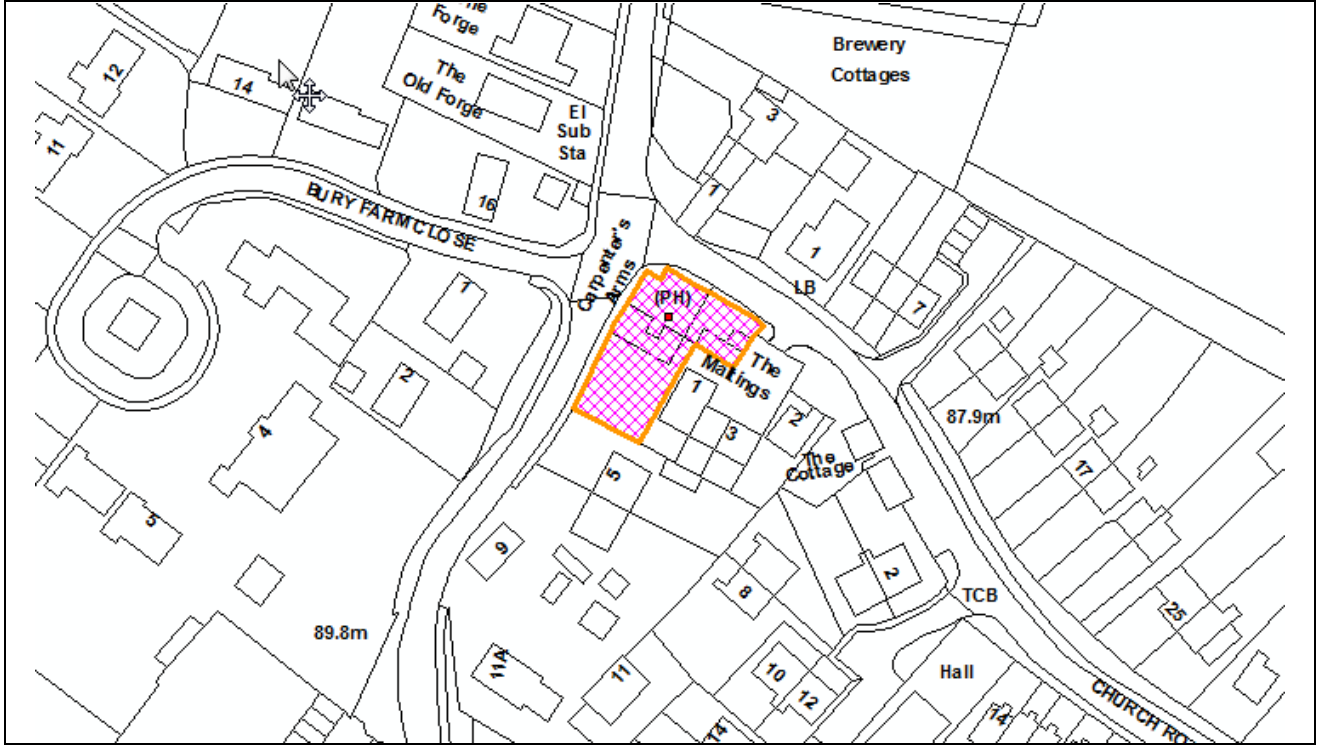


18/03976/APP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
18/03976/APP	Newton Longville	07/11/18
PROPOSED CHANGE OF USE OF PUBLIC HOUSE (CLASS A4) TO SINGLE RESIDENTIAL DWELLING (CLASS C3).	The Local Member(s) for this area is/are: - Councillor Peter Cooper	
CARPENTERS ARMS PUBLIC HOUSE, HORTON ROAD, LU7 9DB		
MR ALAN DUGARD		
STREET ATLAS PAGE NO.91		

**1.0 The Key Issues in determining this application are:-**

**a) The planning policy position and the approach to be taken in the determination of the application**

**b) Whether, having regard to national and local policies, the proposed change of use from a public house (Class A4) to a dwellinghouse (Class C3) would be acceptable on the basis of whether the continued use of the public house is viable**

**c) Whether the proposal would constitute a sustainable form of development.**

- **Delivering a sufficient supply of homes**
- **Building a strong, competitive economy**
- **Promoting healthy and safe communities**
- **Promoting sustainable transport**
- **Supporting high quality communications**
- **Making effective use of land**
- **Achieving well-designed places**
- **Meeting the challenge of climate change and flooding**
- **Conserving and enhancing the natural environment**
- **Conserving and enhancing the historic environment**

**d) Impact on residential amenities**

The recommendation is that permission be **GRANTED**, subject to conditions

## CONCLUSION AND RECOMMENDATION

- 1.1 The application has been evaluated against the extant Development Plan (the Slapton Parish Neighbourhood Plan and the Aylesbury Vale District Local Plan) and the NPPF (February 2019) and the report has assessed the application against the planning principles of the NPPF and whether the proposals deliver sustainable development. In this instance, there is an extant Development Plan and so paragraph 11(d) of the NPPF is not engaged. Furthermore, paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 1.2 The proposal for a change of use from a public house to a residential dwelling has been assessed against policies GP.32 and GP.93 of the AVDLP which seek to resist the loss of local services and facilities, including public houses, where there is a demonstrable need for such local facilities/services.
- 1.3 The local planning authority (LPA) previously refused a planning application at this site (ref: 18/00426/APP) for the same type of development as a result of a tenant occupying the premises and doubts as to the unviability of the public house within that use class. Since that application was determined, the tenant has now vacated the premises and although giving the required three months notice to the landlord (applicant), left almost a month early. The tenant has confirmed that the condition of the building together with the 'takings' which declined in the three months leading up to November 2018, were the reason why the tenancy was terminated.
- 1.4 Notwithstanding the previously refused application at this site, it is now considered, having weighed all material considerations, that the public house is not viable, which has been demonstrated by the most recent occupation of the public house. It is considered that there is now a demonstrable argument put forward by the applicant that the pub is not viable which is supported by an independent appraisal (by the District Valuer). Further consideration has been given to the interests of securing the long-term future of the grade II listed building and the proposal is therefore considered to comply with policies GP.32 and GP.93 of the AVDLP. In accordance with paragraph 11(c) of the NPPF it is concluded that the proposal would accord with an up-to-date development plan and should therefore be approved.
- 1.5 Furthermore, it is accepted that the development would make a contribution to the housing

land supply albeit it is tempered due to the scale of development that is proposed and in the context that the Authority can demonstrate a 5 years housing supply. There would also be economic benefits in terms of the construction of the development itself, although this would likely require a further application.

- 1.6 Additional potential benefits from the scheme include a reduction in hard-landscaping and parking and the proposed change of use would also likely result in a significant reduction in vehicular trips to and from the site. It could also be argued that the change of use would secure the long-term upkeep and maintenance of the grade II listed building.
- 1.7 Compliance with some of the other planning principles of the NPPF have been demonstrated in terms of impact to biodiversity, flood risk and impact upon telecommunications. However, these matters do not represent benefits to the wider area but demonstrate an absence of harm and therefore have a neutral impact.
- 1.8 Turning to the adverse matters, the proposal would result in the loss of a local facility and Slapton is recognised as a 'smaller village' within the Council's Settlement Hierarchy. The loss of one of the key facilities would therefore have a demonstrable impact upon Slapton in 'sustainability' terms. However this harm needs to be weighed against the potential benefits of the scheme which have been set out in this report.
- 1.9 It is therefore recommended that the application be **GRANTED** subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place on the building(s) hereby permitted until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. For hard landscape works, these details shall include; proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; where relevant. For soft landscape works, these details shall include new trees and trees to be retained showing their species, spread and maturity, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities. These works shall be carried out as approved prior to the first occupation of the development so far as hard landscaping is concerned and for soft landscaping, within the first planting season following the

first occupation of the development or the completion of the development whichever is the sooner.

Reason: To ensure a satisfactory appearance to the development and to comply with policy GP35 of Aylesbury Vale District Local Plan and the National Planning Policy Framework.

3. Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to comply with policy GP35 of Aylesbury Vale District Local Plan and the National Planning Policy Framework.

4. No windows other than those shown on the approved drawing No. BP/P079/1017/06 shall be inserted in the building hereby permitted.

Reason: To preserve the amenities of the occupants of the adjacent dwellings and to preserve the character and appearance of the grade II listed building and to comply with policy GP8 of the Aylesbury Vale District Local Plan and the National Planning Policy Framework.

5. The existing signage attached to the building shall be retained in situ and shall not otherwise be altered or re-sited without prior agreement in writing of the local planning authority.

Reason: To preserve the character and appearance of the listed building and to comply with the National Planning Policy Framework.

#### **INFORMATIVE(S):**

1. The applicant or any future owner should be aware that whilst planning permission has been granted, listed building consent has not been applied for. Any occupation of the building and resultant conversion works required, will be subject to an application for listed building consent and may also require a further application for planning permission, depending on the scale of works required for conversion.
2. In accordance with paragraphs 38 and 39 of the National Planning Policy Framework, Aylesbury Vale District Council (AVDC) takes a positive and proactive approach to development proposals and is focused on seeking solutions where possible and appropriate. AVDC works with applicants/agents in a positive and proactive manner by offering a pre-application advice service and updating

applicants/agents of any issues that may arise in the processing of their application as appropriate and, where possible and appropriate, suggesting solutions. In this case, the details as submitted were found to be acceptable and so the application has been recommended for approval.

## 2.0 **INTRODUCTION**

2.1 The application has been brought to the development management committee as Slapton Parish Council have objected to the proposal and have said that they will speak.

2.2 The Parish Council objects to the proposal as it does not accord with the Slapton Neighbourhood Plan, the parish community strongly supports the retention of the Carpenters Arms as a public house and because there has been no material change since the previous application 18/00426/APP.

2.3 Councillor Peter Cooper supports the comments made by the Parish Council and has also stated that it is clear a negative situation has been engineered which has forced the tenant to move business to Stoke Hammond. During the tenants short stay in Slapton, the tenants business was popular and well supported, but the limitations described in the Parish Council report made it impossible for the business to survive. Councillor Cooper will speak at the committee meeting.

2.4 Local planning authority response to the call-in:

The concerns raised by the Local Member, the Parish Council and the local residents of Slapton have been carefully considered, however it should be noted that the LPA as the 'decision-taker' can only consider the relevant planning merits of the application. Having considered the previous planning application at this site, engaging with the previous tenant of the premises and having regard for the report from the DVS, it is considered that on balance, the support for the public house in terms of turnover/income is not of a sufficient volume that a business could reasonably succeed in this location. In light of this and in the interests of securing the long-term future of the grade II listed building, it is recommended that the application be approved.

## 3.0 **SITE LOCATION AND DESCRIPTION**

3.1 The application site lies at the centre of the Slapton Settlement (as outlined in the Slapton Neighbourhood Plan Policies Map), on a corner plot fronting Horton Road to the south and Church Road to the east. To the north lies Mill Road and to the west lies Bury Farm Close.

3.2 The Carpenters Arms provides a central bar area plus a dining area with 38 covers. In addition there is a snug bar area to the rear and a trade kitchen, a small garden to the side and parking for 12 cars. The upper floor provides ancillary residential accommodation comprising a 2-bed flat.

3.3 The Carpenters Arms and the adjacent Maltings are both Grade II Listed.

3.4 The Historic England Listing Description is as follows:

*“Public house. C17, altered. First floor has timber frame with brick infill, ground floor rebuilt early C19 in red and vitreous brick. Thatched roof, half-hipped to left, hipped to right over single storey extension. Central rebuilt brick chimney. 2 storeys, 2 original bays. Left bay has 3-light barred horizontal-sliding sash to ground floor. Right bay has paired barred wooden casements and gabled C20 porch projection to right. Another C20 door to centre. Extension to right has paired similar casement. Gable to road has 2-light barred horizontal-sliding sash to first floor, canted oriel window below, and angled lean-to to left with door and barred window. Small later wing to rear forming T-plan, has slighter timber frame and tiled roof. First floor of older bays was probably once jettied.”*

Date first listed: 26-Sep-1951

3.5 The Slapton Parish Neighbourhood Plan states in paragraph 2.13 that the Carpenters Arms dates back to the 16th Century and is the oldest and most picturesque building in the village, second only to the church. It is described in the SPNP by its thatched roof over a timber frame filled with red brick.

#### 4.0 **PROPOSAL**

4.1 This application seeks full planning permission for the change of use of the Carpenters Arms Public House (Class A4) to a dwellinghouse (Class C3). The submitted documents indicate that the public house is no longer viable under a Class A4 use. The applicant therefore proposes that a change of use would allow the Listed Building to be retained in perpetuity in an adequate state of repair.

4.2 The merits of the proposal and the assessment of the building’s viability are deliberated below in this report.

#### 5.0 **RELEVANT PLANNING HISTORY**

5.1 84/01674/AV - Retention of additional car park and boules court - Approved

5.2 93/00748/APP - Conversion of Maltings to living accommodation and extension of public house to form W.C. – Approved

5.3 93/01203/ALB – Alterations and extension - Approved

5.4 93/01211/ALB - Conversion of the Maltings into shop and living accommodation – Approved

5.5 93/01344/ALB - Demolition of toilet block to the Maltings and part demolition of highway boundary wall – Approved

- 5.6 98/00148/APP - Conversion of the Maltings into bed & breakfast accommodation – Refused
- 5.7 98/00149/ALB - Conversion of the Maltings to bed & breakfast accommodation – Listed Building Consent Granted
- 5.8 98/01703/APP - Conversion of Maltings to living accommodation & retail use & extension to public house to form W.C. (renewal of 93/0748/app) – Approved
- 5.9 18/00426/APP - Change of use of public house (Class A4) to single residential dwelling (C3) - Refused

## 6.0 **PARISH/TOWN COUNCIL COMMENTS**

- 6.1 The Parish Council objects to the proposal as it does not accord with the Slapton Neighbourhood Plan, the parish community strongly supports the retention of the Carpenters Arms as a public house and because there has been no material change since the previous application 18/00426/APP.
- 6.2 The Parish Council have stated that they will speak at the planning committee meeting.

## 7.0 **CONSULTATION RESPONSES**

- 7.1 Bucks CC Highway Engineer (summary):

*“A change of use from a public house to a residential dwelling would be likely to result in fewer daily vehicle movements, resulting in a decrease in pressure on the highway network.”*

- 7.2 AVDC Heritage Officer (summary):

*“With the signage retained, this application is considered to preserve the special architectural features of the listed building. However, a key element of the buildings historic interest is its use as a public house. This element will clearly be harmed by the proposed change of use and therefore the viable use of the listed building as a public house needs careful consideration.”*

- 7.3 Buckingham and River Ouzel Drainage Board – No comments to make.

- 7.4 District Valuation Service (DVS) (summary) –

*“It is a marginal decision but on balance, with the information available, the DVS does not disagree with the view that The Carpenters Arms is not viable as a public house, primarily due to the physical limitations of the property and direct competition in the surrounding area.”*

## 8.0 **REPRESENTATIONS**

- 8.1 Comments have been received from 32 separate persons objecting to the proposal on the following grounds (as summarised):



- Historic importance of the pub in Slapton
- The loss of the pub would result in a loss of local amenity
- Loss of the pub would lessen the quality of village life in Slapton
- Previous tenant was not given the opportunity to make the pub a success
- Slapton has already lost a shop, school and post office, this would result in the loss of another village asset
- The pub adds to the character of the village
- No need for more houses in Slapton
- One of the limited meeting places for the community
- Concerns as to whether the listed building would be suitable as a dwelling
- The most recent tenant managed to create a busy pub, so why should it close?
- The pub could be a success under the right management
- The Slapton Neighbourhood Plan has provision for new housing, as the village grows, the pub must be preserved to maintain the community, cohesion and character of the village
- Bury Farm Equestrian Centre is not an appropriate alternative as it is only licensed for those attending quine events, not the general public
- The Stag in Mentmore is closed down

## 9.0 EVALUATION

### ***a) The planning policy position and the principle of conversion for residential use.***

9.1 Members are referred to the Overview Report before them in respect of providing the background information to the Policy. The starting point for decision making is the development plan, i.e. the adopted Aylesbury Vale District Local Plan (and any 'made' Neighbourhood Plans as applicable). S38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) are both important material considerations in planning decisions. Neither change the statutory status of the development plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF.

### ***The Development Plan***

#### Neighbourhood Plan

9.2 In this respect, Slapton has a 'made' neighbourhood plan, adopted on the 17<sup>th</sup> July 2018. The relevant policies contained within the SPNP relevant to this application include SLP1 and SLP6. Paragraphs 1.27-1.29 of the accompanying overview report sets out the importance and purpose of neighbourhood planning.

9.3 Paragraph 1.2 of the 'made' Slapton Parish Neighbourhood Plan (SPNP) states that the purpose of the neighbourhood plan is to identify potential land for development and make planning policies that can be used by the District Council in the determination of planning

applications in the local area until March 2033. These policies are aimed at managing development in and around the village and across the wider Parish in the most sustainable way by protecting its rural character and encouraging proposals that will benefit the local community.

- 9.4 Chapter 5 of the SPNP outlines the vision of the Neighbourhood Plan and states that the plan will ensure that Slapton parish retains its sense of community by carefully managing change within its boundaries, by creating opportunities for employment growth which are appropriate, in scale, design and type, for this rural location; by ensuring its diverse mix of housing is preserved and by protecting its setting and surrounding countryside from anything that harms the distinctive rural character, distinctive rural character, distinctive architecture and environmental heritage.
- 9.5 Policy SLP1 of the SPNP identifies a spatial plan for the parish and outlines the Slapton settlement boundary on the proposals map. This policy states that infill development within the settlement boundary will be supported provided they accord with the design and development management policies of the neighbourhood plan. In defining the Slapton Settlement Boundary, policy SLP1 supersedes policies RA.3, RA.13 and RA.14 of the AVDLP.
- 9.6 The proposed application site falls within the Slapton settlement boundary and whilst the proposal does not comprise of an 'infill' development, the Neighbourhood Plan policy does not explicitly oppose changes of use within the settlement boundary. This is subject to other policies within the SPNP and the supporting documents such as the Slapton character appraisal.

*Aylesbury Vale District Local Plan*

- 9.7 The policy position and current housing land supply figures are addressed with the overview report that is to be read in conjunction with this Committee Report. What is of relevance however is that, given the status of policies and relevance of the Neighbourhood Plan, a weighted balance approach is not appropriate in this instance. This is the same approach taken in the previously refused application whereby policy GP.32 was considered to be up-to-date and in conformity with the NPPF and the application was found unacceptable in that instance.
- 9.8 A number of general policies of the AVDLP are considered to be consistent with the NPPF and therefore up to date so full weight should be given to them. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. Those of relevance are GP.8, GP.24, GP32, GP.35, GP38 – GP.40 and GP93.

*Emerging policy position in Vale of Aylesbury District Local Plan (draft VALP)*

9.9 The Council has set out proposed policies and land allocations in the draft Vale of Aylesbury Local Plan. The draft Vale of Aylesbury Local Plan was published and subject to public consultation in summer 2016. Following consideration of the consultation responses, and further work undertaken changes have been made to the draft plan. A report has been considered by the VALP Scrutiny Committee on 26 September and Cabinet on 10 October 2017 on the proposed submission plan. The Cabinet's recommendations were considered by Council on 18 October 2017. The proposed submission was the subject of consultation from, 2 November to 14 December 2017. Following this, the responses have been submitted along with the Plan and supporting documents for examination by an independent planning inspector at the end of February 2018. The examination hearing ran from Tuesday 10 July 2018 to Friday 20 July 2018. The Interim Findings have been set out by the Inspector, and consultation on modifications will be required before adoption can take place. The adoption of the Vale of Aylesbury Local Plan is planned to be in 2019.

9.10 Whilst the VALP hearing has taken place there are a number of unresolved objections to the housing strategy and other policies. Paragraph 48 of the NPPF advises on the weight to emerging plans depending on the stage of preparation, unresolved objections and consistency with the NPPF. In view of this the policies in this document can only be given limited weight in planning decisions, however the evidence that sits behind it can be given weight. Of particular relevance are the Settlement Hierarchy Assessment (September 2017). The Housing and Economic Land Availability Assessment (HELAA) (January 2017) is an important evidence source to inform Plan-making, but does not in itself determine whether a site should be allocated for housing or economic development or whether planning permission should be granted. These form part of the evidence base to the draft VALP presenting a strategic picture.

#### Housing supply

9.11 How the local planning authority is complying with the Government's objective of significantly boosting the supply of homes has been set out in the accompanying overview report which should be read in conjunction with this report. Importantly, work is ongoing towards calculating the LPA's housing land supply, but early indications are that the Council maintains over 5 years supply.

***b) Whether, having regard to national and local policies, the proposed change of use from a public house (Class A4) to a dwellinghouse (Class C3) would be acceptable on the basis of whether the continued use of the public house is viable.***

9.12 The SPNP as a whole makes reference to the application site and the importance of the public house and its contribution to the character and appearance of the village, given its

aesthetic and prominent location at the heart of the village. However, the policies within the SPNP do not preclude a change of use, subject to other policies in the SPNP, including SLP6 (Slapton Character Area 5). Thus, the Neighbourhood Plan is silent in terms of the principle for the change of use of the building. The assessment therefore focuses on the policies of the AVDLP and the extent to which these are complied with in determining the acceptability of the proposals.

- 9.13 Saved Policy GP.32 of the AVDLP states that the Council will resist proposals for the change of use of shops, post offices and public houses for which there is a demonstrable local need. In considering applications for alternative development or uses, the Council will have regard to the viability of the existing use, the presence of alternative local facilities and the community benefits of the proposed use. Where permission includes building conversions, conditions will be imposed so as not to exclude later resumption of the existing use.
- 9.14 The sub-text for this policy in paragraph 4.98 states that in rural areas, it is important to protect shops, post offices and public houses, as these fulfil a local function providing local services and reducing the need to travel. This protection is particularly important where there are no alternatives available locally. Applicants will need to satisfy the Council that the existing use is no longer viable and that a genuine attempt has been made to market the enterprise as a going concern. Where development is permitted, it would be regrettable if the building works prevented the future resumption of the former, or similar activity.
- 9.15 Saved Policy GP.93 of the AVDLP states that the Council will resist proposals for the change of use of community buildings and facilities for which there is a demonstrable local need. In considering applications for alternative development or uses, the Council will have regard to the viability of the existing use, the presence of alternative local facilities and the community benefits of the proposed use. Where permission includes building conversions, conditions will be imposed so as not to exclude the later resumption of a community use.
- 9.16 The National Planning Policy Guidance (NPPG) provides further guidance with respect to viable uses for heritage assets in paragraph 15 and states that it is important that any use is viable, not just for the owner, but also for the future conservation of the asset. It further states that if there is only one viable use, then that is the optimum viable use. Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused provided the harm is minimised.
- 9.17 Paragraph 16 of the NPPG states that appropriate marketing is required to demonstrate the redundancy of a heritage asset in the circumstances set out in [paragraph 195] bullet 2 of the NPPF. The aim of such marketing is to reach all potential buyers who may be willing

to find a use for the site that still provides for its conservation to some degree. If such a purchaser comes forward, there is no obligation to sell to them, but redundancy will not have been demonstrated.

- 9.18 Taking the above policy background into account, it is considered that a proposed change of use could be acceptable, subject to the proposal demonstrating a compliance with the relevant local plan policies which is considered further against the criteria set by policies GP.32 and GP.93 in the following paragraphs.

*Viability of Existing Use:*

- 9.19 In coming to a view on whether the proposals comply with the first criterion set out in policy GP.32 and GP.93, officers have had regard to the viability of the existing use. The applicant has provided detailed marketing evidence to attempt to demonstrate that the public house is no longer viable. This evidence was previously challenged by the LPA on the grounds that a tenant was occupying the premises. So notwithstanding a marketing exercise had been carried out, there were doubts regarding the interest (or lack of) in the pub as a vacant building, given a trade was being carried out.
- 9.20 Turning to the marketing that has been carried out by the applicant in an attempt to sell the property, it has been demonstrated that Fleurets marketed the property between February 2017 and up until the time of submission of the previously refused application, February 2018. The initial asking price was £525,000 but was reduced to £495,000 in May 2017. In September 2017, the public house was offered on a leasehold basis but one month later was put back on the market as a freehold sale only. In this respect, no evidence has been submitted to demonstrate that the building has been marketed since December 2017.
- 9.21 The asking market rental rate was advertised as £36,000. The Valuation Office Agency (VOA) (Oxford Branch) were tasked (by AVDC) with appraising the submission of details. They were previously employed to appraise the first application and have again been instructed to further appraise the 'viability' of the public house as part of this current application. That being said, the comments received are almost identical to the comments received previously insofar as the asking price for the public house did seem to be at the higher end of values, when compared with similar pubs that have sold recently or that are currently on the market in the area. The VOA further states that the asking price may be indicative of the level of trade. Fleurets advertised the public house on their website and the sales particulars were sent to interested parties on their database. Further advertisements were placed on external websites as well as the Morning Advertiser, which is the main trade publication. The details were posted to licensed property operators registered on Fleurets database and a hardcopy mailshot was made to 132 local licensed businesses. Fleurets received very few enquiries and it is reported that no parties attended

an open viewing session in March 2017. The main concerns related to the layout of the establishment and the upkeep of the thatched roof.

- 9.22 The applicant has stated in a cover letter that when the building was purchased in 2006, refurbishment was needed to preserve the building given its listed status and this cost was in the region of £100,000. It is stated that, despite the refurbishment, the business still required financial support which occurred up until 2012 at which point the decision was taken to sell the property. There was no uptake however a new tenant occupied the property at a charge of £600.00 per week. After subsidising this tenant for circa 5 years, the property was again marketed as demonstrated by the documents submitted alongside this planning application.
- 9.23 It is further argued by the applicant that this cumulative loss has resulted in a need to change the use of the building to ensure the long term future and viability of the Grade II listed building. Furthermore, the landlord/applicant claims to have paid for insurances and repairs, one such repair being to the thatched roof which cost £23,000. These are costs which should typically be paid by the tenant of the property. It is stated that the total costs in supporting the public house to stay open, prior to the submission of the previous application in February 2018 exceeds £170,000.
- 9.24 It should be noted that no evidence (besides the aforementioned marketing information) has been submitted to demonstrate the costs and/or loss to the applicant. It is also noted that no accounts or trade information has been provided, however the VOA are able to rely on their own records.

*Appraisal from the Valuation Office Authority (VOA) District Valuer:*

- 9.25 The VOA concluded in their report that the property has been suitably marketed by a recognised licenced property agent for a suitable length of time. The initial high asking price was reduced after 3 months indicating a serious intention to sell as a freehold pub and although the final asking price is high, it is not totally out of line with market value. To conclude the 'marketing' aspect of the assessment, it is considered that the submission does satisfactorily comply with elements of the supporting policy text (4.98) to policy GP.32 of the AVDLP.
- 9.26 The VOA report recognises that there are other factors which may affect the viability of the public house and officers recognise these in coming to a view on viability.
- 9.27 The VOA reports that the freehold of the property was purchased by Interguide Group Ltd in 2006 following closure by the Vale Brewery Ltd in 2005. They refurbished the property and ran the operation until 2012 when it was let on a management tenancy until its closure in October 2017. The VOA notes that whilst actual trade figures or accounts have not been provided, their own records indicate that there was a consistent and steady level of trade

between 2014 and 2016 at a level of FMT (Fair Maintainable Trade) that would be expected for a pub of this character and size. The recent trade has actually been at a higher level than was being achieved in the 2000's. The report acknowledges that whilst the Carpenters Arms is predominantly a wet pub, around 25% of total trade in the past has been through food trade. In this regard, the VOA report concludes that trade has been steady and consistent and whilst accounts have not been provided, it is recognised that a historic thatched pub of this nature will have higher outgoings and repairs which will impact upon the profitability of the operation. The applicant claims that throughout the 12 year ownership of the property, the rent owing from tenants has often had to be subsidised.

9.28 The VOA report accepts that there was no interest in the property from recognised pub operators and that there are evident limitations to the property which result in there being higher outgoings for repairs, heating, insurance and wastage. Notwithstanding this, the report acknowledges that there are thatched pubs in small villages which are successful and evidently viable, such as in Weedon and Aston Abbots. The VOA report acknowledges that the decision of AVDC to remove the property in October 2017 as an Asset of Community Value (ACV) on the grounds that it was not being sufficiently used by the community may be a factor in the reported lack of interest from recognised pub operators. Finally, the report comments that the lack of local support for the public house, as evidenced by online reviews, goes some way in explaining the difficulties that the public house has faced in recent times. The lack of perceived support for the public house must be considered in light of the 32 letters of objection received as part of the public consultation exercise, with the majority of responders opposing the proposed loss of the public house. This number is considerably less than the 98 separate objections received in the previous application for a change of use. It was highlighted in the previous officer report that the number of objections represented approximately 20% of the Parish area whilst in this instance, the number of objections represents approximately 6% of the Parish residents.

9.29 Notwithstanding the above, it is considered that the VOA advice acknowledges there is not a strong case to demonstrate that the continued use of the public house is unviable. Therefore officers need to consider whether there is sufficient doubt in favour of sustaining the existing use, in viability terms. Officers have taken into account the VOA advice in weighing up the viability case, which whilst they note this is marginal in the VOA's view they continue to acknowledge that on balance with the information available they do not disagree with the view that the property is not viable as a public house for the limitations set out above.

*Consideration of 3<sup>rd</sup> party evidence:*

- 9.30 In arriving on a conclusion as to whether the public house is viable, the LPA should take account of all information available to the decision-maker. In refusing the previous application at this site, the case officer concluded that, on balance, the pub could have been demonstrably viable given that a tenant was occupying the premises and paying around (or marginally above) market rent. Further correspondence with that tenant has been entered into as part of the assessment of this application. That tenant has confirmed in writing to the LPA that the level of business at the pub does not allow for a sustainable business. It is stated by the most recent tenant, that the rent is approximately double that of the previous tenants before him. However importantly, the previous tenant states that even if the rent were reduced by 50%, the 'takings' would only match the rent and therefore not allow for a level of profit to be made where the public house could be purchased in the future.
- 9.31 The VOA report also acknowledges that the previous tenant left the premises early and monies are still owing in respect of rent which is a further loss endured by the applicant.
- 9.32 Notwithstanding the above, it has been noted in several forms of correspondence that the previous tenant spent reasonable sums of money in ensuring the up-keep of the building and securing improvements to the interior condition in order to attract customers. It was stated by the previous tenant that when the pub re-opened under his tenancy, the pub was generating an income in the region of £10,000 per month, but no evidence of this has been provided.
- 9.33 The VOA were made aware of the above circumstances subsequently to their initial report but responded by stating, even if market rent is being paid to occupy the pub, the pub itself has been heavily subsidised for many years and this would likely remain the situation moving forward. In this instance, the VOA have concluded the same as before, in that they do not disagree with the view that The Carpenters Arms is not viable as a public house.

*Alternative establishments:*

- 9.34 In coming to a view on whether the proposals comply with the second criterion set out in policy GP.32 and GP.93, officers have had regard to the presence of alternative local facilities in the area.
- 9.35 With regard to alternative establishments (for the purposes of this assessment referred to as local competition), the following establishments and their distinguishable qualities were identified as being within a 3 mile radius of the Carpenters Arms:
- The Grove Lock, Grove – Fullers managed food pub on the canal
  - The Stag, Mentmore – Dining pub/restaurant



- The Old Swan, Cheddington – Thatched destination food pub with 70 covers and 30 parking spaces and large garden
- The Swan, Northall – Large car park and garden
- The Village Swan, Ivinghoe Aston – Large car park
- The Three Horseshoes, Cheddington – Large car park

9.36 It has been highlighted by numerous objectors that the planning permission for Bury Farm Equestrian Village (also owned by the applicant), located on the edge of Slapton, restricts the use of the licensed restaurant to customers/users of the equestrian village and not therefore to serve the general public.

9.37 It has also been brought to the attention by a small number of objectors that The Stag in Mentmore has closed down although there does not appear to be any reports in local media of this.

9.38 Taking the above into account, it is recognised that there are other existing facilities that provide similar services to the existing public house use, in the area, although these are not within Slapton itself, and therefore Slapton residents may frequent these nearest facilities by private transport, rather than walking/cycling. It is considered that the proposed loss of the public house could therefore result in an increase need to travel to the other nearest facilities which goes against the explanatory text to policy GP.32.

*Community Benefits of the Proposed Use:*

9.39 In coming to a view on whether the proposals comply with the third criterion set out in policy GP.32 and GP.93, officers have had regard to the potential community benefits of the proposed use. It is considered that the change of use of the public house to residential would have a limited community benefit (given that there is accommodation provided above the public house as existing). The occupation of this building for residential purposes would contribute to the local economy and further public benefits would arise from the safeguarding of a historic building. It is however acknowledged any benefits are tempered given the current community benefit provided by the established public house that lies in the heart of the village, which would otherwise be in use and serving a local need.

*Conclusions:*

9.40 Policy GP.32 states that the Council will resist proposals for the change of use of shops, post offices and public houses for which there is a demonstrable local need. In considering applications for alternative development or uses the Council will have regard to the viability of the existing use, the presence of alternative local facilities and the community benefits of the proposed use. In rural areas it is important to protect shops, post offices and public

houses as these fulfil a local function providing local services and reducing the need to travel. This protection is particularly important where there are no alternatives available locally.

- 9.41 The LPA previously considered that the argument put forward by the applicant was not substantially weighted in favour of an approval as a direct result of doubts and ambiguity regarding the viability of the public house. As part of this submission, the LPA has given consideration to the same set of evidence submitted but also to account for the occupancy and latterly vacation of the premises by the previous tenant. As such, it has now been concluded, albeit marginally, that the pub is not viable within that use class and that resultantly, the change of use should be supported by officers as the proposal complies with policies GP.32 and GP.93 of the AVDLP and also to secure the long term future of the public house. It is concluded that the loss of economic and social benefits to the local community would be outweighed by the potential benefits of the scheme and would further comply with the guidance of the NPPF.

***c) Whether the proposal would constitute a sustainable form of development.***

- 9.42 The most up to date national policy is set out in the NPPF published in February 2019. At the heart of the NPPF is the presumption in favour of sustainable development (paragraph 11) in both plan-making and decision-taking. It is only if a development is sustainable when assessed against the NPPF as a whole that it would benefit from the presumption in paragraph 11 of the NPPF. The following sections of the report will consider the individual requirements of sustainable development as derived from the NPPF and an assessment made of the benefits together with any harm that would arise from the failure to meet these objectives.
- 9.43 The Government's view of what "sustainable development" means in practice is to be found in paragraphs 7 to 211 of the NPPF. Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 9.44 Policy RA.11 supports the conversion and re-use of buildings in the countryside, however this refers to areas outside the built-up area of settlements. As the application site falls within the Slapton Settlement Boundary, policy RA.11 is not engaged in this instance.
- 9.45 In terms of its broader location, Slapton is defined as a 'Smaller Village' in the Settlement Hierarchy Assessment (September 2017). Smaller villages are characterised as typically

having an average population of 463 and have between 2 and 5 of the 11 key services. In this instance, Slapton has a population of 528 and 4 of the key services (3.5 miles to service centre being Leighton Buzzard, 2 public houses one of which is the subject of this application and the other being Grove Lock, a village hall and a recreation ground). On this basis, and for the purposes of this assessment, it is recognised that Slapton is in principle not a sufficiently sustainable location to accommodate further significant development because of the limited services however a small level of development is unlikely to lead to any environmental harm as there is already built form and small scale development will contribute towards providing locally needed homes for families to remain in the same communities and to contribute to vitality.

- 9.46 The proposed dwelling would result from the change of use of the existing public house which lies within the settlement boundary of Slapton as demonstrated in the SPNP Policies Map. Given the nature of the proposal and the limited works that would be required to facilitate a change of use to a dwelling, the proposal is considered to constitute a 'small scale' development, for the purposes of this assessment.

#### Delivering a sufficient supply of homes

- 9.47 In respect of affordable housing the scheme does not meet the thresholds for securing such provision on site as outlined in AVDLP policy GP2 which refers to the provision of 25 dwellings or more or a site area of 1 ha or more. The proposal comprises the change of use of the building which comprises a public house with ancillary residential accommodation above to a single two bed dwellinghouse. The provision of a single dwelling would make a modest addition to the housing stock.
- 9.48 There is no reason that the site could not be delivered within the next five year period making a contribution to housing land supply which would be a benefit to which positive weight should be given, owing to the scale of development and its relatively limited contribution.
- 9.49 Paragraphs 77-79 of the NPPF (2018) are particularly relevant to this application for rural housing. Paragraph 78 states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 9.50 Paragraph 79 relates to isolated homes in the countryside and states that an exception to this would be if the development would represent the optimum viable use of a heritage asset. In this instance, the application site is within the Slapton settlement boundary and so would not be considered an isolated dwelling.

### *Build a strong, competitive economy*

- 9.51 Paragraph 80 states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Paragraph 83 states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and the development and diversification of agricultural and other land-based rural businesses. Part (d) in particular states that the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
- 9.52 Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 9.53 Whilst the proposal would appear to contribute towards the long term viability of the building, ensuring its up-keep for the foreseeable future, the proposed change of use would result in the loss of a significant local amenity/facility for the residents of Slapton and would likely result in a loss to the local economy through the change of use.

### *Promoting healthy and safe communities*

- 9.54 Policies GP86-88 and GP94 seek to ensure that appropriate community facilities are provided arising from a proposal (e.g. school places, public open space, leisure facilities, etc.).
- 9.55 Decisions should aim to achieve healthy, inclusive and safe places, promoting social interaction, safe and accessible development and support healthy life-styles. This should include the provision of sufficient choice of school places, access to high quality open spaces and opportunities for sport and recreation and the protection and enhancement of public rights of way, and designation of local spaces.
- 9.56 In this instance, the provision of a single dwelling would not require contributions to be made in respect of the above facility provision.

### Promoting sustainable transport

- 9.57 It is necessary to consider whether the proposed development is located where the need to travel will be minimised, the use of sustainable transport modes can be maximised and that safe and suitable access can be achieved. It is the case that Slapton is a small settlement with a restricted bus services such that travel by car is likely to be the normal mode of transport. Nevertheless, whilst the bus services are infrequent, Slapton has better connections to the main settlements (in this case Leighton Buzzard and Dunstable/Luton) when compared with some other smaller settlements.
- 9.58 In terms of access arrangements, the highways engineer has been consulted and states that there are no comments to make in respect of the access as it already exists to serve the public house. It is however noted that the change of use to a dwelling would result in less vehicular trips than would be expected from the existing use. In any case, the application site lies in the middle of the settlement boundary so the access and suitability of location would not be dissimilar from surrounding developments. It is therefore concluded that safe and suitable access to the site can be achieved for all users in accordance with paragraph 108 of the NPPF (2019).
- 9.59 With regard to parking provision, the application form confirms that the proposals will result in the provision of a two bed-dwellinghouse. It is considered the provision of a single car space would therefore be required to comply with the Councils SPG. However, as noted from the appraisal by the District Valuer and from the site visit carried out, the existing property benefits from 12 off-street parking spaces. If retained in its entirety, the parking area would exceed the maximum parking requirement and the introduction of additional soft landscaping would therefore be sought, which could be secured by condition.

### Supporting high quality communications

- 9.60 Paragraph 114 of the NPPF requires LPA's to ensure that they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services. Given the location of the proposed development, and bearing in mind that they would be in the most part reusing an existing building, it is considered unlikely for there to be any adverse interference upon any nearby broadcast and electronic communications services as a result of the development. It is therefore considered that the proposal would accord with the guidance set out in the NPPF.

### Making effective use of land

- 9.61 Paragraph 117 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic

policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land. Footnote 44 states that the aforementioned does not apply where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.

- 9.62 Paragraph 122 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an areas prevailing character and setting (including residential gardens), or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places.
- 9.63 In this instance, the proposed dwelling would be created by re-using/converting previously developed land and buildings (as defined in Annex 2) but the principle of on-site accommodation has already been established in any case as accommodation exists above the main public house service areas.

#### Achieving well designed places

- 9.64 Policy SLP6 of the SPNP refers to design and states that proposals for development will be supported if they conform to the design principles relevant to the character area in which they are located. In this instance, the application site lies within an area identified as Slapton Character Area 5 (Village Centre). This states that development proposals should not harm the contribution that the Carpenters Arms and Brewery Cottages make in defining the centre of the village; care should be taken to preserve the visual dominance of both existing buildings particularly when viewed from the south along Horton Road. Any development proposals that stand forward of the current building line of the adjacent bungalows on Horton Road, rise above the Carpenters Arms or Brewery Cottages, or obscure the view of the Maltings beyond the car-park will be resisted.
- 9.65 Policy GP.35 of the AVDLP requires development to respect and complement the physical characteristics of the site and the surroundings, the building tradition, ordering, form and materials of the locality, the historic scale and context of the setting, the natural qualities and features of the area and the effect on important public views and skylines. The Council's adopted supplementary planning guidance in the form of the 'New Buildings in the Countryside' Design Guide is also relevant in respect of new dwellings resulting from a change of use.

- 9.66 This policy is in general conformity with the NPPF (2019) which states in paragraph 124 that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 126 states that visual tools such as design guides and codes provide a framework for creating distinctive places, with a consistent and high quality standard of design. It is further stated that decision making should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development and should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; sympathetic to local character and history et al.
- 9.67 In this respect, it is noted that no external works are proposed to the building and the Heritage Officer has insisted that the signage be retained by way of planning condition, to ensure the character and appearance of the building is retained. Further soft landscaping has been mentioned above in this report but it will be important to ensure that potential landscaping does not obscure the view of Maltings as mentioned in the neighbourhood plan.
- 9.68 The 'New Houses in Towns and Villages' Design Guide states that car parking should preferably be set behind buildings or screened from public view. New and existing walls, trees, hedges and shrubs should be used to screen and improve the appearance of parking and turning areas. Car parking needs to be convenient but should not be allowed to detract from the setting of houses. As such, a landscaping condition could ensure an improved visual amenity and promote compliance with SLP6 of the SPNP, the Design Guide, the AVDLP & the NPPF.
- 9.69 On the basis that no external works are proposed, it is considered that the proposal would have an acceptable impact on the visual amenities of the site, wider area and neighbouring amenities in general, in accordance with policy SLP6 of the SPNP, policy GP35 of the AVDLP and the advice contained within the 'New Houses in Towns and Villages' Design Guide and the NPPF.

#### *Meeting the challenge of climate change and flooding*

- 9.70 Paragraph 148 of the NPPF (2018) states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

- 9.71 Specifically with regard to flood risk, it is stated that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 9.72 The application site falls within Flood Zone 1 and is therefore considered to be at very low risk of flooding and in addition, no external works are proposed as part of the change of use application.

#### Conserving and enhancing the natural environment

- 9.73 Regard must be had as to how the proposed development contributes to (inter alia) the natural and local environment through protecting and enhancing valued landscapes and geological interests, minimising impacts on biodiversity and providing net gains where possible and preventing any adverse effects of pollution, as required by the NPPF (2018) in paragraph 170. In addition, GP.35 requires new development to respect and complement the physical characteristics of the site and surroundings; the building tradition, ordering, form and materials of the locality; the historic scale and context of the setting; the natural qualities and features of the area; and the effect on important public views and skylines. It is also reinforced by the Council's 'New Buildings in the Countryside' Design Guide which encourages new development to recognise and respect landscape and local character.
- 9.74 Policy SLP6 of the SPNP relates to 'design' and whilst this policy does not prescribe natural landscape characters and appearance, it does state that proposal for development will be supported if they conform to the design principles relevant to the character area within which they are located. In this instance, the Carpenters Arms is located within Character Area 5 as identified on the SPNP Proposals Map.
- 9.75 The application site comprises of entirely 'brownfield' land and the proposal involves the change of use of an existing building. As such, it is considered that the impact upon the natural environment would be inconsequential.
- Habitats and Biodiversity
- 9.76 Paragraph 175 of the NPPF sets out 4 principles LPA's should apply when determining planning applications which seek to prevent significant harm to biodiversity unless adequate mitigation or exceptions apply, otherwise permission should be refused. Conversely, development whose primary objective is to conserve or enhance biodiversity should be supported. There would be an absence of harm to arise as a result of the proposed development on biodiversity.

#### Conserving and enhancing the historic environment



- 9.77 The SPNP, as already assessed above, makes reference to the heritage assets within the village and settlement boundary but save for policy SLP6, does not prescribe how heritage matters should be assessed. The policies in the AVDLP with regard to Listed Buildings have not been saved. This aspect is therefore assessed against the content of the NPPF.
- 9.78 Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 9.79 Paragraph 195 states that where a proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: the nature of the heritage asset prevents all reasonable uses of the site; no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and the harm or loss is outweighed by the benefit of bringing the site back into use.
- 9.80 Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. In this instance, the heritage assets being considered are the Carpenters Arms and the adjoining Maltings to the east which are both Grade II Listed Buildings.
- 9.81 The Council's Heritage Officer has been consulted and states that with the signage retained, this application is considered to preserve the special architectural features of the listed building. However, a key element of the buildings historic interest is its use as a public house. The conversion works would inevitably affect this character as a result of the proposed change of use, but it is not considered that any material harm would result, that the application could be refused on those grounds. The viable use of the listed building as a public house therefore needs to be carefully considered.
- 9.82 It is noted that the District Valuer did not carry out a site visit and this is a concern of the heritage officer, however given that the significance and character of the building could be retained through appropriate planning conditions, it would not appear reasonable to refuse the planning application on heritage grounds and detailed consideration has been given to the viability of the public house within that use as part of the determination of this application.

- 9.83 Therefore an assessment can only be made on the details submitted and as no internal or external alterations have been shown on the submitted plans, this is the basis on which the Heritage Officer has provided comment and which officers have based this assessment on. In summary the proposed change of use would not adversely affect the setting of the listed building or nearby listed building and, as such, is in accordance with Section 66 of the Planning (Listed Building & Conservation Area) Act (1990) and the guidance as set out in NPPF (2019).
- 9.84 Special regard has been given to the statutory test of preserving the (setting of the) listed building under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990, which is accepted is a higher duty. It has been concluded that the setting of the listed buildings would be preserved and so the proposal accords with section 66 of the Act. In addition, no harm would be caused to the significance of any heritage assets, in NPPF terms, and as such the proposal accords with guidance contained within the NPPF.

***(c) Impact on residential amenity***

- 9.85 Policy GP.8 of AVDLP seeks to protect the residential amenity of nearby residents, whilst paragraph 127 of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 9.86 As no external works are proposed, it would appear only appropriate in this instance to consider relevant factors resulting from the proposed change of use to a dwelling. However as the existing building falls within a Class A4 use (public house) it is reasonable to suggest that an operating public house would return a level of noise that is greater than could be expected compared with a single family dwellinghouse. Similarly the number of traffic movements would be expected to be fewer resulting in less potential for traffic conflicts within the immediate locality. Noise levels within the premises and outside would be anticipated to be lower as a result of the change of use.
- 9.87 As such, it is considered that the proposal would provide some benefits in terms of reduced noise and disturbances from the continued use as a public house for the immediately adjacent existing neighbouring properties. Therefore, as there would be no adverse implications on nearby residents, as a result of the change of use, the proposals are considered to comply with policy GP8 of the AVDLP and the development would protect residential amenities.