outriggers and the creation of new window and patio door openings, along with raised external patio areas for the dwellings.

The proposed side extension would be located on the western elevation of the building and would necessitate the removal of the existing single storey lean to extension. The new extension would be set back 900mm from the main front elevation and have a contemporary design being constructed with timber vertical cladding. The extension would have a pitched roof design with the eaves set at the same height as the original building and the ridge just below.

Externally each dwelling would be provided with a modest sized curtilage, although additional amenity/garden space would be provided for each property via a detached garden area. Car parking would be provided (ten spaces) within the existing car parking area for the Public House and five of these spaces would be within a oak framed car port area to be constructed in the south east corner

of the site. This car port would also provide secure cycle storage. The car port would measure 16.7m long by 5m deep and have a flat sedum style roof. Access to the car parking area would be via the existing point to the west of the building with the existing access point to the east of the building closed and this area used as a side garden for unit 1. A set of electronic gates, set back 8m within the site, would be located at the access point off Whalley Road.

Relevant Planning History:

3/1989/0453 - Alterations and extensions - demolition of disused building and extension of car park – granted subject to conditions

Principle of Development:

The proposed development falls within the Draft Settlement Boundary for Hurst Green, which is designated as a 'Tier 2 Settlement' within the adopted Core Strategy.

Policy DMG2 (Strategic Considerations) requires that development within the Tier 2 Settlements and outside of the defined settlement areas, must meet at least one of the following considerations:

1. *The development should be essential to the local economy to 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 development 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.*

This is reiterated within Key Statement DS1 and at table 4.12 of the Core Strategy, which stipulates that the total number of houses to be located within Tier 2 Settlements over the plan period is 0. Therefore, only housing which meets an identified local need or where a clear benefit can be demonstrated will be acceptable in this location.

It is not considered that the proposed development would meet any of the considerations listed within Policy DMG2, however the pub has been vacant since March 2015 and evidence has been submitted with the application to demonstrate that the building has been unsuccessfully marketed and that the continued operation as a Public House is not financially viable. As such there is a legitimate concern that the building will continue to remain vacant and fall into a state of disrepair unless an alternative use can be found.

In accordance with Policy DMB1 of the Core Strategy, proposals for the redevelopment of sites with employment generating potential for alternative uses will be assessed with regard to the following criteria:

1. *The provisions of policy DMG1, and*
2. *The compatibility of the proposals with other plan policies of the LDF, and*
3. *The environmental benefits to be gained by the community, and*

4. *The economic and social impact caused by loss of employment opportunities to the borough, and*
5. *Any attempts that have been made to secure an alternative employment generating use for the site (must be supported by evidence such as property agents details including periods of marketing and response) that the property/ business has been marketed for business use for a minimum of six months or information that demonstrates to the Council's satisfaction that the current use is not viable for employment purposes.*

As mentioned above, the application is accompanied by information demonstrating that the use of this property as a public house is not viable, hence the property being vacant for approximately 18 months.

With regard to housing in this location, the site falls within the Draft Settlement Boundary for Hurst Green and would not be isolated from the village. However as mentioned elsewhere in this report, the residential development on the site would only be acceptable if the housing were to meet proven local needs or deliver regeneration benefits.

It is considered that the re-use of a vacant building (designated as a building of Townscape Merit), within the conservation area would bring a number of benefits (discussed in more detail in design section of the report) and with this in mind, it is considered that the creation of five 2 and 3 bedroom residential units in location would result in an improvement to the visual amenity of the local area. The Council Regeneration Officer is also supportive of the proposal to bring this vacant unit back into a viable use. It is accepted that the proposed extension would in itself provide an additional dwelling, however the extension would have an almost identical footprint to the section of the building that is to be demolished, the site is located within the settlement boundary and given the regeneration benefits mentioned above it is considered that this is acceptable.

In summary, it is considered that the regeneration benefits of the proposal outweigh the harm in accordance with Policies DMG2 and DMB1 of the Ribble Valley Core Strategy.

Visual Amenity/External Appearance/Impact Upon Conservation Area and Listed Building:

Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 places a duty on the Local Planning Authority in considering whether to grant planning permission for development that affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. Section 72 places a similar duty on the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

The application site is located within the Hurst Green Conservation Area and adjacent to a terrace row which is designated as a Grade II Listed Building. The application building itself is highlighted as a building of Townscape Merit Conservation Area Appraisal and this property, along with the adjacent Listed Building collectively contribute to the significance of the conservation area. It is therefore essential that the proposal respects the character and quality of the area. One of the 12 core planning principles of the NPPF is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Similarly, Policy DME4 of the Ribble Valley Core Strategy requires development proposals to "conserve" or "enhance" the character and appearance of Conservation Areas, and does not support development that would cause harm to the setting of Listed Buildings.

The application seeks to retain and adapt the existing building by way of changing the use of the

former Public House to residential, and the erection of a two storey side extension, along with other alterations. The footprint of the original building would not be altered, the proposed would involve the demolition of an existing lean to extension at the side and sections of the rear, however these are not original features and their loss would not detract from the simple form of the original building. The installation of two new door openings in the front elevation, along with the conversion of an existing window opening to a door would be sympathetic to the existing building and surrounding area. At the rear the proposed alterations would not be highly visible to the public and in any case would result in a visual improvement in comparison to the existing rear elevation which contains a number of unsympathetic extensions and detractions such as pipes, vents and plant equipment associated with the former Public House use of the building. Other alterations include the replacement of the existing windows and doors, with all replacements being timber framed, and the re-rendering of the building due to its currently stained appearance. The application also includes the erection of 1.2m high walls to delineate the residential boundaries.

The main alteration to the building is the proposed two storey side extension that would be sited on the west facing gable elevation of the building, in place of the existing lean-to extension to be demolished. The proposed extension would have a simple pitched roof to match the existing property, but with a contemporary design. The extension would be constructed using timber cladding and be modest in size, being set back from the front elevation of the building and below the eaves so as to appear subordinate to the original building. Its contemporary design and use of materials will clearly highlight this feature as a modern extension to the building so as not to compete or appear pastiche.

With regard to the neighbouring listed building, the proposed extension would be sited 16m from the gable elevation of 6 Whalley Road (Listed Building) and would therefore be no nearer than the existing lean-to extension on the side elevation. It is accepted that the proposed extension would be visually more prominent than the existing lean-to, however this in itself is not a reason to refuse the application and it is considered that the simply yet contemporary designed extension would add a feature of interest and contrast to the Conservation Area and nearby Listed Building. Additionally, the set back of the extension from the front elevation of the building would mean that it is not visible when approaching from the east and therefore would not obscure views of the listed building. When approaching from the west the proposed extension would be highly visible, however from this direction it is located beyond the listed building and therefore would again not obscure views. The application also includes the installation of a set of gates on the access track serving the development, close to the boundary shared with the listed building. These gates would be set back from the highway and beyond the front elevation of the neighbouring listed building so as to reduce the visual impact. It is not considered that the gates would have a visually harmful impact upon the listed building or surrounding area and a condition has been attached requiring design details of the gates to be submitted to the LPA prior to installation on site.

At the rear the application includes the construction of a car port area for the parking of five vehicles. This car port would be sited in the south east corner of the site, away from public view and this car port would be oak framed with vertical timber boarding and a flat sedum roof. To the south of the site are a number of detached agricultural buildings and the design of the car port would reflect the appearance and character of this nearby buildings, and therefore would have no negative visual impact.

It should also be noted that the existing building and site is currently vacant, and has been for 18 months, and in its current disused state the site is beginning to detract from the conservation area and the setting of the listed building. If left undeveloped the building/site would further detract from the area and potentially reach the point where both the building is not capable of conversion and site unusable. It is therefore considered that there are significant regeneration benefits and advantages of bringing the site back into a viable use and these have been recognised by the Parish Council and local residents who have commented in support of this proposal.

In view of all of the above, it is considered that the proposed development complies with the requirements of The Planning (Listed Buildings and Conservation Area) Act 1990, the NPPF and Ribble Valley Core Strategy as it would conserve the character and appearance of the Conservation Area, and not have any negative impact upon the nearby listed building.

Impact Upon Residential Amenity:

To the south of the building are the proposed garden areas, the communal car parking area and then a further area of detached gardens. Beyond these are the agricultural building and open fields and therefore the proposed development would not have any impact upon land uses to the south. To the north, on the opposite side of Whalley Road are the bungalows on Warren Court. The application building is located approx. 18m from these bungalows and the front elevation, including ground and first floor windows, would look towards these bungalows. The first floor windows in the Public House were previously used for residential purposes and proposal would therefore have no greater impact upon the houses opposite than the existing situation.

To the east is the detached dwelling at 10 Whalley Road and this property is set further back and at a slight angle in comparison to the application building. The front elevation of 10 Whalley Road therefore faces towards the gable elevation of the application property. The gable elevation of the application dwelling would remain blank and therefore the proposed development would have no greater impact upon the residential amenity of the occupants of 10 Whalley Road than the existing building.

To the west is the listed terrace row, and the gable elevation of number 6 Whalley Road would face the side elevation of the proposed two storey extension. The gable elevation of number 6 Whalley Road contains a very small window in the first floor which does face the proposed extension, however with a separation distance of 16m it is not considered that the extension would result in a loss of outlook or daylight from this neighbouring property. In terms of privacy and overlooking, the proposed window in the side elevation of the extension would serve a bathroom and a condition has been attached to ensure that this is obscurely glazed.

In view of the above, the proposed change of use, along with the proposed extensions and alterations, would share an acceptable relationship with nearby residential dwellings and other surrounding land uses.

Access and Highways:

The proposed dwellings would be accessed via the existing point off Whalley Road and no objection has been received from LCC Highways in relation to this proposal.

The development would provide 10 car parking spaces for the five dwellings and the 5m width of the internal access track means that bin lorries will not enter the site. The applicant is aware of this and has confirmed in writing that residents will position their bins on Whalley Road on collection day. Internally there is sufficient space within the site for vehicles to be able to enter and leave in forward gear and the electronic gates would be set 8m back from the carriage way to prevent vehicles overhanging the highway whilst waiting for the gates to open.

Ecology:

The application is accompanied by a bat survey which found no evidence of roosting bats, however

the survey does recommend the proposal include a new permanent self-cleaning bat box for roosting and hibernation. A condition requiring details of the provisions for roosting bats to be submitted for the written approval of the LPA has therefore been attached along with the standard informative in respect of work ceasing if evidence of bats are found on site.

Observations/Consideration of Matters Raised/Conclusion:

In summary, due to the regeneration benefits the proposal would bring, the principle of the residential conversion of this building within the Tier 2 Settlement of the Hurst Green is considered to be acceptable in accordance with the Ribble Valley Core Strategy. The proposed extension and alterations to the building would share an acceptable visual relationship with the surrounding area, including the Hurst Green Conservation Area and Listed Building, and would not have an undue impact upon nearby residential properties. The application is therefore recommended for approval.

RECOMMENDATION: That conditional planning permission be granted

RIBBLE VALLEY BOROUGH COUNCIL

Department of Development

Council Offices, Church Walk, Clitheroe, Lancashire, BB7 2RA

Telephone: 01200 425111

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Planning Fax: 01200 414487

Town and Country Planning Act 1990

PLANNING PERMISSION

APPLICATION NO: 3/2016/0815

DECISION DATE: 25 October 2016

DATE RECEIVED: 26/08/2016

APPLICANT:

Mr M Bell
Manor House
Hodder Bridge
Chaigley
Clitheroe
BB7 3LS

AGENT:

Mrs J Douglas
Judith Douglas Town Planning Ltd
90 Pimlico Road
Clitheroe
BB7 2AH

DEVELOPMENT PROPOSED: Change of use from public house with manager's accommodation to five dwellings, including side extension and alterations, along with creation of gardens, garages and parking areas.

AT: Eagle and Child 8 Whalley Road Hurst Green BB7 9QJ

Ribble Valley Borough Council hereby give notice that **permission has been granted** for the carrying out of the above development in accordance with the application plans and documents submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

2841 003 C (amended plan received 24/10/16)
2841 004 D (amended plan received 24/10/16)
2841 006 (amended plan received 11/10/16)
2841 007 A (amended plan received 11/10/16)

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

P.T.O.

3. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, samples or full details of all materials to be used on the external surfaces of the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority prior to their use on site. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and area in the interests of visual amenity in accordance with the requirements of Core Strategy Policies DMG1, DME4 and DMH4, and the National Planning Policy Framework.

4. Notwithstanding the requirements of condition 2 of this approval, within 3 months of development first taking place, full details of the siting, height, design, materials and finish to be used in the construction of all boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before any of the dwellings hereby approved are first occupied and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to safeguard the appearance and significance of Hurst Green Conservation Area in accordance with Key Statement EN2 and Policies DME4, DMG1 and DMH4 of the Ribble Valley Core Strategy.

5. Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, within three months of development first taking place a landscaping scheme for the site (including elements of both 'hard' and 'soft' landscaping) shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of all hard surfaced areas and the type, species, siting, planting distances and programme of planting of any trees and shrubs. The duly approved landscaping scheme shall be carried out within 12 months of the converted dwelling first being occupied and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within three years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: In order to achieve a satisfactory level of landscaping in the interests of visual amenity in accordance with the requirements of Policy DMG1 of the Ribble Valley Core Strategy.

6. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern, artificial bat roosting boxes, have been submitted to, and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall identify the nature and type of the boxes/artificial roosting sites and the locations(s) or wall and roof elevations into which the above provisions shall be incorporated.

The artificial bat boxes shall be incorporated into the surrounding area or building during the construction/conversion stage of the development and made available for use before any dwelling hereby approved is first occupied and thereafter retained. The development shall be carried out in strict accordance with the approved details.

Reason: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and to reduce the impact of development in accordance with Key Statement EN4 and Policies DME2 and DME3 of the Ribble Valley Core Strategy.

7. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilages unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Key Statement EN2 and Policies DMG1, DME4, DME2 and DMH4 of the Ribble Valley Core Strategy.

8. Notwithstanding the provisions of Classes A-I of Schedule 2 Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, no renewable energy sources shall be attached to the building or placed within the curtilage of any dwelling unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Key Statement EN2 and Policies DMG1, DME4, DME2 and DMH4 of the Ribble Valley Core Strategy.

9. The site shall be drained via separate systems for the disposal of foul and surface water.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with Policy DME6 of the Ribble Valley Core Strategy.

P.T.O.

10. All new and replacement windows and doors, except those to be installed within the two storey side extension, shall be of timber construction and full details of the window frames to be utilised in the development hereby permitted, including samples if so required, shall be submitted to and approved in writing by the Local Planning Authority before any such frames are installed in the development. Such details shall indicate, at a scale of not less than 1:20, the longitudinal and cross-sectional detailing, reveal, and means of opening together with any finished treatment. The window frames shall be installed in accordance with the approved details and thereafter so maintained.

Reason: In order to safeguard the appearance and significance of Hurst Green Conservation Area in accordance with Key Statement EN2 and Policies DME4, DMG1 and DMH4 of the Ribble Valley Core Strategy.

11. All new window/door cills and lintels shall be natural stone and full details or samples of the materials to be used for the cills, lintels and any external steps shall be submitted to and approved in writing by the Local Planning Authority before installation on site. The development shall be implemented in complete accordance with the approved details and retained as such thereafter.

Reason: In order to safeguard the appearance and significance of Hurst Green Conservation Area in accordance with Key Statement EN2 and Policies DME4, DMG1 and DMH4 of the Ribble Valley Core Strategy.

12. Unless otherwise agreed in writing with the Local Planning Authority, all new and replacement gutters shall be cast iron or aluminium supported on 'drive in' galvanised gutter brackets.

Reason: In order to safeguard the appearance and significance of Hurst Green Conservation Area in accordance with Key Statement EN2 and Policies DME4 DMG1 and DMH4 of the Ribble Valley Core Strategy.

13. The car parking and manoeuvring areas shall be provided as shown on Drawing Number 2841 007 A (amended plan received 11/10/16) prior to the first occupation of any dwellinghouse hereby permitted, and shall be permanently maintained thereafter clear of any obstruction to their designated purpose.

Reason: In the interests of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

14. Unless otherwise agreed in writing by the Local Planning Authority, no building or engineering operations within the site or deliveries to and from the site shall take place other than between 07:30 hours and 18:00 hours Monday to Friday and between 08:30 hours and 14:00 hours on Saturdays, and not at all on Sundays or Bank Holidays.

Reason: In order to protect the amenities of existing residents in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

P.T.O.

APPLICATION NO. 3/2016/0815

DECISION DATE: 25 October 2016

15. The first floor bathroom window in the west facing elevation of the extension hereby permitted shall be fitted with obscure glazing (which shall have an obscurity rating of not less than 4 on the Pilkington glass obscurity rating or equivalent scale) and shall be non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall remain in that manner in perpetuity at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect nearby residential amenity in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

16. Prior to installation on site, full details of the proposed new gates to be sited on the access track shall have been submitted to and approved in writing by the Local Planning Authority, such details shall include the size, design, appearance and materials. The development shall be carried out in complete accordance with the approved details and retained as such thereafter.

Reason: In order to safeguard the appearance and significance of Hurst Green Conservation Area in accordance with Key Statement EN2 and Policies DME4, DMG1 and DMH4 of the Ribble Valley Core Strategy.

Note(s)

1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
3. The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. Whether or not this was used, the Local Planning Authority has endeavoured to work proactively and positively to resolve issues and considered the imposition of appropriate conditions and amendments to the application to deliver a sustainable form of development.
4. If any evidence of bats is found at any time during works then works should cease immediately and advice sought from Natural England or a suitably qualified bat worker.

JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

