

OLD CHESTERTON RESIDENTS' ASSOCIATION

Comments on the draft Interim Planning Policy Guidance (IPPG) on Pubs

Old Chesterton Residents Association welcomes the IPPG on pubs and the intent to incorporate strengthened protection for the retention of pubs into the forthcoming Local Plan. Concern remains that the weight officers and members are able to give to Informal Planning Policy Guidance until the new Local Plan is in place may be insufficient against pressures from developers however. We would, for instance, point to the City/SCDC IPPG on Retail for the North West Quadrant which has not been given weight in recent applications about the size of retail to be located in Orchard Park and where the proposals are significantly at odds with the agreed IPPG.

We support strongly the principle of the IPPG. Our response will consider the Development Management Principles laid out in Section 4 of the draft together with the actual pub listings.

We note that since the preparation of the draft IPPG and the study which informed it there have been several significant appeal judgements which we consider must be addressed in the approved IPPG and any new Local Plan policy – namely the appeals at the Plough at Shepreth, The Unicorn, The Carpenters Arms. These cover a range of important decisions, many of which involved areas on which planning officers' written committee reports have proposed contrary views and suggested redevelopment should be approved – for instance, that where a pub has been used as a restaurant it has not also lost its function as a pub, that viability assessments might include the need for some investment, that location can be factored into considerations of viability.

Section 4.5 suggests:

- 4.5 Development will only be permitted where evidence has been provided to satisfy the following criteria:
- (a) The pub has been marketed for 12 months as a public house free of tie and restrictive covenant and for alternative local commercial or community facility, at a price agreed with the Council following an independent professional valuation (paid for by the developer) and there has been no interest in either the free- or lease-hold either as a public house, restaurant or other use falling within the 'A' use classes or as a community facility falling with 'D1' use class; and
 - (b) All reasonable efforts⁴ have been made to preserve the facility (including all diversification options explored – and evidence supplied to illustrate this) but it has been proven that it would not be economically viable to retain the building or site for its existing or any other 'A' or 'D1' class use; and
 - (c) Adequate alternative pub provision exists, or replacement provision is made available, in an equally or more accessible location within 400 metres walking distance⁵ to provide one pub per 750 working age adults; and
 - (d) It has been otherwise demonstrated⁶ that the local community no longer needs the public house or any alternative 'A' or 'D1' class use and its loss would not damage the availability of local commercial or community facilities that provide day-to-day needs in the local area.

We have these specific points on 4.5.

1. (a) and (b) the approach taken in regard to acceptability of loss is almost solely a narrow market led viability approach favouring the applicants which is also contrary as well to the wider view on viability of recent appeals.
2. (c) on alternative provision is very weak. It is the argument used by the City planning officer in regard to the loss of the Penny Ferry/Pike and Eel listing the Green Dragon as alternative provision but not taking account of the wider loss in East Chesterton and that in fact loss of the Penny Ferry would mean the area was down to 1 pub for 7000 homes. So it needs to be expanded to consider overall area provision and other pub losses (or gains) in the area over time (say over the previous 10 year period) not just a tight circle round the pub itself.
3. We consider also that the Development Management Principles needs to address the emphasis often stressed by developers on the need for housing in Cambridge and give greater guidance on how to balance that against the potential loss of community facilities. The reality in Cambridge is that land constraints mean housing need can never be fully addressed and it will always remain a very high need, so any criteria based assessment of acceptability of loss needs to address this balance between housing and social amenity value explicitly. 4.5 (d) does not do this and could be strengthened.
- 4) In regard to para 4.9 – 4.13, of the draft IPPG the recent relaxation of permitted development rights by central government (confirmed in July as coming into force from Oct 12) mean that loss of buildings from A1/A2 class use for residential C3 purposes is easier. How can this be addressed though the development control guidance here?

In regard to Section 5 we believe that the Penny Ferry/Pike and Eel pub should be listed as a “City centre, riverside or village pub and bar sites providing an important economic and tourist function” and also as a “Pub Sites within edge of city clusters providing an important city wide economic and local community function.”

In Annex C, it is unclear what criteria the Council will apply to determine the addition of any pubs to a Register of Community Assets and what ‘certain pubs’ or ‘significant community support’ means. We consider that the wording should read: [The Council will maintain a Register of Community Assets and the Localism Act 2011 is clear that pubs can be nominated for inclusion on the Register. The Council will consider all such nominations through its agreed process.](#)

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