

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Benjamin Wyatt	Change of use to a mixed use venue and Public House. The Dodford Inn Public House, Whinfield Road, Dodford, Worcestershire, B61 9BG	27.06.2023	23/00511/FUL

Councillor Taylor has requested this application is considered by Planning Committee rather than being determined under Delegated Powers.

RECOMMENDATION: That planning permission be **GRANTED**

Consultations

Dodford With Grafton Parish Council

In principle, the Parish Council would be delighted for people to come to Dodford to get married in beautiful surroundings but feel that the scale and approach suggested by the planning application from the Dodford Inn do not fit this aspiration.

The Parish Council's concerns include;

- Dodford is a tiny village, with infrastructure that barely copes with its small size even now, within a short drive from the conurbations likely to provide the Inn with its customer base.
- Insufficient parking onsite to accommodate projected guests
- Congestion with guests and leaving arriving at the same time.
- Noise
- Fireworks impacting on residents and animals.
- Poor level of detail submitted
- Temporary buildings: marquees and tents and their resultant noise/impact on bats
- 75 events annually implies an event every four days or so, with the days before and afterwards being needed to prepare and to tidy up. Such high, unpredictable levels of activities would be likely to deter local residents from using the Inn.

WRS - Noise

No objection.

I consider the playing of background entry and exit music reasonable depending on where the speakers are to be located. I would suggest that this should be as far away from the nearby residential dwellings as possible. There have been no noise complaints onsite as far as records show since 2015.

WRS- Licensing

No comments

Highways - Bromsgrove

I have no highway objections to the proposed change of use to a mixed use venue (host licensed civil ceremonies) and Public House. The site has the ability to park approx. 25 cars within the car park (includes 2 disabled parking spaces) at present. The applicant has highlighted a total of 52 car parking spaces are available on site which includes 2

disabled parking spaces. The redline plan provided confirms there is space available on site.

Conservation Officer

The Dodford Inn is recorded on Worcestershire's HER (WSM44132) and has some historic interest due to its age (1851-1861) and historic communal use. It has been extended and modified, which may reduce its architectural significance, however it is still considered to be a non-designated heritage asset (NDHA).

The proposals are for a change of use to allow civil ceremonies in the building. There are no proposed physical changes, and so no direct impact upon its significance as a NDHA is expected. I have no objection to the proposed additional use, which is of a similar nature to the existing use and would appear to help ensure the building's longer term sustainable use.

Publicity

12 Neighbour notifications were sent on 04.05.2023 (expired 02.06.2023)

Site notice was displayed 05.05.2023 (expired 29.05.2023)

Press Notice published 19.05.2023 (expired 05.06.2023)

8 letters of objection have been received and 2 letters of support has been received.

The contents are summarised as follows;

Objections

Principle

- Red line covers whole site, area of Civil Ceremonies not highlighted
- The number of guests should reflect the available parking and road access
- No information on No. of days site used for pub/events venue
- Approval will result in the loss of the pub for locals
- No evidence has been provided that the site is unavailable as a Public House
- Lack of detail submitted
- Business does not suit rural Conservation Area location

Highways

- Narrow lanes will struggle with guests arriving and leaving on mass
- Clarity with where parking is permitted

Noise

- Noise (fireworks, guests leaving site, music, marquee use, camping)
- Marquees (recent events using marquees have been disruptive)

Environmental

- External lighting
- Fireworks (noise and debris)
- Impact on bats/wildlife (known to be onsite)

Support

- Not once have experienced excessive noise or disturbed by outside activities

Councillor Taylor

Councillor Taylor has requested this application be heard at Committee due to the concerns from local residents particularly in regards of noise.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP4 Green Belt
BDP12 Sustainable Communities
BDP15 Rural Renaissance
BDP16 Sustainable Transport
BDP19 High Quality Design
BDP20 Managing the Historic Environment
BDP21 Natural Environment

Others

NPPF National Planning Policy Framework (2021)

Relevant Planning History

20/01573/FUL	Full planning application for the development of a car park (21 parking spaces) and associated works	Approved	04.02.2021
19/00685/FUL	Internal alterations to create additional rooms in the loft with new roof lights.	Approved	11.10.2019
18/01222/FUL	Internal alterations to create additional rooms in loft with new roof lights and extension to car park to form overflow parking.	Refused	15.11.2018
15/0779	Refurbishment and extensions at the Dodford Inn.	Approved	22.01.2015

Assessment of Proposal

The application site is a Public House which is located within the Green Belt and the Dodford Conservation Area. The applicants are proposing a change of use to a mixed use as a Public House and events venue to hold Civil Ceremonies. The existing use as a 'Drinking establishment' falls within a '*Sui generis*' use which in this context means 'in a class of its own'. Therefore, the site does not benefit from any Permitted Development Rights for a change of use. The proposed use, as an event venue would also fall within a '*Sui generis*' use.

Although it should be noted that any change of use onsite would require planning permission, events can be held on an ancillary nature within a Public House without the need for permission. This application was invited given the pub is currently not open all week and therefore to allow for the number of events the applicant intends to hold, permission is required.

Rural Business

Both the District Plan under Policy BDP15 Rural Renaissance and the National Planning Policy Framework (NPPF) at section 6 seeks to promote strong rural economies through the sustainable growth and expansion of all businesses throughout rural areas and the development and diversification of agricultural and other land based rural businesses.

Paragraph 81 of the NPPF states that planning policies and decisions should help create conditions in which businesses can invest, expand and adapt, with significant weight given to the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Furthermore, NPPF Paragraph 85 recognises that to meet the need for business in rural areas sites may need to be found adjacent to or beyond settlements, and in locations that are not well served by public transport. In these circumstances, it is particularly important to ensure development is sensitive to its surroundings and does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.

The applicants contend that the mixed use onsite is required to sustain the Public House. Public Houses across the UK are currently closing due to the pressures following Brexit, Covid and the cost-of-living crisis. This has more recently been combined with energy bills increasing and staffing pressures. The Dodford Inn did close over Covid and has currently re-opened in a reduced capacity. The current owners intend to open more days in addition to hosting events such as Civil Ceremonies.

It is noted that some concern has been raised by the local community that the use of the Public House as an events venue would ultimately result in the establishment no longer being available for use by local residents. The Public House has been designated a Community Asset within the Village Conservation Area and Policy BDP12 (Sustainable Communities) would not support its loss. Policy BDP12.2(b) however, does support improvements to existing facilities to enable them to adapt to changing needs. This is a large site, in a small village and the owners have been unable to open all week due to staffing levels and the limited customer base. The intention of the mixed use is to support the re-opening of the Public House. Not all events will be private or will book the entire venue and it is not an unusual situation to have events held in Public Houses. It is therefore considered the proposed mixed use would not result in the loss of the Public House to Local residents.

Green Belt

Paragraph 149 and 150 of the NPPF establishes that new buildings within the Green Belt are inappropriate subject to a number of exceptions. This is reflected in Policy BDP4 of the Bromsgrove District Plan. The re-use of buildings provided they are of permanent and substantial construction and the material change of use of land would fall under paragraph 150 (d and e) of the Framework provided that the development preserves the openness of the Green Belt and does not conflict with the purposes of included land within it. In this instance, the building is permanent, and the change of use does not require any physical development or alterations to the building. The proposal is therefore appropriate development in the Green Belt.

Heritage Issues

The Dodford Inn is recorded on Worcestershire's HER (WSM44132) and has some historic interest due to its age (1851-1861) and historic communal use. It has been extended and modified, which may reduce its architectural significance, however it is still considered to be a non-designated heritage asset (NDHA) in the Conservation Area. There are no proposed physical changes, and so no direct impact upon its significance as a NDHA or the wider Conservation Area are expected. The Conservation Officer has raised no objection to the proposed use, which is of a similar nature to the existing use and would appear to help ensure the building's longer term sustainable use.

Highways

The site benefits from a large carpark which has been recently extended to provide an additional 21 spaces under Planning Permission 20/01573/FUL and the proposal does not affect these car parking spaces. In terms of parking and highways impact, Worcestershire County Highways have no objection to the proposal.

Noise

Comments have been received in regard to noise, in particular due to fireworks, guests leaving site, music, marquee use and camping.

It should be noted that under the existing use as a Public House, the premises can hold events and does have current licensing requirements to adhere to. The current hours of operation including when music can be played under the existing license are;

Monday – Thursday 12pm – 11:30pm

Friday and Saturday 12pm – 12:30pm

Sunday – 11am – 11:30pm

Live Music can only be played indoors are limited to a 3-piece band finishing half an hour before closing time. The current proposal does not alter these agreements and as such it is not considered reasonable to place any conditions on this permission that would conflict with the License.

Concerns relating to noise and the use of fireworks are noted. Members will note that other statutory control mechanisms are in place to deal with environmental issues and the Government is clear that the planning system should not replicate other legislation.

Concerns have been raised on the use of marquees and camping and the resultant noise from outdoor activity. Under Schedule 2, Part 4, Class A of the General Permitted Development Order 2015 (as amended) temporary buildings and structures can be used within a site on a temporary basis. This would not allow a marquee to be onsite for a sustained period of time however would allow for a marquee to be used for an occasional event.

Due to the current Licensing restrictions on the premises, and other statutory controls, it is not considered the proposal would cause a nuisance to local residents in regard to noise.

Wildlife

Concerns have been raised on the harm to wildlife as a result of noise. A Bat Survey by Cotswold Wildlife Surveys dated 17 July, 7 and 21 August 2019 was submitted for application reference 19/00685/FUL which approved roof alterations to the building. This survey found that The Dodford Inn had an occasional or transitory roost for a single Brown Long-eared Bat. This roost was appropriately mitigated for as part of this proposal. Given no physical works are proposed as part of this application no further surveys have been required. Noise can have potential to impact on wildlife however as outlined within this report, the proposed use is of a similar nature to the existing and therefore it is not considered reasonable to object to the proposal on these grounds. The bat was roosting within the building whilst it was fully open as a Public House and was not deterred by the existing use. There is therefore no reason to suggest the proposed use would change this.

Consultation

Concerns have been raised by local residents and the Parish Council as a result of the public consultation. Concerns regarding highways, noise, wildlife and the loss of the public house have been considered already in this report.

Other concerns have been raised on the extent of the events onsite and this being out of keeping with the rural location of this pub. The applicants outlined they could achieve 50 events in a year with a possibility of 75. Therefore, offering a 5-6 day full opening times interspersed with 1-1.5 day use as private venue per week. This is a suitable amount, and it is not deemed reasonable to condition this matter as it could result in the business having to reject bookings.

Finally, concerns have been raised on the level of detail provided with this application. The applicants have responded to all public comments and given the change of use does not alter the existing situation onsite, particularly in terms of their existing licensing agreements a greater level of information is not required as part of the submission.

Conclusion

The proposal for a change of use to a mixed use as a Public House and events venue to hold Civil Ceremonies would help ensure the business onsite is sustainable, in addition to the preservation of the building which is considered to be a Non-Designated Heritage Asset in the Conservation Area.

The proposed use is of a similar nature to the existing use and therefore is not considered to cause any greater harm to the local community or local road network. In addition, the NPPF seeks to promote strong rural economies through the sustainable growth and expansion of all businesses throughout rural areas. For these reasons, the proposal is considered to be acceptable.

RECOMMENDATION: That planning permission be **GRANTED**

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Location Plan Scale 1:1250

Statement of Use

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

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