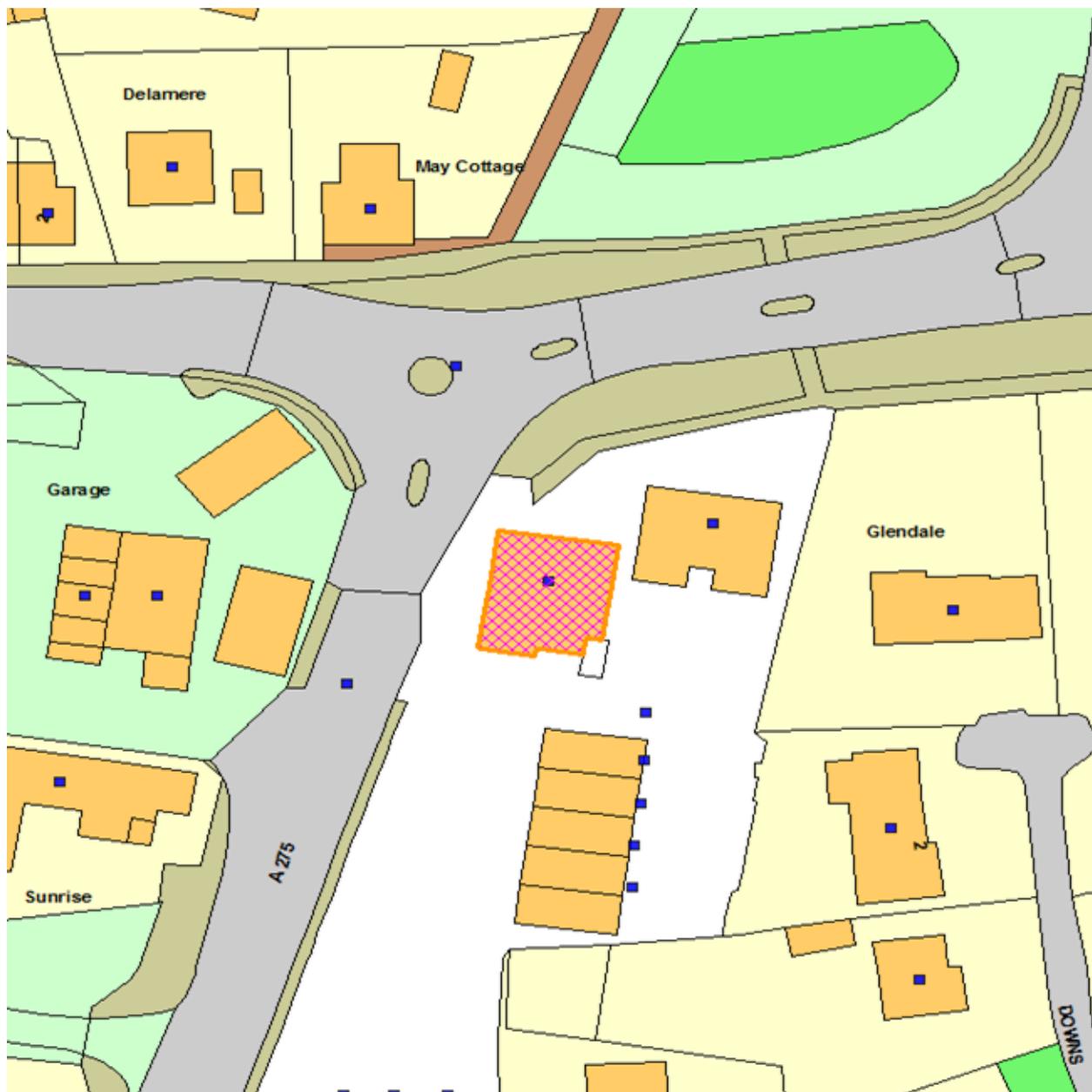


<b>APPLICATION NUMBER:</b>	LW/18/0987		
<b>APPLICANTS NAME(S):</b>	Bedford Park Developments	<b>PARISH / WARD:</b>	Chailey / Chailey & Wivelsfield
<b>PROPOSAL:</b>	Planning application for proposed ground floor change of use from A4 to B1 and refurbishment of ground floor to office space with minimal external changes		
<b>SITE ADDRESS:</b>	The Kings Head East Grinstead Road North Chailey East Sussex BN8 4DH		
<b>GRID REF:</b>			



## 1. SITE DESCRIPTION / PROPOSAL

1.1 The application site is a Public House located on the East Grinstead Road in North Chailey. The proposal is for change of use from A4 to B1 and refurbishment of ground floor to office space with minimal external changes.

## 2. RELEVANT POLICIES

**LDLP: – ST03** – Design, Form and Setting of Development

**LDLP: – CP4** – Economic Development and Regeneration

**LDLP: – CP6** – Retail and Town Centres

**LDLP: – CP11** – Built and Historic Environment & Design

## 3. PLANNING HISTORY

**EV/59/0011** - Proposed hotel sign. - **Approved**

**LW/12/0085** - Alterations & refurbishment including extension and fire escape to rear - **Approved**

**LW/12/0099** - Replacement of single post sign on north side with double legged sign - **Withdrawn**

**LW/16/0283** - Residential development including the construction of nine houses and four apartments and refurbishment of public house including the conversion of the first floor to two apartments and extension to rear - **Approved**

**LW/16/0905/CD** - Discharge of conditions 10 & 20 relating to planning approval  
**LW/16/0283** - **Approved**

**LW/17/0079** - Non material amendment application relating to planning approval **LW/16/0283** for alterations to Blocks C, D, & E, including revised glazing, infill timber cladding, amended levels and internal stair, and removal of two ground floor windows and rendering of the lower flank wall to the southern elevation of the public house. - **Approved**

**LW/17/0110/CD** - Approval of details reserved by condition 2 of planning approval  
**LW/16/0283** - **Approved**

**LW/17/0250/CD** - Discharge of conditions 3 and 19 relating to planning approval  
**LW/16/0283** - **Approved**

**LW/17/0689** - Non material amendment application relating to planning approval **LW/16/0283** for alterations to blocks C, D and E including window and door rearrangements and minor detailing amendments - **Approved**

**LW/17/0713/CD** - Discharge of condition 18 relating to planning approval **LW/16/0283** - **Approved**

**LW/17/0784** - Variation of Condition 1 of planning approval **LW/16/0283** to allow for an improved parking layout - **Approved**

**LW/17/0850/CD** - Discharge of condition 12 in relation to planning application LW/16/0283 - **Approved**

**LW/17/0928/CD** - Discharge of condition 4 in relation to planning application LW/16/0283 - **Approved**

**LW/17/0931/CD** - Discharge of condition 2 in relation to planning application LW/16/0283 - **Approved**

**LW/18/0159/CD** - Discharge of condition 14 relating to planning approval LW/17/0784 - **Approved**

**LW/18/0987** - Proposed Ground Floor Change of Use from A4 to B1 and refurbishment of ground floor to office space with minimal external changes -

**LW/18/0988** - Proposed Ground Floor Change of Use from A4 to C3 and refurbishment of ground floor to 1 x 1 bed flat and 1 x 2 bed flat -

**E/71/0861** - Planning and Building Regulations Applications for internal alterations and extension. Building Regulations Approved. Completed. - **Approved**

**LW/92/0120** - Proposed external staircase - **Approved**

**LW/17/0784** - Variation of Condition 1 of planning approval LW/16/0283 to allow for an improved parking layout - **Approved**

**LW/18/0987** - Proposed Ground Floor Change of Use from A4 to B1 and refurbishment of ground floor to office space with minimal external changes -

**LW/17/0784** - Variation of Condition 1 of planning approval LW/16/0283 to allow for an improved parking layout - **Approved**

**LW/18/0987** - Proposed Ground Floor Change of Use from A4 to B1 and refurbishment of ground floor to office space with minimal external changes -

#### **4. REPRESENTATIONS FROM STANDARD CONSULTEES**

4.1 Chailey Parish Council – Chailey Parish Council comments were received on the 15 January:

“At a meeting of the Planning & Environs Committee of Chailey Parish Council held on 8th January 2019, Councillors resolved to OBJECT to the above application.

Councillors considered that condition number 16 of the decision in application LW/16/0283 should continue to apply. That condition requires the commercial premises approved as part of the redevelopment of the Kings Head site to be used as a Public House (and not any other purpose under class A4). The condition was imposed in the interests of residential amenity and in order to safeguard an important community asset. Nothing has changed during the period since the decision in application LW/16/0283 was made (September 2016) to diminish the status of the building as an asset to the community. Councillors recognised the efforts by the developers to dispose of the building for use as a Public House but the fact that, to date, they have been unsuccessful was not a reason to, in effect, remove the condition that was imposed in the first place for good community reasons and for the benefit of Chailey residents.”

The Clerk for Chailey Parish Council also commented:

“In your report for application LW/18/0987 you say that there has been one letter of objection. Your report for application LW/18/0988 records that there have been 24 objections. Looking at the applications on the website what you say is right, but the apparent large imbalance between the two applications does not in practice exist. It was clear from comments on local social media and from comments made by the several residents who attended the meeting of Chailey’s Planning & Environs Committee on 8th January that (1) residents did not appreciate that there were two separate applications and that any comments they wished to make should be recorded against both applications, and (2) residents’ objections are to both applications in equal measure. This can be seen from carefully reading the objections that were lodged wherever they are recorded: in short residents wish to reclaim/retain their local pub.

Finally your reports both record that the original grant of permission for the redevelopment of the site (LW/16/0283) allowed for the refurbishment of the public house. That is right, but condition 16 requires the pub to be used as a pub and not as anything else. This condition was inserted because of comments made by residents, supported by the Parish Council. The condition is not mentioned in your reports, although it is referred to in the comments sent to you on the 15th. Please ensure that the existence of the condition is mentioned in your report.”

## **5. REPRESENTATIONS FROM LOCAL RESIDENTS**

5.1 One letter of objection received regarding "application is contrary to original purchase of the site which committed to reopening of the pub although resized to make the premises more commercially viable but with cellar in use as a microbrewery". Also concerns with community consultation, loss of community resource.

## **6. PLANNING CONSIDERATIONS**

6.1 In 2016 planning permission (LW/16/0283) was granted for 'residential development including the construction of nine houses and four apartments and refurbishment of public house including the conversion of the first floor to two apartments and extension to rear'. The dwellings have now been constructed and the works to update the Public House have been undertaken.

6.2 It is now proposed to change the use of the ground floor from A4 (Public House) to B1 (office). The applicant states that despite marketing the property no one has come forward to lease the Public House. They are therefore now making an application to convert the ground floor of the property to office use.

6.3 In tandem with this proposal an additional application has been made (LW/18/0988) for the change of use from A4 to C3 (residential) to provide two flats.

Marketing the property

6.4 Full details of the marketing of the Public House have been supplied with the application. Following planning permission in 2016 the Public House had works undertaken to refurbish the ground floor, at first floor the two residential flats were created. At the time of applying for planning permission the applicant stated that a "local brewery" was interested in taking over the lease and running the Public House. Subsequently they pulled out of taking on the lease. Following the works to refit the ground floor the lease for the Public House was marketed by 'Fleurets - Leisure Property Specialists' from June 2017. The works to refurbish the ground floor included the provision of a bar and serving area.

6.5 Following initial viewings by six parties, one showed interest however this was later withdrawn due to concerns over viability of the business. Following the failure of letting the property, the freehold interest for the business and the flats above was placed on the market in April 2018 for £450,000. Three viewings were organised for the premises and only two viewers attended the first viewing session, with no attendees for the second and third session. Interest was expressed to sell the freehold subject to planning consent to convert the ground floor to B1 office use; however this interest was later withdrawn. Due to lack of interest in the business premises the applicant made the decision to consider alternative uses for the ground floor.

#### Representations

6.6 24 Objections from local residents citing concerns over development of the site, creation of traffic and loss of community pub/facilities. The common concern raised is the loss of the Public House and the impact this will have on community facilities. With regard to the concerns over traffic generation it is considered that the creation of the office unit would not result in any additional traffic than the previous use would.

#### Development Proposed

6.7 The only external change proposed to the building is the alteration of a door to a window to the ground floor on the north elevation. Internally the ground floor space will remain unchanged with just the removal of the bar and kitchen facilities. Car parking is to remain the same as the existing public house use.

6.8 Whilst the loss of the PH is regretted the office use would enable the vacant ground floor area to be brought back into use, which as well as benefiting the long term condition of the building also provides for commercial work space within the village.

#### Planning Policy

6.9 The National Planning Policy Framework (NPPF), paragraph 92, Section 8 (Promoting healthy and safe communities) states that decisions should provide for "the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments".

6.10 Core Policy 6 (Retail and Town Centres) of the Lewes District Local Plan states that "In order to ensure local shopping centres remain a vibrant focus for the local community a range of retail, employment, leisure, cultural and community uses will be encouraged. Local shops and community facilities (such as meeting places, sports facilities, public houses, places of worship and cultural assets) will be retained unless it can be demonstrated that they are financially or otherwise unviable".

6.11 Core Policy 4 (Encouraging Economic Development and Regeneration) of the LDLP states that its key objectives are to stimulate and maintain a buoyant and balanced local economy through "support for the rural economy" and to maintain and enhance local centres for "business" and other uses. CP4 also states that its purpose is to "support the delivery of new office space to meet modern requirements". CP4 also encourages measures including "support for economic growth in rural areas through the conversion of existing buildings".

6.12 It is acknowledged that whilst both the NPPF and Local Plan encourages the provision of community facilities such as public houses, Core Policy 6 of the LDLP does indicate that such uses should only be retained where they are financially viable. It is therefore down to the applicant to prove that the use is not viable. It is considered that the marketing details submitted with the application, as outlined above, show that extensive marketing of the public house use has occurred with no take up of the facility. To this end it is considered that CP6 has been complied with and the existing PH use has been demonstrated to be unviable in this location.

6.13 Moving onto the proposed use, Core Policy 4 of the LDLP supports the reuse of buildings in rural areas to encourage economic growth as well allowing the provision of modern office space within local centres. It is therefore considered that the proposed office use complies with CP4.

### Conclusion

6.14 Although the loss of the Public House use is regretted, it is acknowledged that the property has been marketed for a considerable amount of time, both leasehold and freehold, with limited interest and no interested party pursuing the purchase, despite the ground floor having been fitted out with furnishings/bar associated with a Public House use. It is therefore considered that on balance the proposal complies with Policy CP6 of the Local Plan as it is acknowledged that the existing Public House use has been demonstrated to not be viable in this location. The Public House has been empty for at least three years and been marketed appropriately.

6.15 With regard to the proposed office use, it is considered that the proposal to change the premises to office space would comply with the aims and objectives of Core Policy 4 of the Local Plan and encourage economic development within the village, without detriment to the amenity of the wider area.

6.16 It is considered the proposal will not have a detrimental impact on the character or appearance of the property, will not unduly impact on the residential amenities of local residents, and would provide modern business premises and encourage economic development in this village location, in accordance with Policies ST3 (Design, Form and Setting of Development), CP4 (Encouraging Economic Development and Regeneration), CP6 (Retail and Town Centres) and CP11 (Built and Historic Environment) of the Lewes District Local Plan.

## 7. RECOMMENDATION

That the planning application is approved.

### **The application is subject to the following conditions:**

1. This planning decision relates solely to the following plan(s):
2. Details of the siting and design of an external electric car charging point to be provided, shall be submitted to and approved in writing by the Local Authority prior to installation. The works hereby permitted shall be carried out in accordance with the approved details before the units are occupied.

Reason: To secure a proper standard of development having regard to policy CP14 of the Lewes Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

**This decision is based on the following submitted plans/documents:**

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Survey Plan	12 December 2018	1:500
Design & Access Statement	12 December 2018	
Location Plan	12 December 2018	1:2500
Other Plan(s)	12 December 2018	Site Boundary
Existing Block Plan	12 December 2018	
Existing Layout Plan	12 December 2018	
Existing Floor Plan(s)	12 December 2018	
Existing Elevation(s)	12 December 2018	
Proposed Elevation(s)	12 December 2018	
Other Plan(s)	12 December 2018	Proposed Site Plan
Proposed Levels Plan	12 December 2018	
Planning Statement/Brief	12 December 2018	Cover Letter
Planning Statement/Brief	12 December 2018	Marketing Report
Planning Statement/Brief	12 December 2018	Planning Statement