

APPLICATION NO.	P16/V1457/FUL
SITE	51 High Street, Sutton Courtenay, Abingdon, OX14 4AT
PARISH	SUTTON COURTENAY
PROPOSAL	Change of use of existing public house and associated works to create 1 no. 4-bedroom dwelling together with construction of 1 no. 2-bedroom dwelling to the rear, including access, car parking, landscaping, bin and cycle storage
WARD MEMBER(S)	Gervase Duffield
APPLICANT	Hawthorn Leisure Limited
OFFICER	Hanna Zembrzycka-Kisiel

Recommendation

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

- 1. Commencement of development within three years.**
- 2. Approved plans list.**
- 3. Submission of details of external materials and finishes and external lighting.**
- 4. Submission of joinery details.**
- 5. Submission of sample panel showing new brickwork, showing brick bond, capping and mortar mix.**
- 6. Details of a Suds-based system to be submitted and approved prior to development commencing.**
- 7. Tree protection - implementation as approved.**

Informative:

The waste collection point will be at the end of the shared driveway at the junction with High Street rather than part way down the driveway

1.0 Introduction

- 1.1 This planning application seeks planning permission for the change of use of the building from a public house (use class A4) to a single dwelling (use class C3). The application also proposes the constructions of a new dwellings with the landscaped garden to rear of the application site.
- 1.2 This application was presented to Planning Committee on Wednesday, 19th October 2016, and recommended for approval as the proposal complies with the Local Plan Policies, the provision in the National Planning Policy Framework and the adopted Council's Design Guide.
- 1.3 The previous committee report, **attached at Appendix One** dealt with aspects

such as the principle of development, proposed design and scale, its impact on highway safety, drainage, and residential amenities of the neighbouring properties, as well as the impact upon the conservation area and listed building located in the surrounding area.

- 1.4 The application was supported by the viability report, prepared by Savills. The submitted viability report, was independently assessed by an external expert commissioned by the Local Planning Authority. The expert has also stated that any investment “to enable the sale of food an extensive refurbishment of the kitchen would be required to include the provision of catering quality equipment. I consider the food potential at the Plough PH, particularly given the customer base described, to be limited and therefore any investment high risk”.
- 1.5 The assessment was concluded that The Plough PH is not economically viable, and will not be viable even if it was refurbished, upgraded and if the commercial kitchen would be installed.
- 1.6 However, the committee did not feel that they had enough information to judge the viability of the pub, due to there being conflicting views from the objectors. The committee expressed concern that the loss of the pub could cause severe harm to the social fabric and sustainability of the village. The proposal was deferred to allow to allow the committee to consider the viability reports for the pub before determining the application.

2.0 **Additional assessment**

- 2.1 The Local Planning Authority also requested an independent assessment to be carried out on the viability report submitted to the Planning Department by the objectors. These reports, the one submitted by the objectors as well as the assessment prepared by the commissioned independent expert were also circulated among the committee members for their consideration. Again, the appointed expert has concluded that the report submitted by the objectors “contains no information that causes me to change the views and opinions expressed in my report of 18th August 2016 i.e. that the Plough PH does not represent a financially viable business opportunity”.

3.0 **Asset of Community Value**

- 3.1 Since the publication of the previous committee agenda it has been confirmed by the Policy and Partnerships Team, who are assessing the Assets of Community Value applications that there are in total four applications for ACV nomination submitted to the council. The first application was invalid and was not determined.
- 3.2 Under the second application The Plough has not been nominated as an Asset of Community Value, as it has been proven that the pub is no longer economically viable and does not meet the criteria for future use set out in s88(2) of the Localism Act 2011.
- 3.3 The decision notice in the asset of community value, states that “the evidence is that the pub is poorly equipped and not commercially viable. Contracts have been exchanged for the sale of the pub and the new owner intends to redevelop

it for residential use. There is no realistic prospect of the building being put to any use with community benefit in the next five years. The Council has therefore decided not to include the property in the list of Assets of Community Value, and the Asset will be added to the list of unsuccessful nominations”.

3.4 The third nomination was confirmed to be invalid again, and therefore the Council was unable to determine it.

3.5 The fourth nomination has been confirmed to be valid, and it is under consideration at the time of writing this report. However, officers are mindful that the procedure for nominating an ACV is an entirely separate legal process to the planning process, and it is not considered reasonable to delay consideration of the planning application to await the outcome of this latest application for nomination.

4.0 **Historic England**

4.1 It was brought to the Officer’s attention, that the objectors have submitted an application to Historic England to get the building listed, however at the time of writing this report there is no further information on the results of that application.

5.0 **The Former Landlord**

5.1 Objectors have alleged that the last landlord deliberately ran down the pub by restricting opening hours. Officers’ attention has been drawn to a statement made by the landlord in July which contradicts this allegation. He states that restricted opening hours were a response to poor patronage. Officers also understand that, contrary to some expressed views, the landlord had experience of bar work – previously he had been employed at the bar at Drayton Golf Course.

5.2 The evidence on this matter is conflicting. Objectors believe the pub has been deliberately run down. However, in the face of mounting losses, a reduction in opening hours is a pattern that is equally consistent with a tenant seeking to open only at set times when trade may be expected to minimise costs. Officers consider that, in light of this conflicting evidence, members should attach little weight to the merits of this argument.

6.0 **Use by Groups and Teams**

6.1 It has been raised by the objectors that the Plough “is the only pub in the village where all the local sport teams can come together to represent the village. There is currently a ladies darts team, pool team and Aunt Sally team. No other pub in the village is equipped or want to provide pool tables, Aunt Sally equipment or darts boards as they say they are restaurants only.”

6.2 The former landlord has stated that the following use took place during his tenure:

- **“Ladies Darts Team** – 12 Team members are signed on and at least 6 members show up once fortnight;
- **Pool Team**- 5 team member are signed up, but it varies how many members show up;

- **Aunt Sally** – Not aware of anyone/team playing at the pub;
- **Sutton Courtenay Women’s Institute** – around 3 to 5 events in the last 2 to 3 years;
- **Damascus Youth Project**- a couple of events over the last 2 years but the Property is not the main meeting place for this project;
- **Sutton Courtenay Golf Society** – has never known or seen any of their members at the pub;
- **Fundraising event** – One for the local school was held couple of years ago with barbecue and live music, but was not supported by the village and therefore no such events took place thereafter;”

6.3 It is evident from the accounting information that the level of support received by the Plough PH from groups and teams was not sufficient to enable it to be financially viable.

7.0 **Conclusion**

7.1 The council’s independent expert’s assessment concludes that the premises is unviable as a going concern due to the high cost of finance, poor returns and the necessary cost of repairing and refurbishing the building. Further to that, the report submitted by the objectors has also been independently assessed and has not changed the consultant’s conclusion that the Plough PH does not represent a financially viable business opportunity.

7.2 There are other meeting and drinking facilities within the village to meet the needs of local residents. In addition it has also been concluded that the continued use of the property as a public house, even if a commercial kitchen would be installed, would be unviable.

7.3 Therefore, given the above, the proposal is recommended for approval for the reasons outlined in the previous committee report, subject to the conditions and informatives listed below.

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