

SUPPORTING STATEMENT FOR CHANGE OF USE OF FORMER PUBLIC HOUSE TO A FOUR BEDROOM DWELLING

The School House Inn unfortunately ceased trading in November 2009. As with many public houses with ever rising overheads and decreasing custom we were forced to sadly close the door.

Our first application in 2009 was for two private dwellings. We firstly lost at committee and then the case was dismissed at appeal on 8th September 2010 by Mr D Hainsworth stating, 'it seems to me that the least that is needed to demonstrate that this facility is no longer financially viable is a genuine and thorough marketing exercise, with conclusions supported by a report from an expert in the licensing trade'.

On receipt of this information we immediately contacted four reputable selling agents, two of which were not prepared to take the property on. We then instructed Mr Martin Nicolson of Brownill Vickers, Sheffield to market the property. He marketed the School House as a whole as he would any other property as his time and expertise would only be paid for once the property was sold. The property was marketed locally and nationally, on the internet and a board prominently displayed on the property. With very little to no interest and the expense of the building beginning to deteriorate we reapplied for planning for a change of use to form one three bed dwelling and public house with first floor living, 12/00008/FUL. The property was still on the open market and available to be purchased as a whole at any time. We lost the case at committee due to no long term viability. We took on board the comments of the committee and therefore as well as going to appeal we also submitted the same case with the addition of five letting rooms, 12/00605/FUL. The property still continued to be on the open market as a whole.

We then obtained permission through appeal as well as the permission gained at committee in October 2012. We imminently made the divide with our priority being to get the smaller pub into a saleable condition so that it could be offered as small public house with permission for five letting rooms. The smaller public house with planning permission went to formal tender at the end of November 2012 to which we did not receive a single bid. We then changed agents so that the property could go to auction. It was once again on the internet, advertised regularly locally and nationally and prominent signs were placed on the building and on the main road. We held 5 open days of which people did attend but unfortunately on the evening of the auction with a wide local audience no bids were received.

We therefore believe we have fully adhered to policy AG5 and AG6 of the local plan. Please find attached two supporting documents from Mr Nicolson and Mr Corgingley along with the information below.

Policy L11 is entitled 'Existing Community Facilities within villages'. In this instance the settlement of Low Marishes can only be realistically considered to constitute a small hamlet rather than a village. Certainly the settlement does not benefit from any of the advantages of a village of, for example, local services, facilities and public transport linkages.

Furthermore Low Marishes is distinguishable from other village settlements in the hierarchy of the Local plan by having no development limits

Essentially the public house did not benefit from having a significant local resident population with only a handful of dwellings being located in the hamlet of Low Marishes itself as well as the surrounding area. The hamlet does not benefit from being realistically accessible by public transport. The public house is not located in an area renowned for its tourism potential and does not benefit from any significant levels of passing trade nor is it in an area which benefits from a daytime working population. Furthermore the surrounding settlements benefit from either having their own public house or access to public houses in closer more accessible villages and which a handful of Low Marishes residents frequent regularly and have done since the closure of the School House in 2009 therefore supporting another local small business.

The proposed development involves minimal alterations to the existing building, which itself is readily convertible. It is evident that the building was originally two properties, as can be evidenced from the two front porches and the three chimneys, therefore the important traditional elements of the existing building would be retained. The appearance of the street scene following the conversion would therefore remain essentially unchanged.

The NPPF, Section 6, Delivering a wide choice of high quality homes and Section 7, Requiring good design, provides guidance on a number of important policy areas including in terms of this proposal matters of sustainable development and design. The guidance states that planning should encourage sustainable development. It is maintained that this objective is satisfied by the development for a number of reasons. Firstly the proposal involves the redevelopment of a previously developed brownfield site. Secondly the proposal involves the conversion of an existing building. In terms of design the guidance recognises that good design can in its own right achieve a sustainable form of development. Importantly the guidance promotes new developments to contribute positively to the local environment promoting or reinforcing local distinctiveness in design where possible. In this respect the scheme of conversion has been formulated to be sympathetic to the character of the host building maintaining its essential traditional quality.

So far as government guidance on housing is concerned that proposals are in accord with the aims and objectives of the NPPF. Whilst this guidance is largely strategic it seeks, inter alia, to achieve sustainable development, improved housing choice and good quality design. The Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies. It is therefore maintained that these objectives are satisfied by the proposed development.

The NPPF also provides guidance on sustainable development in rural and includes the objectives of raising the quality of the environment in the rural areas, ensuring people have decent places to live, promoting good quality development that respects the local distinctiveness. It is maintained that these objectives are met by the proposed development.

Ryedale District Council appointed consultants in September 2006 to undertake a housing

assessment for the Ryedale District with the overall objective to provide a clear understanding of existing and future housing requirements in Ryedale. The study sought to identify areas where there were imbalances in the provision of general market accommodation for current residents. In summary analysis of general market supply and demand suggested that there is market pressure in Malton, Pickering, Kirbymoorside and some rural wards including Derwent and Thornton Dale, Low Marishes itself being situated in the Thornton Dale ward. Shortfalls in property size and type vary across the district. The study established that the delivery of market housing should be influenced by household aspirations and mismatches in supply and demand at the local level. It is clear therefore that the Councils housing needs assessment establishes there to be particular market pressure for new housing in the Thornton Dale ward, with demand exceeding supply. The assessment also established a need for semi detached properties within this ward. As such it is considered that that the proposed development would help to contribute to an identified housing need.

The proposed physical scheme of conversion of the building clearly has the potential to improve its character, appearance and setting of the building. The proposals also represent sustainable development by developing on a brownfield site and reusing an existing building.

Whilst policy L11 of the local plan requires the viability of the existing facility to be demonstrated, for completeness, and in line with policy guidance, other considerations have also been made, including business, commercial, recreational and tourism. In this respect, given the location of the site and in what is essentially an open countryside location it is considered inappropriate to promote the use of the facility for purposes which would generate a significant amount of vehicular movement, primarily by car borne vehicles. As previously discussed with a Ryedale District Planning Officer uses, for example, offices would not be appropriate in this location particularly in the context of Local Plan Policy EMP11. Furthermore, given the provisions of Local plan policy TM2 and particularly the location of the building it is considered inappropriate for use as a hotel. The traditional design and appearance of the building is not conducive to use for industrial purposes. Use for industrial retail purposes has been discounted due to the provisions of Local plan policy R6 and particularly the isolated location of the site and its limited catchment area.

As you will be aware letting rooms have been granted permission and offered on the open market. As previously confirmed they have not received any interest whether it is due to the non viability of the site or down to the high conversion expense, fitting out and operating costs in relation to the low level of potential income. This is supported by the decision of the planning inspectorate, Mr R McCoy, 10th October 2012. Section 9 'As for change of use to a dwelling, in relation to saved LP policy AG6 I am satisfied that it has been demonstrated that a business use would be at odds with the predominantly residential character of the area and several businesses units are available in the local area showing a low demand. Furthermore the holiday lets viability test demonstrates that a holiday let is unlikely to prove viable given the likely investment costs and income from revenue.

We therefore conclude that this public house that ceased trading in November 2009, at the request of the inspectorate has been fully marketed as confirmed by the two adjoining

statements. The initial application for two dwellings initially had recommendation for approval from Ryedale District Council planning department. The building, which is rapidly falling into disrepair, is not fit due to the locality for any other purpose than for residential and that is something that is sought after within Ryedale's District.

Enc –

Marketing Evidence

Supporting Statement Mr M Nicolson

Supporting Statement Mr R Cordingley

Inspectorate Decision Mr D Hainsworth

Inspectorate Decision Mr R McCoy

Sale Particulars