

**Application Number: F/YR14/0307/F**  
**Minor**  
**Parish/Ward: Manea**  
**Date Received: 10 April 2014**  
**Expiry Date: 5 June 2014**  
**Applicant: Mr W Bishop**  
**Agent: Anglia Building Consultants**

**Proposal: Conversion of existing public house into 1 x 5-bed dwelling**  
**Location: The Ship Inn, Purls Bridge Drove, Manea, Cambridgeshire**

**Site Area: 0.05ha**

**Reason before Committee: This application is before committee at the request of Councillor D Connor as he considers that it meets the requirements of Policy LP6 in that it demonstrates that the facility is no longer viable and that the applicant has completed a comprehensive marketing exercise to sell it as a going concern, also Policy LP4 is relevant as it brings additional housing to the district**

**1. EXECUTIVE SUMMARY/RECOMMENDATION**

This is an alternative proposal for the change of use of an existing public house to 1 x 5-bed dwelling. The premises have been the subject of two previous refusals for change of use; the latter decision being upheld on appeal in December 2012.

The LPA continue to assert that the application fails to comply with the NPPF and Policy LP6 of the FLP as insufficient justification has been provided for the change of use. The current submission indicates that the premises not been marketed since early 2012 and it again fails to include an independent viability assessment. The earlier marketing campaign is not doubted however questions remain unanswered regarding whether the asking price was appropriate for the premises and whether the pub could potentially prosper in the future under existing or an alternative ownership – it is these questions that could be easily addressed in a detailed viability appraisal.

Given that the proposal clearly conflicts with the NPPF and the FLP it is considered essential that the applicant provides compelling and substantiated evidence regarding viability, as recognised by the Planning Inspector in the related appeal decision.

In the absence of such information the recommendation must continue to be one of refusal.

## 2. PLANNING POLICIES

### 2.1 National Planning Policy Framework:

Para 2 - Planning law requires that applications for planning permission must be determined in accordance with the development plan.

Para 7- Achieving Sustainable Development

Para 28 - Support a prosperous rural economy – to promote the retention and development of local services and community facilities in villages such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

### 2.2 Fenland Local Plan 2014

LP6: Employment, Tourism, Community Facilities and Retail

## 3. HISTORY

Of relevance to this proposal is:

- |     |               |   |   |
|-----|---------------|---|---|
| 3.1 | F/YR12/0150/F | Conversion of existing public house into 2 No. 2-storey 3-bed dwellings | Refused 10 October 2012 and Dismissed on Appeal |
| 3.2 | F/YR11/0706/F | Conversion of existing public house into 2 No. 2-storey 3-bed dwellings | Refused 26 October 2011                         |

## 4. CONSULTATIONS

- |     |                                       |  |
|-----|---------------------------------------|--|
| 4.1 | <b>Parish/Town Council:</b>           | Supported  |
| 4.2 | <b>Local Highway Authority (CCC):</b> | No highway objections to the proposal to convert this A4 Use Class into residential subject to the submission of a parking plan, and layout of the same on site in accordance with the agreed details.   |
| 4.3 | <b>Environmental Protection:</b>      | Note and accept the submitted information and have no objections to the proposed development as it is unlikely to have a detrimental effect on local air quality or the noise climate. From the information provided contaminated land is not considered an issue. |
| 4.4 | <b>Environment Agency:</b>            | Considers that the proposal is only acceptable providing the finished floor levels shall be set no lower than 3.10 m above Ordnance Datum to reduce the impact of flooding on the proposed development and future occupants.                                       |

- 4.9 **Local Residents:** I letter received concerning the size of the garden in comparison with the size of the property proposed – why is some land not used in the proposal.

## 5. **SITE DESCRIPTION**

- 5.1 The site is located within the hamlet of Purls Bridge south of Manea village. The Ship Inn is an existing public house which overlooks the Old Bedford River and is located close to the RSPB Information Office and Visitor Centre at Welches Dam. The site is adjacent to the Ouse Washes Nature Reserve and lies within Flood Zone 3.

## 6. **PLANNING ASSESSMENT**

- 6.1 This application is an alternative proposal for the Ship Public House, Purls Bridge and involves the change of use of the premises to a single 5-bed dwelling. As indicated in the history section of this report these premises have been the subject of two earlier refusals, the latter refusal having been upheld on appeal. The earlier submissions related to the conversion of the property to **two** dwellings however they are material to the consideration of this current proposal as they raised similar 'principle' issues. The current proposal has not offered any new information to that previously assessed.

- 6.2 The application is considered to raise the following key issues;

- Site history
- Principle and policy implications
- Justification for closure
- Issues associated with the application

### 6.3 **Site History**

In 2011 and 2012 applications for a similar proposal were refused on the grounds of lack of evidence that the public house is no longer viable. Also a comprehensive marketing exercise had not been undertaken.

When considering the appeal submitted in respect of the latter application, the Planning Inspector based her decision solely on the National Planning Policy framework. As at that time the Local Plan had yet to reach submission stage and the examination into its soundness had not taken place.

It was on these policy grounds alone that the Inspector dismissed the appeal, whilst noting the national trend of pub closures, and mindful of the appellant's view that the site is a desirable location to live and the proposal would provide a stable rental income. However she found no compelling or substantiated evidence regarding the viability or marketing of the business to persuade her that the pub did not have the potential to prosper in the future under the existing or an alternative ownership. As such the proposal was concluded to be in conflict with the NPPF and resulted in the loss of an important local service in a village that constitutes to the aim of supporting a prosperous rural economy.

## 6.4 Principle and Policy Implications

In order to assess whether the change of use from a public house to residential is acceptable, it is necessary to assess whether the pub is still viable to ensure that the loss of such a facility is not undertaken lightly.

The NPPF seeks to support a prosperous rural economy (para 28) and to promote the retention and development of local services and community facilities in villages such as local shops and public houses. In recognition of the NPPF the Fenland Local Plan, Policy LP6, considers that the re-use of community buildings can only be supported provided comprehensive evidence is provided to justify why the retention of the building is no longer financially viable, and that an appropriate marketing exercise has been undertaken. Furthermore it is necessary to demonstrate that there is a lack of community need for facility or an alternative facility is provided.

Policy LP3 has been highlighted as material to the consideration of this application in that the change of use would enable an additional unit of housing stock. Whilst this is acknowledged the authorised planning use provides a combined housing/business opportunity on the site and that the aims of Policy LP6 and the NPPF with regard to the retention of community facilities have a greater weight in terms of impacts.

## 6.5 Justification for Closure

In order for the Local Planning Authority to determine if the conversion of the public house is acceptable it is necessary to ascertain whether the pub is viable or not which is generally an exercise undertaken by the applicant. Such an exercise would entail the commissioning of a specialist consultant to carry out a viability assessment on the pub prior to submitting the application. It is also considered that the applicant should have undertaken a comprehensive marketing exercise to show that there is no interest in the pub.

The applicants have not carried out an independent viability assessment therefore the LPA is unable to determine if the pub is or could be viable. This omission was acknowledged by the Planning Inspector as a determining factor as to why she was not persuaded that the pub was currently unviable as a business.

The applicant's have carried out a marketing exercise with UK Pub Sales and although some new information has been provided this takes the form of a confirmation of marketing and monthly reports with these relating to a snapshot of only two individual months in a two year period.

Comments from UK Pub Sales indicate that "despite numerous parties requesting details on the property from our marketing, only one has proceeded to a viewing. We feel the reason for this is that after reviewing the brochure they do not feel there are sufficient features to justify the asking price". No clarification has ever been provided as to whether the asking price was reduced accordingly. There is no marketing of the pub currently being undertaken with marketing ceasing in April 2012.

Accounts have been received from 2006, 2007, 2008, 2009 and 2010. The accounts that have been submitted appear to show a fluctuation in sales over the last 5 years and whilst some years have seen a decrease in sales other have shown an increase. Although accounts for the year 2010 show a decline there is no commentary as to how the pub was operating and what the key challenges were.

### **Issues associated with the application**

The viability assessment carried out by the agent is the toolkit provided by CAMRA (Campaign for Real Ale) to assist a LPA in determining viability and is not an independent viability assessment carried out by a specialist. Whilst such an assessment has been requested with regard to the previous applications this has not been commissioned to accompany the current submission.

The agent has endeavoured to address some of the highlighted shortfalls in information in the current submission, providing evidence that they had placed the property for sale with an agent and including the marketing details. Whilst monthly reports of marketing have also been included these relate to a snapshot of two individual months in a two year period. In addition the latest available accounts (2010) have been provided together with a letter from the applicants accountants stating that the premises ceased trading in September 2011. Whilst the 2010 accounts show a small profit it does decline from the previous year.

## **7. CONCLUSION**

- 7.1 The LPA continue to assert that the application fails to comply with the NPPF and Policy LP6 of the FLP as insufficient justification has been provided. The current submission indicates that the premises had not been marketed for over a year and it again fails to include an independent viability assessment. The earlier marketing campaign is not doubted however questions remain unanswered regarding whether the asking price was appropriate for the premises and whether the pub could potentially prosper in the future under existing or an alternative ownership – it is these questions that could be easily addressed in a detailed viability appraisal.

The owner closed the public house in 2011 and therefore it is apparent that there has been no income since that time however the closure of a public house does not automatically mean that the pub is not viable. There could be a number of reasons as to why a public house fails, i.e. poor maintenance, poor management, ill health etc. However without an independent viability assessment, the LPA cannot make a robust judgement in relation to viability.

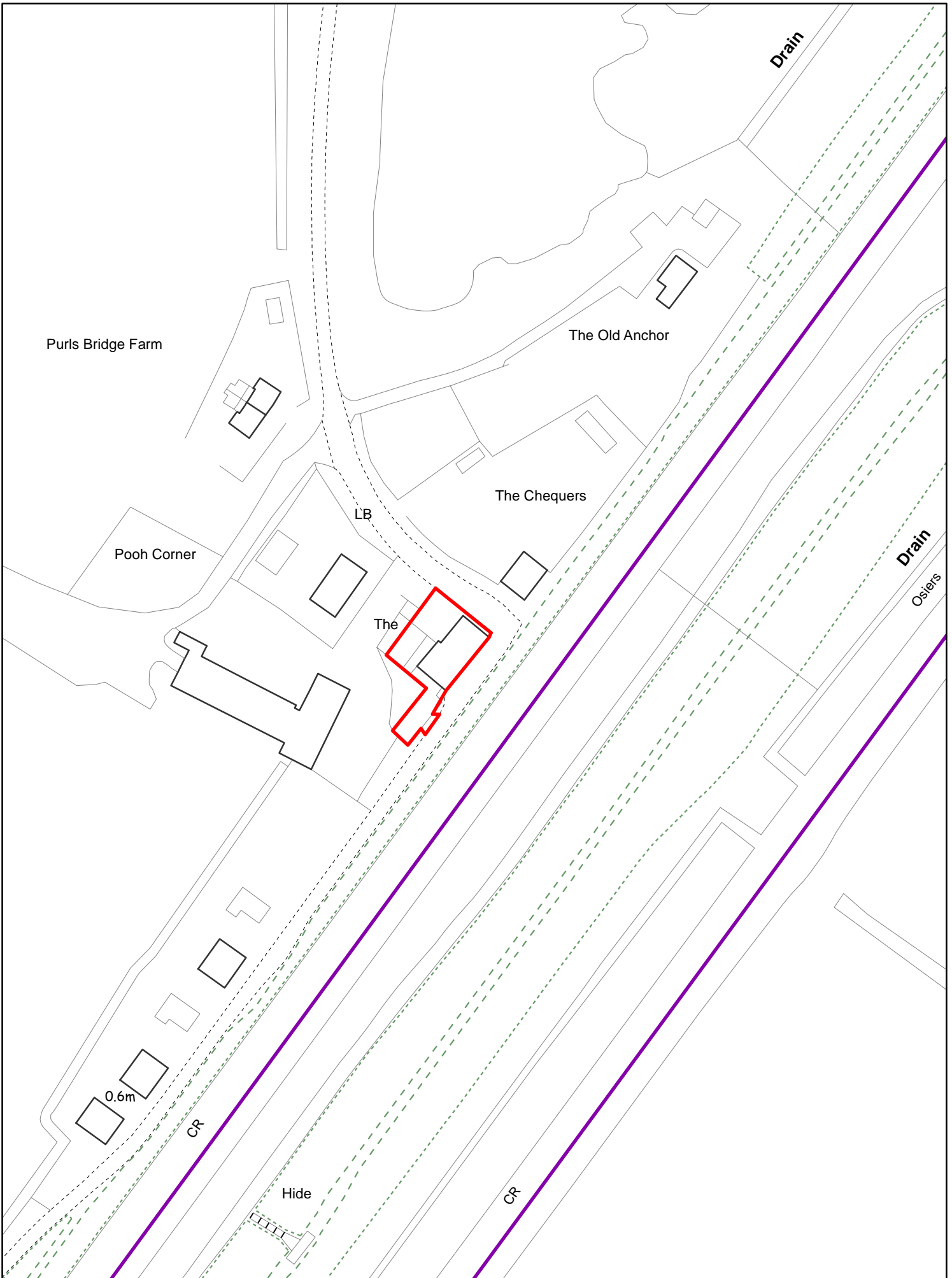
Similarly, there has been no marketing of the premises since April 2012 and again the LPA cannot make a judgement regarding the desirability of the premises as a public house.

Given that the proposal clearly conflicts with the NPPF and the FLP it is considered essential that the applicant provides compelling and substantiated evidence regarding viability, as recognised by the Planning Inspector in the related appeal decision. In the absence of such information the recommendation must continue to be one of refusal.

## **8. RECOMMENDATION**

### **Refuse**

**The proposal fails to demonstrate that a comprehensive marketing exercise has been undertaken; nor has the application demonstrated that the existing facility is not viable contrary to advice contained within the National Planning Policy Framework and Policy LP6 of the Fenland Local Plan.**



Created on: 29/04/2014

© Crown Copyright and database rights 2014 Ordnance Survey 10023778

F/YR14/0307/F

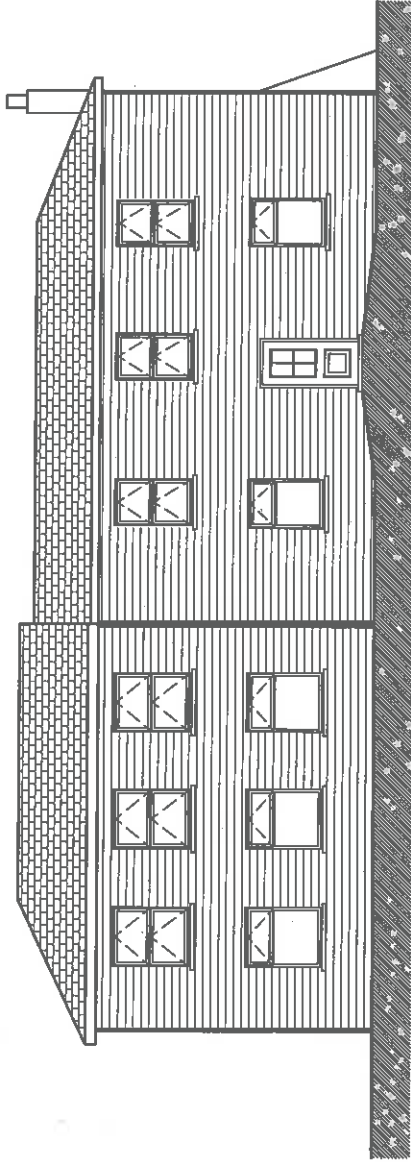
Scale = 1:1,250



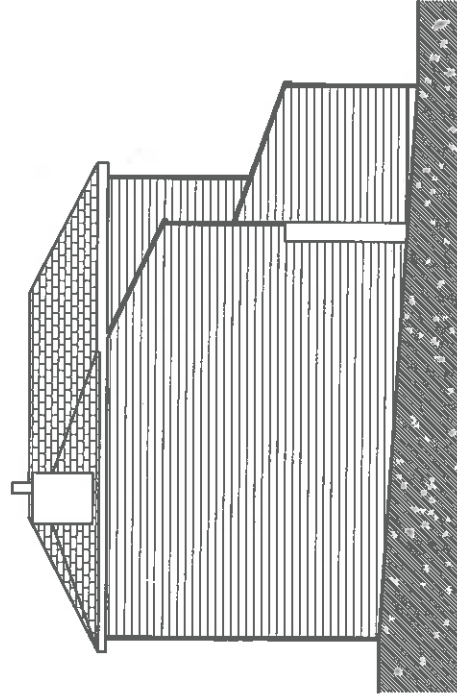


The builder/contractor is required to check all dimensions associated with any aspect of the work. Any discrepancy found should be reported to the agent. Copyright on all drawings and documents prepared by Anglia Building Consultants is their property. Drawings, documents and designs may not be reproduced in part or in whole without their written permission.

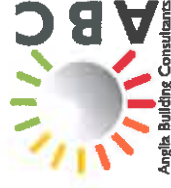
**Materials**  
**Walls- Boarding as existing**  
**Roof - Slates as existing**  
**Door- Timber as existing**  
**Windows - White UPVC**



Front Elevation



Side Elevation



Villeneuve - Basin Road - Outwell  
 Norfolk - PE14 8TQ  
 01223 969427  
[www.angliabuildingconsultants.co.uk](http://www.angliabuildingconsultants.co.uk)  
[info@angliabuildingconsultants.co.uk](mailto:info@angliabuildingconsultants.co.uk)

A	Date	Revision	
Project:		Conversion of public house into dwelling, at The Ship Inn Puris Bridge, Manea	
Drawing Title:		Proposed Front and Side Elevations	
Client:			
Mr and Mrs Bishop			
Date:	October 2013	AC	A3
Scale:	1:100		
Drawing Number:	13-1144-7		