

AW

OBJECT

LUTTONS PARISH COUNCIL

Clerk: Andrew Macdonald

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16 July 2014

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RYEDALE DISTRICT COUNCIL
17 JUL 2014
DEVELOPMENT
MANAGEMENT

Dear Karen

Application No. 14/00362/FUL : change of use and alterations of public house (Three Tuns, West Lutton) to form a 4-bedroom dwelling : Pattison

Luttons Parish Council considered the above application at its meeting on 15th July; over 20 members of the public attended for the agenda item. The Council is grateful for the extension in the deadline that allowed public discussion.

The Council was mindful of the protection afforded to community facilities, including public houses, by Policy SP11 of the Ryedale Plan and by possible Nomination as an Asset of Community Value and the subsequent Right-to-buy. In a small parish of only 138 households it is unlikely that Nomination and the Right-to-buy would be either practical or sustainable. However, the Council is aware of the strength of feeling that closure of the pub and the application for change-of-use have generated amongst residents who have raised a petition of 113 signatories.

This Council **objects** to the application for change-of-use and to the proposed alterations on the grounds that the applicant fails to demonstrate that the facility is no longer economically viable and that the application is riddled with discrepancies. From contact with the last publicans, there is a belief amongst the public that the owner has so undermined the business that it is now unattractive as a going concern, despite trading successfully in recent years. The following discrepancies in the application may support this contention.

The Planning Statement states that the pub 'ceased to trade in June 2013'. The last tenants were dismissed on 3rd May 2013 and, although the pub continued to trade under a manager, it closed on 21st July only after a short boycott by regulars. The closure of the pub, the vacancy of the property and the lack of consistent trading up to closure all serve to make the property unattractive as a business.

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The Planning Statement refers to 'advertising material provided by Guy Simmonds'; this material is that used in a previous sale in 2007 and quotes turnover information from around that time. The application also contains a letter from Christie & Co. confirming that they 'have been marketing the opportunity since April 2013'. An enquiry by this Council to Christie & Co. obtained the current sales particulars for the property in which it is stated that 'Christie & Co. have not been provided with any historic account information' despite the pub continuing to trade successfully under the last tenants at that time. The implication is that the owner was not trying to sell the property as a going concern. Furthermore, it is difficult to understand how any of the parties to this application (Christie & Co., Peter Wade Consultancy, Guy Simmonds Business Transfers Ltd) can have an informed opinion as to the economic viability of the business without sight of any recent accounts or even a purchase appraisal.

The historic information in both the Planning Statement and sales particulars is incorrect. The original public house (the Board Inn, renamed the Three Tuns by 1840) was demolished after the First World War and relocated to the adjacent former rifle clubhouse. The Three Tuns was not constructed as a dwelling. The properties to either side are both recent new builds, that to the west being built upon the lawn/camping and caravan site of the pub sold off by the previous owners. The particulars from Christie & Co. still lay claim to a 'C/L camp site for 4-5 caravans or motor homes'.

It is this Council's contention that there are so many discrepancies in the application, the planning statement and the associated sales particulars that there is no evidence of a concerted sales campaign, for a sufficient period, **at a price evidenced as consistent with the business**, to claim that Christie & Co. 'have not been able to achieve a **suitable** offer for the property, as a vacant or trading public house' or that the business is no longer economically viable (SP11).

Turning to the alterations, the Council is concerned that the downstairs bathroom, dining room and kitchen, and the upstairs bathroom and bedroom 3, have no natural light. The plans seem hastily drafted to substantiate the change-of-use rather than produce a well-designed four-bedroom home.

It is a source of considerable regret that the condition of this property will continue to deteriorate and blight the centre of West Lutton until the owner/applicant presents a more realistic and compliant case for the development of his business.

Yours sincerely,

Cllr Andy Macdonald
Clerk to Luttons Parish Council