

## 2: The definition of a pub

In recent weeks CAMRA has been made aware of a number of planning applications which seek to redevelop pubs by arguing that the venue in question is now a restaurant or hotel. This had the obvious appeal of allowing developers more flexible permitted development rights, and making it easier to stay open under the new Tiers system.

A major difficulty in this area is that there is no accepted legal definition of a pub.

CAMRA has produced an extensive definition which is available [here](#), although we would also offer a simple test: if you can buy a drink without being expected to dine, it's a pub.

### SPOTLIGHT ON:

#### **The Plough, Shepreth, Cambridgeshire**

Planning permission was sought to change The Plough from use class A3 to a residential dwelling. It had most recently operated as a restaurant, although historically it had been a public house.

The Inspector regarded looking only at the last use of the business as "too narrow and simplistic". He also noted that if the A3 use was accepted it would be a way to circumvent policies designed to protect pubs as community facilities.

The Plough is now a flourishing village pub offering a range of services to the local community.

Some pubs are heavily food-led, and a substantial amount of their turnover may come from diners rather than drinkers. This was recognised as part of the 2017 changes to the permitted development rules, when a new AA class was introduced for drinking establishments with expanded food provision.

As you will be aware, both AA and A4 are now sui generis and the previous requirements to obtain planning permission for change of use or demolition still apply.

We would like to stress the value that can be provided by pubs, not just financially but also socially. The inclusion of AA use in the new sui generis class strongly suggests a

recognition that even pubs which are mainly focused on diners can provide these benefits. As such, their protection remains vital.

As noted in the case study above, this is a possible mechanism by which developers may seek to find a loophole in the system. The introduction of lockdown Tiers puts this into sharp focus. If a pub serves substantial meals, it remains (old) A4 or AA and must not be allowed to slip into A3 with resulting loss of planning protections. We would urge caution in taking any planning decisions which could create a precedent for the de facto removal of hard-won pub protection policies.

If you have seen planning applications that make this claim, we would be keen to hear about it. A national picture of the types of planning applications and decisions that affect pubs is enormously important to our campaigning.

We are always happy to have the opportunity to work with planning departments, please do contact us if you would like any further information on this topic - [paul.ainsworth@camra.org.uk](mailto:paul.ainsworth@camra.org.uk)



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