

PETROCKSTOWE PARISH COUNCIL

Minutes of the Planning Meeting held in the
Baxter Hall on Tuesday 18th April 2023 at 6.15pm

Present: Cllrs M Busby (Chair), I Fisher (ViceChair), A Hunkin, J Brasier, J Richards, M Thompson.
Clerk – F Lowe, approximately 15 - 20 members of the public

1. **Apologies of Absence.** None
2. **Declarations of Interest.** Cllr M Thompson declared an interest in the application at Butstone Cottage as a neighbouring property.
3. **Planning Appeal** *Council is asked to discuss the below planning application/s and inform the Clerk of its comments to forward to the Planning Inspectorate.*
Planning Ref: 1/1118/2021/FUL
Appeal Reference: APP/W1145/W/22/3312735
Appeal Start Date: 5th April 2023
Date: 13th April 2023
Proposal: Change of use from a mixed use of public house and private dwelling to solely a private dwelling
Location: The Laurels Inn, Petrockstowe, Okehampton, Devon

Council were reminded that this meeting is to determine and present new evidence / comments to the Planning Inspectorate and that all evidence /comments already supplied will be taken into consideration.

There was a lively discussion (including members of the public - Standing Orders were suspended so that the public could join the discussion). It was suggested that the Appeal hearing will take place on 27th June 2023 at 10am, at a venue to be determined. Following the discussion, the following comments were produced and sent to the Planning Inspectorate:

Planning Appeal Ref: APP/W1145/W/22/3312735 - Change of use from a mixed use of public house and private dwelling to solely a private dwelling - The Laurels Inn, Petrockstowe, Okehampton, Devon

We write as the Parish Council in the village of Petrockstowe in which The Laurels pub is situated. We wish to make clear that all aspects of our initial submission to the original planning application still stand, but we would also like to make a few observations in response to the appeal submission by the appellants.

1. The viability of the pub as a going concern

The first part of the appellants' submission seeks to establish that the pub is no longer commercially viable and/ or could not be made commercially viable. It seeks to support this with evidence (not available for public view) of the losses incurred in the accounts of the business, supported by some statistics surrounding the numbers of visitors to the pub and with further support in the form of statistics on the general state of the pub trade in the UK.

We do not dispute that the pub lost money, but many businesses lose money when they are run poorly and a change of management can have a dramatic turnaround on the fortunes of any business. We draw attention to the CAMRA Pub Viability test included with our submission to the original planning hearing which unequivocally shows that there is a sufficient base of clientele within the area to make the pub viable with the right management approach. We also draw attention to 2 local pubs, The Bull and Dragon in Meeth and The Initial of Chair

Half Moon in Sheepwash, both pubs within a 3 mile radius of Petrockstowe and both pubs situated in smaller villages than Petrockstowe. Each of these pubs has thrived over the past few years, including through the Covid pandemic period, as a result of creative management supplying exactly what the local population wants, alongside serving the significant summer visitor population.

It is also the case that many pubs that have closed over recent years have been one of several in any area. The reason the Laurels is so important to Petrockstowe is that it is the only pub in the village and there are no other pubs within walking distance; all require a car journey.

We accept that over the period of the pandemic, the appellants were very kind to a small number of vulnerable people in the village and we commend them for this. However, the more general reduction in the numbers of clientele over the period the appellants have owned the pub has been caused in no small part by the generally unwelcome and, in a significant number of cases, openly aggressive approach to a number of people. This has made a number of the less confident villagers unwilling to venture in as customers.

We reject the implication that Petrockstowe is an unfriendly and hostile village, and the success of other events held within the village demonstrates this. There is a good turnout for community events, some of which are now not held as they were previously held in the pub – monthly quiz night, darts matches, pool matches, celebratory meals and events run by the pub for Christmas, New Year etc.

The poor financial performance of the Laurels over the years that it has been run by the appellants is directly as a result of their management of the pub. That is not a reason to remove from the village the possibility of having a pub by removing the planning permission that enables it to operate as a pub.

2. Lack of viable offers to purchase the pub

The appellants make much of the lack of offers acceptable to them to buy the pub. We included extensive evidence in our original submission of the prices achieved by comparable pubs in the North Devon area, all of which were substantially below the price being sought by the appellants.

The real puzzle to us remains that, while an offer was apparently received close to the £400,000 asking price which was subsequently withdrawn as a result of the Covid pandemic, the asking price was then increased to £450,000 when even the appellants accept in their appeal submission that the market for pubs sales then became more difficult. The usual reaction to a difficult market is to reduce the asking price and not to increase it. We also note that the price remains at £450,000 even though the valuer employed by the LPA concluded that the value lay somewhere between £300,000 and £400,000.

Finally certain members of the Parish Council were asked by more than one potential purchaser for some help as the potential purchaser could make no headway with either selling agent in obtaining details or an opportunity to view the pub with a view to making an offer. The Parish Council members were similarly unable to make progress with either selling agent and were left with the very strong impression that in fact the pub was not actively for sale, merely “listed on the market” as described by one of the agents. We believe that is the reality of the situation.

3. Opposition to the Application

The appellants seek in this part of their appeal submission to highlight that the pub has already closed and that the opposition from the villagers (which was accepted as being extensive) was to the closure of the pub. That is incorrect. The village knows full well that the pub has closed and that it has lost a valuable and functioning part of village life. The opposition that has emerged is entirely about the potential permanent loss of the pub in the village as a result of the change of planning permission on the building and the loss of the ability of it to operate as a pub. References in the objections to a “community asset” or an “asset of

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community value” of course refer to the general importance of a pub in village life and not to a planning definition contained within government legislation. Inferences by the appellants that this is not the case are wide of the mark and unwelcome.

Reference is also made to the valuation report prepared for the LPA which commented that there were rooms above the bar which could be used as bed and breakfast rooms to provide additional revenue as is common with many pubs. The appellants state that no such rooms exist. However, although this was not done by the appellants, it was certainly done by the previous licensees (who also lived in the premises) and so any suggestion that this was not a relevant part of the valuation report is also wrong.

In paragraphs 2.45 and 4.24 of their appeal submission, the appellants refer to the lack of offers received from the village as indicating that there is no appetite in the village to purchase the pub because villagers know it is not viable. We refute this strongly. There has been considerable discussion within the village over the years that the appellants have discussed selling the pub about an option to purchase the pub. This would have involved an application to the Government’s Levelling Up and Community Investment Fund in order to help fund the purchase price. Unfortunately this was rendered completely unviable by the price placed on the pub by the appellants which needed to be at market price. With nearby similar local pubs changing hands for £275,000 to £325,000, an asking price of £400,000, subsequently increased to £450,000 rendered this option a non starter, much to the disappointment of a number of villagers.

4. Material Fallback Position

The appellants make much reference in their appeal submission that they wish to achieve the change of planning permission so that the pub becomes easier to sell and to enable any future purchaser to live in the pub in case the pub fails financially in the future.

They then state very clearly in section 5 of their appeal submission that in the event of the application failing, they will simply continue to live in the pub as they currently do, as they believe they have the right to do this. If this is the case we do wonder why they have gone through the process of a planning application to change the use to that of a house only and then, when that application was refused, they have chosen to go to the expense of an appeal. This just makes no logical sense to us. It is clear to us that the appellants want to remove the possibility of the building even functioning as a pub again.

Paragraph 6.3 makes no sense to us either. The appellants state that they applied to have the use of the building as a pub removed, in order to make the pub more saleable as a pub. It is stretching credibility to seek to have the permission to run a pub removed from a building and then to seek to sell that building as a pub with the additional possibility of living in it. The current permission on the building is that of a pub with living accommodation and the appellants believe they can live in it even if not operating it as a pub. They therefore have no need for the change of permission to be granted. They just need to market the building at the price that it is really worth in the current market, enable potential purchasers to come and view the property and then to accept the commercial reality that all property, whether business or residential can fall in value as well as rise, even though it is likely that they would in any case receive more for the property than they paid for it when they purchased it.

We trust that the Inspector will consider the above points carefully and will refuse the appeal submitted by the appellants and will retain the planning permission on the building as it currently exists, so that at a future date the village can once again have a functioning pub at its heart.

Petrockstowe Parish Council

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4. **Planning Council** is asked to discuss the below planning application/s and inform the Clerk of its comments to forward to Torridge District Council.

Application. Ref: 1/0278/2023/LBC Date: 14th April 2023 Proposal: Single storey rear extension, extension of raised garden area & replacement of all existing window & door frames Location: Butstone Cottage, Petrockstowe, Okehampton, Devon.

Following a discussion, the Clerk was instructed to send the following comments:

Petrockstowe Parish Council objects to part of this application – we feel that the extension is too large to the existing property footprint and that the design of a flat roof is unsympathetic to the character of the property and surrounding properties.

We don't object to the replacement of windows and doors, and as they are not the originals, to replace them with wooden frames, more in keeping with the property is acceptable and to be commended. However, other listed properties have not been granted permission for double glazed replacement windows so Council are unsure that this application should be considered.

With no further business, the Chair thanked all for attending and closed the meeting at 6.45pm

Chairman Date

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