

Report Title	PLANNING APPLICATIONS
Meeting	BARROWFORD AND WESTERN PARISHES COMMITTEE
Meeting Date	07TH JANUARY 2026
Report Author	NEIL WATSON
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR L. WHIPP
Wards Affected	BARROWFORD & PENDLESIDE
Public. Part Exempt, or Fully Exempt	PUBLIC
Appendices (if any)	NONE

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE

7TH JANUARY 2026

Application Ref: 25/0646/FUL

Proposal: Full: Conversion of existing public house (Sui Generis) to 1 no. dwelling (Use Class C3) and the erection of 1 no. dwelling in the adjacent car park.

At Cross Gaits Inn, Beverley Road, Blacko

On behalf of: Mr John Kay

Date Registered: 09.10.2025

Expiry Date: 04.12.2025

Case Officer: Athira Pushpagaran

Site Description and Proposal

The application site is Cross Gaits Inn which is a Grade II Listed Building (Ref: 1273141) situated outside the settlement boundary within the open countryside. The building has been an inn since the early 18th Century. The inn has two storeys and to the rear of the site there are modern extensions that have been added at various stages in the 19th and 20th Century. The Cross Gaits Inn ceased trading as a public house in January 2023 and has been registered as an asset of community value. It is located at the corner of where Beverley Road meets Barnoldswick Road, with the main access being from Beverley Road. The application site is visible from both the highways and from PROWs FP1309032, FP1309033, FP1309001, FP1309005, FP1309007 and FP1309018 that passes close to it.

The application seeks to change the use of the public house (Sui Generis) to residential use (C3) and erect a two-storey dwelling to the rear of the site on the existing car park area. The current proposal is identical to the one refused under 24/0684/FUL. The appeal against this refusal was dismissed. The only notable difference between the current application and the previous one are the supporting documents submitted with the current application.

Relevant Planning History

24/0684/FUL Full: Change of use of pub (Sui Generis) to a dwelling (C3) and the erection of 1 no. dwelling on existing car park. Refused 2025. Appeal dismissed

24/0685/LBC Listed Building Consent: Change of use of pub (Sui Generis) to a dwelling (C3) and the erection of 1 no. dwelling on existing car park. Refused 2025. Appeal dismissed

23/0442/FUL Full: Change of use of pub (Sui Generis) to a dwelling (C3) and the erection of 1 no. dwelling on existing car park. Refused 09.10.2023

23/0444/LBC - Listed Building Consent: Change of use of pub (Sui Generis) to a dwelling (C3) and alterations to access. Refused 09.10.2023

01/2023/ACV Proposed designation of Cross Gaits Inn as an Asset of Community Value. Accepted 31.01.2023

Consultee Response

Highways

The proposed development is for the conversion of an existing public house (Sui Generis) to one x three bed dwelling (Use Class C3) and the erection of one detached four bed dwelling in the adjacent car park, together with associated off-road car parking provision for both dwellings. This is the same proposal as previously submitted regarding the access and parking layout.

Access

There is an existing vehicular access to the site off Beverley Road, which was the entrance to the pub's car park. No changes are proposed to this access. The highway authority considers the access is acceptable to serve the proposed development given the reduction in vehicular movements compared with the site's previous commercial use.

Car & cycle parking

Given the site's distance from local amenities and facilities, and the consequent reliance on the use of private motor vehicles, maximum parking standards should be applied to this site. The car parking provision submitted is at an appropriate level for the number of bedrooms in each dwelling. No cycle storage is shown for the pub conversion. Secure, covered storage for two cycles should be provided, which can be controlled by condition. An electric vehicle charging point should also be provided. This shall be fitted in line with the Dept for Transport's guidance regarding Electric Vehicle Charging in Residential and Non-residential Buildings, which states that charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicles. This can be controlled by condition. The proposed double garage for the new dwelling can provide secure cycle storage and an electric vehicle charging point, both of which will improve the site's sustainability. The Design & Access Statement submitted refers to electric sliding gates being fitted across the parking areas for both dwellings (Section 11.05). The driveway in front of the new dwelling's garage would have to be extended to a minimum length of 6m to fully accommodate vehicles and allow the garage door to be opened and closed.

Construction traffic

The existing car park, although partially being lost to the construction of the new dwelling, would still retain sufficient space to provide off-road parking during the construction phase and would allow deliveries to be received internally to the site. However, given the site's location near the junction with Barnoldswick Road, and the narrow carriageway width on Beverley Road beyond the site entrance, deliveries by HGVs during the construction phase should only be accepted between 9.00am and 2.30pm, to avoid peak traffic on the surrounding highway network.

Conclusion

Lancashire County Council acting as the Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

The following conditions should be applied to any formal planning approval granted.

1. Deliveries by HGVs to the approved development during the construction phase shall only be accepted between the hours of 9.00am and 2.30pm, to avoid peak traffic on the surrounding highway network. Reason: In the interest of highway safety.
2. Prior to first occupation the parking and turning areas shown on the approved plans shall be constructed and be made available for use in perpetuity. Reason: To prevent overspill car parking onto the surrounding network.

3. Prior to first occupation each dwelling shall have secure, covered storage for at least two cycles in accordance with a scheme to be approved by the Local Planning Authority. Reason: To support sustainable forms of transport.

4. Prior to first occupation of the approved development an electric vehicle charging point shall be provided for each dwelling in accordance with a scheme to be approved by the Local Planning Authority. Charge points must have a minimum power rating output of 7kW and be fitted with a universal socket that can charge all types of electric vehicle currently available. Reason: To ensure that the development supports sustainable forms of transport.

Parish/Town Council

The preference of the Parish Council remains that the property continues as a pub. Our concern however is the distinct likelihood that this outcome will not be achieved. Whilst we note the objections registered in the portal our sense is that the property will deteriorate further. With that in mind we would prefer development over dereliction, we therefore do not object to the development of the pub. We do however object to the proposed development on the car park which is unsympathetic to the listed building and cottage across Beverley Road.

PBC Environmental health

Requests a condition for a construction method statement.

Growth Lancashire

The proposal is a resubmission of 24/0684/FUL, Conversion of existing public house (Sui Generis) to 1 no. dwelling (Use Class C3) and the erection of 1 no. dwelling in the adjacent car park. It includes an additional marketing and viability report issued 26 August 2025. In my original memo dated 27 August 2023, I identified harm caused by the proposal through direct works to the listed building and through change of use. I have reviewed the viability report which states its continued use as a public house is unviable. I recommend this report is assessed by the Council. Should the viability report be found to be an accurate assessment of the continued use, this would support its change of use to residential in providing justification for the harm, as required by P213 of the NPPF. However, as stated in previous comments, some of the harm caused by the proposal through loss of public house use would be inevitable, so the harm would not be completely removed, but this should be assessed against the public benefits of the scheme. Clarity should be provided on the features identified as historic in my original comments dated 27 August 2023 and confirmation of their retention provided. I note the heritage statement has not been updated to reflect my comments/concerns, in the new submission.

United Utilities

Directs the applicant on resources and advise on working near UU assets and on design of drainage schemes.

Environment Officer Trees/Landscape

No response

PBC Engineering

No response

Public Response

The nearest neighbours have been notified by letter, a site & press notice have been displayed, with 36 objections received raising the following issues:

- would cause unacceptable harm to the community, the local heritage asset, and the character of the village
- A viable community-led alternative exists, supported by the Cross Gaits Community Pub Group
- The proposal would result in the loss of focus point and place to meet friends old and new, for locals of all ages and abilities. The Cross Gaits Inn has served the community of Blacko since 1736
- there is The Rising Sun but that has no comparison to the Cross Gaits as a family place.
- The current owner purchased the property, closed it immediately, and stripped out the kitchen facilities, causing deterioration of the asset. The applicant's claim of non-viability is unsubstantiated and based on self-inflicted circumstances following deliberate closure and neglect.
- The Marketing and Viability Report commissioned by the applicant (Brent Forbes MRICS, August 2025) asserts that The Cross Gaits is not viable as a public house. However, this report fails key requirements of the CAMRA Public House Viability Test and Pendle Borough Council's Local Plan policy criteria
- The property has been advertised for redevelopment rather than for continued pub operation
- No engagement has taken place with community or pub-sector buyers.
- The applicants marketing & viability report produced by Brent Forbes relied solely on owner-supplied trading figures from 2020–2023, disregarding any potential under community ownership.
- The owner's agent confirmed in correspondence dated 14 November 2023 that "any offer would have to be at or very close to the asking price" of £595,000. This was far above the fair market value of £295,000 identified in the RICS 'Red Book' valuation by Dabro & Associates (April 2024). As a result, no credible purchaser could have made a viable offer based on the site's actual value and potential as a public house.
- Based on this valuation, two formal offers of £225,000 were made by The Cross Gaits Community Pub Group Ltd, reduced from £295,000 to reflect deterioration and removal of fixtures following the applicant's purchase. No meaningful dialogue or counteroffer was received from J K Developments Ltd or its agent.
- The Cross Gaits Inn - in Blacko - has served residents for over 300 years. Its loss would remove an essential community facility, contrary to Pendle Local Plan Policy SUP1 and NPPF paragraphs 93–97, which protect local services. The property has not been genuinely marketed at a realistic price, and there is clear local interest in retaining it for community use.
- Conversion to a private residence would destroy its living heritage value and contravenes Policies ENV1 and ENV2 of the Local Plan and NPPF paragraphs 212-215 and 217. The additional dwelling's modern design would harm the setting of the listed building.
- Unsustainable Development in Open Countryside
- The erection of the new dwelling would mean that the car park would be lost for the customers of the public house

- Despite what is presented in these applications, there has been significant interest and investment from the local community to try and retain The Cross Gaits as a community asset, evidenced by the formation of The Cross Gaits Community Pub Group committee (04/02/24), which began by creating an online survey to ask the community what they would like to see. 459 responses received · 241 offers of assistance in terms of time / help (53% of respondents). · 219 offers of financial support at varying levels (47%). Funds pledged could range from £50k (pessimistic) to £200k (optimistic). · 367 responders provided their email address (78%) and 212 their mobile numbers (46%), to maintain involvement.
- The community group has prepared a business plan
- Identified and instructed a suitably qualified Chartered Surveyor (Dabro & Associates) to undertake an independent 'Red Book' Royal Institution of Chartered Surveyors (RICS) approved valuation of The Cross Gaits (29/04/24).
- Secured seed funding pledges of £4000 from several members of The Cross Gaits Community Pub Group to allow us to move forward with this project (09/02/24).
- The applications' Design & Access Statements, section 9, mentions "sustainability", yet there is no mention of using the BREEAM (British Research Establishment Environmental Assessment Method) to determine the dwellings' environmental performance, and there is no evidence in the applications which addresses the sustainability of:
 - Materials used in construction of the developments.
 - How run off is to be treated and disposed of.
 - How foul sewage is to be treated and disposed of.
 - Providing energy solutions to meet the power requirements of the dwellings.
 - Provision of insulation, ventilation or air conditioning to reduce energy demands
- No mention of ecological surveys including a bat survey
- No mention of how the foul and sewage will be dealt with. Currently there is an old septic tank on the opposite side of the road to the southeast of The Cross Gaits which has been known to discharge effluent into the water course.
- No sales board was placed on the property and the asking price at £595,000 - where "any offer would have to be at or very close to the asking price" - was double the market value of The Cross Gaits Pub (as established by an independent RICS 'Red Book' valuation commissioned by The Cross Gaits Community Pub Group Ltd) and £190,000 more than the owner/applicant actually paid for The Cross Gaits, despite him spending nothing on the property and neglecting it for nearly 2 years.
- The site also lies outside the settlement boundary and the proposal conflicts with policies LIV1 and SDP2 and NPPF paragraph 84, which restrict new dwellings in open countryside.
- The presence of a viable community bidder is a material consideration that distinguishes this situation from an ordinary closed pub scenario. There is a realistic route to securing the Cross Gaits' future as a pub, and planning should not preempt that.
- concerned about the construction impacts and long-term amenity issues
- Nothing substantive has changed between previous refusals and the current applications
- Flawed Viability and Marketing Evidence – The property has not been marketed realistically for community use, and the applicant has disregarded genuine, evidence-backed purchase offers.
- A viable community-led alternative exists, supported by the Cross Gaits Community Pub Group Ltd, Plunkett UK, and a professional RICS valuation.

Relevant Planning Policy

Pendle Local Plan Fourth Edition (2021-2040)

Policy SP01 (Presumption in Favour of Sustainable Development) echoes the presumption set out in National Policy and promotes the three strands of sustainable development: economic, social and environmental. Applications which accord with policies contained within the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy SDP2 sets out the spatial development principles for developments in Pendle. Proposals to develop outside of a defined settlement boundary will only be permitted for exceptions to Policy DM09 that are identified in the NPPF, an adopted development plan document, or a made neighbourhood plan, or that are in accordance with Policy SP04 part 5 when the Council is unable to demonstrate a five year housing land supply.

Policy SP11 (Historic Environment) requires designated and non-designated heritage assets to be conserved and enhanced in a manner appropriate to their significance.

Policy SP13 (Transport and connectivity) New developments should, wherever possible, exploit opportunities for walking and cycling by connecting to existing pedestrian and cycle routes.

Policy DM16 (Design & Place Making) seeks high quality design in all new developments. Proposals should promote local character and distinctiveness and demonstrate a good standard of amenity for existing and future occupants.

Policy DM18 (Heritage Assets) states that the Council will support proposals which conserve and enhance Pendle's historic environment. Where a proposal would result in harm or loss of significance to a heritage asset, this must be balanced against any public benefit associated with the scheme.

Policy DM37 (Parking) standards are set out in Appendix 5 of the plan, adequate parking provision is required to serve all new development.

Policy DM35 (Cultural and community facilities) relates to proposals for cultural and community facilities. Any proposal to change the use of a building or land which is already in cultural or community use will be supported where consistent with Policy DM31 as applicable, and:

- (a) Replacement facilities of a similar scale and function, which maintains or enhances local built character, and are accessible via sustainable transport links to the community served, are provided;
- (b) It is evidenced that there is no need or demand for the facility to remain in that use; or
- (c) The existing use is no longer viable and cannot be reasonably made viable.

National Planning Policy Framework

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

Para 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 139 of the framework states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Para 213 of the NPPF requires any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification

Paragraph 215 of the Framework sets out that where development proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm must be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design and protecting residential amenity.

Supplementary Planning Guidance: Development in the Open Countryside places great importance on proportion and setting and provides guidance on the materials which would be acceptable for agricultural buildings. Developments must not be detrimental to the landscape and the materials and design must reflect traditional farm buildings.

Officer Comments

The proposal is outside the settlement boundary of Blacko and within the open countryside. The council is set to adopt the new local plan at the time of writing this report and the council meeting that votes on the adoption will take place before the area committee meeting. This report is prepared on the assumption that the new local plan would be adopted on the 18th of December. If the new local plan is not adopted by the committee date, then an update report would be prepared ahead of the committee date to refer to the core strategy policies.

Policy SP02 directs all development within the settlement boundary and outside a defined settlement development will only be permitted for exceptions to Policy DM09 that are identified in the NPPF, an adopted development plan document, or a made neighbourhood plan, or that are in accordance with Policy SP04 part 5 when the Council is unable to demonstrate a five year housing land supply.

DM09 and DM26 of the new local plan allows certain exceptions to development outside the settlement boundary. DM09 allows development for securing the future of a designated or non-designated heritage asset that is substantially intact and DM26 allows conversion of redundant buildings to dwellings. However, there is no provision in the local plan for the erection of a new dwelling on the car park as proposed. In this case the principle of the development is not acceptable and would be contrary to policy SP02 of the Local Plan.

The other principal material considerations for the application are as follows:

Community Facility

Policy DM35 (Cultural and community facilities) relates to proposals for cultural and community facilities. Any proposal to change the use of a building or land which is already in cultural or community use will be supported where consistent with Policy DM31 as applicable, and:

- (a) Replacement facilities of a similar scale and function, which maintains or enhances local built character, and are accessible via sustainable transport links to the community served, are provided;
- (b) It is evidenced that there is no need or demand for the facility to remain in that use; or
- (c) The existing use is no longer viable and cannot be reasonably made viable.

The Inn serves the local community. It has been designated as an Asset of Community Value which demonstrates that it is an asset within the community and hence policy DM35 is engaged alongside the policies in the Framework. The application for an alternative use of the public house would need to be supported by a statement which covers one or more of the above exceptions, along with evidence.

The first criterion is not applicable in this case as no replacement is provided. There is no substantive evidence that the premises is no longer required. The fact that the Cross Gaits Community Pub Group is looking to renovate the building and put it back to a public house suggests the contrary.

A letter from the estate agents Trevor Dawson mentions that they were instructed to market the property on the 14th of November 2023. This letter was dated 24 September 2024 before the 1-year mark was reached. Their website showed that the property was no longer marketed when checked during consideration of the previous application in October 2024. The applicant states that the property was temporarily removed from the market for around a month while some essential repairs were undertaken. It is currently marketed with substantial offer invited. It appears that the property will have been marketed in excess of a year, though with a small break in between.

The applicant purchased the property for £405,000 in March 2023 and then put the pub up for sale with an increased asking price of £595,000 in November 2023, despite no renovation works having been undertaken. The Community Pub Group offered to buy the pub in September 2024 and later in June 2025 for £225,000, well below the price at which the appellant had purchased the property and were rejected. Irrespective of the Community Pub Group's low offer, there is no justification provided by the applicant for the elevated asking price of £595,000. The only explanation offered is that this figure was advised by two independent local agents, but no evidence has been provided to demonstrate how this valuation was reached or whether it reflects a realistic market value for a public house of this condition, location, and policy context.

While the property has technically been marketed for approximately 12 months (allowing for a one-month break in marketing), the Council is not satisfied that the marketing exercise was undertaken at a reasonable price or in a manner that would demonstrate a genuine effort to dispose of the property for continued community use.

Viability:

The public house stopped operating in January 2023. As per the applicant, the property was sold initially due to the lack of trade and the property being in constant debt and the rental levels not being satisfied. The applicant has provided the rental income figures and volume of beer sold from 2020 to 2023.

The appeal decision stated that the public house has not been shown to be unviable by the appellant, and conversely, the premises have not been shown to be viable by the Community Pub Group. This was based on the evidence submitted for the previous application. The current application includes a further statement from the Community group including a business plan for the Cross gaits Inn as a destination pub and a marketing and viability report by the applicant.

The submitted viability and marketing report states that if were to operate as a pub, based on the costs of refurbishment and ongoing costs even if achieving a weekly turnover of just under £5,300 per week, the pub will make a loss of £42,004 per annum. The key drivers of its unviability are identified as the refurbishment costs of 610,800, strong competition from nearby food-led operators, the pub's isolated location and a limited walk-in catchment. The refurbishment quote of 610,800, appears to suggest a complete overhaul of the building envelope as well as interior, at a price way in excess of what was actually paid for it. The document itself notes that the figure is only a rough estimate rather than a detailed quotation. The level of investment assumed reflects a desirable standard of improvement rather than the minimum reasonably required for reopening. As such, the assumption that the full refurbishment cost is essential to reopening may overstate the expenditure required and, in turn, the degree of unviability.

The Community Pub Group has registered themselves as a community benefit society and prepared a business plan for taking the pub forward under community ownership. They intend to raise the capital required through a share issue in the community benefit company and through financial support in grant assistance and loans. The group already have many pledges of support including financial pledges with an estimated range of at least £50,000 and at most £200,000. The plan state that they aim to enter into negotiations with the current owner to purchase the property at a fair open market value for its current use. Their previous offers at 225,000 was rejected by the owner when the property was marketed at 595,000.

The applicant has demonstrated that the pub may be unviable on a conventional commercial basis particularly if assessed against a high refurbishment cost and traditional operating model. The applicant has not demonstrated that a more modest refurbishment scheme, sufficient to secure compliance and functionality, has been tested. While the community group's previous offers when the property was marketed at an elevated price was not accepted, the marketing currently undertaken invites substantial offers and the community group is prepared to negotiate with the applicant to buy it at a reasonable price. Their alternative operational model, relying on community ownership and external funding, offers a potentially viable path and weighs against concluding that the pub use is wholly unviable.

In this case the proposal does not sufficiently justify the loss of the community facility and would be contrary to policy DM35 of the Adopted Pendle Local Plan Fourth Edition (2021-2040).

Design and Materials

The proposal involves the change of use of the inn building with alterations to its exterior to convert into a residential dwelling. The proposed alterations include demolition of the ancillary flat roof extensions to the rear, and the vestibule lean on extension to the rear and removing the pub signage from front elevation. The existing main entrance to the inn would be retained as the main entrance to the house with an additional pedestrian entrance from the parking area to the rear. Externally the building is proposed to be retained as it is with repairs where necessary with matching materials, including windows, walls, gutters, and roof.

The proposal also includes the erection of a new dwelling to the rear of the inn building accessed by the existing access from Beverly Road. The proposed two storey dwelling would be erected to an area of hardstanding, which was the car park for Cross Gaits Inn. It would have a linear dual pitched element through the middle with a single storey flat roof projection to the rear and a two-storey flat roof element to the front elevation, forming roughly a cross shaped floor plan. The detached dwelling would have 4 bedrooms and would use stone, charred timber (blackened), black drip edge coping, and zinc cladding on external walls. The dwelling would have black window frames with cast stone window surrounds, Black drip edge coping and blue slate on the roof. The access to the new dwelling would be through the existing access to the carpark from Beverley Road. The existing hedges along Beverley Road and to the northeast boundary would be

retained. The design of the proposed new dwelling is identical to that included in the previously refused application 23/0442/FUL.

The proposed dwelling is considered to be of sufficient distance not to cause any harm to the listed building through development in its setting. Views to the most significant principal elevations of the listed building would not be affected. On approach from the south along Barnoldswick Road the new dwelling would be screened by the principle (front) elevation of the listed building, which sits on a prominent road-side junction location. The proposed design is distinctly modern in concept and appearance, albeit it maintains a traditional long narrow form and pitched roof. The mix of natural stone and slate with more modern zinc cladding reinforces the contemporary nature of the design. A condition can be added to ensure the external materials would be more in keeping with the setting of the listed building and its countryside location.

There is existing access from Beverley Road into what would be a shared driveway. The access to the agricultural land to the north would continue to be accessible via the private road. A farmer's track would be constructed along the northeast boundary of the proposed dwelling formed using gravel. The existing entrance to the field would be moved into alignment with the proposed access track.

Overall, the proposed development would be acceptable in terms of design in accordance with policies DM16 of the Adopted Pendle Local Plan Fourth Edition (2021-2040) and the Adopted Pendle Design principles SPD.

Heritage

Externally the proposal seeks to demolish the later C20 extensions to the listed building which clutter the rear of the building and detract from the appearance of the building. This aspect of the scheme will better reveal the significance of the listed building and would be regarded as providing some benefit in terms of the appearance. During the assessment of the previous application which also sought to demolish a gabled extension to the rear, it was noted that this re-roofed gabled extension may date to the late C19. The current proposal seeks to retain this element and remove the rest of the later extensions.

The loss of the continued public house use, which contributes both historic and communal value will cause some low level of less than substantial harm. The proposed new build is considered to have a neutral impact on the significance of the listed building. Para 208 of the NPPF identifies where proposals cause less than substantial harm, this should be weighed against the public benefits of the scheme including, where appropriate, securing its optimum viable use. The removal of the modern additions at the rear would be considered to have some visual benefit. Refurbishment of the existing property including its re-use likely brings forward some benefit, especially if this safeguards the future (and greater significance) of the property. However, the proposal provides no evidence to indicate that this could not be done without a change of use. In this case the public benefits of the scheme would not outweigh the harm to the significance of the heritage asset.

Overall, the proposal would not be acceptable in this location and would be contrary to with policies SP11, DM16 and DM18 of the Adopted Pendle Local Plan Fourth Edition (2021-2040), the Adopted Pendle Design principles SPD and, paragraphs 213 and 215 of the NPPF.

Residential Amenity

The proposed dwelling would be more than 21m away from the former Inn. The former inn is also at least 21m away from the side elevation of Cross Gaits Cottage which is the nearest other residential neighbour to the application site.

The development would not result in any overbearing impacts, unacceptable loss of light or privacy to any adjacent property. The Environmental Health does not object to the proposal and requests a condition regarding controlling Construction Phase Nuisance.

Therefore, the proposed development would be acceptable in terms of residential amenity in accordance with policy DM16 of the Adopted Pendle Local Plan Fourth Edition (2021-2040), and the Adopted Pendle Design principles SPD.

Highways

LCC highways requests the addition of conditions regarding HGV traffic, parking spaces and provision of cycle store if approved. Subject to these conditions, the proposed development in this case is acceptable in accordance with policies DM16 and DM37 of the Adopted Pendle Local Plan Fourth Edition (2021-2040).

Trees

An Arboricultural Constraints Appraisal has been submitted and is found acceptable. A condition requiring an Arboricultural Method Statement that includes a Tree Protection Plan would be required if approved, to ensure that the trees are protected. A suitable landscaping scheme would also need to be conditioned in case of an approval.

Other matters

No ecology or bat assessment has been carried out as part of the application. In case of an approval this would need to be conditioned.

RECOMMENDATION: Refuse

Due to the following reason(s):

1. The proposed new build dwelling due to its position outside the defined settlement boundary and within the open countryside would result in harm to the open and rural character of the countryside and would be contrary to policy SP02 of the Adopted Pendle Local Plan Fourth Edition (2021-2040) and Paragraph 84 of the National Planning Policy Framework.
2. There is no clear and convincing justification for the proposed change of use of Cross Gaits Inn to a dwelling. The proposal would result in the loss of a community facility and would result in less than substantial harm to the significance of the designated heritage asset and would be contrary to the policies SP11, DM18 and DM35 of the Adopted Pendle Local Plan Fourth Edition (2021-2040) and Paragraphs 215 of the National Planning Policy Framework (NPPF).

Application Ref: 25/0646/FUL

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At Cross Gaits Inn, Beverley Road, Blacko

On behalf of: Mr John Kay

REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE

07TH JANUARY 2026

Application Ref: 25/0647/LBC

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At Cross Gaits Inn, Beverley Road, Blacko, Lancashire

On behalf of: Mr John Kay

Date Registered: 09.10.2025

Expiry Date: 04.12.2025

Case Officer: Athira Pushpagaran

Site Description and Proposal

The application site is Cross Gaits Inn which is a Grade II Listed Building (Ref: 1273141) situated outside the settlement boundary within the open countryside. The building has been an inn since the early 18th Century. The inn has two storeys and to the rear of the site there are modern extensions that have been added at various stages in the 19th and 20th Century. The Cross Gaits Inn ceased trading as a public house in January 2023 and has been registered as an asset of community value. It is located at the corner of where Beverley Road meets Barnoldswick Road, with the main access being from Beverley Road. The application site is visible from both the highways and from PROWs FP1309032, FP1309033, FP1309001, FP1309005, FP1309007 and FP1309018 that passes close to it.

The application seeks listed building consent for conversion of existing public house (Sui Generis) to 1 no. dwelling (Use Class C3) and the erection of 1 no. dwelling in the adjacent car park.

Relevant Planning History

24/0684/FUL Full: Change of use of pub (Sui Generis) to a dwelling (C3) and the erection of 1 no. dwelling on existing car park. Refused 2025. Appeal dismissed

24/0685/LBC Listed Building Consent: Change of use of pub (Sui Generis) to a dwelling (C3) and the erection of 1 no. dwelling on existing car park. Refused 2025. Appeal dismissed

23/0442/FUL Full: Change of use of pub (Sui Generis) to a dwelling (C3) and the erection of 1 no. dwelling on existing car park. Refused 09.10.2023

23/0444/LBC - Listed Building Consent: Change of use of pub (Sui Generis) to a dwelling (C3) and alterations to access. Refused 09.10.2023

01/2023/ACV Proposed designation of Cross Gaits Inn as an Asset of Community Value. Accepted 31.01.2023

Consultee Response

Highways

The preference of the Parish Council remains that the property continues as a pub. Our concern however is the distinct likelihood that this outcome will not be achieved. Whilst we note the objections registered in the portal our sense is that the property will deteriorate further. With that in mind we would prefer development over dereliction, we therefore do not object to the development of the pub. We do however object to the proposed development on the car park which is unsympathetic to the listed building and cottage across Beverley Road.

Parish/Town Council

No response

PBC Environmental health

Request a condition for a construction method statement

Historic England

No comment

Growth Lancashire

In my original memo dated 27 August 2023, I identified harm caused by the proposal through direct works to the listed building and through change of use. I have reviewed the viability report which states its continued use as a public house is unviable. I recommend this report is assessed by the Council. Should the viability report be found to be an accurate assessment of the continued use, this would support its change of use to residential in providing justification for the harm, as required by P213 of the NPPF. However, as stated in previous comments, some of the harm caused by the proposal through loss of public house use would be inevitable, so the harm would not be completely removed, but this should be assessed against the public benefits of the scheme. Clarity should be provided on the features identified as historic in my original comments dated 27 August 2023 and confirmation of their retention provided. I note the heritage statement has not been updated to reflect my comments/concerns, in the new submission.

AMNSOC

No response

Public Response

The nearest neighbours have been notified by letter, a site & press notice have been displayed, with 36 objections received raising the following issues:

- would cause unacceptable harm to the community, the local heritage asset, and the character of the village
- A viable community-led alternative exists, supported by the Cross Gaits Community Pub Group
- The proposal would result in the loss of focus point and place to meet friends old and new, for locals of all ages and abilities. The Cross Gaits Inn has served the community of Blacko since 1736
- there is The Rising Sun but that has no comparison to the Cross Gaits as a family place.
- The current owner purchased the property, closed it immediately, and stripped out the kitchen facilities, causing deterioration of the asset. The applicant's claim of non-viability is

unsubstantiated and based on self-inflicted circumstances following deliberate closure and neglect.

- The Marketing and Viability Report commissioned by the applicant (Brent Forbes MRICS, August 2025) asserts that The Cross Gaits is not viable as a public house. However, this report fails key requirements of the CAMRA Public House Viability Test and Pendle Borough Council's Local Plan policy criteria
- The property has been advertised for redevelopment rather than for continued pub operation
- No engagement has taken place with community or pub-sector buyers.
- The applicants marketing & viability report produced by Brent Forbes relied solely on owner-supplied trading figures from 2020–2023, disregarding any potential under community ownership.
- The owner's agent confirmed in correspondence dated 14 November 2023 that "any offer would have to be at or very close to the asking price" of £595,000. This was far above the fair market value of £295,000 identified in the RICS 'Red Book' valuation by Dabro & Associates (April 2024). As a result, no credible purchaser could have made a viable offer based on the site's actual value and potential as a public house.
- Based on this valuation, two formal offers of £225,000 were made by The Cross Gaits Community Pub Group Ltd, reduced from £295,000 to reflect deterioration and removal of fixtures following the applicant's purchase. No meaningful dialogue or counteroffer was received from J K Developments Ltd or its agent.
- The Cross Gaits Inn - in Blacko - has served residents for over 300 years. Its loss would remove an essential community facility, contrary to Pendle Local Plan Policy SUP1 and NPPF paragraphs 93–97, which protect local services. The property has not been genuinely marketed at a realistic price, and there is clear local interest in retaining it for community use.
- Conversion to a private residence would destroy its living heritage value and contravenes Policies ENV1 and ENV2 of the Local Plan and NPPF paragraphs 212-215 and 217. The additional dwelling's modern design would harm the setting of the listed building.
- Unsustainable Development in Open Countryside
- The erection of the new dwelling would mean that the car park would be lost for the customers of the public house
- Despite what is presented in these applications, there has been significant interest and investment from the local community to try and retain The Cross Gaits as a community asset, evidenced by the formation of The Cross Gaits Community Pub Group committee (04/02/24), which began by creating an online survey to ask the community what they would like to see. 459 responses received · 241 offers of assistance in terms of time / help (53% of respondents). · 219 offers of financial support at varying levels (47%). Funds pledged could range from £50k (pessimistic) to £200k (optimistic). · 367 responders provided their email address (78%) and 212 their mobile numbers (46%), to maintain involvement.
- The community group has prepared a business plan
- Identified and instructed a suitably qualified Chartered Surveyor (Dabro & Associates) to undertake an independent 'Red Book' Royal Institution of Chartered Surveyors (RICS) approved valuation of The Cross Gaits (29/04/24).
- Secured seed funding pledges of £4000 from several members of The Cross Gaits Community Pub Group to allow us to move forward with this project (09/02/24).

- The applications' Design & Access Statements, section 9, mentions "sustainability", yet there is no mention of using the BREEAM (British Research Establishment Environmental Assessment Method) to determine the dwellings' environmental performance, and there is no evidence in the applications which addresses the sustainability of:
 - Materials used in construction of the developments.
 - How run off is to be treated and disposed of.
 - How foul sewage is to be treated and disposed of.
 - Providing energy solutions to meet the power requirements of the dwellings.
 - Provision of insulation, ventilation or air conditioning to reduce energy demands
- No mention of ecological surveys including a bat survey
- No mention of how the foul and sewage will be dealt with. Currently there is an old septic tank on the opposite side of the road to the southeast of The Cross Gaits which has been known to discharge effluent into the water course.
- No sales board was placed on the property and the asking price at £595,000 - where "any offer would have to be at or very close to the asking price" - was double the market value of The Cross Gaits Pub (as established by an independent RICS 'Red Book' valuation commissioned by The Cross Gaits Community Pub Group Ltd) and £190,000 more than the owner/applicant actually paid for The Cross Gaits, despite him spending nothing on the property and neglecting it for nearly 2 years.
- The site also lies outside the settlement boundary and the proposal conflicts with policies LIV1 and SDP2 and NPPF paragraph 84, which restrict new dwellings in open countryside.
- The presence of a viable community bidder is a material consideration that distinguishes this situation from an ordinary closed pub scenario. There is a realistic route to securing the Cross Gaits' future as a pub, and planning should not preempt that.
- concerned about the construction impacts and long-term amenity issues
- Nothing substantive has changed between previous refusals and the current applications
- Flawed Viability and Marketing Evidence – The property has not been marketed realistically for community use, and the applicant has disregarded genuine, evidence-backed purchase offers.
- A viable community-led alternative exists, supported by the Cross Gaits Community Pub Group Ltd, Plunkett UK, and a professional RICS valuation.

Relevant Planning Policy

As with all applications the statutory requirement is that the application must be determined in accordance with the development plan unless material considerations indicate otherwise. The consideration of the application must also be in accordance with primary legislation which in this case is primarily the Planning (Listed Buildings and Conservation Areas) act 1990 ("the Act").

The Act states in section 16:

"In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Pendle Local Plan Fourth Edition (2021-2040)

Policy SP01 (Presumption in Favour of Sustainable Development) echoes the presumption set out in National Policy and promotes the three strands of sustainable development: economic, social

and environmental. Applications which accord with policies contained within the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy SDP2 sets out the spatial development principles for developments in Pendle. Proposals to develop outside of a defined settlement boundary will only be permitted for exceptions to Policy DM09 that are identified in the NPPF, an adopted development plan document, or a made neighbourhood plan, or that are in accordance with Policy SP04 part 5 when the Council is unable to demonstrate a five year housing land supply.

Policy SP11 (Historic Environment) requires designated and non-designated heritage assets to be conserved and enhanced in a manner appropriate to their significance.

Policy DM16 (Design & Place Making) seeks high quality design in all new developments. Proposals should promote local character and distinctiveness and demonstrate a good standard of amenity for existing and future occupants.

Policy DM18 (Heritage Assets) states that the Council will support proposals which conserve and enhance Pendle's historic environment. Where a proposal would result in harm or loss of significance to a heritage asset, this must be balanced against any public benefit associated with the scheme.

Policy DM35 (Cultural and community facilities) relates to proposals for cultural and community facilities. Any proposal to change the use of a building or land which is already in cultural or community use will be supported where consistent with Policy DM31 as applicable, and:

- (a) Replacement facilities of a similar scale and function, which maintains or enhances local built character, and are accessible via sustainable transport links to the community served, are provided;
- (b) It is evidenced that there is no need or demand for the facility to remain in that use; or
- (c) The existing use is no longer viable and cannot be reasonably made viable.

National Planning Policy Framework

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

Para 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 139 of the framework states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Para 213 of the NPPF requires any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification

Paragraph 215 of the Framework sets out that where development proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm must be

weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design and protecting residential amenity.

Officer Comments

The comments that have been made on the application relate not only to this application but to the planning application for a change of use and for the application to erect a house on the site. Whilst there are interlinking relationships between these applications, this application seeks listed building consent for the works described in this application. Although the application is described as a change of use this application is in effect for the works associated with that to the fabric of the building. This application needs to be considered in this context. The principal material considerations for the application are as follows:

The Council have received comments from a Conservation Officer at Growth Lancashire that confirms that the comprehensive analysis received for the previous application that was refused and appeal dismissed, remains valid for the current application.

Paragraph 212 of the framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The proposed works include demolition of the existing modern extensions to the rear of the Inn, and the reconfiguration of the openings to the rear following the demolition. This includes two new external doors, an additional window fitted to the existing hatch opening. An additional door is proposed to the side elevation. The spotlighting and signage of the pub would be removed. The existing dry verge would be repointed and guttering repaired and replaced like for like where necessary. A stone retaining wall would be erected to the rear periphery, creating a yard area, which would be bounded by a timber fence to the side. The scheme also proposes the addition of new top hung casements (mock sashes) which match the existing. The internal layout will be changed to accommodate the proposed use.

While the demolition of the modern rear extension would possibly reveal more of the Listed Building and reinstate the original footprint of the building and thereby provide some benefit in terms of the appearance of the building the overall works proposed to the building would result in less than substantial harm to the significance of the listed building due to loss of historic fabric and the loss of an historic established use, resulting in loss of communal value.

Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification. This is for any harm, irrespective of whether it amounts to substantial harm, total loss or less than substantial harm to its significance. No such justification has been provided to support the proposal.

As per paragraph 215 of the framework where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 015 of the Planning Practice Guide (PPG) states "*if there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and*

likely future changes. The optimum viable use may not necessarily be the most economically viable one. Nor need it be the original use.”

The submitted viability and marketing report states that if were to operate as a pub, based on the costs of refurbishment and ongoing costs even if achieving a weekly turnover of just under £5,300 per week, the pub will make a loss of £42,004 per annum. The key drivers of its unviability are identified as the refurbishment costs of 610,800, strong competition from nearby food-led operators, the pub's isolated location and a limited walk-in catchment. The refurbishment quote of 610,800, appears to suggest a complete overhaul of the building envelope as well as interior, at a price way in excess of what was actually paid for it. The document itself notes that the figure is only a rough estimate rather than a detailed quotation. The level of investment assumed reflects a desirable standard of improvement rather than the minimum reasonably required for reopening. As such, the assumption that the full refurbishment cost is essential to reopening may overstate the expenditure required and, in turn, the degree of unviability.

The Community Pub Group has registered themselves as a community benefit society and prepared a business plan for taking the pub forward under community ownership. They intend to raise the capital required through a share issue in the community benefit company and through financial support in grant assistance and loans. The group already have many pledges of support including financial pledges with an estimated range of at least £50,000 and at most £200,000. The plan state that they aim to enter into negotiations with the current owner to purchase the property at a fair open market value for its current use. Their previous offers at 225,000 was rejected by the owner when the property was marketed at 595,000.

The applicant has demonstrated that the pub may be unviable on a conventional commercial basis particularly if assessed against a high refurbishment cost and traditional operating model. The applicant has not demonstrated that a more modest refurbishment scheme, sufficient to secure compliance and functionality, has been tested. While the community group's previous offers when the property was marketed at an elevated price was not accepted, the marketing currently undertaken invites substantial offers and the community group is prepared to negotiate with the applicant to buy it at a reasonable price. Their alternative operational model, relying on community ownership and external funding, offers a potentially viable path and weighs against concluding that the pub use is wholly unviable.

In this case, the applicant has not demonstrated that the optimum viable use of the property has been tested. Whilst it is acknowledged that the public house is currently vacant, the submitted evidence does not sufficiently demonstrate that a continued pub use, resulting in no harm, could not continue on site. Therefore, there is no justification for departing from the historic use that preserves the significance of the asset.

In addition to that the proposal does not demonstrate any public benefits to outweigh the harm caused. Heritage assets are an irreplaceable resource as noted in Paragraph 202 of the framework and great weight should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance, as stated in Paragraph 212 of the Framework. Section 16(2) requires the local planning authority have special regard to the desirability of preserving the building or any features of special architectural or historic interest which it possesses. The benefits from the construction of housing contributing to the economy and to the housing numbers would be very minor and would not outweigh the harm to the significance of the listed building.

The development would thus be contrary to policies SP11, DM16 and DM18 of the Adopted Pendle Local Plan Fourth Edition (2021-2040), paragraphs 213 and 215 of the NPPF.

RECOMMENDATION: Refuse

Due to the following reason:

1. The proposed works to enable the change of use of the Grade II Listed Building which is a public house to a residential dwelling would lead to less than substantial harm to its significance due to loss of significant features and loss of historic public house use, resulting in loss of communal value. There is no clear and convincing justification for this harm, and no public benefits have been demonstrated to outweigh the harm. The development would thus be contrary to policies SP11, DM16 and DM18 of the Adopted Pendle Local Plan Fourth Edition (2021-2040) and Paragraphs 212, 213 and 215 of the National Planning Policy Framework.

Application Ref: 25/0647/LBC

Proposal: Listed Building Consent: Conversion of existing public house (Sui Generis) to 1 no. dwelling (Use Class C3) and the erection of 1 no. dwelling in the adjacent car park.

At Cross Gaits Inn, Beverley Road, Blacko, Lancashire

On behalf of: Mr John Kay

LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 18th December 2025