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COUNTRY PUBS/SHOPS AND POST OFFICES: PLANNING ISSUES

“Planning Authorities should follow East Cambridgeshire where proof must be furnished that a pub is no longer viable before it can be converted.”¹

In some circumstances even where a shop or pub may be a viable concern, it may have a greater alternative value as a house. Once these facilities have been lost from a village, there is little likelihood of them returning in the future and the service base of these settlements is permanently undermined. This is most likely to be an issue in the smaller centres where there is a limited range of shops and services.

In the late 1990s Local Planning Authorities experienced a spate of planning applications to convert rural pubs to houses and also, in some cases, to develop the pub car park by building more houses. Many pubs closed before the planning application was submitted given some impetus for a favourable consideration by the Local Planning Authority. Here in East Cambridgeshire we experienced several cases and, indeed, approved proposals where the pub was not the only one left in the town or village. Similarly, with the shops and post offices in our predominantly rural district. However, this worrying trend coincided with the preparation of our District Local Plan when we decided to tackle the issue head-on by constructing the following policy.

Policy 135

In Local Centres and villages, the Council will require evidence that a shop, pub or post office, either in use or vacant, is neither viable nor likely to become viable before planning permission will be granted to change its use to a house. Planning permission will only be given for a change of use where either:

- i) evidence has been submitted of genuine efforts having been made to sell the enterprise as a going concern or to sell or let the property as premises for its current or previous use; or*
- ii) the use is less than five years old.*

In Local Centres and villages the Council will require evidence that a shop/pub/post office, either in use or vacant, is neither viable nor likely to become viable before planning permission will be granted to change its use to a house. This evidence will normally consist of an applicant having marketed the enterprise or the property for its commercial/community use for a reasonable period in a manner and at a price that reflects that use. To avoid deterring those wishing to open new shops/pubs in villages, where there is uncertainty over their viability, the marketing requirement will not be applied to

¹ The Guardian Leader column, 6th December, 1999

premises which only recently came into a commercial or community use. 'Recently' will normally be taken as within the previous five years.

This policy development followed a comprehensive survey of village facilities which worryingly concluded that by the end of 1996 twenty-five villages in the District (and there are not many more!) had no shop at all. Something had to be done to stop this decline. At the time Government guidance in the form of Planning Policy Guidance (PPG) Note 7 '*The Countryside Environmental Quality and Economic and Social Development*' gave some support by stressing the importance of local services to the vitality of community life in villages. But more had to be done by developing a more supportive and robust planning policy framework together with a package of fiscal support including rates remits or reductions to try to stop the rot.

Here at East Cambs, Planning Policy 135 was groundbreaking in this context but not trialled by application or appeal. However, it was challenged by the 'PH interest' through the Local Plan inquiry but this was unsuccessful and the Policy was finally adopted unscathed.

However, a planning application was submitted for the change of use of the King's Head Public House to residential in the small, attractive village of Reach in our District a few miles from Cambridge. This was to prove to be a very testing case. At the time, Policy 135 was not yet part of an adopted Local Plan but had gained considerable weight as the Plan moved towards adoption in 2000. The planning application when submitted did not satisfy the criteria of the policy. The applicant asked for the application to be held in abeyance until he had been through a marketing process. In the end planning permission was refused for two key reasons – insufficient evidence of an appropriate marketing strategy and the harmful impact of the loss of the pub on the character of the Reach Conservation Area. The decision was not challenged at appeal. Rather, the village of Reach rallied to rescue the pub with a very successful outcome.

Since then more successful cases have emerged where Local Planning Authorities have effectively refused planning permission for the change of use of village pubs and won on appeal. This is proving to be not so difficult particularly where the pub is the last remaining one in a village that also has the advantage of Conservation Area status. Where there are several pubs, this makes for a very difficult decision.

At the time of writing this paper Government issued a revised Planning Policy Statement for consultation which explains:

Draft Planning Policy Statement (PPS) 7 – Sustainable Development in Rural Areas

"Planning authorities should adopt a positive approach to planning proposals designed to improve the viability, accessibility or community value of existing

services and facilities, such as village shops and post offices, rural petrol stations, village halls and rural public houses that play a vital role in sustaining village communities. Planning authorities should support the retention of these local facilities and should set out in development plans the criteria they will apply in considering applications that will result in the loss of vital village services (e.g. from conversion to residential use)."

Certainly, Planning Policy is developing a more robust approach here in Cambridgeshire with the recent adoption of the County Structure Plan with a key rural policy:

Policy P3/4 Rural services and facilities from the Structure Plan states:

"Local planning authorities will support the vitality of rural communities by encouraging the retention and expansion of village shopping facilities, on a scale appropriate to their location and serving a local function, and key community services."

Development plans should seek to support the viability of rural communities by promoting the retention of village shops and services in all rural settlements. Rural areas suffer from problems of social exclusion and poor access to services, which particularly affects the elderly and the young. Being able to reach essential community services such as healthcare provision, Post Offices, banks and building societies, will be particularly important for these groups of people.

Local Authorities should also be supportive of innovative means of maintaining rural services. An example of this could be through encouraging the rural Post Office network to extend the range of business activities and service it offers, including banking, Internet access, pensions, and local pharmacists. Local Authorities can support the vitality of rural communities through providing advice and support for community and investment initiatives and through community transport initiatives.

But more must be done. Developing robust planning policy and when necessary, refusing planning permission is only the start of a long and difficult process to retain the pub as the centre of a rural community. We still need to find more innovative and adventurous ways of ensuring the sustainability of pubs, shops and post offices for the benefit of our rural areas. Local Planning Authorities are now starting to prepare for the new Local Development Framework and rural Councils are strongly advised to include criteria based policies in their new statutory Plan as a more robust defence against proposals to close essential rural community facilities.

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