

# Planning Services

## COMMITTEE REPORT

### AGENDA ITEM NUMBER:

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### APPLICATION DETAILS

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<b>APPLICATION NO:</b>	<b>PL/5/2010/0220</b>
<b>FULL APPLICATION DESCRIPTION</b>	<b>CHANGE OF USE FROM PUBLIC HOUSE TO 2 NO. DWELLINGS AND ASSOCIATED ALTERATIONS AND EXTENSIONS</b>
<b>NAME OF APPLICANT</b>	<b>PUNCH TAVERNS LTD</b>
<b>SITE ADDRESS</b>	<b>ROYAL GEORGE, THE VILLAGE, OLD SHOTTON, PETERLEE SR8 2ND</b>
<b>ELECTORAL DIVISION</b>	<b>PETERLEE WEST</b>
<b>CASE OFFICER</b>	<b>Grant Folley 0191 5274322 grant.folley@durham.gov.uk</b>

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### DESCRIPTION OF THE SITE AND PROPOSAL

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- 1 The property subject to this application is currently in use as a Public House. The Royal George inn is a 2-storey public house with a white render finish, situated at the end of The Green (a cul-de-sac). The property has a single storey extension to the south of the main building, which provides a small dining area for the public house. Located to the north of the property, with sole access off The Green is a car park with space for approximately 4 no vehicles, on-street parking is also available on the public highway adjacent to the public house.
- 2 The Royal George is situated in a predominantly residential area in the village of Old Shotton, situated on the western edge of Peterlee. Residential properties bound the Royal George to the east, west and south, an area of public open space is sited to the north. The Royal George Inn is approximately 50 metres from the A19, which runs to the west of Peterlee.
- 3 Planning permission is sought for the conversion of the existing building to form two residential dwellings. The proposed conversion works will include the removal of the existing single storey extension sited on the southern side of the public house, and the erection of extensions to the side and the rear of the existing property.
- 4 This application is being reported to the planning committee due to an objection being received from Peterlee Town Council.

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## PLANNING HISTORY

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None relevant.

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## PLANNING POLICY

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### 5 NATIONAL POLICY:

**Planning Policy Statement 1: Delivering Sustainable Development** sets out the Government's overarching planning policies on the delivery of sustainable development through the planning System.

**Planning Policy Statement 3: Housing** (PPS3) underpins the delivery of the Government's strategic housing policy objectives and our goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

**Planning Policy Statement 4: Planning for Sustainable Economic Development** proposes a responsive and flexible approach to planning which provides sufficient employment land and makes better use of market information. The PPS is designed to establish a national planning policy framework for economic development at regional, sub-regional and local levels for both urban and rural areas.

*The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>*

### 6 LOCAL PLAN POLICY:

District of Easington Local Plan

**Policy 1-** Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.

**Policy 35 -** The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

**Policy 96 -** Outside of Seaham and Peterlee, conversion or redevelopment resulting in the loss of a community facility will only be allowed where the facility is no longer viable, there is no significant demand, or equivalent facilities are accessible and available or would be made available.

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*The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.easingtonlocalplan.org.uk/>*

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## CONSULTATION AND PUBLICITY RESPONSES

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### 7 STATUTORY RESPONSES:

Peterlee Town Council – The Town Council wish to object on behalf of local residents. They have been advised through local members that local people are unhappy to lose their local public house, and feel that this will not safeguard neighbouring residential amenities but erode them. The change of use from a public house to residential dwellings is one which should be resisted as a loss of a successful business.

### 8 INTERNAL CONSULTEE RESPONSES:

Planning Policy – The proposal is in line with national guidance in the sense that the site location is readily accessible via public transport and local services and facilities are accessible. Saved policy 96 would be the appropriate local plan policy to assess the proposal; it seeks to safeguard such community facilities. However this policy only applies outside the towns of Peterlee and Seaham. Also the application of Policy 96 to prevent such a change of use is conditional on there not being ‘...equivalent and accessible alternative facilities’ available nearby. In this case it is noted that another public house also operates in the locality, which appears to be a more viable business. It is not considered that there are any robust grounds upon which to oppose the proposed change of use, given the planning policy context.

Highways Authority – The proposals to create 2 no. residential dwellings from the existing public house are generally acceptable from a highways perspective.

Environmental Health – No objections to the proposed conversion. Suggested conditions in relation to controlling hours of construction in order to protect the amenity of adjacent residents.

### 9 PUBLIC RESPONSES:

A site notice has advertised the planning application and neighbour consultation letters have also been sent. One letter of representation has been received in relation to this application. Objections have been raised on the following grounds:

- It is in the interest of the wider community now and in the future to protect The Royal George as a valuable community facility.
- The Local Community would be better served by the retention of the Royal George rather than the creation of 2 no. dwellings.
- It is considered that Policy 96 of the District of Easington Local plan is relevant in this case, as it not considered that Old Shotton should be included as part of Peterlee.
- It is considered that the Royal George offers a different type of Public House to that found elsewhere in Peterlee, and that it should be preserved to serve the needs of different sections of the community.

A petition containing signatures of 289 local residents accompanied the letter of representation. The petition stated that the undersigned are opposed to the change of use of the Royal George Public House as proposed under the current planning application.

## 10 APPLICANTS STATEMENT:

Punch Taverns recognise the view of the Town Council and local residents regarding concerns about the closure of the public house. However, the business has suffered significant downturn in trade over recent years.

In terms of trade performance the applicant has reported the following beer sales; 227 barrels in 2006/2007, 193 barrels in 2007/2008, 107 barrels in 2008/2009 and 66 barrels in 2009/2010. The 2009/2010 figures shows that there has been a 71% drop in sales over three years and a 50% drop over the past twelve months. By any measure, this shows the pub business has severely struggled to a level where the business is no longer viable, hence the decision by Punch Taverns to explore alternative uses before the pub closes. The key reasons for this poor performance have been the inability of the Royal George to adapt to a modern public house and strong local competition from the neighbouring Black Bull, which was refurbished in 2007 and has strong competitive prices, extensive food offering and good external facilities.

In terms of the Town Council comments seeking to safeguard residential amenities, the locality is very well provided for in terms of accessibility to public houses. In addition to The Black Bull, there are the Hearts of Oak and Oaklands nearby and other pubs in Peterlee. It is therefore clear that whilst the proposal would reduce choice there would remain adequate alternatives in the locality to meet community needs. This proposal therefore fully complies with Local plan Policy 96 which actually only protects pubs in rural areas, as well as paragraphs 14, 16, and 27 of PPS1 and Policy EC13 of PPS4.

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*The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=109221>. Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below*

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## **PLANNING CONSIDERATION AND ASSESSMENT**

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The proposal involves the change of use of an existing public house to form two dwellinghouses. The main issues to consider in determining this application relate to the impact the loss of the public house will have on the locality and the impact the proposed building works will have on the character of the property and adjacent residents.

### 11 Loss of Community Facility

Policy 96 of the Local Plan is the most relevant development plan policy as it deals with proposals that through conversion or redevelopment would result in the loss of a community facility such as a public house. The policy states that permission would only be granted where it can be demonstrated that the premises are no longer financially viable, that there is no specific demand for the facilities within the area or there are similar facilities accessible in the vicinity. However, the policy specifically relates to properties situated outside the towns of Seaham and Peterlee as outlined on the District of Easington Local Plan Proposals Map. The pub subject of this application is situated within the village of Old Shotton, which is included within the settlement boundary of Peterlee on the Proposals Map. The village of Old Shotton is considered to share many of its community facilities with the larger town of Peterlee.

The applicant has submitted information in support of the application to demonstrate that the pub has seen a significant downturn in trade in recent years. The applicant has also argued that the existing pub is not a viable business as it has a limited customer base, and is poorly located with limited scope for change to adapt to more contemporary drinking and

entertainment aspirations as a means of attracting new customers, which would be needed for the public house to survive as a viable business.

Alongside the arguments put forward in support of the application, representations have also been received from Peterlee Town Council and local residents. Objections have been raised to the loss of the public house as it is considered that the Royal George offers a different type of Public House to that found elsewhere in Peterlee; and that it should be preserved to serve the needs of different sections of the community.

The arguments put forward against the proposed change of use are acknowledged, the Royal George does appear to be a different type of pub to others situated within the locality and therefore it is likely that it serves a different section of the community. However, the differences in types of public house are not a planning consideration, as such it is not considered that there is any planning policy reason to refuse planning permission for the proposed change of use; if planning permission is granted, a number of different public houses will still be available to residents of Old Shotton and the wider town of Peterlee.

## **12 Principle of the Residential use and Impact of Building Works**

It is considered that residential use is acceptable in this particular location given that the former public house is situated in an established residential area. It is not considered that residential use of the premises would have a detrimental impact upon the amenities of the surrounding area or the wider setting that would justify refusal of this application.

The proposed change of use will involve some building works at the property. These will include the demolition of an existing single storey extension on the southern side of the property and the erection of modest side and rear extensions. It is considered that the proposed additions will be in keeping with the existing property and street scene. Furthermore, the proposed removal of the existing single storey extension to the side of the property will have a positive effect on the appearance of property and street scene and will reduce the bulk of the existing building.

It is not considered that the proposed change of use or building works will have any negative effects upon the amenity of adjacent residents. The loss of the public house and reduction in size of the building as proposed, may actually have a positive effect on the amenity of residents who live closest to the property by removing a potential source of late night noise and disturbance.

The access and parking arrangements for proposed dwellings are considered to be acceptable; the Highways Authority has raised no objections.

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## **CONCLUSION**

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- 13 The current application relates to an existing public house situated within the village of Old Shotton on the western edge of the town of Peterlee. Both residents of the village of Old Shotton and the town of Peterlee are considered to have access to a range of community facilities, including a number of public houses. The proposal would not lead to the loss of a community facility that is so important as to warrant refusal of planning permission.
- 14 The objections received from the Town Council and local residents are not considered to be sufficient to warrant refusal of the application. Due to the pub's location in the village of Old Shotton within the wider town of Peterlee, Local Plan Policy 96 would not justify refusal of planning permission.

- 15 The proposed change of use is considered to be in keeping with the character of the area. The proposed building works will not have any detrimental effects upon the occupants of neighbouring property or the character of the existing property or street scene.

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## RECOMMENDATION

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That the application be **APPROVED** subject to the following conditions;

### Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in strict accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority. Plan References: Location Plan, Topographical Survey (10145 TOPO), Measured Building (10145 FP), Elevations and Sections (10145 ELE), Public House Conversion Proposed Plans and Elevations (5321/02) - date received 11/05/2010. Amended Plan: Public House Conversion Proposed Site Layout (5321/03 Rev A) - date received 14/06/2010.
3. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.

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## REASONS FOR THE RECOMMENDATION

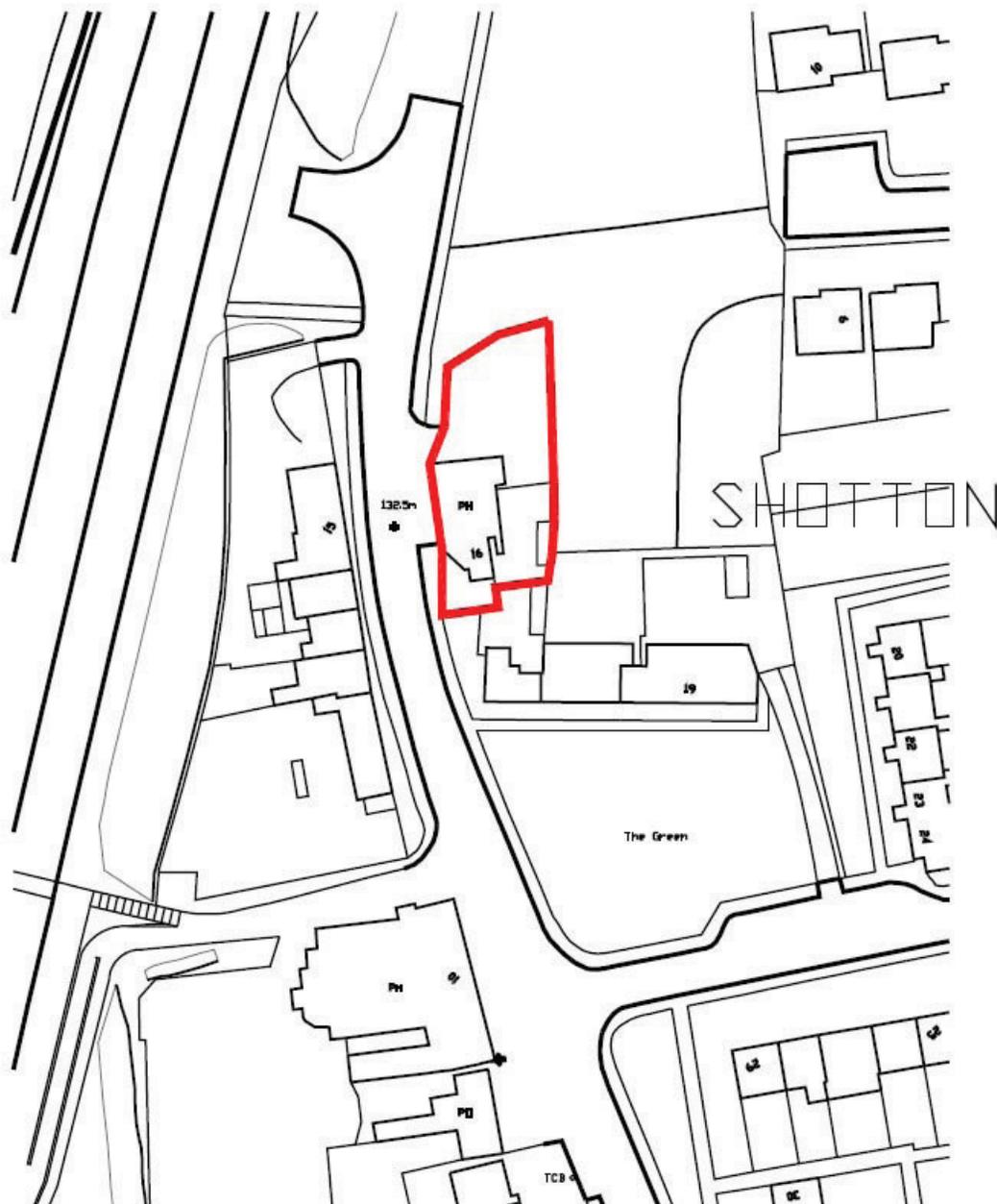
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1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN	ENV35 - Environmental Design: Impact of Development
DISTRICT OF EASINGTON LOCAL PLAN	GEN01 - General Principles of Development
PLANNING POLICY STATEMENT/GUIDANCE	PPS1 - Delivering Sustainable Development
PLANNING POLICY STATEMENT/GUIDANCE	PPS3 - Housing
DISTRICT OF EASINGTON LOCAL PLAN	REC96 - Protection of community facilities
2. In particular the development was considered acceptable having regard to consideration of issues of the loss of the public house and the impact on the street scene and adjacent occupants.
3. The stated grounds of objection concerning the loss of the public house and its associated community benefits are not considered sufficient to warrant refusal of the application. The relevant planning policy supports the proposed change of use and existing public houses will remain within the locality.

## BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPG2, PPS3, PPS7, PPS9, PPS13, PPG15, PPG16
- Consultation Responses



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