

Item No 09:-

16/01314/FUL (CT.6746/K)

**Oddfellows Arms
14 Chester Street
Cirencester
Gloucestershire
GL7 1HF**

Item No 09:-**Change of use from public house to one residential dwelling
at Oddfellows Arms 14 Chester Street Cirencester Gloucestershire GL7 1HF**

Full Application 16/01314/FUL (CT.6746/K)	
Applicant:	Mr Andrew Jacques
Agent:	
Case Officer:	Christopher Fleming
Ward Member(s):	Councillor Joe Harris
Committee Date:	13th July 2016
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Loss of a Community Asset
- (b) Parking
- (c) Application for Asset of Community Value

Reasons for Referral:

This application has been brought to the Planning Committee for determination as Councillor Coleman considers that the Planning Committee should determine the application due to the potential loss of a Community Asset.

1. Site Description:

The Oddfellows Arms is a public house, located along Chester Street, Cirencester situated just outside the centre of the town. The building is set within the Cirencester South Conservation Area.

2. Relevant Planning History:

No relevant planning history

3. Planning Policies:

NPPF National Planning Policy Framework
LPR18 Develop within Development Boundaries
LPR25 Vitality & Viability of Settlements
LPR32 Community Facilities
LPR39 Parking Provision

4. Observations of Consultees:

N/A

5. View of Town/Parish Council:

Cirencester Town Council has made the following comments " In normal circumstances, given the well-evidenced difficulty of maintaining the Oddfellows Arms as a viable commercial concern, noting that it is no longer trading as a public house, the Town Council would support a planning application for a change to residential use. The Town Council is mindful however that, whilst a small number of immediate neighbours concerned by the possibility of public noise support the change of use, a greater number of local residents wish to see the public house retained citing, in correspondence which the Town Council has seen, that it is a "thriving community asset" which is "at the heart of the community, with great social rewards".

Furthermore, an application to nominate the property as an Asset of Community Value has only very recently been submitted to the District Council since the planning application was made, in response to which the District Council has eight weeks in which to determine the application for listing. In these circumstances therefore, given that it is open to the Local Planning Authority to decide whether listing a property as an asset of community value is a material consideration if an application for change of use is submitted, it is the decision of the Town Council to recommend to the District Council that this application is brought to the District Council's Planning and Licensing Committee for determination when the outcome of the application for listing the property as an Asset of Community Value is known. "

6. Other Representations:

65 letters of representations

40 letters of objection regarding loss of community asset

25 letters of support reduced impact on living conditions including noise and disturbance and provision of parking.

7. Applicant's Supporting Information:

Email from brewery

Justification statement

8. Officer's Assessment:

The application is for the change of use of the public house (an A4 use) to a dwelling (a C3 use).

(a) Loss of a Community Asset

Local Plan Policy 25 (Vitality and Viability of Settlements) advises that, in order to ensure the vitality of settlements in the Cotswolds, proposals for the change of use of public houses should not be permitted, unless "a) it can be demonstrated that the existing use is not viable; or b) there are satisfactory alternative facilities available in the settlement". The application site sits within a residential street less than 1km from the town Centre of Cirencester.

The National Planning Policy Framework, within paragraph 70, advises that planning decisions should "...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".

The applicant sets out that the business is not profitable and has provided details of alternative facilities within the vicinity that can meet the service needs of the public house for the local community. Financial evidence has not been provided to demonstrate the viability of the business, but the applicant is not required to submit this as the viability of the business is not the consideration of the application when there are alternative facilities in the town.

Whilst the applicant has not been able to provide evidence of declining profits for the business, a letter from the brewery has been provided to support the application setting out that there has

Hook Norton had also been reduced as landlords were unable to make the business successful. The Oddfellows also traded as a bed and breakfast to help maintain the viability of the business but given the competitive market within the town this also failed to ensure the long term success of the public house.

Cirencester benefits from a large number of A4 drinking establishments within the centre of the town which is situated approx 1km from the site in addition there are 9 operating public houses on the edge of the Town centre within 500m from the site. There are also other premises in the town that have licences to sell alcohol which include sport and social clubs.

Like a number of public houses that have closed down on the outskirts of the town centre. The public house is not considered a 'destination venue' set within a quiet residential street on the periphery of the town. The public house is limited to on street parking only and has struggled to be a viable business given the strong competition from within the town centre.

Cirencester is a market town, where there is provision of a large number of public houses both within the town centre and on the periphery, that are considered to be sufficient to meet the needs of the town's population. Officers therefore consider that the proposed change of use accords with the guidance set out within the NPPF and Local Plan Policy 25, and the change of use would not be harmful to the vitality of the town centre. The loss of the public house business is regrettable but it is clear that there are satisfactory alternative facilities available in Cirencester within walking distance from the public house.

The application does not include any physical alterations to the building which would require the benefit of planning permission, in addition officers consider that the proportions of the rooms at the ground floor would easily lend themselves to a domestic use without requiring significant alterations and the first floor is already used as living accommodation.

(b) Parking

The site is located along a residential street in a sustainable location in close proximity to the town centre where on street parking is available. Given the more intense previous use as a public house it is not therefore considered the change of use to residential would result in the increase of vehicular parking and warrant refusal of the application on these grounds.

(c) Application for Asset of Community Value

During the application process the Council received a nomination for the Oddfellows Arms to be included on the Register of Assets of Community Value. Unfortunately, given the timeframes of the process involved, a decision on the outcome of the nomination will not be provided until after this report has been finalised.

Notwithstanding the above the DCLG's Community Right to Bid Non-statutory Guidance on p6, para 2.20 sets out that it is planning policy that determines permitted uses for particular sites. However, the fact that the site is listed may affect planning decisions, it is open to the Local Planning Authority to decide whether listing as an asset of community value is a material consideration if an application for change of use is submitted, considering all the circumstances of the case.

Given the context of this particular proposal and the policy consideration above, officers consider that whether or not the public house is listed as an asset of community value, the change of use would be supported considering all the circumstances of this particular case. However, a further update will be provided prior to the committee meeting on the 13th July setting out the result of the nomination and impact this would have on the planning application.

9. Conclusion:

Officers appreciate the comments and concerns of the Town Council and members of the public and the loss of a public house is always regrettable. However, as Cirencester does benefit from other drinking establishments within close proximity, the application is therefore considered to accord with Local Plan Policy 25 and the NPPF and approval is recommended.

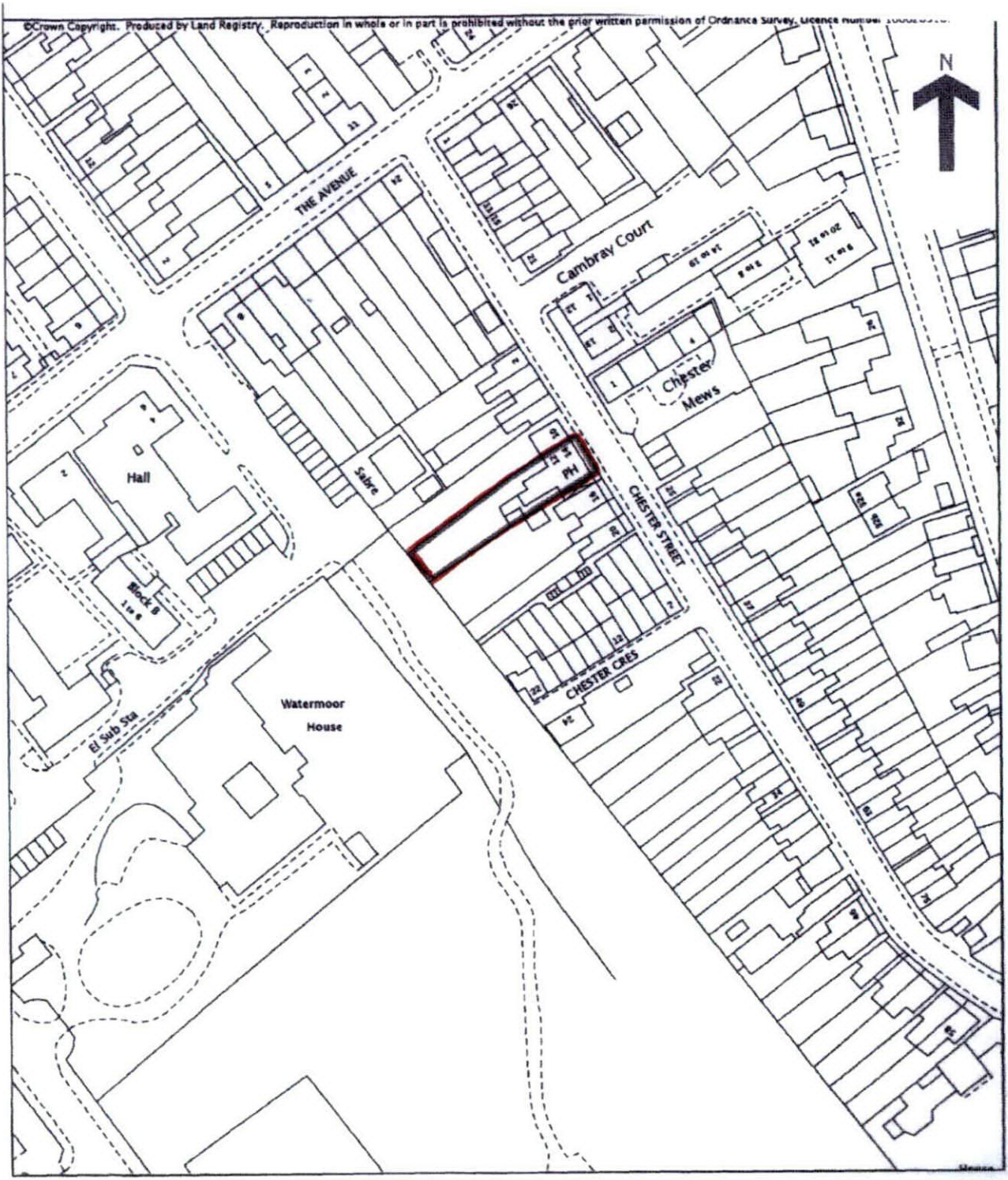
10. Proposed condition:

The development shall be started by 3 years from the date of this decision notice.

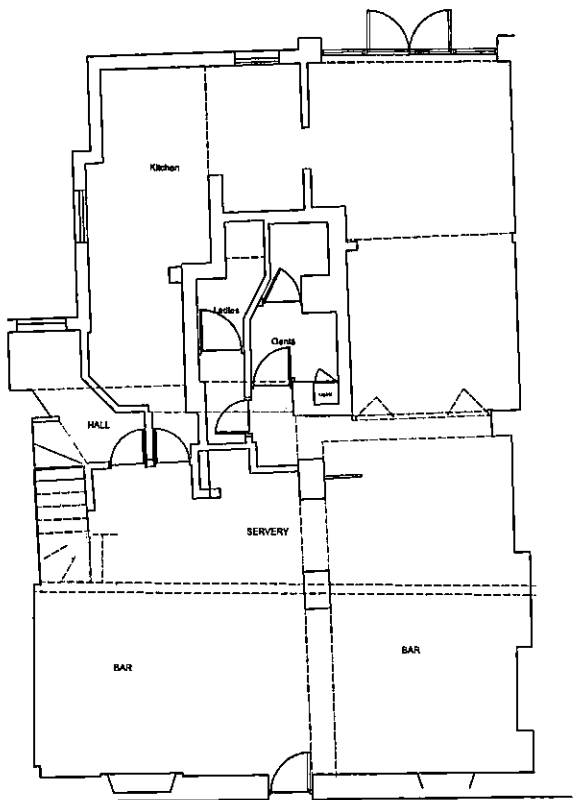
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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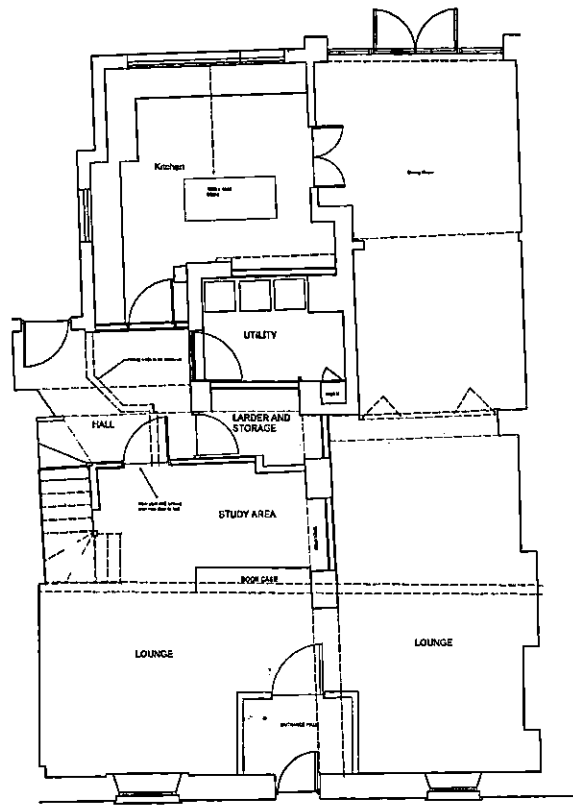
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Site Location 2
Site Plan 135



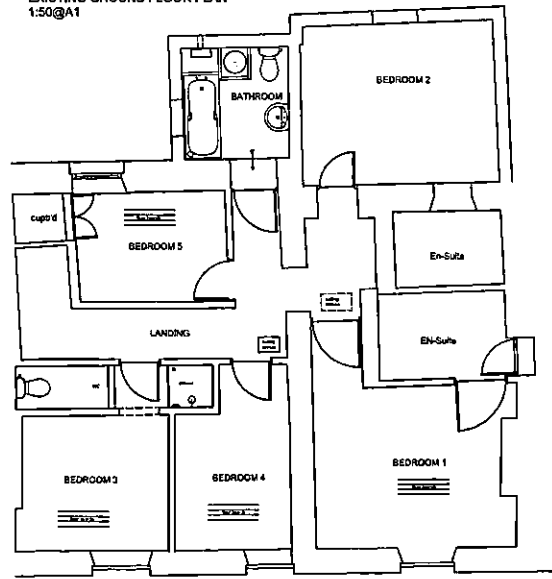
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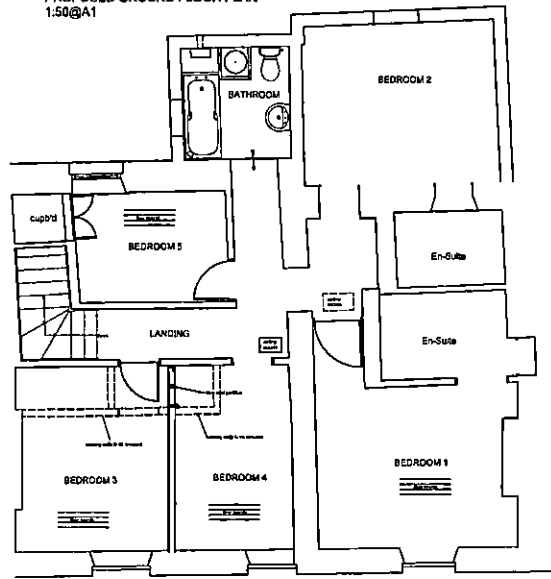
EXISTING GROUND FLOOR PLAN
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PROPOSED GROUND FLOOR PLAN
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EXISTING FIRST FLOOR PLAN
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No.	Date	Issue/Notes
Project Title The Oddfellows Arms 14 Chester Street, Cirencester Gloucestershire, GL7 1HF		
Issue Title Existing and Proposed Floor Plans Proposed change of use to residential		
Project Manager	Project ID	oddF001
Drawn By	Scale	1:50 @ A1
Revised By	Sheet No.	1
Date	of	1
CAD File Name		1