

Spatial Planning Comments

To: Jonathan James

From: Victoria Burvill

App: 18/04678/FUL

Date: 23 August 2018

Proposal:

Change of use of existing building to a single residential dwellinghouse, with carparking and rear garden

Three Horseshoes Inn Triangle Around The Green Stibb Green Burbage SN8 3AE

1. Development Plan

- Wiltshire Core Strategy (WCS)
- Saved policies in the Kennet Local Plan

2. Emerging development plans

- The Draft Housing Sites Allocations DPD, submitted July 2018 to the Secretary of State.

3. Other relevant policy

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

4. Principle of Development

- 4.1 Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 4.2 In this case, the Wiltshire Core Strategy (WCS), including those saved policies of the Kennet Local Plan.
- 4.3 These comments are concerned solely with the principle of development. Other policies of the WCS and Kennet Local Plan, other than those discussed below, may also be relevant.
- 4.4 Core Policy 1 of the Wiltshire Core Strategy. The proposal is within the village of Burbage (designated as a Large Village by the Wiltshire Core Strategy). The WCS states that since Large Villages have a limited range of employment, services and facilities, development will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, service and facilities.

Development will be carefully managed by Core Policy 2 and the other relevant policies of the WCS.

- 4.5 Core Policy 2 states that within the limits of development (the 'settlement boundary') there is a presumption in favour of sustainable development at Large Villages.
- 4.6 Taken as a whole, the policies of the Wiltshire Core Strategy constitute what sustainable development means in Wiltshire. To be considered sustainable development, the proposal must conform with all the relevant policies of the development plan. Core Policies 48 and 49 are particularly relevant in that they support rural life and community land uses.
- 4.7 Core Policy 49 – Protection of rural services and community facilities. There is a need to protect and encourage the development of rural services and facilities in Wiltshire to ensure that settlements can still meet some of the day to day needs of the people who live in them. For this reason, Core Policy 49 encourages the retention of rural and community facilities. Core policy 49 states that proposals involving the loss of a community service or facility will only be supported where it can be demonstrated that the site/building is no longer economically viable for an alternative community use. Preference will be given to retaining the existing use in the first instance, then for an alternative community use. Residential use may be permitted as a last resort and where all other options have been exhausted, including a mixed-use which retains a substantial proportion of the community use.
- 4.8 The Design and Access Statement argues that the public house business is not viable and that alternative community uses are not likely to be applicable. The case officer would need to be satisfied the application meets the requirements of Core Policy 49. The application is not supported by the required evidence (details of a comprehensive marketing plan) to show that the building has been marketed as a pub or as an alternative community use, and therefore the application does not conform to Core Policy 49. It is understood that the pub was sold as a going concern. The viability report appears to draw on the general state of the pub trade, and that viability issues are particularly severe where the number of pubs relative to the catchment population is high. There is one other pub in this village which does not appear to be a high ratio. There is no data relating to Burbage itself or the opportunities for the future of this business. The evidence submitted with the application in relation to the viability of the public house business or any alternative community use is currently not sufficient to meet the requirements of Core Policy 49.
- 4.9 Core Policy 48 – Supporting rural life: Existing uses serving the community may benefit from dual use of the application premises. These avenues can often be a mutual benefit and secure their longer-term viability and resilience. Other community services may not be available locally because of the cost and lack of suitable premises. There may also be opportunities for community ownership. The existence of other community facilities does not necessarily mean that another community use would not be useful. In this respect, the documents submitted with the application do not contain information assessing opportunities for those measures outlined in Core Policy 48.

- 4.10 Further evidence is required, specific to this business, to show how the pub has gone from a going concern to being unviable; what remedies have been sought to support the business in this time and why these have failed or not been pursued. There should also be a summary of the alternative community uses that have been considered and how they have been explored. This information would be in addition to details of past marketing exercises.
- 4.11 The Burbage Neighbourhood Plan is now made and forms part of the development plan. The neighbourhood plan lists the two existing pubs - Three Horseshoes and the White Hart – as much valued by the local community. The Three Horseshoes pub also represents a land-use that provides employment. The neighbourhood plan states that there is a shortage of employment opportunities locally and that retention and creation of employment opportunities is strongly supported locally. To this end, Policy 5 of the Burbage Neighbourhood Plan supports development of small workshops and studios, as well as tourism related businesses, especially those located in existing buildings. The plan states that the opportunity for capitalizing on tourist trade associated with the AONB, Marlborough and Savernake is ‘obvious but not yet fully tapped’. This does not indicate a weak local demand for the public house sector but a further opportunity that could be explored. Whilst the neighbourhood plan does not specifically mention the Three Horseshoes Pub as a community use that should be retained, the plan clearly shows that it is a community use that is valued by the community and the plan’s support for employment and tourism uses indicates potential avenues for a mixed-use that do not appear to have been explored prior to the residential use being proposed by this application, which should be a last resort after all other options have been exhausted. It is not clear whether business plans for a pub with restaurant or tourist accommodation has been explored for example.

6. Conclusion

- 6.1 There is a presumption in favour of sustainable development at the location of the proposal. Taken as a whole, the policies of the Wiltshire Core Strategy constitute what sustainable development means in Wiltshire. Currently the proposal does not seem to have explored measures such as those set out in Core Policy 48 and there does not appear to be enough information to demonstrate that the requirements of Core Policy 49 are met: For example, further information is needed to confirm that the public house business or a related business is not viable; Further information is needed to inform whether alternative community uses, or other mixed uses such as those including employment or tourism might be possible. This must also be supported by evidence showing that an extensive marketing exercise has taken place in line with Core Policy 49. As such, the application does not provide enough information to demonstrate that it complies with this policy.