

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5th December 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0945/07/F - RAMPTON

Dwelling on Land Adjacent to the Black Horse Public House, High Street

Recommendation: Approval

Date for Determination: 10th July 2007

Notes:

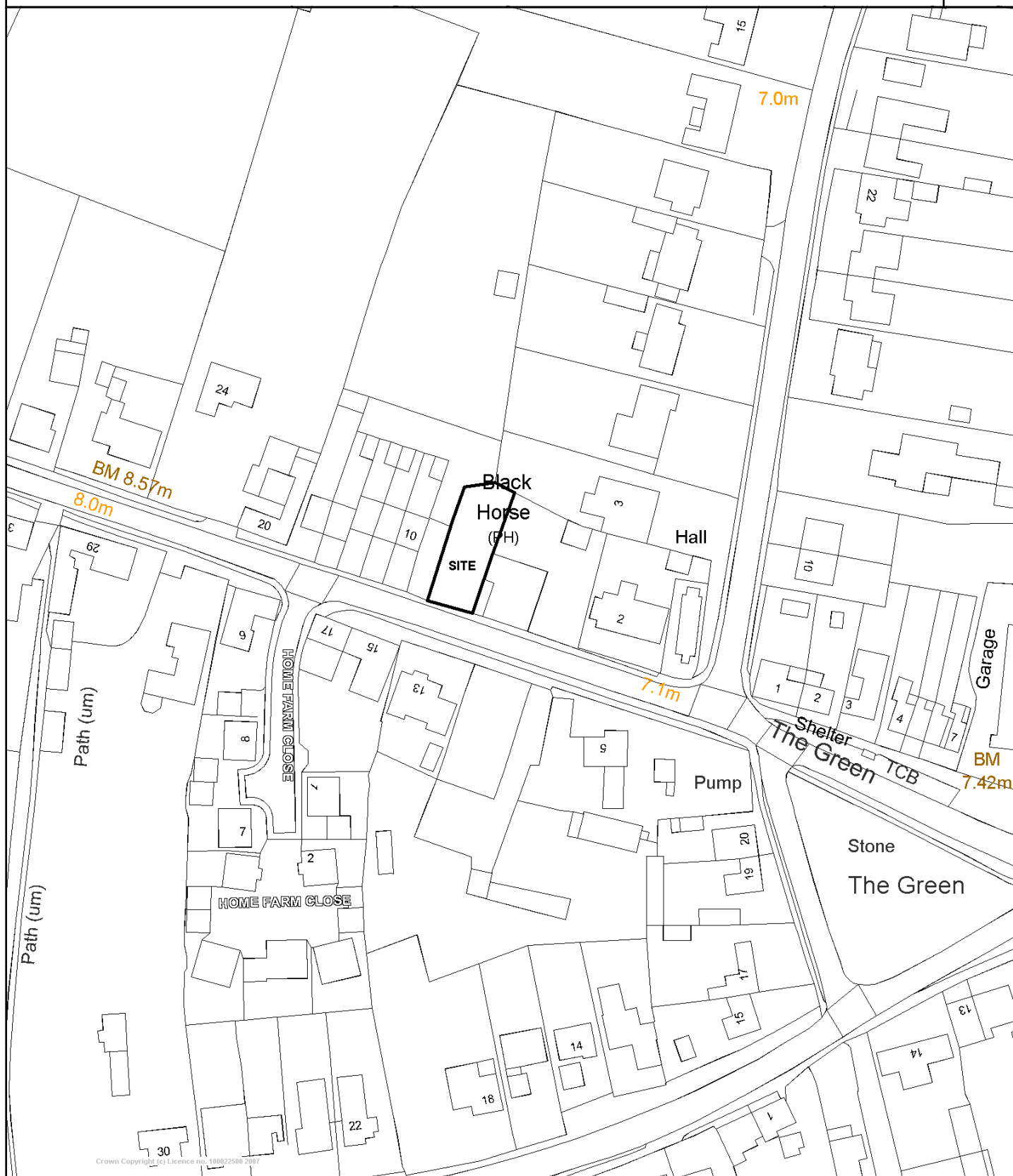
This application has been reported to the Planning Committee for determination because the Parish Council recommendation of refusal conflicts with that of the Officer's recommendation for approval.

Members will visit the site on 5th December 2007.

Conservation Area

Site and Proposal

1. The application site is within the Rampton Conservation Area and sits to the west of the Black Horse Public House, currently forming part of the curtilage of the pub. It covers an area of approximately 0.025 hectares (ha). The frontage of the site is laid to gravel with a dropped kerb to the street and is used as an overflow car parking area. The rear of the site extends into the pub garden and is laid out with children's play equipment and outdoor seating.
2. The Black Horse Public House is a two storey detached building that has previously been extended at single storey level to create two additional projections to the western side. There are a couple of windows in the western elevation that face onto the application site. The building is set forward from the surrounding houses and has a small picket fence to its front boundary. There is a car parking area to the eastern side and a rear garden that covers the entire width of the existing curtilage. A run down store / outbuilding sits to the north eastern corner of the garden and a petanque games area is laid out to the south.
3. A thick hedge marks the western boundary of the site, beyond which is a driveway serving the immediate neighbouring terrace (nos. 10-18 High Street). The terrace is set back from the public house and is lower in height. Some of the frontages have been laid out for car parking.
4. There is a general mix of properties making up the character of the High Street.
5. This application proposes the subdivision of the curtilage of the Black Horse Public House to allow for the development of one 3-bedroom detached dwelling on land to the western side of the pub. The density equates to 40 dph.



Crown Copyright (c) Licence no. 100022580 2007



Reproduced from the 2007 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/1250 Date 20/11/2007

Centre = 542574 E 268051 N

December Planning Committee 2007

6. The applicant has submitted a Viability Test, following an objection from CAMRA (see paragraph 26 below). It emphasises that the pub is not proposed to be closed or converted as a result of the application. Nor is it for sale. It concludes that, whereas extending the pub on this parcel of land would be a high-risk strategy, as it very doubtful that there is sufficient demand, or indeed catchment, to justify this, the development of the site would generate capital that could then be utilised by the pub.

Planning History

7. **S/0213/07/F** – Dwelling on land adjacent to the Black Horse Public House, Rampton. This application was withdrawn in order to revise the design of the proposed dwelling.
8. **S/0863/89/F** – Alterations and extensions to the Black Horse Public House, Rampton (Approved).

Planning Policy

South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007

9. **Policy ST/7 Infill Villages** – Restricts new development to not more than two dwellings comprising a gap in an otherwise built up frontage; the redevelopment or subdivision of an existing residential curtilage; the subdivision of an existing dwelling; or the conversion or redevelopment of a non-residential building where this would not result in the loss of local employment.

South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007

10. **Policy DP/1 Sustainable Development** – Development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form.
11. **Policy DP/2 Design of New Development** – All new development must be of a high quality design and should, amongst other things, preserve or enhance the character of the local area.
12. **Policy DP/3 Development Criteria** – Lists the requisites of new development to be provided as appropriate to the nature, scale and economic viability of the development e.g. car parking, affordable housing, refuse storage etc.
13. **Policy HG/1 Housing Density** – Seeks an average net density of 30 dwellings per hectare unless exceptional local circumstances require otherwise.
14. **Policy CH/5 Conservation Areas** – Looks to development to provide a level of visual interest similar to that of existing buildings, with a key focus on design details and use of materials.
15. **Policy SF/1 Protection of Village Services & Facilities** – Supports the retention of village services and facilities and seeks to refuse planning permission for proposals, which would result in an unacceptable loss of a village service e.g. a public house.

Consultation

16. **Rampton Parish Council** recommends refusal of the planning application. The Council challenges the accuracy of the car park audit carried out and advises that both car parks are used, especially during functions, even though the design statement says otherwise. Is concerned that the viability of the pub would be impacted as a result of the development, the pub is dependant upon villagers and those outside of the village and the development would result in cars being forced to park on the highway. The loss of car parking and garden space will impact upon the pub and limit the scope and size of functions held in the future. If the development went ahead the pub would not be able to expand in the future.

A further letter received from **Rampton Parish Council** comments:

- a) Great deal of concern expressed by villagers about the application with the general feeling that the development could prove to be detrimental to the long term future of the pub. The viability of the pub would be reduced by loss of parking and garden. The loss of space would make it difficult to carry out future expansion of the pub.
- b) Pub, which is one of only two commercial amenities in the village, is considered to be an important meeting place for a number of groups and any loss of parking and garden space would be detrimental to these activities. As a small village the loss of either of the commercial amenities would be greatly felt in the village.
- c) The land is not vacant as described in the application, it is a used car park.
- d) Consultation with the village would have been appropriate as the application affects a village amenity.
- e) Details on existing and proposed parking are incorrect within the application form. There would be a loss of at least 6 parking spaces and not a gain of 1-2 spaces as suggested.
- f) Disagrees with the design and access statement in that the application is contrary to policy on sustainable communities as it could possibly affect the long term viability of the pub; the reduction in parking and garden space is not a positive contribution to the locality it is detrimental; is not supporting existing services
- g) Strongly opposes the application, as do many of the villagers of Rampton.

A further letter from the Parish Council in response to the applicant's Public House Viability Test raises various comments with regard to the details of the Test, as follows: This letter dated 23rd July 2007, is attached as an appendix.

17. The **Conservation Officer** has no objection to the proposal and advises that the revised design is a significant improvement on the previous proposal for this site, addressing earlier concerns. He would wish to see conditions requiring approval of materials and the use of painted timber windows and doors.
18. The **Corporate Manager (Health and Environmental Services)** raises concerns with regards to problems of noise during the construction period and recommends a condition to restrict the use of power operated machinery.

19. The **Local Highways Authority** advises that the proposal would have no significant impact upon the public highway provided 2m x 2m pedestrian visibility splays are achievable to the driveway and kept clear of any obstruction over 600mm in height.
20. The **Trees and Landscape Officer** has no objection to the proposal and considers the issues to be more relevant to landscaping.
21. The **Landscape Design Officer** - comments to be reported verbally.
22. **Fleurets (Chartered Surveyors)** have undertaken a viability study of the Black Horse Public House on the instruction of the Council. The Study was undertaken by a Professional Associate of the Company, which deals wholly and exclusively with the sale and valuation of hotels, restaurants, pubs and other leisure properties. The report concludes that the Black Horse should represent a viable trading entity following the loss of the site identified as the subject of the planning application. In particular:
 - a) By rearranging the retained site the loss of the part of the garden can be overcome without significant impact to amenity.
 - b) The loss of the car parking can be expected to impact upon trading potential but not to such an extent as to render the business unviable.
 - c) Under stable ownership, turnover can be expected to be restored to a modest level capable of providing the owner with an acceptable standard of living.
 - d) Whilst the trading and profitability of the pub will be diminished it will be to a level at which there should still be a ready market.

Representations

23. An email was received from Cllr Bolitho concerned with the future viability of the pub particularly as a result of a loss of garden space and parking.
24. A petition of 87 signatures objecting to the application, including a villager led survey as to the support for the pub, has been received.
25. 16 letters of objection received from local residents of Rampton and neighbouring villages objecting to the application. Objections include:
 - a) The pub is the one remaining community facility within the village; the proposed development would be to the detriment of its future.
 - b) The loss of car parking and garden space will impact the pub's viability and ultimately lead to its closure.
 - c) Development on this site would limit any future growth/expansion of the pub.
 - d) Reduction in car parking will lead to on street parking which is hazardous on the main route through the village.
 - e) The reduction in car parking and garden space will make the pub less attractive to visitors from outside the village.

- f) Statements within the planning application are inaccurate: the land is not vacant, but car parking and garden space. The car park is extensively used, particularly due to the large number of team events played at the pub.
 - g) The pub is poorly run but would do better under the right management.
 - h) The character of the village needs to be preserved.
 - i) A dwelling of the size proposed would detract from the individuality of the pub.
 - j) New residents of the proposed dwelling would be disturbed by noise from the pub.
26. An email was received from CAMRA (Campaign for Real Ale) objecting to the development:
- a) It would result in loss of significant proportion of pub's garden, having a detrimental effect on the pub's viability, as it would be less attractive to customers.
 - b) Reduction in car parking.
 - c) It is quite a small pub and the development would severely reduce the scope for future development therefore impacting viability.
 - d) The pub is the only one in the village and is therefore a vital community facility. The development would have a damaging effect on the pub's trade and might well push it into non-profitability - and hence oblivion.

Planning Comments – Key Issues

27. The application proposes the subdivision of the curtilage of the Black Horse Public House in order to erect a new dwelling. The key issues in respect of this application centre primarily upon whether such development would impact upon the viability of the pub and result in the loss of the only such premises in the village.
28. An independent assessment commissioned by the Council and carried out by Fleurets as to the viability of the public house following the subdivision of its curtilage has concluded that while there may be a slight knock on effect as a result of the proposal, the pub has the capability to remain a viable enterprise. Issues of management, refurbishment, layout etc. have been raised within the report as being essential to the prosperity of the pub and it is therefore concluded that there remains potential for this business.
29. **Loss of car parking** has been raised as a significant issue by local residents both in terms of the knock on impact to road safety resulting from on street car parking and the potential impact to the viability of the pub. The Local Highways Authority has not however, made any comment with regards to highway safety as a result of the loss of car parking. Whilst it is recognised that the area is used on occasions for car parking, the Black Horse is predominantly a village pub and as Rampton is a relatively small village the pub is within walking distance for many local customers and as such it could be argued that the premises will remain more than accessible to most local residents. A small element of car parking remains to the east to the pub for those who are more dependant upon the car. In theory this could accommodate 5 or 6 cars. In terms of the loss of car parking impacting upon team events, this can be easily overcome with the arrangement of car sharing, which again supports the Council's

policies on sustainable travel. The loss of an element of car parking is therefore not considered to be significant enough to warrant refusal of the application.

30. **Loss of Garden Space** has been raised as being a likely instigator in the closure of the pub. While the application site will encroach upon an element of the garden space currently home to children's play furniture and some outdoor seating, the pub will retain an adequate garden space. With proper consideration for layout this could remain a pleasant and viable outdoor amenity.
31. **The Conservation Area** for Rampton incorporates the proposal site and as such the dwelling has been designed in order to reflect the traditional built form. The proposed design has been negotiated following discussions with the Conservation Team and is considered to preserve and enhance the character and appearance of the Conservation Area. It would be a narrow span building, gable to the road but set slightly back from the front building line of the public house. A single garage with bedroom over would project towards the pub. The proposed dwelling does not detract from the individuality of the pub and retains the position of the pub as the dominant structure within this site.

Recommendation

32. Approval with conditions

Conditions

1. SCA – RCA.
2. SC5a & f – RC5ai & f - details of external materials and materials for hard surface areas.
3. SC44 – RC44 - retention of garage.
4. SC26 – RC26 - restriction of power operated machinery during the period of construction (weekdays prior to 08.00hrs and after 18.00hrs, Saturdays prior to 08.00hrs and after 13.00hrs).
5. The windows and doors hereby permitted shall be of timber construction.
(Reason: to preserve and enhance the Conservation Area).

Informatives

Should pile foundations be proposed then before works commence a statement of the method for construction of these foundations shall be submitted to and agreed by the Corporate Manager (Health and Environmental Services) so that noise and vibration can be controlled.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Development Framework (LDF) Core Strategy**, adopted January 2007
ST/7 (Infill Villages)

- **South Cambridgeshire Local Development Framework Development Control Policies:**
 - DP/1** (Sustainable Development)
 - DP/2** (Design of New Development)
 - DP/3** (Development Criteria)
 - HG/1** (Housing Density)
 - CH/5** (Conservation Area)
 - SF/1** (Protection of Village Services)

Background Papers: the following background papers were used in the preparation of this report:

- Local Development Framework Core Strategy 2007.
- Local Development Framework Development Control Policies 2007.
- Cambridgeshire and Peterborough Structure Plan 2003.
- Planning files Ref: S/0945/07F, S/0213/07/F and S/0863/89/F

Contact Officer: Emma Millband – Planning Assistant
Telephone: (01954) 713393