

Planning Statement

Black Dog Inn, Black Dog, Crediton, Devon, EX17 4QS

Prepared for Mr and Mrs Green

May 2023



1 INTRODUCTION

- 1.1 This Planning Statement is submitted on behalf of Mr and Mrs Green in support of a full planning application for the change of use of former public house to a single private dwellinghouse with minor internal alterations only, no external changes made to the property known as Black Dog Inn, Black Dog, Crediton, Devon, EX17 4QS.
- 1.2 The applicant is proposing a change of use from public house to a residential dwelling

2 APPLICATION SITE AND SURROUNDINGS

- 2.1 The application site comprises the former public house, Black Dog Inn and parking area east and north of the site. The footprint of the site measures approximately 0.1 hectares. The applicants own the field immediately northeast of the pub. There are several properties on and around the site. Black Dog is sometimes described as a village with a village of approximately 100 people but is not classified as such in the Local Plan, being open countryside only. Beyond the village setting of approximately 30 dwellings the site is set in open countryside with agricultural fields and farmland beyond. The area is rural in location and appearance being 10 miles west of Tiverton and 6 north of Crediton. The site is bounded to the roadside south and west and east boundary with neighbouring properties. The proposal site is adjacent to an existing vehicular access gate. The site has nearby neighbours east and west and the site is broadly flat.
- 2.2 The site is not covered by any statutory designations (e.g. AONB, SSSI) and does not contain any heritage assets. There are no fixed restrictions that would prevent paragraph 14 of the National Planning Policy Framework (NPPF) and the presumption in favour of sustainable development engaging on these proposals.

4.0 **PROPOSED USE**

- 4.1 Permission is sought to change the use from public house to single dwelling as the business is unviable and has been for many years. The pub has been owned by the applicants for 16 years. In that time, they have operated as a public house 7 days a week continuously with hot food served at times as well. Opening hours were 12pm to 3pm and 6pm until 10pm 7 days a week from 2007-2016 and since 2016 until February this year only the evening hours only. Since February the pub has been closed with the family living on site. Works to begin to alter the ground floor layout has begun. This is to enable a more appropriate arrangement for a single dwelling at ground floor level. Upstairs at first floor no change is proposed.
- 4.2 The proposals retrospectively create a several rooms at ground floor level where previously an open bar area stood. These alterations do not affect the fabric of the building with no new windows or external doors proposed. Internal stud walls and doors have been built to allow comfortable living arrangements for the three family members.
- 4.3 The applicants are experienced publicans having owned and successfully ran several pubs across the UK before they moved to Black Dog. They have by any reasonable measure attempted to make the pub an attractive place to visit with limited success. Indeed, they have a very good reputation locally and online, especially the carvery served Sundays. However, the numbers of visitors have never reached numbers sufficient to sustain the business. In this context the economics of a pub this size in this location with dwindling numbers year on year means making financial losses. They have attempted to sell the pub in recent times with little to no interest. Locally there has been campaigns to make the pub an asset of community value on three occasions. Despite every effort to cooperate with the campaigners there has been no realistic bids made.
- 4.4 As part of this applications details of the financial records year on year have been submitted as well as details on attempts to sell the pub and valuations.

PLANNING HISTORY

- 5.1 There is no planning application history of direct relevance to this site.
- 5.2 We are not aware of any similar use or application within the vicinity of the site. The proposal is likely to not have a detrimental impact upon the adjacent dwellings and users.

RELEVANT PLANNING POLICIES

NATIONAL PLANNING POLICY

- 6.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England.

- 6.2 Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform several roles:
- 6.3 An economic role – contributing to building a strong, responsive and competitive economy, by ensuring sufficient land of the right type is available in the right places at the right time to support growth.
- 6.4 A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services.
- 6.5 An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this helping to improve diversity... and mitigate and adapt to climate change...

ADOPTED DEVELOPMENT PLAN

- 6.7 Section 38 (6) of The Planning and Compulsory Purchase Act 2004 identifies that planning decisions shall be taken in accordance with the Development Plan unless material considerations indicate otherwise. For Mid Devon, the Development Plan currently comprises:
- Mid Devon Local Plan 2013-2031
- National Planning Practice Guidance
- 6.8 The Mid Devon Local Plan Review contains the overall spatial strategy and policies for the area. It sets out the future for Planning in Mid Devon and Policies of relevance to this proposal include:
- S1 Sustainable development priorities
S14 Countryside
DM23 Community facilities
- 6.9 The JLP was adopted July 2020. It has been found to be broadly in compliance with the NPPF and therefore, the policies within this document do reflect the most up to date planning policy position advocated by Central Government.
- 6.10 Policy S1 Sustainable development priorities promote retention and development of local services and community facilities in villages, and the promotion of sustainable rural tourism and leisure.

Policy DM23 Community facilities require proposals involving the loss of community facilities such as local shops, public houses, allotments, cultural and recreational facilities and other important local services will not be permitted where this would damage the settlement's ability to meet its day to day needs or result in the total loss of such services to the community. Only in circumstances where the facility is proven to be no longer economically viable, including for alternative community uses, will applications for alternative use be considered acceptable.

Policy S14 Countryside. Development consistent with the existing on site, will be supported provided it is:

- b) Appropriately scaled retail, employment, farm diversification, tourism and leisure related development (including appropriate conversion of existing buildings);
- e) Community facilities, such as educational facilities, buildings associated with public open space, transportation and infrastructure proposals (including green infrastructure).

7 JUSTIFICATIONS FOR THE PROPOSAL

- 7.1 The strategic policies S1 and S14 seeks to protect the countryside for the benefit of everyone. Where appropriate scale development can be supported by specific sperate policy it is possible to have some development in the countryside. This is consistent with the provisions of the NPPF. Policy DM23 specifically identifies a public house as a community facility. The loss of any community facility should be resisted unless it can be demonstrated that the day to day needs of the settlement are not damaged and additionally that it can be demonstrated that the facility is proven to no longer be economically viable including for community uses will alternative uses be considered acceptable.
- 7.3 The site has not traded since end of 2022, early 2023 as confirmed by the applicant. In the 16 years owned by the applicants they have attempted to sell it and it has been advertised for sale, with Sydney Phillips and Guy Simmonds both specialist hospitality and commercial estate agents. No single offer has been made for its purchase. The value of the property since purchasing in 2007 has reduced by nearly a half in 2022. No reasonable offers were made by the community value asset campaign. The applicants have since removed the property from the market given the very low valuation. The few jobs that the previous use for the pub needed will not be affected as these have long ceased. Only then were they to employ casual staff for glass collection. It has been unviable to employ even these roles for most of the applicant's ownership. Therefore, by requiring the retention of a failed minor employment use that cannot reasonable be replaced by a viable use because of the residential location the size of the building and the inappropriateness of an economic use in this location: there are no other public facing businesses located in Black Dog neither are other services or facilities that could relocate here. Any use would need significant numbers and without passing traffic or trade and no bus route to Black Dog there is very limited chance.
- 7.4 The condition of the existing building is poor with significant investment required to enable the reinstatement of the most recent use. With significant degradation of the internal of the building likely to increase within the next 12 months it is reasonable to say that a building of this size, layout, age and previous use would need regular modernisation work and significant updating simply to maintain the current or similar use.
- 7.5 Due to the size and shape of the building on site and the lack of significant useable outside space there would be a very narrow viable demand for such a building and anecdotally some efforts have been made with bed and breakfast on site. The building is limited on this front and does not easily lend itself to an alternative operator with a lack of flexibility to provide the facilities, outdoor space necessary for such a use.

- 7.6 The application site sits within the open countryside. There appears to be a lack of viable demand for employment floorspace of such scale; it is likely that for any new business to take this on the premises to be too large, too remote and for an established business to not be suitable and limited in scope due to the immediate surrounding uses.
- 7.7 The proposal would not cause any adverse impact on residential amenity of the nearby residents. The proposal will generate local economic benefit at the time the work is carried out. This includes local businesses to carry out the design and building works. The applicants will also have need to employ local cleaners, laundry and gardening help at times. Visitors to the site will also frequent the local villages for day-to-day needs.
- 7.8 Small and startup businesses would not be able to invest the sums necessary to adapt the existing building. By dint of the need to grow and maintain their businesses there would be limited capital to invest in the site. The most appropriate locations for small and new businesses in environments where overheads are low and interaction with other similar businesses in a concentrated area to gain the benefits of collaborations and sharing resources and costs. The application site sits within the open countryside disconnected from nearby towns with poor transport links.
- 7.9 The recent and historic use of the building was one of providing a community hub and stop off for visitors. The village pub provides important value to a location providing financial, social and emotional support to patrons and visitors. The proposal site has not limited the choice for visitors indeed there has been an open-door policy. However, the ageing and dwindling population locally has directly affected attempts to maintain business with complimentary services added to the public house. However, this was not a success, and the applicants took the decision to close and seek employment away from the pub. The intention now is to remain on site as their home.
- 7.10 Policy DM23 requires robust demonstration that there is no longer a demand. The applicants have taken the difficult decision to close the venue after 16 years because the costs to maintaining the business is not viable. Coupled with the fact that there are no other facilities within close distance to bring visitors to the area and no likelihood that this will change. The applicants have made the decisions that will be of benefit to themselves given the lack of viability for a pub or alternative community use. In this instance, the closure and conversion to a private dwelling will contribute to this.
- 7.11 Given the rural location and size of Black Dog there are varied community and cultural infrastructure facilities located within settlements of note close to Black Dog. The local store at Kennerleigh is of note but not commensurate in size and nature to the proposal site. There are several facilities located within a distance of the proposal site. In all situations, the site and buildings are wholly more appropriate than the proposal site for providing community and cultural facilities being well established, purpose built, with capacity to grow, as well as more easily accessible. There has been no interest from any of these organisations seeking to relocate to the proposals site in the time since the site has been marketed. The lack of interest for the proposal site from any alternative user along with the existing provision in terms of quality and quantity demonstrates that the change of use of this site to residential would not

harm the existing community of Black Dog. There would be no adverse impact upon the range and provision for services and facilities from the change of use of the site to residential. The site has proven unviable as a business for many years. Black Dog is disconnected from other settlements and wholly rural in character. The condition of the building and obsolete nature of the fittings and fixtures and the deterioration of parts of the interior demonstrates an unviable site for community use.

- 7.12 The development of this site for a minor scheme would not demonstrably harm the delivery of housing in Mid Devon. Therefore, it is not reasonable to identify a lack of meeting housing targets as reason to approve the scheme. It is worth noting that the protection of economic and community sites is necessary where provision would be lost in that area: this is not the case with the proposal site, there is no other facilities in Black Dog, they are long gone. At a local level the site is located where the immediate surroundings are residential in use and character. Beyond this the site will benefit from existing amenities and services located in nearby defined settlements.

8 SUMMARY AND CONCLUSIONS

- 8.1 The application site sits within the open countryside. The proposal makes improvements to the character and appearance of the area by utilising an otherwise redundant building. There is no prospect of the building being used for other community given its size and limitations in conversion and the size of the locality. There has been no interest when marketed variously over 16 years with specialist selling agents. The value of the property has dropped significantly over that time.
- 8.2 The proposal does not have any adverse impact upon the neighbouring dwellings.
- 8.3 The proposal complies with the objectives of the NPPF and the adopted Local Plan policy.
- 8.4 The business as either pub, with hot food and/or bed and breakfast is not viable and has not been viable since 2007. Local interest in retaining the pub has not been matched with a community backed and owned business on site.
- 8.5 The proposed development would provide appropriate use of the site.
- 8.6 This Planning Statement has demonstrated how the proposed development meets the requirements of sustainable development, delivering the economic, social and environmental benefits. There would be no adverse impacts of granting planning permission that would significantly and demonstrably outweigh these benefits and there are no specific policies in the NPPF that indicate that development should be restricted here.
- 8.8 Considering the above, we hope that the Council can support the application.