

**ITEM NO.** 4

**COMMITTEE DATE:** 18/02/2013

**APPLICATION NO:** 12/2551/03 FULL PLANNING PERMISSION

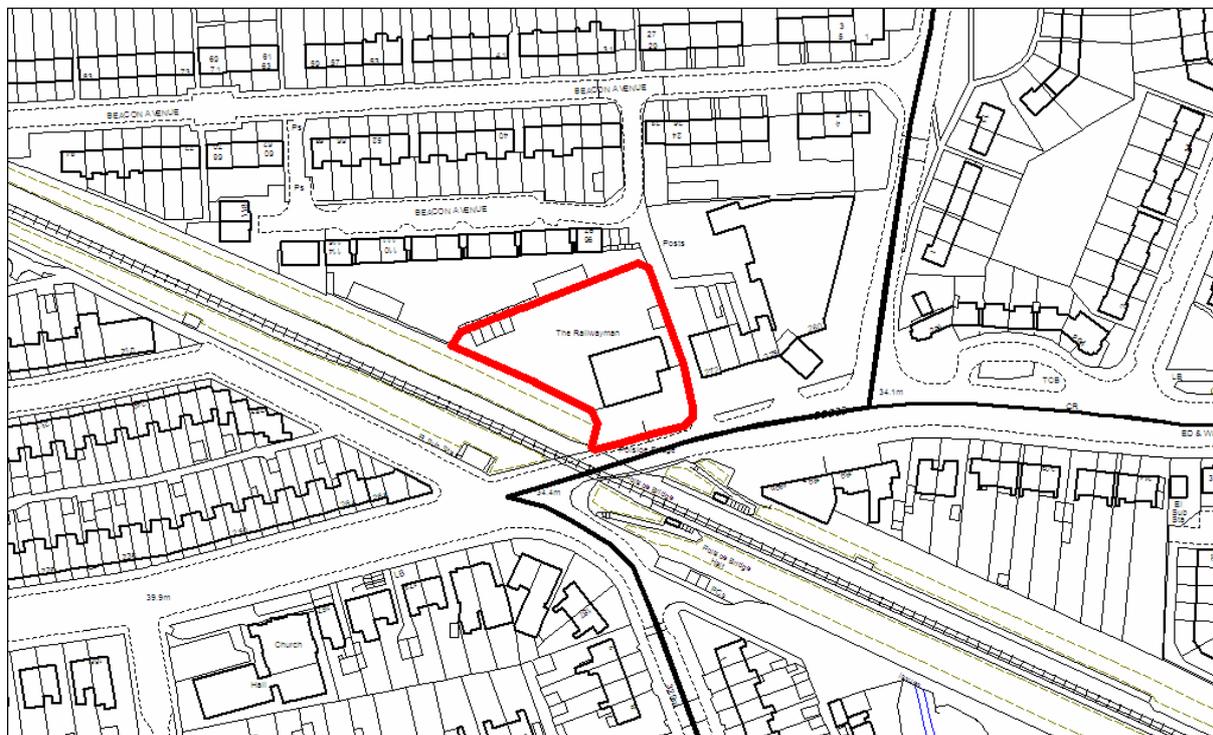
**APPLICANT:** Mr McCreadie  
Farmfoods Limited

**PROPOSAL:** Erection of new food retail store (Class A1) with associated external works

**LOCATION:** The Queens Head, 270 Pinhoe Road, Exeter, EX4 7JQ

**REGISTRATION DATE:** 27/11/2012

**EXPIRY DATE:** 26/02/2013



Scale 1:2500

This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Exeter City Council 100049053

## **HISTORY OF SITE**

None relevant

## **KEY CHARACTERISTICS OF SITE**

The Queen's Head is a public house occupying a site adjacent to, and east of, Polsloe Bridge. The building was built in the inter-war period and is a large detached two storey building with painted rendered walls, hipped tiled roof and various prominent chimney features. The front of the building is largely given over to hard surfacing for parking cars. At the rear, there is a beer garden and children's' play area.

The property is located within the Polsloe Bridge Local Centre and is surrounded by a mix of other Class A retail uses. There are also residential properties in close proximity to the site, most notably to the north in Beacon Avenue.

The property has recently been sold by the Spirit Pub Company to Farm Foods, a frozen food business with around 300 stores nationwide. This application seeks planning permission to redevelop the site to create a new frozen food store. It should be noted that demolition of

the building does not, in itself, require the Council's consent as the property is neither a listed building nor located within a conservation area.

The proposal is for a single storey building of approximately 500 square metres with customer car parking (28 spaces) and a delivery/servicing yard. The building is to be constructed of cladding with a significant glazed element to the front elevation. The scheme will provide employment for 15 people, 10 of which will be full time.

## **REPRESENTATIONS**

28 letters of objection received. The main points made in these representations are set out below:-

- The proposal would result in the loss of the only hotel accommodation in the vicinity.
- The proposed store would not be a local shop for a local centre.
- The recent loss of the Wilkies general store proves that another food store is not viable.
- Other local businesses would be adversely affected by the loss of the pub, including Bargain Booze and Coral betting shop.
- Articulated lorries will add to the traffic problems on Pinhoe Road. Polsloe Bridge is a small bridge and lorries may have difficulties passing through it.
- The store will attract more traffic to the area with consequent highway dangers.
- The store should be located in the new local centre at Monkerton. The pet store on Broadclyst Road would also be a good alternative.
- The pub is well supported by both regular locals and by travellers using the hotel facilities. Under a different trading model to that used by Spirit, the business would be able to yield sufficient return to sustain 25 jobs of which 10 would be full-time.
- The pub is a friendly and welcoming place and is important to the local community. It should not be lost to a new food store.
- The pub is a viable business.
- The present landlady has turned the pub around in the last 12 months and has made great efforts to put on events and entertainment.
- Another supermarket is not needed in an area where Morrisons, Sainsburys and Aldi have a presence.
- The proposed new building would be a cheap and nasty eyesore and would not fit into the local townscape.
- This will reduce opportunities for people to get out of their houses and find company and conversation.
- Local communities need local pubs.
- The proposal would result in the loss of jobs at the pub and the local centre.

A petition with 675 signatures entitled "Save our Pub" has also been received.

## **CONSULTATIONS**

County Highway Authority raise no objection to the proposal.

The Council's Projects and Business Manager notes that there is no cycle parking provision for customers or staff. The Green Circle walking route runs alongside the site. No development here should degrade this, particularly with access arrangements.

The Environment Agency refers the Council to its standing advice on landfill sites and flood risk.

The Council's Drainage Engineer notes that the area is susceptible to surface water flooding. He considers that some effective flood mitigation measures could be incorporated into the site. These would include use of pervious surfacing materials. Drainage proposals should be included in the proposal, which should seek to reduce runoff by 25-30%. Finished floor levels

should be elevated above the predicted flood level - for a 1 in 100 year event plus climate change.

Environmental Health raise no objection but comment on bins, noise, deliveries

The Council's Landscape Architect recommends that:-

- a proper boundary treatment is established at the front of the site.
- a wall along the side of around 900mm is erected to provide containment and to protect the Green Circle walk.
- Car bays in block paving and entrance area in flag paving.
- Some car parking spaces are swapped for tree planting.

RSPB comments that the building could accommodate nest boxes for small birds.

## **PLANNING POLICIES/POLICY GUIDANCE**

Core Planning Principles 3, 4, 7, 8 and Sections 1, 4, 7, 8, 11 of the National Planning Policy Framework (particularly Paragraph 70)

Exeter Local Development Framework Core Strategy

CP8 - Retail facilities

CP10 - Community facilities

CP17 - Design

Devon County Structure Plan 2001-2016

CO6 - Quality of New Development

TR10 - Strategic Road Network and Roadside Areas

Exeter Local Plan First Review 1995-2011

S1 - Retail Proposals/Sequential Approach

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

EN2 - Contaminated Land

EN5 - Noise

DG1 - Objectives of Urban Design

## **OBSERVATIONS**

Whilst it is obviously essential that the redevelopment of the site would be appropriate in design terms and that there are no adverse impacts on the amenity of local residents nor on highway safety, the application stands or falls on two key issues. Firstly the appropriateness of a retail food store in this location and secondly the loss of the public house.

### **Appropriateness of Retail Food Store.**

The site lies within the Polsloe Bridge Local Centre. Policy CP8 of the Council's Core Strategy states that "retail development out of the City Centre should only be located in the district and local centres" a clause which is important in terms of supporting the provision of the retail store on this site and in flagging up the relative lack of sites in the city which would be appropriate for the proposal. This spatial approach to retail provision aims to meet shopping need, including the needs of disadvantaged communities, by following a sequential approach that maintains and enhances the City Centre, district and local centres, and locates retail development where it is accessible by public transport and other sustainable modes. It echoes national policy advice contained within the NPPF and is a key plank in delivering Objective 4 of the Core Policy which seeks to provide and enhance retail facilities.

The applicant argues that whilst the Polsloe Bridge Local Centre is quite large it lacks a grocer of sufficient size to cater for main food shopping needs. It is acknowledged that existing outlets provide for some top-up food shopping but that there is no food shop offering a trolley to car or taxi facility. It flags up the excellent public transport and pedestrian links to local housing which cannot be denied.

Farmfoods specialise in the sale of frozen and other long shelf life groceries and whilst it is a moot point as to whether this offer would meet "main food shopping needs" it is important to note that they do not sell newspapers, alcohol, lottery tickets or tobacco - core lines for many convenience stores. It would be reasonable to conclude therefore that the store would complement rather than compete with existing retail outlets within the local centre and it could be argued that such a store could help to "anchor" and enhance the attractiveness of the local centre as a retail destination not least through linked trips encouraged through the provision of off street parking.

In terms of the appropriateness of the use therefore it has to be concluded that the proposal is acceptable.

### **The Loss of the Public House**

The majority of the objections to the application relate to the loss of the public house which, following some difficult times, is apparently thriving under the current management. It is referred to by turns in the correspondence as "the hub of the community", "family friendly", "welcoming" and "a great place to work". The volume and passion of these objections is clearly an important factor that members should take into account in coming to a view on the application.

The NPPF makes it clear that public houses are community facilities and states that Planning Authorities should *guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.* The Council's Core Strategy Policy CP10 states that community facilities will be protected and whilst public houses are not mentioned per se it is clear that they could be capable of performing such a role.

The key questions to ask therefore are firstly, whether the facility is valued and secondly to what extent its loss would reduce the community's ability to meet its day-to-day needs. Indivisible from both the above is whether the facility has a viable medium to long term future.

Taking each of these issues in turn, the first is the easiest to answer in that it is clear that the public house is well valued and loved by a significant group of local people.

The second is rather more difficult. Accepting that many people within the local community (and beyond) use the public house as a meeting place it seems sensible to ask what other facilities exist in the local area that would be capable of fulfilling this function in the future should the public house close. Whilst it is notable that there is not another public house within the local centre, and that some might argue that such a facility would help to strengthen the identity and viability of such a centre, it remains the case that there are six other public houses within one mile of the Queen's Head. It is also relevant that the excellent bus route along Pinhoe Road provides easy access to a myriad of public houses in the city centre and in Pinhoe local centre. Whilst this is very much a "rough and ready" analysis that relates to the location of the public house rather than the existing customers it must be accepted that the loss of the facility, whilst sorely felt by some, would not have the same impact upon the local community as would be the case in the scenario of a village losing its only public house. Clearly these are also other premises in the area such as cafes or community centres which could serve also serve as meeting places in the future.

No particular evidence has been put forward to suggest that the pub is a meeting place for particular local community groups and the current layout does not provide for private meetings. Whilst it has been used for birthdays, weddings and wakes its current strength appears to revolve around attracting a good cross section of local people in friendly surroundings. It is difficult to argue that this "model" could not be replicated in other local pubs.

The issue of viability is also not straightforward. On the one hand the fact that Spirit Inns have disposed of the premises suggests that they no longer considered that it had a viable future. The fact that the premises have gone through a number of licensees in recent years bears this out. However the current temporary licensees argue a different case. They contend that as an independently owned site released from its "tie" with Spirit, the public house could flourish and they have indicated that they would be keen to purchase the freehold of the premises. A Business Plan submitted to the Council suggests that this could well be the case. Whilst the figures suggest that the public house could survive independent of tie in its current guise as a drinks led community based local if they were to be successful in purchasing the freehold the licensee they have indicated that they would wish to develop a B&B type offering using the upstairs bedrooms and improving the food offering.

The arguments proffered by the current licensees are persuasive not least because of their experience in the licensed trade locally much of which has been based on a model of turning around "failing" pubs. Nonetheless like most business models this one requires significant capitalisation and until it can be demonstrated that the capital can be acquired, members should be cautious about attaching too much weight to this argument. The current licensees have been requested to provide further information on this issue.

In conclusion, on the matter of the loss of the public house, it could be argued that its loss will be deeply felt by the local community and that it would adversely impact on the ability of that community to meet its day-to-day needs. In refusing the application on these grounds the Council would need to be sure that the current licensees have the means to be able to acquire the premises and implement their business plan, not least because nobody else has come forward with a practical and viable alternative. Balanced against this is the argument described above about the ability of nearby public houses to fulfil a similar role. It is a finely balanced matter which cannot be resolved without reference to two other important considerations which are rehearsed in the conclusion below.

### **Other Matters**

The existing pub whilst not unattractive is not listed or any other way protected. It dates from the 1930s and adds something to a rather bland street scene. It is important therefore that any replacement building is appropriate for the site. The siting of the building is fixed to a significant degree because of a restrictive covenant that covers much of the site and precludes the sale of certain items that are staples for the Farmfoods operation. Nonetheless it is important to ensure that the open areas fronting the store are designed as attractively as possible and the applicant has been asked to amend his scheme along the lines suggested by the Council's Landscape Architect. Food stores are ubiquitously single storey and of simple form. The applicant has sought to provide some interest to an otherwise purely functional building by introducing significant glazing to the main elevation. This helps to lift the appearance of the main view of the building to a degree but it is considered that the building still appears rather weak in the street scene and would benefit from some brickwork to anchor the building to its surrounds. The applicant has been asked to address this issue.

Some objectors have raised the issue of alternative sites for Farmfoods in their correspondence. This matter has been discussed with the applicant who has confirmed that they have sought a site in the city for a number of years without success. Officers have explored other possibilities with the applicant but no suitable site which is available has been identified. It is considered that members should attach significant weight to the fact that this company have been seeking to invest in the city for some years.

Other objectors have raised the issue of highway safety. Information accompanying the application makes it clear that traffic movements will not be substantially different from those generated by the existing use. The worst-case scenario is around the evening peak (5pm - 6pm) but even during this hour the increased vehicle movements number only 17 and in total will still only equate to less than one per minute (in and out of the site). Deliveries to a modest food store such as this are restricted to one 16.5 metre articulated vehicle per day (plus smaller vehicles to bread, milk and waste) which again will not be significantly different from the public house which has regular beer and soft drink deliveries. Whilst it is acknowledged that Polsloe Bridge is a busy area in traffic terms the County Highway Engineer is clear that the proposal is acceptable from a highway safety perspective and consent should not be withheld on these grounds.

## **Conclusion**

Given that the proposed use is acceptable in policy terms, the key factor on which a decision has to be made is on the desirability of the retention of the public house. As stated previously it could be argued that its loss would adversely impact on the ability of that community to meet its day-to-day needs. There are however two factors that need to be carefully considered before reaching a view on this matter.

The first is that the Queen's Head would benefit from a permitted change of use from its current use as an A4 drinking establishment to open A1 retail. As a consequence the existing property could be converted to a shop for use by Farmfoods. Clearly this would not be ideal for any parties given the constraints of converting the existing building which would result in a sub-optimal layout for both the business and for customers. Nonetheless it remains a consideration and members will be aware of a proposal for the Co-operative Society to pursue a scheme for the conversion of the Crawford Hotel on Alphington Road. Some weight should therefore be attached to this matter.

Perhaps even greater weight however are the economic arguments in favour of the proposal and the practical difficulties that the applicant has experienced in trying to acquire a site within the city. As a company Farmfoods have thrived in recent times and have significantly expanded their range and number of stores; indeed as stated previously they have been seeking an appropriate site in Exeter for some years. Their main problem has been that they have been unable to compete on prestigious retail sites with "higher end" competitors and that there are only a limited number of sites on which they would be able to secure a retail consent. Policy CP8 does, quite correctly, restrict such development to established retail centres with good public transport links. In a sense it could be argued that whilst the regulars at the Queen's Head have potential alternatives should the pub close, Farmfoods don't have an alternative to turn to. Given the jobs that the proposal will bring along with the ability of the store to strengthen the offering of the local centre and improve retail choice for local people it is concluded that it would be wrong to oppose the proposal on the grounds of the loss of the public house regrettable though that may be.

If members come to the same view as officers on this matter it is clear that there are no other grounds on which to oppose the scheme. The recommendation therefore is to approve the application.

## **NORTHERN AREA WORKING PARTY**

The main concern raised by members was the impact of the proposal - and particularly HGVs servicing the premises - on local highway safety. They also felt that an argument could be put forward to protect the public house on the basis that it serves a function as a community facility.

## **RECOMMENDATION**

Approve subject to the following conditions.

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C39 - Boundary Treatment
- 4) H02 - Highways - Provision parking, etc
- 5) L46 - Hard surfacing (full details)
- 6) The development hereby approved shall not be brought into use until a series of nest boxes to a specification and in a location agreed by the Local Planning Authority have been erected.  
**Reason** - To encourage the nesting of sparrows and other small birds.
- 7) Construction/demolition work shall not take place outside the following times; 8am to 6pm (Mondays to Fridays); 8am to 1pm (Sundays); nor at any time on Sundays, Bank or Public Holidays.  
**Reason** - To protect the amenity of nearby residents.
- 8) Prior to the occupation of the development hereby approved secure cycle parking shall be provided in accordance with details previously submitted to and approved in writing by the local Planning Authority, and the cycle parking shall be maintained at all times thereafter.  
**Reason** - To ensure that cycle parking is provided in accordance with Local Plan Policy T3 to encourage travel by sustainable means.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223