

Local Plan Independent Examination

OPDC Response to Matter and Issue 15

Matter 15: Whether the plan's policies towards the protection of pubs is justified (derived from the thirty-third Key Issue of table 5 of Key document 5 identified at Regulation 19(1) stage and by various representations from Citrus Group/Fuller, Smith and Turner)

Although I am content with the officers' response to this Matter set out in Appendices E and J to Key document 5, a Hearing session will be required if representors exercise their right to be heard.

OPDC response:

- 1.1. OPDC consider that Local Plan Policy TCC7 (Public Houses) is justified in light of representation made by Citrus Group/Fuller, Smith and Turner, is sound and consistent with both the NPPF and in general conformity with the London Plan.
- 1.2. The importance of pubs is recognised in national planning guidance. The NPPF advises that planning policies and decisions should plan positively for the provision and use of community uses including pubs. Para 70 of the NPPF requires local planning authorities to guard against the unnecessary loss of valued facilities and services.
- 1.3. The protection of pubs through planning policy is also justified as part of the London Plan (2016). Policy 4.8Bc of the London Plan promotes a proactive approach to planning for retailing and related services. That includes developing policies to prevent the loss of valued local community assets including public houses. Para 4.48 recognises that the availability of local services including public houses is important in securing lifetime neighbourhoods as required by policy 7.1. Para 4.48A gives explicit recognition of the role that pubs can play in the social fabric of communities. This role is connected to Policy 3.1B which protects and resists the loss of facilities that meet the needs of particular groups and communities. Further guidance on how London planning authorities should protect against the loss of pubs was provided through the Mayor's Culture and Night Time Economy SPG (document OSD21-Page 25) which cited the intrinsic character of pubs and their value as heritage assets. The Draft New London Plan (document OSD14) includes a specific policy (HC7) on protecting public houses which recognises the threats pubs face from redevelopment pressures and cites their heritage, economic, social and cultural value as justification for protection.
- 1.4. There are currently only three public houses in the OPDC area.
 - The Castle Pub, North Acton;
 - The Fishermans Arms, Old Oak Lane; and
 - The Grand Junction, Acton Lane.

- 1.5. These three pubs are spread across the OPDC area with one located in each of Old Oak, Park Royal and North Acton respectively. As such, they serve different communities and have their own distinct character and purpose. All three are recommended for local listing in OPDC's Heritage Strategy (document SD21), and were identified in OPDC's draft Local Heritage Listings¹ in early 2018 as demonstrating architectural, historical, townscape and social/cultural significance. The Fishermans Arms is an important social hub for the local community in and around the Railway Cottages. The Castle Pub has a rich history as a hub for the broadcasting industry, and now serves as an important hub to the local residential community and the growing student community in North Acton. The Grand Junction Arms serves workers in Park Royal and the community in Harlesden to the north, and runs initiatives including a community book club. Both the Castle Pub and Grand Junctions Arms have function rooms for hire, which reinforce their value as important community hubs and assets.
- 1.6. OPDC consider that the requirements set out in Policy TCC7 for competitive marketing of pubs are justified. Requiring marketing of the premises at appropriately set rent levels is standard industry practice and is a requirement set out in numerous Local Plans in response to various different land uses. 24 months has been adopted as an appropriate marketing period and has been adopted elsewhere in other Local Plans. As an example, Lewisham² requires marketing for 36 months Greenwich³ and Brent⁴ require marketing for 24 months, RBKC⁵ has an outright resistance to loss of pubs. 24 months is also the proposed marketing period within the Draft New London Plan (document OSD14) stated within paragraph 7.7.7. OPDC considers that marketing for 24 months strikes the right balance between recognising that there may not be a market interest for the continued use of the facility as a pub, with the need for an appropriate marketing period for a relatively specialist type of use. As noted in supporting text paragraph 10.55, the competitive marketing requirements for public houses are longer than for other town centre uses in recognition of the smaller number of public house operators and as a consequence, the need for a longer marketing period to identify an appropriate operator. The policy requires the premises to be maintained in a condition where it can be operated as a public house as this is necessary for the property to be competitively marketed for this purpose.
- 1.7. Policy TCC4 was revised following representations to the first Regulation 19 consultation to remove superfluous or unreasonable elements. This included removing a requirement to utilise the CAMRA viability testing method. Further amendments are included in the proposed minor modifications to the draft Local Plan (document KD24, Page 15) which have removed requirement to market public houses as alternative community uses, reflecting the fact that this would not align with the respective use classes of public houses as A3/A4 and community facilities as D1.

¹ https://www.london.gov.uk/sites/default/files/opdc_draft_local_heritage_listings.pdf

² <https://www.lewisham.gov.uk/myservices/planning/policy/LDF/development-policies/Documents/DMLPAadoption.pdf> (Page 61)

³ https://www.royalgreenwich.gov.uk/info/200191/planning_policy_and_strategy/869/local_development_framework/2 (Page 70)

⁴ https://www.brent.gov.uk/media/16405868/development-management-policies-final_small-nov-2016.pdf (Page 63)

⁵ <https://planningconsult.rbkc.gov.uk/gf2.ti/f/277378/16678437.1/PDF/-/CLP2015.pdf> (Page 153)