

APPLICATION NO.	<u>P12/V2419/FUL</u>
APPLICATION TYPE	FULL APPLICATION
REGISTERED PARISH	22 November 2012
WARD MEMBER(S)	APPLEFORD
APPLICANT	Gervase Duffield
SITE	Mr M Marriot
PROPOSAL	The Appleford Kitchen & Bar Main Road Appleford OX14 4PD
AMENDMENTS	Change of use of a public house (class A4) to a residential dwelling (class C3)
GRID REFERENCE	25.03.2013
OFFICER	452690/193514
	Katie Rooke

1.0 INTRODUCTION

1.1 The Appleford Kitchen & Bar public house is located within the village of Appleford, with vehicular access taken from the B4016 Main Road to the west. Residential properties are located to the north and south of the site, with agricultural fields to the east. A copy of the site plan is attached at appendix 1.

1.2 The public house ceased trading in September 2012.

1.3 The application comes to committee as Appleford Parish Council objects.

2.0 PROPOSAL

2.1 This application seeks planning permission to for the change of use of the building from a public house (use class A4) to a single dwelling (use class C3).

2.2 The building currently contains a front bar and restaurant on the ground floor, together with a kitchen, beer cellar, toilets and an outside utility room. The first floor consists of a four bedroom flat with a lounge and bathroom, but no separate kitchen. A copy of the existing floor plans is attached at appendix 2.

2.3 As originally proposed, the change of use included extending the building at first floor level, although no elevations were provided. The proposal has now been amended so that no extension is to be undertaken to the premises, with only a couple of new windows added. The application, therefore, is being assessed on this amended basis. A copy of the proposed floor plans is attached at appendix 3.

3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 Appleford Parish Council objects to the application, making the following points:

- There is a strong case for retaining the sole pub in the village as the parish has few other facilities; just a village hall and a church. There is no school, shop or serious bus service.
- There is no evidence that the village needs another large house.
- The Parish Council would like to make it clear that paragraph 5.12 on page 22 of the applicant's Planning Statement is incorrect. At no point did Appleford Parish Council confirm they would support the application.

3.2 County Highways Engineer raises no objections subject to conditions.

- 3.3 Waste Management team have provided details of what bins the property would be provided with.
- 3.4 CAMRA (Campaign for Real Ale) objects to the application, making the following points:
- The public house is the key village amenity, and is sufficiently close to other population centres such as Milton Park to be able to draw trade from elsewhere.
 - If the current management cannot make a go of it then it should be offered for sale.
 - Trading conditions are fairly tough at the moment, but there are examples of similar village pubs nearby that are doing well.
- 3.5 One letter commenting on the application has been received from a local resident, which makes the following points:
- In 1999 there was no shop or post office. Despite this the public house has not been well used by people from the village despite numerous attempts and pleas to the residents to use it or lose it.
 - Only very few of the village residents are regulars and not enough, it would seem, to sustain the business.
 - Occasional village meetings are held on the premises but these meetings are not reliant on the licensed nature of the premises and could just as appropriately be held in the recently refurbished Village Hall.
 - There would seem to be little potential for passing trade.
 - Since 1999 there has been a succession of tenants, all of whom have failed, despite valiant efforts, to make the business work.
 - Although this is the only commercial meeting place in the village, it is not well used.
 - Difficult to interpret the submitted drawings, but any first floor extension would be oppressive and reduce light to neighbouring properties. [NB there is now no proposal to extend the building].
 - No details have been provided about the proposed arrangements at the front of the property. Property deeds allow neighbouring properties a right of access across the drive.
- 3.6 Two letters of support have been received from a local resident, which make the following points;
- Residents of the village do not support the pub.
 - How many more publicans (six in six years) will it take for the village to realise, like all things, you need to actively use and support community facilities?
- 3.7 21 letters of objection have been received from local residents, which make the following points;
- More time should be given to explore the possibility of selling the pub as a viable business. The village is too small to provide the clientele to keep a pub going and it needs an entrepreneur to encourage outsiders to visit.
 - Communities need village services, and public houses play an important part in social and community life.
 - Why did the pub fail after just over 12 months as a free house? With the right ingredients this public house could be a viable and thriving business.
 - The demise of the business has torn the heart out of the social life in the village. The community needs a focal point which has always been the pub.
 - It seems optimistic by the applicant that a trading profit would be made in the first 12 months of trading.
 - No attempt has been made to sell the property on the open market as a business.
 - If the village simply becomes a collection of houses with a train station, there would be no reason to oppose urban expansion from Didcot.
 - Throughout its history Appleford has never been without a pub.
 - There is always the chance that trading conditions will improve.

- With the proposed expansion to the north of Didcot, there once again could be an increased demand for a pub.
- The public house can be a profitable operation; the only problem before was the food.
- It was at this pub, after the very first traction engine rally, that the drivers and engines returned to celebrate the event. Due to this, the Carpenters Arms [the previous name of the pub] is now known worldwide within the traction engine movement.
- Although the pub has failed under recent management, it is fundamentally viable.

4.0 **RELEVANT PLANNING HISTORY**

4.1 P04/V1121/A – Approved (17/08/2004)

New signage

4.2 P97/V0493 – Approved (14/05/1997)

New kitchen extraction flue. Relocation of Aunt Sally pitch.

4.3 P97/V0081 – Approved (06/03/1997)

Internal alterations. Repairs and redecorations to exterior.

4.4 P95/V0113 - Approved (14/11/1996)

Demolition of outbuildings and erection of two dwellings. Retention of pub and beer garden. Alterations to car park.

5.0 **POLICY & GUIDANCE**

National Planning Policy Framework

5.1 The NPPF replaces all previous PPG's and PPS's and also indicates the weight to be given to existing local plan policies. The adopted Vale of White Horse Local Plan policies that are relevant to this application are considered to have a high degree of consistency with the NPPF and, therefore, should be given appropriate weight.

5.2 The core principle of the NPPF is a presumption in favour of sustainable development.

5.3 Paragraph 28 refers to supporting the rural economy, stating that development should promote the retention of local services and community facilities in villages, including public houses. Paragraph 70 reiterates this in the context of promoting healthy communities.

5.4 The NPPF also seeks to boost the supply of housing and, in rural areas, locate housing where it will enhance or maintain the vitality of rural communities (section 6). The NPPF also encourages the use of empty or redundant buildings for residential use (paragraphs 51 and 55).

Vale of White Horse Local Plan 2011

5.5 Policy CF5 relates to public houses, stating that redevelopment of premises that are used, or have been used, as a public house will be permitted unless there is evidence that they form an important local community facility and it has not been demonstrated that the public house is not economically viable, or in the smaller villages in the district (including Appleford) there is no reasonable likelihood of an alternative employment, retail or community use which would benefit the economic or social life of the village.

5.6 Policy DC1 refers to the design of new development, and seeks to ensure that development is of a high quality design and takes into account local distinctiveness and character.

- 5.7 Policy DC5 seeks to ensure that a safe and convenient access can be provided to and from the highway network.
- 5.8 Policy DC9 refers to the impact of new development on the amenities of neighbouring properties and the wider environment in terms of, among other things, loss of privacy, daylight or sunlight, and dominance or visual intrusion.
- 6.0 PLANNING CONSIDERATIONS**
- 6.1 The main issues to consider in determining this application are whether the public house constitutes an important community facility, whether its continued use as a pub is economically viable, whether there are any alternative community uses that could occupy the building, the impact of the proposal on the visual amenity of the area, the impact on the amenities of neighbouring properties, and whether there is adequate parking.
- 6.2 Within the planning statement prepared by Plainview Planning and submitted as part of the application, it confirms that the public house was formally closed on 22 September 2012. At that time cumulative barrel consumption had dropped to no more than three a week, and between the period of September 2011 and May 2012 the public house made a loss of £25,225.91.
- 6.3 The council has commissioned an independent assessment of the viability of the public house. Undertaken by Dunster & Morton, the viability report makes the following points:
- Whilst the public house may benefit from limited local passing trade, this is unlikely to generate a significant amount of such business. In order to trade successfully, the property, therefore, would effectively have to become a destination outlet in order to attract additional business.
 - When trading as a traditional wet led public house, clearly the building has not been successful in recent years. This is confirmed by the fact that it was previously a tied house and Greene King took the decision to dispose of the building.
 - In the author's view, in order to generate a reasonable level of trade and to attract business from a wider catchment area, the business would need to be food driven.
 - If the property operated as a food driven outlet, the trading areas are small, particularly on the basis that the front bar area operates essentially as a drinking area in order that the building continues to operate as a community pub as well.
 - The trading area of the building is somewhat limited. Whilst the site is of sufficient size, to enlarge the trading area would involve an extension, which would obviously incur substantial costs.
- 6.4 The current owners have not, since purchasing the property, placed the public house back on the open market. However, due to changing drinking habits this type of unit, which would have been essentially wet led, is no longer in demand.
- 6.5 The conclusion of the independent assessment undertaken by the consultant is that the "property no longer constitutes a viable business proposition for a potential purchaser", and "There is a substantial number of public houses in the immediate vicinity providing a wide choice of facilities to satisfy local demand". A full copy of the conclusions of the Dunster and Morton report is attached at appendix 4.
- 6.6 Whilst the public house has not been marketed, the conclusion that the use of the building as a pub is no longer a viable proposition is considered sound given the detailed analysis and investigation undertaken.

- 6.7 Part ii) of local plan policy CF5 requires that in the event that the use of the building as a public house proves unviable, proposals should consider whether alternative employment, retail or community uses are viable over residential. Whilst the applicants have not explored this option it is noted that previous shops and services within the village were not able to continue trading and closed some time ago, and a village hall exists which can be used for social functions.
- 6.8 The proposed external alterations to the property to facilitate its conversion into a dwelling are considered to have no impact on the visual amenity of the area. In order to ensure any boundary treatments implemented at the front of the building are appropriate, it is considered reasonable and necessary to condition that these be submitted for approval.
- 6.9 The new window openings, which are to be located at ground and first floor levels in the rear (east) elevation of the building will enable only angled views over neighbouring gardens. This relationship is considered acceptable and refusal on the basis of harmful overlooking is not considered to be justified. In order to ensure the details of the new openings are appropriate it is considered reasonable and necessary to condition these.
- 6.10 The use of the building as a single dwelling will reduce vehicle movements and potential demand for parking. In order to ensure sufficient parking is provided to meet the needs of the new dwelling, and at the request of the county highways engineer, it is proposed to condition that car parking details be submitted for approval.

7.0 CONCLUSION

- 7.1 Whilst it is disappointing that The Appleford Kitchen & Bar public house would be lost from the village, both the applicant's and council's expert's reports conclude that the premises are unviable as a going concern. The proposed development will not harm the visual amenity of the area or the amenities of neighbouring properties, and there is adequate off-street parking. The proposal, therefore, complies with the provisions of the development plan, in particular policies CF5, DC1, DC5 and DC9 of the adopted Vale of White Horse Local Plan. The development is also considered to comply with the provisions of the National Planning Policy Framework.

8.0 RECOMMENDATION

It is recommended that planning permission be granted subject to the following conditions:

1 : TL1 – Time limit

2 : List of approved plans

3 : Prior to the commencement of the development hereby approved, full details of any proposed external alterations to the building shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

4 : Prior to the use or occupation of the new development, a parking area for 4 cars shall be constructed, surfaced and drained on the site in accordance with a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The parking area shall be constructed to prevent surface water discharging onto the highway. Thereafter, the area shall be kept permanently free of any obstruction to such use.

5 : Notwithstanding any details shown on the approved drawings, the site's internal and external boundaries shall be enclosed in accordance with a detailed

scheme and programme of implementation which shall first have been submitted to and approved in writing by the Local Planning Authority. The programme shall ensure that the approved boundary treatments are completed prior to the use or occupation of the new development.

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