



## **Topic Paper – Protection of Public Houses**

**Cambridge City Council**

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**RD/Top/080**

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### **Key Evidence:**

- National Planning Policy Framework (RD/NP/010);
- Cambridge Public House Study (2012), (GVA, 2012) (RD/CSF/160);
- Interim Planning Policy Guidance on The Protection of Public Houses in the City of Cambridge (2012) (RD/CSF/150);
- Appeal decisions (RD/CSF/170):
  - The Unicorn, 15 High Street, Cherry Hinton, APP/Q0505/A/11/2167572;
  - The Carpenters Arms, 182-186 Victoria Road, APP/Q0505/A/12/2168512;
  - The Plough, High Street, Shepreth, Royston, APP/W0530/A/11/2167619;
  - Royal Standard, 292 Mill Road, APP/Q0505/A/12/2174210;
  - Rosemary Branch, 67 Church End, APP/Q0505/A/12/2183797;
- British Beer and Pub Association (2014). Local impact of the beer and pub sector, (Oxford Economics, 2014) (RD/CSF/180).

### **1 National Planning Policy Framework (NPPF)**

- 1.1 Public houses support the social and economic roles of sustainable development. They are a unique part of British culture and help support social and cultural well-being by providing a place for social interaction within a community as well as creating local employment opportunities. A thriving local pub sector is therefore important to achieving sustainable development.
- 1.2 Paragraphs 21 and 22 of the NPPF (RD/NP/010) support flexible policies that allow for changes to economic circumstances while paragraph 23 of the NPPF encourages policies that support viable and vibrant town centres. Although paragraph 28 of the NPPF relates to rural areas, the council believes that it relates to the retention of public houses in outlying areas of Cambridge such as Trumpington and Cherry Hinton.
- 1.3 Paragraph 69 of the NPPF supports places that promote the opportunity for meetings between members of the community who might not otherwise come into contact with each other. The public house has long been an established part of the community, one that people want to have access to and one that promotes social interaction. It is therefore a valid local planning policy objective to retain public houses in order to provide such places for social interaction.
- 1.4 Paragraph 70 of the NPPF recommends that planning policies and decisions should plan positively for the provision and use of community facilities (including public houses).

- 1.5 Paragraph 126 of the NPPF is about delivering community facilities and services, while conserving and enhancing the historic environment. The retention of an original public house use in a historic building would comply with and support this requirement.
- 1.6 Paragraph 156 of the NPPF sets the strategic priorities for the area in the local plan including the provision of community facilities and cultural infrastructure.
- 1.7 In summary, the NPPF seeks to support sustainable communities. In this context, public houses may be valued for their role in supporting local economies; in providing a local facility for social interaction; and in retaining an intrinsic part of the settlement's cultural and historic heritage. The NPPF states that local authorities should plan positively for the provision of community facilities such as public houses, guard against their unnecessary loss, and ensure that policies are flexible enough to allow such facilities to modernise and be retained for the benefit of the community (paragraph 70).

## **2 Cambridge Public House Study**

- 2.1 The loss of public houses was identified as a pressing local issue in 2011/2012. In response, the council commissioned consultants to produce the Cambridge Public House Study (RD/CSF/160) and Interim Planning Policy Guidance (IPPG) on the Protection of Public Houses in Cambridge (RD/CSF/150). These documents were adopted at the Environment Scrutiny Committee on October 2012.
- 2.2 The Cambridge Public House Study included an audit of public houses in Cambridge; advice on the national and local market; and a number of policy options and recommendations to help inform the IPPG and the review of the Cambridge Local Plan.
- 2.3 The Cambridge Public House Study explains how public houses are an important part of the Cambridge economy, not just for the direct and indirect jobs they provide in the pub, supplier, food and brewing industries, but in supporting the city's main industries by attracting and providing a meeting place for students, academics, scientists and entrepreneurs, and in attracting office workers, shoppers and tourists.

## **3 Interim Planning Policy Guidance (IPPG) on The Protection of Public Houses in the City of Cambridge**

- 3.1 The IPPG explains how applicants should justify their proposals for change of use, conversion or redevelopment of pub sites. The IPPG is intended as an interim measure, applicable to sites on a list of safeguarded sites until a policy to protect pubs is adopted as part of the next local plan.

## **4 Issues and Options Report**

- 4.1 Five options regarding public houses were consulted upon as part of the Issues and Options (2012) consultation. These were:
- Option 171 - Public Houses: Market led approach;
  - Option 172 - Protection for all Public Houses;
  - Option 173 - Safeguarding Public Houses;
  - Option 174 – Extend safeguarding of public houses to former public houses; and
  - Option 175 – Allow flexible re-use of public houses
- 4.2 Further detail on the key issues arising from Issues and Options consultation is outlined in the Statement of Consultation (RD/Sub/C/080).

## **5 Proposed Submission Report**

- 5.1 The approach taken forward in the Cambridge Local Plan 2014: Proposed Submission document (RD/Sub/C/010) was based upon Options 173 and 175 in the Issues and Options (2012) document. Policy 76: Protection of Public Houses, clarifies the rigorous criteria that should be satisfied to determine if the loss of a public house site is acceptable or not, and applied to a list of safeguarded public house sites.
- 5.2 Policy 76 allows pubs to change use to other ‘A’ class uses – shops, professional services, restaurants or take-aways, and ‘D1’ class uses - non-residential institutions such as clinics & health centres, crèches, day nurseries, places of worship and church halls, and in turn for such uses to change back to pub use where there is a market. This provides flexibility for pubs to diversify beyond their original pub use to alternative uses, while retaining the use of the site as a local commercial community facility and the potential for the pub use to return.
- 5.3 For those sites for which there is no longer a viable alternative ‘A’ or ‘D1’ class use, guidance is provided in Appendix K of the Cambridge Local Plan 2014: Proposed Submission document on the detailed information that would be required by the council. This requires demonstration that actively marketing the site to pub, other community facilities and other ‘A’ use class operators has not resulted in any market interest over a certain period, and that no viable local business can be developed in the site.
- 5.4 The policy also considers development proposals involving the loss of part of a public house and, or part of its curtilage. Consideration will be given to the effect these may have with on-going viability of the public house and whether these will have a detrimental effect on the prevailing character and appearance of the local area.

- 5.5 Policy 76 and supporting Appendix K is applicable to all public house sites featured on the List of Safeguarded Sites of the plan which is based upon an initial 'benchmark' of public house sites for safeguarding. This list was derived from the Cambridge Public House Study (2012) and the development of the Interim Planning Policy Guidance (IPPG) on the Protection of Public Houses in Cambridge. The original list of pub sites included those considered to be viable public house sites either in operation as a public house or was last in use as a public house in July 2006, when the Cambridge Local Plan 2006 was adopted.
- 5.6 The list will be reviewed on an annual basis, with the inclusion of new public house sites and the removal of those that have been developed in such a way that the pub use could not be expected to return. This update will form part of the council's Annual Monitoring Report. Undeveloped sites with planning permission and vacant pub sites (those with buildings on site and without planning consent for new development) will be retained on the safeguarding list.
- 5.7 Historic public house sites (where the public house use was discontinued prior to July 2006) are not included on the safeguarding list, unless the pub use has since been re-introduced. This is to avoid uncertainty for many small businesses that currently occupy former public houses and to avoid inconsistency with the council's policy approach.
- 5.8 The policy also includes reference to the circumstances where the loss of any amenity space such as gardens and car parking would be acceptable. These areas are subject to similar pressures for residential development as for large private dwelling house gardens or other open spaces.
- 5.9 During the Cambridge Local Plan 2014: Proposed Submission consultation, Campaign for Real Ale (CAMRA) submitted representations regarding the list of safeguarded public houses. Their representations stated that three pub sites: the Greyhound (Coldham's Lane); the Dog and Pheasant (Chesterton High Street); and the Osborne Arms (Hills Road) had been prematurely omitted.
- 5.10 The loss of the Greyhound and its impact on community pub provision was considered by the Cambridge Public House Study. The report noted that despite the number of local adult residents to support the pub use, its location at the entrance to an industrial area would require most local residents to have to cross a busy road to access the pub. Alternative public houses within a 400 metre walking distance were also available to many of the same local residents. It was therefore decided not to safeguard the site. The pub building has since been demolished.
- 5.11 The Dog and Pheasant site was subject to an appeal following refusal to allow its replacement with residential use. The proposal was granted consent on appeal following the demolition of the public house building under permitted development rights. The community facility was considered to have been lost

with the building as it was highly unlikely that the public house use would be re-introduced.

- 5.12 The Osborne Arms had already been granted planning consent for the loss of the public house as part of a much larger development scheme. Once the pub building had been demolished, the public house use will not be re-introduced.
- 5.13 While the requirements of the policy and its supporting Appendix K of the Cambridge Local Plan 2014: Proposed Submission may appear lengthy, they are a comprehensive approach intended to be as complete as possible for the purposes of clarity. These specify what the marketing exercise should include. Furthermore, the diversification options applicants need to consider from the list in Appendix K will very much depend on the site constraints of each individual public house site. Every site is unique and it is therefore impossible to produce an individual list for each site. Applicants will therefore need to explain how they have considered diversification of the public house site. Constrained public house sites will have limited options for pub diversification. Large public house sites will have more diversification options available, that should allow the site to remain viable. These options (listed in Appendix K) should be considered first. While it is unreasonable to expect applicants to have tried every option, they should demonstrate how they have tried to diversify the public house site.

## **6 Pub developments since the introduction of the IPPG**

- 6.1 A total of 107 public house sites were included on the list of public house sites to safeguard under the IPPG. This figure included 15 vacant public house sites and 6 sites operating as a restaurant at the time of the assessment.
- 6.2 At the time of publishing the Cambridge Local Plan 2014: Proposed Submission, there were a total of 104 safeguarded public house sites. In March 2014, a desktop survey (supplemented by site visits) was completed by the council, to review the current use of each site on the list of safeguarded pubs and any other new pub sites that may have opened. Of the 104 sites, 1 had been re-developed for student accommodation, 8 remain vacant, including 2 sites which will either deliver a replacement pub on-site or re-introduce the pub use. Another may re-introduce the pub use subject to planning consent. 7 sites operate as a restaurant and the remainder are trading public houses. The reduction in vacant sites from 15 to 8 sites reflects the investment in the city's public houses.
- 6.3 Table 6.1 overleaf summarises the pub sites permanently lost and those that have been saved and/ or re-opened.

**Table 6.1: Recent changes to pub sites since 2012**

| <b>Pub sites permanently lost</b>  |                            |
|--|----------------------------|
| Recent history   | Site names                 |
| Site demolished; Planning permission granted for residential/ mixed use before IPPG introduced | Fleur de Lys, Osborne Arms |
| Appeal upheld for residential use  | The Dog and Pheasant       |
| Planning permission granted for student accommodation  | The Ranch <sup>1</sup>     |
| Appeal dismissed. Pub building demolished  | The Rosemary Branch        |

| <b>New/recently re-opened/re-furnished or with planning consent for re-introduction of a pub use.</b> |  |
|---|--|
| Recent history  | Site names   |
| Appeal dismissed for student accommodation/residential use; now re-opened as a pub/bar/restaurant     | The Carpenters Arms, Rhode Island (The Unicorn)                                      |
| Safeguarded site re-opened since 2012   | The Haymakers (with microbrewery on-site), Las Iguanas, The Loco (former Locomotive) |
| New pub site opened 2013  | The Pint Shop  |
| Pub site open. Major refurbishment including microbrewery on-site                                     | The Cambridge Brew House   |
| Planning consent for replacement pub scheduled to open late 2014                                      | Queen Edith  |
| Re-introduction of the pub use granted planning consent   | The Royal Standard   |
| Re-introduction of the pub use subject to planning consent  | The Seven Stars  |

6.4 The British Beer and Pub Association (BBPA) commissioned Oxford Economics in August 2013 to estimate the impact of the beer and pub trade in the UK. The report, 'Local Impact of the Beer and Pub Sector' (RD/CSF/180) is an update to the analysis taken two years previously at both UK and regional levels. The report highlights a number of key findings of which those of particular relevance to the local Cambridge market are listed below:

- Almost 44% of the total direct jobs in the beer and pub sector are estimated to have been taken by those aged under 25. Primarily due to

<sup>1</sup> To be removed from safeguarded list published in Cambridge Local Plan 2014: Proposed Submission as indicated as PM/C/003 in the Addendum to the Cambridge Local Plan 2014 Proposed Submission document: Schedule of proposed changes following proposed submission consultation (RD/Sub/C/050).

the high proportion of young people working (either full-time or part-time to fund studies); and

- Approximately 57% of the total direct jobs in the UK are estimated to be part-time.

6.5 Local hospitality businesses like public houses are of particular importance to Cambridge's economy. Not only are they an important source of part-time employment opportunities that suit students who wish to supplement their income, they are also a very important component of the local business infrastructure that supports the approximate 4 million tourists who visit Cambridge every year. Cambridge pubs also contribute to the character of the city that helps it to retain a vibrant and attractive destination for students, visitors, employers and employees.

6.6 It is important to retain vacant safeguarded sites to allow public houses to re-open and support the growth of the city in a sustainable manner. With the large price differential between public house (A4) and residential use (C3) as well as sui generis student accommodation in Cambridge, a site changing use from pub use to a residential or student accommodation use is unlikely to return to A4 use. It is therefore essential that every effort is made to safeguard public house sites and ensure that if they are allowed to change use, the decision is based upon clear evidence that the public house use is no longer viable.

## **7 Conclusions**

7.1 Pubs have an important social, economic and environmental role to play in Cambridge, by: supporting local community activities; providing a valuable source of employment; supporting the city's tourist industry; and contributing to the vibrancy and attractiveness of the city as a place of work, study and leisure.

7.2 Since the development and introduction of the IPPG, the number of safeguarded public house sites has decreased from 107 to 104 sites however there are now only 8 vacant safeguarded public house sites compared to 15 in 2012.

7.3 These safeguarded sites remain at risk from permanent loss to alternative uses. While it is difficult to determine the success of the IPPG alone without consideration for external fact such as the trend for micro-brewing and the growth of the local economy, it is important that the Cambridge Local Plan 2014: Proposed Submission continues to protect and safeguard public house sites to ensure community facilities can come forward and re-open given the role these sites can play in the sustainable growth of the Cambridge, especially when considering its projected 15% increase in population by 2031.