

Dear Boris,

Following the response and supplementary written statement we submitted earlier this year on the Further Alterations to the London Plan (FALP) and, in particular, the need for Policy 4.8 to extend specifically to public houses, it had been the intention of the Greater London Region of the Campaign for Real Ale (CAMRA) to offer relevant commentary also in relation to the Social Infrastructure SPG issued for consultation shortly after the FALP.

Alas, I now note that that consultation formally closed on Sunday 5 October. So I must crave your indulgence, please, in asking you and your planners to note the following concerns.

In his decision last week on the Chesham Arms Enforcement Appeal (Ref: APP/U5360/C/13/2209018), Inspector JA Murray commented on what seems to us to be a serious weakness in Policy 3.16 of the London Plan:

‘LP Policy 3.16 states that London requires additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population. The supporting text acknowledges that “social infrastructure” covers a wide range of facilities and does not seek to define them. Whilst the list of examples given does not explicitly include pubs, it ends with “many other uses and activities which contribute to making an area more than just a place to live.” Mr Johnson maintained that this was capable of including pubs, but not necessarily every pub, and that must be correct. Nevertheless, LP Policy 3.16 only guards against the loss of social infrastructure “in areas of defined need for that type of social infrastructure.” Notwithstanding the thrust of support in LP Policies 3.16 and 7.1 for uses which contribute to making an area more than just a place to live, the appeal site is not in an area of defined need and therefore this development cannot strictly breach Policy 3.16.’

Fortunately for the local community, Mr Murray was able to reject the deemed application for change of use of the Chesham Arms on other grounds:

‘Nevertheless, I conclude on the main issue, that the permanent change of use of the first floor of the premises to a Class C3 self contained residential flat is unacceptable. This is because, notwithstanding the existence of other pubs within walking distance, it would probably result in the loss of the Class A4 public house, which is registered as an Asset of Community Value. Furthermore, as a consequence of that loss, the change of use would not preserve the character of the Clapton Square Conservation Area. The development therefore conflicts with LP Policies 7.1 and 7.8, CS Policy 25, as well as draft HDMLP Policy DM5 and the Framework.’

In other words, the need for that type of social infrastructure could, in this instance, be upheld despite the restrictive interpretation of the wording of LP Policy 3.16.

We believe that the Social Infrastructure SPG offers a timely opportunity to clarify the intention of LP Policy 3.16 with regard to public houses and, in doing so, ensure that the London Plan itself is fully compliant with paragraph 70 of the National Planning Policy Framework (NPPF).

In the draft that was issued for consultation, despite the relevant quotation from NPPF paragraph 70 in the Introduction (page 9), we find no mention at all of public houses in the remainder of the draft and particularly with regard to stakeholder engagement and policy assessment and to identifying existing social infrastructure. In remedying this omission, we

would suggest acknowledging the local CAMRA Branches as the best placed stakeholder groups to support the boroughs. I attach a draft note we have prepared this week to share with borough councillors on this theme.

Under 'Other delivery mechanisms' on page 33, Assets of Community Value are mentioned but with no acknowledgement that boroughs will still need to issue Article 4 Directions to bring within planning controls any changes of use that would otherwise constitute permitted development. It would seem appropriate and timely for the SPG to encourage boroughs to issue such Directions where their community pub heritage is under threat.

I hope that you may find these comments helpful and thank you for your attention.

Yours sincerely

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The Campaign for Real Ale (CAMRA)