



Supplementary Planning Guidance

No. 19 Public Houses

1.0 Introduction

1.1 This supplementary planning guidance has been prepared by the Council to provide clarification and advice on the way the Council will deal with applications for redevelopment or change of use resulting in the loss of a public house. It is based on national policy guidance and policies included in both the Berkshire Structure Plan and the Deposit Draft Newbury District Local Plan.

1.2 This guidance has been adopted by the Council’s Environment Committee following extensive public consultation. It is for prospective developers and is based on the Council’s past experience in dealing with such

proposals. The advice here is not a substitute for professional help from a consultant planner or architect; you may particularly need such help if your proposal is in a sensitive location. Compliance with the guidelines does not by itself guarantee planning permission; each case is taken on its merits.

1.3 The Planning and Transport Strategy Service welcomes discussions on proposals and plans before they are formally submitted as a planning application. If you have any queries please write to us; we will give you advice as quickly as we can.

2.0 Background

2.1 The steady erosion of village services such as shops, post offices and schools has been paralleled by losses of rural pubs. Public houses serve important social, community and economic functions in maintaining the viability of rural villages and the vitality of larger urban areas. The harm to the social and economic life of a village resulting from pub closure is an interest of acknowledged importance according to the Secretary of State for the Environment. Public houses also have important links to leisure and tourism, and contribute to the distinctiveness of towns and villages.

2.2 A survey of rural services was carried out by the Community Council for Berkshire in 1997. The results indicate that over half of all the rural parishes surveyed had either no public house or only one.

2.3 While planning authorities cannot prevent a public house from closing, they can influence the outcome of applications for changes of use, including conversions to private dwellings. The aim of this guidance is to safeguard the public house as a focus of community life.

3.0 Guidelines

3.1 In terms of national policy guidance, reference is made to promoting economic activities including small scale enterprises. Whereas public houses may not be mentioned in the guidance per se, they are an example of small scale enterprise.

3.2 The Rural White Paper: A Nation Committed to Living in the Countryside (1995) states that rural businesses contribute to the prosperity of the nation as a whole, and locally they create jobs which sustain individual communities. Policies are promoted to help reverse the decline in services in rural areas, with the aim of fostering “living rural communities with a mixture of age groups and economic

activities”.

3.3 Government guidance in the form of PPG7: The Countryside: Environmental Quality and Economic and Social Development (1997), states that local planning authorities should bear in mind the vital role of small-scale enterprises in promoting healthy economic activity in rural areas, which can contribute to both local and national competitiveness (para 3.8). It warns against the conversion of buildings which are currently in industrial or commercial use to dwellings, as this may have an adverse impact on local economic activity (para 3.15).

3.0 guidelines continued

3.4 The function of the planning system as outlined in PPG15: Planning and the Historic Environment (1994) is to regulate the development and use of land in the public interest. It has to take account of the Government's objective of promoting sustainable economic growth, and make provision for development to meet the economic and social needs of the community.

3.5 Sustaining a sense of local distinctiveness, an important aspect of the character and appearance of towns, and villages, is recognised in PPG1: General Policies and Principles (1997). Buildings of

historic importance are to be valued and protected for their own sake, as a central part of our cultural heritage. Their continued use is important if they are to contribute fully to the life of our communities.

3.6 The importance of diversity of use to vitality and viability in town centres is emphasised in PPG6: Town Centres and Retail Developments (1996). Leisure and entertainment facilities all add to variety and local planning authorities are urged to encourage diversification of uses in the town centre as a whole.

4.0 Berkshire Structure Plan 1991 - 2006

4.1 The Structure Plan recognises the importance of public houses for recreation and social provision and their contribution to the character and attractiveness of an area. It is acknowledged that they are under pressure for change in both town centres and in villages. Whilst it would be unreasonable to insist that the pattern of recreation facilities remains unchanged, there is a need to ensure that important provision is not squeezed out. Policy R6 states:

“Development involving the loss of built leisure facilities which contribute significantly to recreational provision or to the character of the built-up area, will be

acceptable only if there is a comparable replacement in the locality as part of the scheme.”

4.2 “The need to preserve facilities such as public houses and other places of entertainment will depend upon such factors as location, viability, suitability for alternative leisure use, and importance to the area they serve.” (para 12.22)

5.0 Deposit Draft Newbury District Local Plan 1991 - 2006

5.1 The provision of social and community facilities is a fundamental planning principle. This is recognised in policy OVS.3 of the Deposit Draft Newbury District Local Plan which includes a requirement for the provision of infrastructure, services and amenities made necessary by development.

5.2 By the same token, it would be reasonable to assume that the retention of such facilities in established residential areas is as important as their provision in the first place.

5.3 A number of pubs in the district lie outside any defined settlement boundary and so proposals for their re use or adaptation is largely governed by Policy ENV.19 of the DDNDLP. In applying the criteria of this policy, it is stated that the District Council will favour, where appropriate, the reuse and adaptation of rural buildings for business purposes.

5.0 deposit draft newbury district local plan 1991 - 2006 continued

5.4 Policy ENV.20 concerning the redevelopment of existing buildings in the countryside is also relevant. In this case, redevelopment will be permitted “where the proposal is in a sustainable location and particularly where it will assist the diversification of the rural economy.” A public house is a business use, therefore redevelopment or change of use to a private dwelling would normally conflict with both policy ENV.19 and ENV.20.

afforded a certain level of protection in terms of their character, through policy ENV.33. This states that development would not be permitted which would harm or prejudice the special character or appearance of a Conservation Area. Where public houses occupy listed buildings, policy ENV.32 which seeks to preserve and enhance the character, historical or architectural integrity and setting of the building, also applies.

5.5 Many public houses in rural areas lie within Conservation Areas and as such are

6.0 Planning Criteria

6.1 The criteria to be used in the assessment of applications for development resulting in the loss of a public house, will be as follows:

- (i) whether it would have an adverse effect on the local character, diversity and amenity of the area;
- (ii) whether it can be demonstrated that alternative acceptable public house provision exists (defined in terms of location, size, range of facilities and quality of provision) or can be made available in the local area/community;
- (iii) evidence exists that the loss of the public house would comprise an unacceptable decline in the standard of community services for locals and visitors;
- (iv) whether it can be demonstrated that the public house is no longer economically viable and that all reasonable attempts have been made to sell or let the building as a public house at a realistic price for no less than 6 months

Any attempts to sell the business at a price which reflects its current use should relate to the business in its entirety, and not to parts of it, for example the buildings without the accompanying garden or car park. Evidence to demonstrate a sale has been unsuccessful would need to include estate agents literature,

schedules of potential purchasers and trading figures.

A commercial viability study should accompany any application for redevelopment or change of use. Evidence should be produced to show what measures have been taken in an attempt to return a pub to a viable business. This could include details of commercial initiatives introduced, development proposals for the business etc.

Other Considerations

The partial redevelopment or change of use of a key facility (such as the car park or garden) will not be permitted where it is considered that this may prejudice its economic viability or future operation.

The Council will encourage the combination of services or activities, such as post offices, shops or related brewing functions with the existing public house use.

Where redevelopment or change of use is acceptable, all normal planning control criteria would apply, including impact on amenity, design, access, parking etc

**6.0 planning criteria
continued**

6.2 The loss of a public house from a village or rural community can be especially severe if it is the only remaining facility in the area and is a focal point for the community. Public houses in this situation are vital to the well-being and social structure of the area. The importance of any particular public house as a community facility can be gauged by discussions with both the Parish Council and local residents.

principle, favourable consideration will be given to proposals which may help to support and diversify activities which serve the retention of the public house.

6.3 It must be accepted that planning authorities cannot control the closure of businesses where there is little or no support and which are not economically viable. In

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For further advice

If you would like further advice, or need a set of application forms, please write or telephone the Planning Control Section of the Planning and Transport Strategy Service. Our address is

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