



Appeal Decision

Hearing held on 18 April 2012

Site visit made on the same day

by Isobel McCretton BA(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 June 2012

Appeal Ref: APP/Q0505/A/11/2167572

The Unicorn, 15 High Street, Cherry Hinton, Cambridge CB1 9HX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Greene King Retailing Ltd against the decision of Cambridge City Council.
 - The application Ref. 11/1105/FUL, dated 14 September 2011, was refused by notice dated 14 December 2011.
 - The development proposed is change of use from public house to single dwellinghouse with access onto High Street.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the loss of the public house on the provision of local community facilities in the area.

Reasons

3. The appeal site is located on the western side of High Street on an 'island' between High Street and Mill End Road. The appeal site comprises a 2-storey public house with an open plan main bar and central bar counter, and a single storey, flat-roofed extension containing a dining area, toilets, kitchen and store. The first floor is given over to ancillary residential accommodation which provides a 3-bedroom flat for the licensee. Outside there is a trade garden area surrounded by a brick wall, much of which is dominated by a mature ash tree located on the boundary with Mill End Road. To the north of the building is tarmacked area used for parking.
4. It is proposed to convert the property into a 4 bedroom dwelling. Part of the single storey extension would be demolished and the outside space would provide a garden/terrace, parking and turning area (accessed via a new crossover), cycle and bin store. The existing parking area would be enclosed by railings and planted. The Council takes no issue with the details of the design and layout and I have no reason to disagree.
5. Before its closure The Unicorn was operated as a tenanted public house under the support of the appellants. The appellants have made a considerable investment in recent years in both capital sums to refurbish the premises and in supporting licensees (e.g. with reduced/no rent), but successive tenants

have failed to be able to make the business work. The pub ceased trading on 30 June 2011. The appellants cite factors such as changing drinking habits, heavily discounted alcohol in supermarkets, competing pressures on the leisure pound, increases in duty, increased costs of providing satellite TV and live sports, the smoking ban, and competition from other pub businesses as combining to undermine the viability of this and similar pubs.

6. The appellants own the other two pubs in the village: The Red Lion adjacent to the appeal site and The Robin Hood within walking distance on the edge of the village. They are both larger and offer much bigger dining, parking and garden/play space. The Robin Hood trades successfully under the 'Eating Inn' brand. The Robin Hood had experienced a significant decline in trade up to 2011 but saw better trade after the closure of the appeal premises. It has recently reopened after capital investment.
7. The Council's reason for refusal was based on the advice in PPS4¹. However this document was superseded in March 2012, shortly before the Hearing, by the National Planning Policy Framework (The Framework). Among other things, The Framework sets out that planning policies and decisions should plan positively for the provision and use of community facilities (including public houses) to enhance the sustainability of communities and residential environments; guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; and ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable and retained for the benefit of the community.
8. The premises have not been marketed. The appellants argue that there is no policy requirement, either in the Local Plan or The Framework to do so, and that their efforts in recent years to support a succession of licensees have shown that the business is not a viable proposition. At the Hearing the Council acknowledged that, in response to concerns about number of pub closures in the area, it is carrying out background work to produce the evidence base for supplementary planning guidance as a basis for decision making on this issue, as was required by PPS4. As yet though, there is no such adopted policy.
9. It is evident that a number of pubs in the District have suffered from the changes in the business which led to the closure of The Unicorn. However there has been no opportunity for this concern to be run by another company or as a non-tied operation. For instance, at the Hearing the representative from the local CAMRA branch suggested that these were the type of premises sought by microbreweries which are becoming increasingly popular. It is also a different type of establishment from the more dining/family oriented Red Lion and Robin Hood and, under different ownership, has the potential to offer local residents a wider choice of drinking establishment. Alternatively, I note that an assessment of the local centre² highlighted the fact that the village could benefit from some restaurant or café provision.
10. The appellants argue that the fact that there were few objections to the proposed change of use indicates that the pub is not a valued facility or one which meets local residents' day to day needs. Nevertheless, the pub had been closed for several months before the application was made. The Framework is

¹ Planning Policy Statement 4: Planning For Sustainable Economic Growth (2009) (PPS4).

² Cambridge Sub-Region Retail Study

concerned to 'deliver the social, recreational and cultural facilities and services the community needs' and 'to enhance the sustainability of communities and residential environments'. This is a settlement with a growing population and I consider that there needs to be clear evidence that the site is no longer suitable for social/community use before a change of use such as that proposed is considered.

11. The appeal property is in a prominent location on the High Street and, unlike The Robin Hood, is within the defined local centre. The lack of firm evidence that the premises are of no interest to any other operator is such that I consider that this would fail to guard against the unnecessary loss of the pub. Moreover there is nothing against which to judge whether it could be developed and modernised in a way which is sustainable and retained for the benefit of the community. In the absence of such information I consider that the requirements of The Framework are not met.
12. I conclude that the proposed development would result in the loss of a community facility for which there is no clearly substantiated evidence that there is no longer a need, contrary to the objectives of The Framework.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

Isobel McCretton

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Aaron Smith BA(Hons) DipTP, Caldecotte Consultants
MRTPI

Richard Crewe-Read Corporate Estate Manager, Greene King plc

FOR THE LOCAL PLANNING AUTHORITY:

John Evans Senior Planning Officer

Bruce Waller Senior Planning Officer (Planning Policy)

INTERESTED PERSONS:

Carolyn Göhler CEO Cambridge Past, Present and Future

Paul Ainsworth CAMRA Cambridge and District Branch

Cllr Mark Ashton City Councillor, Cherry Hinton

DOCUMENTS SUBMITTED AT THE HEARING:

Document 1 Copies of Licences for The Unicorn and The Red Lion submitted by
the appellant

Document 2 Suggested tree protection condition submitted by the Council

DRAWINGS:

A1-8 Drawings submitted with the planning application (5442/00, 5442/03,
5442/04, 5442/05A, 5442/06A, 10265ea-01, 10265ea-02, 10265ea-03A)



Appeal Decision

Hearing held on 10 May 2012

Site visit made on 10 May 2012

by Ian Radcliffe BSC (Hons) MCIEH DMS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 July 2012

Appeal Ref: APP/Q0505/A/12/2168512

The Carpenters Arms Public House, 182-186 Victoria Road, Cambridge CB4 3DZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Carr against the decision of Cambridge City Council.
 - The application Ref 11/1066/FUL, dated 9 September 2011, was refused by notice dated 25 November 2011.
 - The development proposed is the conversion of the Public House and letting rooms to residential apartments.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are
 - whether the proposal would result in the loss of a local facility important in sustaining the social life of the community; and, if it would, whether such a facility would be viable to operate; and,
 - the effect of the proposal on on-street parking provision.

Reasons

Principle of development

3. The Cambridge Local Plan (LP) was adopted in 2006. Policies 3/1 and 5/2 support the conversion of non residential buildings into self contained dwellings in order to make efficient use of land and assist in meeting the housing targets for the city.
4. The National Planning Policy Framework (the Framework) has recently come into force. The Framework at paragraph 70 advises that planning decisions should enhance the sustainability of communities by planning positively for community facilities, such as public houses, and guard against their unnecessary loss. However, LP policy 5/11, which seeks to prevent the loss of community facilities, fails to identify public houses as such a facility. The LP is therefore in conflict with the Framework. However, as the Framework is an important material consideration and a more recent publication than the LP, I attach significant weight to it. I shall therefore treat public houses as a community facility.

Value of the public house to the local community

5. The Carpenters Arms is a 19th Century public house in a residential urban area of a similar era to the north of the city centre. Development is characterised

by terraced housing, some of which is in multiple occupation. This has resulted in a high density of development and comparatively high number of people living in a small area. The corner position of the public house means that it is in a prominent position within this close knit residential part of the city.

6. For a public house to provide a service to a local urban area it should be within a reasonable walking distance for the range of customers who are likely to use it. In my estimation, and based upon the guidance contained within the Urban Design Compendium, a public house could reasonably serve an area within a 5 to 10 minute walk (400m to 800m). On this basis there are 2 public houses to the west of the appeal site on Histon Road and 4 public houses to the east around the junction of Victoria, Chesterton and Milton Roads within a reasonable walking distance. Nevertheless, by virtue of their larger size or location close to the city centre and its tourist attractions these establishments do not have the same character as the Carpenters Arms, which by virtue of its location, minimal off road parking and modest size is aimed at serving the local community. Whilst the loss of this public house would therefore not reduce the local community's ability to meet its day to day needs it would result in the loss of a facility of value to it.

Viability

7. The Carpenters Arms has been a local facility of service to the community for well over 100 years until it closed relatively recently. When the public house was trading it was tenanted. The appellant stated that the last 3 landlords of the public house over the last decade or so were unable to operate the business at a profit. This supports the view that whilst it has been a valued local facility it has struggled in recent years.
8. I saw evidence in terms of a new bar that some investment in the building had been made by the former owners Punch Taverns. Nevertheless, landlords of tenanted public houses, unlike freehold landlords, are restricted in terms of the range of beers that can be sold and have less incentive to invest in a building they do not own. This may well have affected the attractiveness and thus the popularity of this community facility.
9. The public house was placed on the open market in 2011 when the appellant purchased it. However, as there was no evidence that it was priced and marketed as a public house for a reasonable length of time, with an agent who specialised in the licensed trade, it has not been demonstrated that a different approach to operating the public house would not be viable.
10. In my assessment, based upon the policies of the Framework, in order to discover whether a change of use of the building, which has been a valued community facility, is necessary it should first be marketed as a public house. This approach would also be consistent with how applications for changes of use in relation to other local community facilities are dealt with under policy 5/11 of the Local Plan. The proposal would therefore be contrary to the objectives of the Framework and the general thrust of policy 5/11 of the Local Plan.

Parking

11. The building is located just to the north of the Residential Parking Zone. On road parking restrictions prevent any parking on Victoria Road, or French's Road in the vicinity of the building. Given this consideration, as well as the small car park associated with the public house and its local character, relatively few customers would have driven to the public house. As a

- consequence, the proposed change of use would free up little, if any, on-road parking.
12. The proposed conversion into 7 flats with only 1 car parking space reserved for a disabled resident would increase the pressure for on-road parking. The boundary treatment to the front garden on Victoria Road would also prevent the continued use of the space to the front of No 180 for the off-road parking of a car. Understandably the owner of No 180 is aggrieved at this but, as a matter of civil law, this is not a material planning consideration. Subject to the enforcement of on-street parking controls in the area however the additional demand for on-road parking would not harm highway safety.
 13. The appeal site is also in a sustainable location where many day-to-day facilities can be accessed on foot, by bicycle or using public transport. As a consequence, many future residents may choose not to own a car. The increased pressure on on-road parking resulting from future occupants who decide to have a car would be inconvenient to local residents, but would serve to make alternative, more sustainable, modes of transport more attractive than a car.
 14. Taking all these matters into account, the level of on-site parking to be provided would result in acceptable levels of on-road parking which would not harm highway safety. The proposal would therefore comply with the objectives of policies 5/2 and 3/10 of the Local Plan which seek adequate parking provision.

Other matters

15. The conversion would result in the creation of 6 units of accommodation with one bedroom and one unit with 2 bedrooms. Given the size of the one bedroom units it is quite possible that they would be occupied by couples. The two bedroom unit would have sufficient sleeping space for a couple and a child. A total of up to 15 people in 7 households could therefore reasonably be expected to live in the converted building. The private amenity space provision for the development would be a communal terrace of 22 sqm and an area between the parking space and refuse bins / cycle storage. In my assessment, this would be an inadequate level of provision and would result in unpleasant living conditions for future occupiers. This finding adds weight to my concerns regarding the adverse effects of the proposal.

Conclusion

16. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Ian Radcliffe

Inspector

APPEARANCES

FOR THE APPELLANT:

Mr Kratz BA(Hons) Solicitor LMRTPI	Birketts LLP
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Mr Carr	Appellant
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FOR THE LOCAL PLANNING AUTHORITY:

Miss Linford MRTPI Senior Planning Officer	Cambridge City Council
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Mr Waller Senior Policy Officer	Cambridge City Council
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Councillor Mike Todd-Jones	Cambridge City Council
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INTERESTED PERSONS:

Mr Cook	Cambridge & District Campaign for Real Ale
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Dr Hunter	Freehold owner of 180 Victoria Road
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DOCUMENTS SUBMITTED AT THE HEARING

- 1 Notification letter detailing the time, date and location of the hearing, together with a list of persons notified.
- 2 Policy 5/11 'Protection of Existing Facilities' of the Cambridge Local Plan 2006.
- 3 Newspaper cutting 'Arbury pub could be turned into flats' Cambridge News, 22 September 2011.

PLANS SUBMITTED AT THE HEARING

- A Schematic map of public houses in Cambridge (www.cambridge-pubs.co.uk).
- B Copy of Cycle / Bin Store drawing ref C/2332/11/PL-03 Rev A considered by the Council when it determined the application, but missing from the appeal file.



Appeal Decision

Hearing held on 11 April 2012

Site visit made on 11 April 2012

by L Rodgers BEng (Hons) CEng MICE MBA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 May 2012

Appeal Ref: APP/W0530/A/11/2167619

The Plough, High Street, Shepreth, Royston SG8 6PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by MPM Properties (Royston) Ltd against the decision of South Cambridgeshire District Council.
 - The application Ref S/0828/11, dated 15 April 2011, was refused by notice dated 6 September 2011.
 - The development proposed is described as a change of use from a restaurant (Use Class A3) to a residential dwelling (Use Class C3) together with landscape works to the site frontage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed development on the provision of community services and facilities in the area.

Procedural matters

3. At the hearing the Appellant submitted a true copy of a Planning Obligation made pursuant to s106 of the Town and Country Planning Act 1990. This is a material consideration that I shall take into account in my determination.
4. The National Planning Policy Framework (NPPF) was published on the 27 March 2012. This was after submission of the appeal but before the hearing - at which the parties were given the opportunity to comment as to its effect on their cases. In determining the appeal I have had regard to the comments made at the hearing as well as to the NPPF itself.

Reasons

Background

5. The Plough is a detached, brick building with a large garden and extensive parking. It is centrally situated within the village of Shepreth and the building itself lies within the Shepreth Conservation Area. The Plough has historically been used as a public house (Use Class A4) and more recently as a bar/restaurant (use Class A3). However, the property is currently not in use as a restaurant and the proposal seeks to convert the premises into a single residential dwelling.

6. Policy SF/1 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 (DPD) aims to protect village services and facilities where their loss would cause an unacceptable reduction in the level of community or service provision in the locality. Village services are said to include shops, post offices, community meeting places and village pubs - although the list is clearly not exhaustive.
7. The policy requires a number of matters to be considered in determining the significance of any loss including the established use, its existing and potential contribution to the social amenity of the local population, the presence of other village services and facilities and the future economic viability of the use including, where appropriate, financial and marketing information.

The established use of the premises

8. Although The Plough had been used as a public house it was converted into a restaurant and bar immediately following its purchase by October Restaurants in 2004; photographs submitted by the Appellant show that substantial changes were made to both the internal layout and decor.
9. The Council accepts that the established use is that of a restaurant in Use Class A3 and confirmed at the hearing that planning permission would be required to revert to an A4 pub use. Whilst local residents state that they were able to use the bar without dining in the restaurant, a matter not disputed by the Appellant, the physical changes shown in the photographs and my observations on site strongly suggest that the bar use was ancillary to that of the restaurant.
10. The bar/restaurant use ceased on the 25 December 2010 and, according to the Appellant, The Plough went into liquidation on the 10 February 2011. Since that time the liquidators have removed the restaurant's fixtures and fittings - including the kitchen equipment. It is therefore abundantly clear that the premises have not been used as a restaurant for more than a year and, notwithstanding that the bar could be used independently of the restaurant, the premises have not functioned in the manner normally expected of a public house for something in excess of seven years.
11. The Appellant points out that the lawful use of the premises is as a restaurant (Use Class A3) and moreover that, when in business, The Plough was regarded as a 'high end' restaurant. The Appellant further argues that such premises have a large catchment area and are unlikely to survive solely on custom from the local populace. As such, The Plough should not be regarded as a village service or facility to be considered under Policy SF/1. Indeed, the Appellant suggests that The Plough should be regarded as a facility within a village rather than a village facility.
12. I have some sympathy with the Appellant's view and it is highly unlikely that The Plough, as a 'high end' restaurant (local residents confirming that prices reflected this description), functioned as a social hub for the village in the way that might normally be expected of a traditional pub.
13. Nevertheless, looking solely at the last use of the premises seems to me to be taking a view which is rather too narrow and simplistic. Indeed, as a number of residents pointed out, if the last use was taken as the sole determinative criterion, changing a pub to Use Class to A3 through permitted development would be a way of circumventing policy restrictions seeking to prevent the loss

of pubs as community facilities. Policy SF/1 itself notes that in addition to considering the established use of the premises, regard must also be had to its potential contribution to the social amenity of the local population.

14. Given that The Plough was once a pub, and notwithstanding the need for planning permission and the appropriate investment, there must at least be the potential for The Plough to be returned to that use. I shall therefore move on to consider the other matters identified in Policy SF/1.

Village services and facilities

15. Policy SF/1 notes that consideration will be given to the presence of other village services which provide an alternative with convenient access by good local public transport services, or by cycling or walking. Although Shepreth does have a number of other services and facilities these are clearly limited. The recently opened coffee shop and the local community hall provide some sort of community focus, but the only facility which can be regarded as providing a realistic alternative to the potential use of The Plough as a public house is the 'Green Man' pub.
16. The Green Man is described as being in the Parish of Shepreth. However, I saw on my visit that it is a considerable distance from the village centre (around 1.6km). It also lies on the opposite side of the A10 from the village centre, the A10 being described by the Council as a 'busy and fast trunk road' - a description with which I concur. Having regard to its location and its public transport links, I am of the view that the Green Man is unlikely to appeal to villagers, other than perhaps those prepared to travel by car. As such its location would act against it becoming a social hub for the village and in my view it would not provide a comparable alternative to a pub sited in the village centre.
17. Shepreth is described in the South Cambridgeshire Local Development Framework Core Strategy (CS) as an 'Infill Village' and the Council notes that "Infill villages are amongst the smallest in South Cambridgeshire, have a poor range of services and facilities and it is often necessary for local residents to travel outside of the village for their daily needs". As such it seems to me that the loss of a potential facility would be acutely felt.

Viability

18. The Appellant has submitted information to show that the former restaurant business operating from The Plough did not prove to be viable, a matter underlined by the fact that the business closed and went into liquidation. The Appellant has also put forward a letter sent to the liquidator of October Restaurants Ltd by the Royal Bank of Scotland Plc's debt recovery department in which it is stated that re-opening of the pub in the current economic climate would not be supported as it is not seen as being financially viable.
19. In contrast, the Council has made submissions suggesting that the site is viable in its current land use. In the Council's view The Plough is capable not only of sustaining a level of net profit adequate to provide an owner operator with appropriate remuneration, but also to fund loan interest and capital repayments for site purchase and essential investment.
20. The Council's assessment is based on a number of assumptions and as such must be subject to some risk. Although some of the factors underlying the

Council's assessment are reasonably easy to account for, such as the condition of the building, matters such as the historic trading record as a pub/restaurant are less reliable as predictors of future performance – particularly taking into account the fact that the premises have not traded as a pub for some time and the changes that have since occurred to the economic climate.

21. Nevertheless, the Appellant accepted at the hearing that despite the failure of the former business it ought to be possible to run some sort of viable pub/restaurant business from the premises. The Plough is reasonably well located and with its garden and car park has appropriate facilities. Despite the need to re-equip the kitchens I see no reason to demur from the view that a viable business could be created.

Marketing

22. The premises were first put onto the market as a restaurant and bar in May 2007 by Christie & Co. The initial asking price was for 'offers in excess of' £675k freehold and during the course of 2007 the premises were marketed through listing on the agent's web site as well as through the circulation of sales particulars and a campaign in the trade press. In November 2008 the asking price was reduced to £590k.
23. A letter from the agents in February 2011 stated that since 2007 the property had been fully exposed to the open market by inclusion on their website and in regular e-mail and mail shots to their database of potential buyers. They also confirmed that the ".....quoted asking price remains £590k freehold".
24. During 4 years of marketing, only three formal offers were received. The first, accepted in October 2007, was for the then asking price of £675k - although the prospective purchaser subsequently pulled out. Following the price reduction in 2008, two further offers were received. One, at £500k, was rejected as being too low as it was insufficient to clear the mortgage on the property but in May 2009 an offer of £570k was accepted – although, again, the prospective purchaser later pulled out.
25. Local residents representing the 'Shepreth Ploughshare' state that it appears as though The Plough was removed from sale in February 2011. The Council also points out that the property was no longer being advertised on Christie & Co's website at the time of its determination and the Appellant confirmed at the hearing that there had been no marketing by Christie & Co in the last year. I understand that this was because the property had been sold to the Appellant 'subject to contract' – the arrangements including an obligation on the Appellant to pursue residential development on the site.
26. Policy SF/1 requires that consideration be given to the results of any efforts to market the premises for a minimum of 12 months at a realistic price. In the Council's view the initial asking price was somewhat ambitious and is likely to have discouraged serious applicants. Whilst the subsequent reduction to £590k was considered a reasonable course of action at the time, the Council nevertheless still considered the asking price to be ambitious – although not so ambitious that it would necessarily discourage interested parties. However, the Council also considers it surprising that no further reductions were made in light of the subsequent economic decline, suggesting that a reasonable expectation of price in 2010 would have been closer to £400k.

27. The Appellant's stance is that the prices sought were realistic given that several formal offers were received. It is also suggested that the basis on which the Council had assessed what it considered a reasonable price expectation was highly dependent on a national average multiple of Fair Maintainable Trade – the Appellant suggesting that regional differences were highly significant and that using the figure for East Anglia would produce a price which would not be far out of line with that being sought.
28. Given that some offers were received for The Plough, it seems that at certain stages of its marketing the asking price was seen by some potential purchasers as being reasonable. However, none of the three offers received proceeded to sale and one was considerably below the then asking price. In my view, the fact that some 4 years of marketing only resulted in two offers close to the asking price must at least raise questions as to whether the property and its asking price were appropriately matched.
29. Indeed, despite a number of viewings since July 2009 no further formal offers were received. Whilst I accept the Appellant's point that the asking price should be reflective of local conditions and that the Council's suggested price of £400k may be too low, bearing in mind the economic climate and the lack of any offers, a further reduction in price between November 2008 and February 2011 might have been expected. The fact that a lower price might not be sufficient to clear the vendor's mortgage commitments may mean that he is unwilling to offer the property for sale at that price - but it does not mean that such lower price is unrealistic in the context of the market.
30. Whilst I am therefore content that the property has been offered to the market for a period well in excess of the minimum 12 months sought by Policy SF/1, I am less convinced that the offer price was realistic throughout that period. In my view the marketing of the property cannot be without some criticism and there is at least limited conflict with Policy SF/1.

Conservation Area

31. The Plough lies within the Shepreth Conservation Area and the statutory test requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
32. In physical terms the effect of the proposed development would, through landscaping of the existing frontage, enhance the appearance of the area. In respect of its character, the Council notes that "Arguably however, the loss of a village facility would affect the social character of this part of the Conservation Area and this would be to the detriment of the area".
33. However, as noted earlier it is debateable as to whether a restaurant provides a village facility. The surrounding development is described by the Council as being predominantly residential of a mix of age and form and in these circumstances it is my view that a change of use from a restaurant to a residential dwelling would, in overall terms, have a neutral effect on the character of the area. I therefore find no conflict with the statutory test.

Other matters

34. In addition to the letters from local residents objecting to the application and the appeal, as well as the accompanying petition, it was made clear at the hearing that there is considerable local opposition to the proposal. Indeed, I

note that a number of local residents have formed a group known as 'Shepreth Ploughshare' with the intention of returning The Plough to community use - specifically as a community-owned public house.

35. However, the 'Shepreth Ploughshare' does not appear to have passed much beyond its formative stages nor does it appear to have sufficient funds in place with which to achieve its objective of purchasing The Plough and turning it into a community-owned public house. In these circumstances I can give little weight to its intentions. Nevertheless, the formation of 'Shepreth Ploughshare' is indicative of a strong local desire for The Plough to once again become a community facility.
36. The NPPF is clear that part of promoting a strong rural economy is the retention and development of local services and community facilities in villages, including public houses. It also states that the planning system can play an important role in facilitating social interaction and creating healthy and inclusive communities.
37. To support this approach the NPPF seeks for planning authorities to involve all sections of the community in planning decisions and amongst other matters, those decisions should aim to achieve places which promote opportunities for meetings between members of the community. It also notes that policies and decisions should plan positively for the provision of community facilities, including public houses. Although, as the Appellant points out, the NPPF is clear that applications for alternative uses of land or buildings should be treated on their merits having regard to market signals, it goes on to state that regard should also be had to the relative need for different land uses to support sustainable local communities.
38. Given its recent publication and extensive consultation I consider the NPPF to be a weighty material consideration.

Planning obligation

39. The Appellant has submitted a planning obligation pursuant to s106 of the Town and Country Planning Act 1990 that is intended to provide contributions towards such matters as community facilities, recycling receptacles and open space. However, the absence of such an obligation did not form part of the Council's reasoning in refusing the application nor has the Council provided the policy basis for seeking any such contributions. In reaching my determination I have therefore found no need for the obligation - but neither have I accorded it any weight.

Conclusions

40. There are a number of matters that I consider weigh in favour of the proposed development. These include firstly that The Plough has not been a pub for some considerable time and that, notwithstanding its more recent use as a bar/restaurant, its conversion would not deprive the village of something that can currently be justly regarded as a community facility. Secondly, despite marketing the premises as a bar/restaurant for a period of some 4 years, the vendor has failed to secure a buyer. Thirdly, the former restaurant business proved unviable and had to be liquidated. The conversion would also result in a small supplement to the housing stock.

41. However, there are also matters weighing against the conversion. Firstly, the physical attributes of The Plough clearly make it suitable for a pub use and the proposed development would therefore result in the loss of a potential community facility – which it is accepted could be viable. Secondly, there are few other services and facilities in the village and the loss of even a potential facility takes on a particular significance. Thirdly, despite the lengthy period of marketing, I have reservations as to whether the asking price was realistic throughout that period and I do not regard the marketing so far carried out as carrying conclusive weight.
42. Based on the factors above I see the determination as being finely balanced. However, it is obvious that a substantial part of the community sees The Plough as a potentially valuable community facility and I am very much aware that approving the proposal is likely to result in the loss of that potential facility forever. I am also conscious of the weighty support offered by the NPPF to the retention and development of community facilities (including public houses) and its support for the involvement of all sections of the community in planning decisions. Taking these further considerations into account leads me to the conclusion that the loss of The Plough as a potential contributor to the social amenity of the village would be unacceptable.
43. Having had regard to all other matters before me I find nothing to add to or alter my finding above. The appeal must therefore fail.

Lloyd Rodgers

Inspector

APPEARANCES

FOR THE APPELLANT:

Mr P Belton	Januarys
Mr R Muttu	MPM Properties (Royston) Ltd
Mr C Day	October Restaurants
Mr T Nichols	Everard Cole

FOR THE LOCAL PLANNING AUTHORITY:

Mr M Hare	Development Control Officer, South Cambridgeshire District Council
Mr T Wheeler	Fleurets

INTERESTED PERSONS:

Mr D Kendrick	Councillor, Shepreth Parish Council
Mr C Cook	Parish Clerk
Mr D Elliott	'Shepreth Ploughshare' and local resident
Mr C Porter	Melbourn resident

DOCUMENTS SUBMITTED AT THE HEARING

- 1 Planning Obligation dated 10 April 2012. Submitted by Mr Belton
- 2 South Cambridgeshire District Council Recreation Study (June 2005)
Submitted by Mr Hare
- 3 South Cambridgeshire District Council Community Facilities Assessment
(September 2009) Submitted by Mr Hare