



Grindleton Parish Council

Clerk: Andrew Glover
 24 Hillside Drive
 West Bradford
 Clitheroe
 BB7 4TG

Tel: 01200 428547
 Mobile: 07968 486729
 Email: andy.glover24@hotmail.co.uk

Minutes of the extraordinary meeting of Grindleton Parish Council on Monday 8 July 2024 at the Pavilion, Grindleton.

Members present:	Parish Cllr Lorraine Halley (Chair) Parish Cllr Paul Atkinson Parish Cllr Tony Bramwell Parish Cllr Chris Brennan Parish Cllr Megan Haslam Parish Cllr Susan Walsh
Apologies for absence:	Parish Cllr Glenn Wheeler (Vice Chair) Borough Cllr Kevin Horkin MBE (RVBC)
Clerk present:	Andrew Glover
Members of the public present:	None

1.	<p>Declarations of Interest</p> <p style="padding-left: 40px;">a) Standing orders suspended</p> <p style="padding-left: 80px;">No interests were declared</p> <p style="padding-left: 40px;">b) Standing orders resumed</p>	
2.	<p>Public Participation</p> <p>None</p>	
3.	<p>Consideration of planning application / listed building consent (3/2024/0439 and 3/2024/440) relating to the Duke of York Inn, Grindleton Brow, Grindleton BB7 4QR</p> <p>Following circulation to members of online details relating to the above applications, it had been agreed – given the importance of the planning status of the Duke of York Inn to the parish - that an extraordinary meeting should be held. This would allow members to give their considered input to any submission made</p>	

by the Parish Council (in its role as a statutory consultee) to RVBC as part of the latter's consultation process.

The Clerk informed members of a number of significant preliminary points relating to the site. It was confirmed that the site was:

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

Members noted that they had identified the planning status of the Duke of York Inn in their (draft) Parish Plan as a matter of significance for the village:

Members are clear in their view that that they would wish to see the former Duke of York pub developed as a community asset rather than a residential property.

However, members confirmed that they were conscious of the importance of not seeking to pre-judge the nature of the applications, but instead ensuring that they were given due weight and considered solely on their individual merits.

Members began by reflecting on the recent planning history for the site, noting that – certainly since the present owner had taken possession - they had been consistent in their opposition to any application which sought approval for change of use from a public house to any form of residential property (see applications 3/2019/0049 and 3/2019/0050; 3/2020/0219; and 3/2021/1248 and 3/2021/1249).

Members then turned to considering the key aspects of the applications in question. These were discussed as follows:

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

In his submission to RVBC, the applicant had maintained that the Duke of York did not have a viable future as a public house, the premises having been closed since 2017 and with a successful competitor business (the Rum Fox) now trading across the road. Members debated this key point at some length. It was pointed out by Cllr Atkinson that – on a national basis – pubs were indeed under severe pressure, with a large number closing each month. Whilst acknowledging this, members observed that, for a 25-year period in the recent past, the village had successfully maintained two pubs and - despite current economic turbulence - could do so again. It was noted that the nearby village of Waddington had 3 pubs (plus a social club), all of which collectively generated business as clients circulated from one to the other. The adjacent village of West Bradford lacked a pub, providing a potential catchment of users. Whilst the Rum Fox was trading successfully, and was clearly an asset to the village, it was acknowledged to be a "high end" business focused on a more affluent clientele, leaving an opportunity for a more informal

licensed premises to thrive. With appropriate marketing, the synergy arising from two pubs in close proximity could help to sustain both businesses.

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

- when seeking approval, the applicant had held a public meeting at which he proposed to allow villagers to access the licensed bar alongside apartment /B&B users. This idea had received considerable local support;
- the statement submitted as part of applications 3/2024/0439 and 3/2024/0440 did not present any evidence as to why a café could no longer be successful. It was notable that there was no other café in the village, and the premises' location was ideally situated for serving walkers in the adjacent and popular Millennium Wood (on which the Woodland Trust had recently invested c£90,000 to improve footpaths). Grindleton parish was home to the longest length of public rights of way in the county, and the opportunity to capture business from the large number of walkers was considerable;
- retention of such a community facility would give potential rise to use as a post office or village shop, both of which are absent in the village. Following the recent closure of Waddington sub-post office, this also provided an opportunity to gain business from people not wishing to travel to Clitheroe; and
- with regard to bed and breakfast accommodation / holiday lets, the Ribble Valley was considered a national leader for the wedding hospitality trade, with local accommodation always in short supply. The current trend was for less expensive and shorter "twilight" wedding ceremonies, where guests may be looking for somewhere to relax in the vicinity of the wedding venue.

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

b) Inability to sell the property for its consented purposes

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

Members questioned the extent to which the applicant had genuinely sought to sell the property; the Statement gave little detail on this point. Furthermore, it was understood that at least two genuine offers to buy the Duke of York, either at or above the price at which the applicant purchased the property, remained on the table.

Members observed that the current poor condition of the property (which the applicant has done little to maintain) may also contribute to any lack of interest in purchasing it.

c) The proposed design

Members made the following comments on the plans submitted under the application:

i) Bollards / pavement

The proposed design – as outlined in paragraph 4.2 of the Statement - featured a new dwarf wall to be constructed along the southern and eastern sides of the premises, as well as cast iron bollards intended “to deter vehicles from parking on the pavement”.

Members questioned whether the erection of the wall and bollards was permissible, given that the land in question may not fall within the curtilage of the building. In addition, members recalled that - when the applicant had proposed the use of such bollards in a prior application (3/2021/1248) - the Parish Council had vigorously put forward its objections on grounds of public safety. The bend in the road at Brow Top was busy and dangerous, and it had been custom and practice for many years to use the footpath in front of the Duke of York for safe passage. This was already hindered by the applicant’s use of planters, which already narrowed the footpath to the extent that a wheelchair user or person pushing a pram would need to use the highway. This problem was compounded by the complete absence of footpath on the other side of Grindleton Road, directly across from the Duke of York.

With regard to the proposed installation of bollards to the eastern side of the premises, members objected to the applicant proposing to erect bollards on land which he may not own, and again it was feared that this action would endanger pedestrians who would be obliged to cross the busy Main St / Grindleton Rd junction in order to pass safely.

Other issues to be taken into account included:

- the footpath to the front of the premises was currently used as a pick-up point for children traveling to school travelling by bus. Should approval be granted, a safe and suitable alternative arrangement would need to be found; and
- parking was already difficult in the vicinity of the Rum Fox, and members feared that the installation of bollards would force customers to park on the highway directly outside the Duke of York’s frontage. This would add

	<p>to the risks to traffic as it ascended the steep brow and turned the corner heading through the village.</p> <p>For all these reasons, the Parish Council asserted that the potential loss of footpath in front of the Duke of York would be detrimental to the safety of residents of the village.</p>	
ii)	<p><u>Proposed new driveway</u></p> <p>The application sought consent for the installation of a new driveway to the property at the southern corner of the site. Again, members objected to this proposal on grounds of highway safety. The proposed entrance would be in very close proximity to the end of Buck St, which was used by both residential and commercial traffic. Any traffic emerging from a residential property onto the highway at this point would pose a potential further distraction for drivers coming up Grindleton Brow, as well as other vehicles entering / leaving Buck St.</p> <p>Resolved Clerk to draft a letter to RVBC, summarising all the above concerns, for circulation to (and signing off by) parish councillors Clerk to submit the final version of the letter to RVBC prior to the deadline of 17 July</p>	<p>Clerk</p> <p>Clerk</p>
d)	<p><u>Poor condition of the fabric of the premises</u></p> <p>Members expressed their increasing concern at the poor condition of the fabric of the building. Since its acquisition by the current owner some years ago, it had been severely neglected; not only was the appearance of this prominent local building now unsightly, but there were also fears that it may be structurally unsound. (It was known that, some years ago, there had been a hole in the roof which required repair).</p> <p>Given that the property was Grade II listed (as per entry number 1072148 on the list held by Historic England), it was considered that section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 may be of relevance. This statutory provision empowered local authorities, where they considered that a listed building was not being properly preserved, to serve a repairs notice on the owner. According to statutory guidance on the .gov.uk website, local authorities should consider use of this power where “protracted failure by an owner to keep a listed building in reasonable repair places the building at risk.”</p> <p>Members therefore asked the Clerk to write to RVBC, seeking agreement for an officer to inspect the premises and assess its current condition (with a view to establishing whether the threshold set out above had been met).</p> <p>Resolved Clerk to draft a letter (separate to the consultation response above) and send it to RVBC</p>	<p>Clerk</p>

20.	<p>Any Other Business</p> <p>a) Planning application No: 3/2023/0973 Proposal: Retention of 14 solar panels on the South east facing roofslope. Resubmission of 3/2023/0297 Location: Rushton House Lower Chapel Lane Grindleton BB7 4QT APPEAL REFERENCE : APP/T2350/D/24/3344365 APPEAL STARTING DATE : 2nd July 2024</p> <p>Details of this appeal had been circulated to members on 4 July. Members now considered this matter further, noting that:</p> <ul style="list-style-type: none"> the Parish Council had chosen to submit comments regarding application 3/2023/0297, but not in relation to application 3/2023/0973. Both applications had been refused by RVBC; the Parish Council's comments relating to application 3/2023/0297 were relevant to the forthcoming appeal, as application 3/2023/0973 was a resubmission of application 3/2023/0297; the deadline for the Parish Council to withdraw its comments – should it wish to do so - was 4 weeks from the start of the appeal; and no other comments could be submitted at this stage. <p>Members agreed that the Parish Council's previous comments would not be withdrawn, leaving them to be considered by the Planning Inspector as part of the appeals process.</p> <p>Resolved Clerk to ensure no further action needed to be taken to ensure that the Parish Council's comments were received by the Planning Inspector</p>	Clerk
	<p>The next meeting of Grindleton Parish Council will take place at 7pm on Tuesday 6 August 2024 at Grindleton Pavilion.</p>	

The meeting closed at 8.12pm.

Signed by:		
	Date: 6.8.24	Cllr L Halley (Chair)