



FREETHS

For the attention of Councillor Adrian Dale
Chairman of the Chelveston-cum-Caldecott
Parish Council
21 Water Lane
Chelveston
Wellingborough
Northants
NN9 6AP

Direct dial: +44 (0)845 271 6757
Direct fax: +44 (0)845 271 6708
Switchboard: +44 (0)1908 668555
Email: chris.ainsworth@freeths.co.uk

11 September 2014

Our Ref: CMA/6004/60000051/376/VG

Dear Sir

CHELVESTON-CUM-CALDECOTT DRAFT NEIGHBOURHOOD PLAN- REPRESENTATIONS OF CHARLES WELLS LTD

We are the retained lawyers acting for Charles Wells Limited.

Our client is the registered freehold proprietor of the Star and Garter public house, The Green Chelveston NN9 6AJ.

Our client has taken advice in relation to Neighbourhood Plan policies proposed by the Council and a detailed response is set out in the attached document prepared by our client's planning consultant.

However, we wish to make it plain that our client objects in the strongest possible terms to the proposed designation of part of its land as Local Green Space. The proposal is inconsistent with paragraph 77 of the National Planning Policy Framework in that:

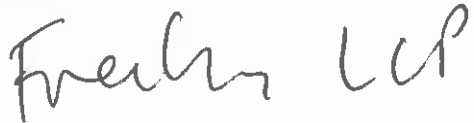
- There is a presumption that Local Green Space designation is not appropriate for most green areas or open space and should only be used in limited circumstances; and
- The use of the land for an occasional community event from time to time does not elevate its status to that of a 'green area [that] is demonstrably special to a local community [which] holds particular local significance'.

Any argument that this land qualifies for such designation based on such limited use in the past is manifestly unreasonable and has the potential materially to prejudice our client's options to ensure the future viability of the public house.

11 September 2014
Page 2

FREETHS

Yours faithfully

Handwritten signature in black ink that reads "Freeths LLP". The signature is written in a cursive, slightly slanted style.

Freeths LLP
Please respond by e-mail where possible

cc: clerk@chelveston.org.uk
chair@chelveston.org.uk

Chelveston-cum-Caldecott Draft Neighbourhood Plan

Star and Garter Public House,
The Green, Chelveston, NN9 6AJ

Representations on behalf of
Charles Wells Ltd

September 2014

Further to our conversation with the Chairman of the Parish Council on 20 March 2014, we would like to make representations on the Neighbourhood Plan policies which affect the Star and Garter Public House and the adjoining field, all of which is within our clients', Charles Wells Ltd, ownership.

We acknowledge that representations were not made by the owners in response to the Neighbourhood Plan Call for Sites in Autumn 2013. The site is now nominated in the Plan as an Asset of Community Value. The Company wish to review this proposed designation.

We note the list of policies relating to our clients' land, set out in the Parish Council's email to Gerald Eve LLP dated 4 August 2014, and would comment as follows.

The Neighbourhood Plan Strategy

Paragraph 2.3F of the Strategy states:

“The continued role of the pub in community life will be supported by allowing for the development of its amenities and facilities to the rear, whilst preserving the pub field as a community events space.”

We support the aim of this objective, but the reference to the field at the rear as a community events space should be omitted.

Settlement Boundaries

Policy H1c – The Chelveston Village Boundary

We maintain that the principal aim of a rural settlement boundary is to make a clear distinction between the settlement and the surrounding countryside. In many cases, such boundaries are drawn far too tightly, reflecting a desire to control rather than shape and influence.

We think the boundary should be revised to include the field at the rear of the Star and Garter, and the adjoining allotments. They are both integral parts of the village. Other policy tools are available to regulate the development potential of either site.

Other examples where boundaries have been too tightly drawn are to the rear of properties along the western edge of Raunds Road and gardens to the rear of houses in Britten Close.

A boundary that provides a clear demarcation between settlement and countryside will be more stable and defensible in the long term, whilst allowing flexibility within the boundary to meet the settlement's evolving needs.

Preserving Street Scenes

Policy H4a – Preserving the Street Scene around The Green, Chelveston

The policy is not prescriptive but clear in its intention. It seems to us that improvement and enhancement of the appearance of The Green and the buildings around it can only be to the Star and Garter's advantage.

Amenity Policies

Policy ACV – Assets of Community Value

We note that the public house and the field to the rear have been nominated by the Parish Council as an Asset of Community Value. Public houses are commonly regarded as community facilities, but it is essential to remember they are also commercial enterprises.

The impact of changing consumer preferences on public houses is well documented. The number of pubs continues to decline nationally. A report in the Guardian newspaper published on 12 August this year noted an increase in the national closure rate to 31 a week in the first half of 2014.

Public houses must adapt to changing circumstances in order to survive. Charles Wells Ltd has an active support programme to help tenants and managers meet change and develop their businesses. Some changes require substantial capital investment. One of the sources of capital is land attached to public houses that has development potential. Wherever possible, such land has been utilised to meet the related business's capital requirements. The field behind the Star and Garter may not be required to meet the pub's current business development needs, but the Company certainly want to retain that as an option for the future.

It is unfortunate that this was not discussed with the Parish Council when the pub and the field were nominated as an ACV. However, the community will surely benefit most if a relationship can be developed between the business and the community that recognises the need for flexibility in the long term use and development of both assets.

Policy LGS – Designated Local Green Spaces

We note that the pub field, including the grasscrete car parking area, has been designated under LGS16 as a local green space. We object strongly to this designation for the reasons outlined in our response to Policy ACV. Although this field has been used for community events in the past, such events are only occasional and the field remains under-utilised for most of the time. This asset must be thought of in relation to the pub business as well as other community needs.

We suggest the Plan includes an alternative site for community events and perhaps for more regular outdoor recreational activities. Redrawing the settlement boundary around the rear of properties in Raunds Road, and incorporating a larger area in association with site NDP -S006, could provide such an alternative.

Traffic Management

Policy TRF – Traffic Management and Parking

We note the proposal for new parking bays outside the Star and Garter, which is potentially of benefit to the pub as well as the community as a whole.

Local Economy

Policy EC – Employment opportunities and commercial activities

We note EC1a's support for the Star and Garter Public House as part of the local economy and as a source of employment for local people. As we have stated above, public houses have to adapt to changes in consumer demand in order to survive as a commercial enterprise. We support the policy's intention. However other policies, and in particular policy LGS, seriously compromise the pub's commercial function by unduly constraining development potential.

The balance between open space designations and the pub's local economic value has not been made. There must remain flexibility on the use of the pub's field to support the Star and Garter, both as a business and as a local employer.

Summary

We acknowledge that the Star and Garter and its associated field have been registered as an Asset of Community Value. However we object strongly to the field's designation as a Local Green Space. This designation should be removed and the field, together with the neighbouring allotments should be included within the settlement boundary. This will give a degree of flexibility that will allow:

- the provision of new pub facilities, such as additional car parking
- development, including housing, to create capital for reinvestment in the pub.

A spirit of partnership is needed between our clients, as owners of the Star and Garter, and the Parish Council, as representatives of the local community, to achieve important aspirations set out in the Draft Neighbourhood Plan. With a bit of “give and take”, it should be possible to ensure that the Star and Garter continues to be a valued community asset and a thriving commercial business.

David Russell Associates
September 2014