

Amendment Sheet
2 February 2022

Item 1: - Fulford House Fulford Road Bristol BS13 0AD

Page no.	Amendment/additional information
5	<p>Objection received from The Campaign for Real Ale (CAMRA) 25.01.2022, as follows:</p> <p>1. General</p> <p>1.1. The Bristol & District Branch of CAMRA objects to this application.</p> <p>1.2. We note that there are around 114 objections, mainly from residents and no expressions of support. Objections appear to be broadly based on two main grounds: the loss of the pub as a local amenity, and the undesirable nature of the proposed development.</p> <p>1.3. We support the views of the Ward Councillor, Kerry Bailes, who states 'If this pub closes its doors for good, Hartcliffe will be left with just 1 drinking establishment. Enough has now been taken away from the residents. We need places to socialise as much as we need truly affordable council housing'.</p> <p>1.4. BCC's Management Development policies include DM6, relating specifically to pubs. It sets out the conditions that must be met to justify the loss of a public house: either on the grounds of viability or that sufficient alternative provision exists within reasonable walking distance.</p> <p>1.5. The applicant's agent, Pegasus Group have submitted the document 'Planning Statement'.</p> <p>1.6. At 6.7 they have helpfully confirmed that they regard reasonable walking distance as 'between 400-800m (5-10 minutes)'</p> <p>1.7. At 6.8, they state: '...there appears to be only one other public house (The Hartcliffe Inn), so it is not considered that there is necessarily a 'diverse range' of public house provision within the locality'.</p> <p>1.8. At 6.9 they conclude: 'As such, in order to comply with the relevant local planning policy, evidence will need to be provided to demonstrate the pub is no longer economically viable.</p> <p>1.9. Pegasus Group provide no further evidence or opinion on the viability or otherwise of the Fulford House but instead refer to the 'Viability & Marketing Report' submitted by James A Baker, two versions of which have been published: the latter submission contains photographs and extracts from the sale particulars, otherwise these appear identical in content.</p> <p>2. Viability</p> <p>2.1. The application has been submitted by the owner, who purchased the pub in 2009 from Punch Taverns having previously operated the business as the tenant. The reason and justification for the application appears to be based on the alleged non-viability of the pub.</p> <p>2.2. DM6 states that it must be clearly shown that the business is not – or could be – viable. Past difficulties are not conclusive evidence of future non-viability, and it must be shown that there is no realistic possibility that the pub could become viable.</p> <p>2.3. DM6 thus requires a detailed analysis of past and potential future trade and references the CAMRA viability tool, setting out the aspects that should be addressed, under 11 separate headings.</p> <p>2.4. According to DM6, the results of the analysis will be sent for independent verification, with the applicant bearing any costs.</p> <p>2.5. The applicants have not provided this.</p>

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	<p>2.6. The 'Viability & Marketing Report' includes a very general description of the national situation affecting the licensed trade and is almost word-for-word the same as has appeared in other reports submitted by James A Baker in respect of other pubs.</p> <p>2.7. If the general circumstances as presented in the report are evidence that the Fulford House cannot be viable, then logically this must apply to all other pubs in the UK. To claim there are no viable pubs in the whole country is absurd.</p> <p>2.8. It is not until page 9 (of 13) – threequarters the way through – that there is any substantive content directly relating to the Fulford House.</p> <p>2.9. The report presents a summary of the last three years trading accounts which purport to show the return was insufficient to provide the owner with a living, with the last year apparently being the first year of the Covid-19 pandemic.</p> <p>2.10. However, in the absence of more detailed information showing the full composition of the operating costs it is not possible to assess the true position. The limited information provided is insufficient to be conclusive or even persuasive.</p> <p>2.11. Similarly, in the absence of a detailed analysis of potential trade against the CAMRA viability tool, it is not possible to assess the degree to which the business might be made profitable, if indeed it is not currently.</p> <p>2.12. We do not know whether there is any possibility of a community buy-out being launched but this business model is proving highly effective in ensuring a viable future for community pubs. There are currently over 150 such ventures nationwide and none have failed. More are coming on stream every week and the majority have previously been written off as unviable.</p> <p>2.13. We note the references to crime and anti-social behaviour, both in the viability report and in several of the objections. This is clearly a serious issue but is not unique to this location and CAMRA is aware of several examples of this being successfully managed and affected pubs being turned around – the Bevenden, situated in a large council estate near Brighton and now owned by the local community being one.</p> <p>2.14. The report outlines the marketing exercise undertaken and uses the failure to sell the pub as further evidence it is not viable. However, as the marketing has been carried out during the Covid-19 pandemic it is hardly surprising</p> <p>3. Alternative Provision</p> <p>3.1. The optional test of policy DM6 is to show there is suitable alternative provision within reasonable walking distance of a diverse range of pubs that will, collectively, meet the needs of the local community.</p> <p>3.2. Although the Pegasus Group have stated they do not believe this to be the case, the James A Baker report claims there is.</p> <p>3.3. The Hartcliffe area is, astonishingly, described as a 'small' suburb. It is of course nothing of the sort.</p> <p>3.4. A list of 10 other premises is provided at 6.02. The closest is St Bernadette's Rugby Football club. This is a club, and access is via paid membership. It is not a public house and must be discounted. The next, at the top of the 800m limit, is the Hartcliffe Inn. For anyone living to the north of the Fulford House this will be significantly further. All the remainder are significantly further away than can possibly be regarded as within reasonable walking distance and must be discounted.</p> <p>3.5. With only one other pub in the locality, the second test of DM6 (for a range of pubs in the locality that can collectively continue to meet the needs and expectations of the whole community) is not met, as already agreed by the applicant's agent, Pegasus Group.</p> <p>4. Conclusion</p> <p>4.1. It is clear the requirement that 'A diverse range of public house provision exists within the locality' is not met.</p> <p>4.2. We do not believe the case for non-viability has been conclusively made.</p>

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	<p>4.3. We fully support Councillor Bailes who states: 'We already have enough vulnerable people housed in inadequate housing in Hartcliffe and local services are stretched, even more so due to the pandemic. HMOs are rented out at extortionate rents to those who can least afford it, rooms are tiny and quality of life is low for residents and the only person that benefits are the landlord. If this pub closes it means that we are left with only 1 none fee-paying drinking/entertainment establishment. what we need is a public house where families can take their children, enjoy entertainment and socialize. we have already lost so many pubs in the area; we can't lose any more, none of the local drinking establishments serves hot, healthy meals, we need to keep the community going long after the pandemic has ended. taking away this much-loved pub not only demoralizes the community spirit but set a precedent that we have no choice in the future of our community. we must ensure that the community is involved in this process. I ...want to see the pub improved, kept as an entertainment establishment and pub. if refurbished to a high standard, with the right management, the community could benefit from a pub for all residents, a place where children could have a meal with their parents and wider family. An entertainment venue where people from around the city could enjoy an evening out'. 4.4. We submit that this application is incompatible with Bristol City Council's planning policies, is against the interests of the local community and should be refused.</p> <p>Christopher Faulkner Gibson On behalf of the Bristol Pubs Group Committee, Campaign for Real Ale, Bristol & District Branch</p>
5	<p>Addendum to Key Issue A</p> <p>Further to the late objection received from CAMRA, the planning agent has prepared a document in accordance with the CAMRA Public House Viability Test. This document is attached for reference.</p> <p>The assessment includes consideration of a wide number of factors including local population/catchment, transport links, and potential for attracting additional trade. Whilst it appears that the provision of meals has not been explored in terms potential measures to increase revenue, in other respects the assessment accords with the provisions of CAMRA viability test criteria. On balance, the additional information provided does not lead to a different conclusion in terms of the Officer recommendation for the proposal.</p>

Item 2: - Cambridge House 34 Cambridge Crescent Bristol BS9 3QG

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	<p>Following the completion and publication of the Officer's Committee Report a further ten representations have been received objecting to the application.</p> <p>These representations were received following a further round of consultation which was undertaken in recognition of plans showing the application proposal without the approved scheme at 51-53 Westbury Hill (which has not commenced).</p> <p>The objections received made the following points:</p>

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	<p>Design</p> <p>The design of the two townhouses is incongruous with the surrounding mainly Victorian buildings, both in style and height. The unusual design is inappropriate for the historic village centre.</p> <p>Proposal will give rise to too much massing in a condensed area. The houses on Westbury Hill are not three-storey houses rather they are two-storey houses with a basement room built into the hill.</p> <p>This is a conservation area, designed to protect Westbury on Trym's unique village character. And so it's baffling that whilst myself and my neighbours would under these conservation area rules not be permitted to change our garden walls, someone can apply to build a disproportionately large development, which changes an historic roofline and which would completely dominate what is and which is more suited for a downtown area. The new homes are totally out of place with the surrounding houses and a conservation area.</p> <p>The only way in which these dwellings match the surrounding area is the colour of bricks. The surrounding houses are all in Victorian style, with the exception of Ivy Lodge which is in no way something to be compared with favourably.</p> <p>Loss of Amenity</p> <p>The proposal will give rise to overlooking of neighbouring gardens</p> <p>The proposed location is not suitable for accommodation purposes. The proximity to existing homes would severely infringe on their privacy (both indoors living areas and gardens) as well as the right to light for many existing properties.</p> <p>Concerns about Traffic Congestion / Parking</p> <p>The Cambridge Crescent / Westbury Hill area is already experiencing severe traffic congestion. The addition of housing and offices for around 20 people on top of the imminent development of 51-53 Westbury Hill, will seriously add to the pressure on local amenities and congestion.</p> <p>We have recently lost 5 parking spaces because of new double yellow lines on Westbury Hill. These residential homes and offices are only going to make an already intolerable situation even worse.</p> <p>Safety needs to be considered as much increased traffic trying to negotiate the already hazardous junction of Cambridge Crescent with Westbury Hill will increase the risk to both vehicles & pedestrians.</p>

CAMRA - The Public House Viability Test

To assess the continued viability of a pub business the question to address is what the business could achieve if it were run efficiently by management committed to maximising its success.

Assessing Trade Potential

1. Local trade

- What is the location of the pub? Is it in a village, suburban area, town centre or isolated countryside?

The property is located in Hartcliffe which is an outer suburb of Bristol and I refer to section 3.00 – 3.02 within our Viability Report.

- What is the catchment area of the pub?

The catchment area of the pub is the suburb of Hartcliffe. The 2011 census showed that Hartcliffe had a population of around 11,500 residents.

- How many adults live within a one mile radius?

The current population within the immediate area is as follows:

Population



Radius	Population	Households
100m	281	103
250m	1,352	508
500m	3,670	1,510
600m	4,912	2,006
750m	7,144	2,930
Half Mile	8,109	3,337
1km	10,874	4,555

- In rural areas, how many adults live within a ten mile radius?

N/A.

- Are there any developments planned for the area? Industrial, residential, strategic projects?

The Council have recently unveiled plans for a new £8.4 million investment into a ‘Youth Zone’ for South Bristol. The proposed location for this investment is located opposite Imperial Retail Park between Hartcliffe and Knowle West approximately 1 mile north of the pub. If plans were to be approved, the facility would provide a sports hall, outdoor sports area, various ‘Youth Zone’ rooms, fitness suite, performance and music rooms, arts areas and a café along with an outdoor area.

Hartcliffe councillor Helen Holland has called the proposed project would be ‘transformational’ for the area and has said it would ‘complement’ other local regeneration projects including housing, employment, public transport, walking and cycling routes.

Further information can be found on the charity partner OnSide’s website below:

<https://www.onsideyouthzones.org/news/location-of-south-bristol-youth-zone-confirmed/>

Bristol City Council have also recently started works to create a new household recycling centre on Hartcliffe Way which is set to be the largest in the region. This modern facility will be the third recycling site in Bristol.

- Is there a daytime working population?

According to the Hartcliffe & Withywood Statistical Ward Profile (December 2021) the ward has a population of 18,800 residents of which circa 11,000 are of working age.

2. Customer potential

- Does the pub act as a focus for community activities? Sports teams, social groups, local societies, community meetings etc?

It is understood that no community groups or other local groups (i.e sports teams, social groups, local societies etc) used the pub for meetings or regular social events.

- Is the pub in a well visited/popular location? Is it in a picturesque town or village, on a canal/river side, on a long distance footpath, or on a cycle route?

The property is located in an off pitch location within a residential suburb of Bristol and cannot be described as any of the above. We refer to the location of the property in section 3.00 – 3.03 within our Viability Report.

- Does the pub appeal to those who regularly drive out to pubs?

The pub does not appeal to those who regularly drive out to pubs – (it is not a drive to destination public house nor does it have the necessary parking facilities to operate in this manner).

- Is tourism encouraged in the area?

Hartcliffe is primarily a residential suburb and is not associated with tourism.

- Has the pub ever been included in any visitor or tourist guide?

As far as I'm aware the pub has not featured in any visitor or tourist guide.

3. Competition

- In rural areas, how many pubs are there within a one mile radius and within a five mile radius?

N/A

- In urban areas, how many pubs are there within reasonable walking distance?

There are 10 pubs/bars within a 1.7 miles radius of the subject property and we refer to this in section 6.02 of our Viability Report.

- Bearing in mind that people like to have choices, does the pub, by its character, location, design, potentially cater for different groups of people from those of its nearest competitor(s)?

The pub had an established wet offer when it was open and trading and we refer to the pub's trading history and trading profile in section 8.00 – 9.05 in our Viability Report. Due to the low levels of trade, the business has become unviable and subsequently closed.

- If not, could the pub be developed to cater for different groups?

See comments above.

4. Flexibility of the site

- Does the pub have unused rooms or outbuildings that could be brought into use? Function rooms, store rooms etc.

The property does not have any unused rooms or outbuildings.

- Is the site large enough to allow for building extensions?

The site is large enough for building an extension however if extended it would have an adverse effect on the rear trade garden.

- Have planning applications ever been submitted to extend/develop the pub building? If yes, when and what was the outcome?

There has been one previous planning application to erect a garage for use in connection with the licensed premises which was granted consent subject to condition(s).

- If planning consent was not available for building work, is any adjoining land suitable for any other use? Camping facility etc.

There is no adjoining land available for the use of the pub due to its location on a residential street.

- Has the pub been well maintained?

The property was well maintained but it has been closed since March 2020.

5. Parking

- Is there access to appropriate numbers of car parking spaces?

There is a limited number of parking spaces to the property for circa five vehicles although street parking is available nearby.

- If not, is there any scope for expansion?

The plot measures 0.25 of an acre and therefore any expansion of car park would be difficult to achieve.

6. Public Transport

- Is there a bus stop outside or near the pub and/or a rail station within easy walking distance?

There are numerous bus stops within the area with the nearest two located on Hawkfield Road. The nearest railway station is Parson Street which is located 2 miles north.

- How frequent and reliable is public transport in the area?

Public transport is very frequent and reliable in the area. There are regular bus services within walking distance of the pub and a railway station also located nearby.

- Has the pub made actual/potential customers aware of any public transport services available to/from it?

When the pub was operational it relied on local trade and had a small catchment area with local customers who predominantly walked to the pub. There would be little or no benefit in advertising public transport links as the pub did not operate as a destination venue.

- Are there taxi firms in the locality?

There are a number of taxi firms operating in the locality.

- If yes, has the pub entered any favourable agreements with a local taxi firm?

I refer to my comments above with regards to the local trade and catchment area.

7. Multiple Use

- In light of government guidance through the National Planning Policy Framework (see the Appendix) what is the extent of community facilities in the local area – is there a shop, post office, community centre etc?

I am of the view that there are adequate community facilities in the local area. The immediate area includes a convenience store with post office and a hot food takeaway. The wider area of Hartcliffe benefits from a supermarket, petrol station, sports centre as well as a handful of local academies and schools. As previously mentioned, there are also a number of pubs/bars within a 1.7 mile radius including the planned relocation of St Bernadettes Rugby Club. The newly facilitated rugby club plans to benefit the local community from a 'cohesion and isolation' point of view as it will offer an opportunity for non-members to use the new facilities, spectate and support their local rugby club.

- If the pub is the sole remaining facility within the area, is there scope for the pub to combine its function with that of a shop, post office or other community use, bed & breakfast or self-catering – especially in tourist areas?

The pub is not the sole remaining facility in the area and our client has recently traded part of the pub as a local convenience store in order to maintain an income.

8. Partial loss

These questions come into play if the application seeks changes which would reduce the size of the pub or convert non-public areas, such as licensee accommodation, to other uses.

N/A.

- How would the proposals impact on the long-term financial health of the business? Would a smaller pub still be able to attract sufficient trade? Would the smaller size make it less attractive to customers e.g. because there were reduced facilities such as no meeting room, less parking, smaller garden?

N/A.

- Would any loss of licensee accommodation make the pub less attractive to potential future publicans?

N/A.

9. Competition case studies

- Are there any successful pubs in neighbouring areas of similar population density?

Yes, there are numerous successful pubs trading nearby. I refer to section 6.00 – 6.03 within our Viability Report which summarises the nearby licensed competition.

- What factors are contributing to their success?

Nearby licensed competition are predominantly owned by national pub companies who are able to invest significantly (more than our client) into their estate to improve the trading conditions of the

pub to attract an extensive range of customers. Some of the other pubs trading nearby are located close to main roads such as Hartcliffe Way and benefit from higher levels of passing trade.

10. The business – past and present

Having built up a picture of the business potential of the pub, it may be relevant to question why the pub is not thriving and why the owners are seeking change of use.

The business has traded at low levels for a number of years and I refer to section 8.00 – 9.05 within our Viability Report which summarises the trading history and trading information.

It is clear that the existing pub does not meet current market requirements. Our client was unable to find a suitable tenant to lease the property and subsequently instructed James A Baker to dispose of the freehold interest. James A Baker did not received any offers for pub use throughout the 15 month marketing campaign.

- Does the pub management team have local support? Has the team taken steps in the last year or so to try engaging with the local community and has the dialogue affected the way the pub operates?

The property is currently closed and I refer to section 8.01 within our Viability Report.

- Has the pub been managed better in the past? Is there any evidence to support this? Are trading figures available for the last four years and/or from previous management regimes?

I refer to section 8.00 – 9.05 within our Viability Report which summarises the available trading information dating back to 2018. The pub's volume has been in decline over a number of years and the accounting information demonstrates that the business traded at a low profit level making it unsustainable as the tenant would be unable maintain a reasonable standard of living.

- Have there been recent efforts to ensure viability? e.g. has the pub opened regularly and at convenient hours? Conversely, have hours/facilities been reduced?

When the pub was operational, I understand it was trading under regular hours (7 days a week).

- Has the focus/theme of the pub changed recently?

The property previously traded as a wet led community pub. It had subscription TV and we understand offered sports viewing and events including live music and quiz nights. Due to a decline in trade over a number of years, the business became unviable and subsequently closed.

- Is the pub taking advantage of the income opportunities offered by serving food? How many times a day is food served? How many times a week? Are catering facilities being optimised?

The pub has traded as a local convenience store recently and has been taking advantage of income opportunities. When the pub was open and trading it was best known for its wet trade offer although I understand the pub's dry offer included a selected range of bar snacks.

- Has the rent/repair policy of the owner undermined the viability of the pub?

Our client has not undermined the viability of the pub and in fact kept the pub open and trading for 22 years prior to its closure.

- Does the pub offer an attractive range of drinks, especially quality real ales?

When the pub was operational it had an established wet offer including a range of ales, lagers, ciders, stout, wines, spirits and minerals.

- Are there any possible unclaimed reliefs? e.g. where rate abatement is not granted automatically but has to be claimed.

As far I'm aware there aren't any possible unclaimed reliefs.

11. The sale

- Where and how often has the pub been advertised for sale? Has it been advertised for at least 12 months? In particular, has the sale been placed with specialist licensed trade and/or local agents?

Please refer to section 10.00 – 10.05 within our Viability Report.

- Has the pub been offered for sale as a going concern?

The property was advertised for existing use as a 'licensed premises' with the benefit of a valid Premises Licence. The Sales Particulars state "The Fulford House is an excellent opportunity to acquire the freehold of local pub in a residential suburb approximately 4 miles south of Bristol city centre. This opportunity also comprises a convenience store generating additional income." A copy of the Sales Particulars are included in Appendix 2 within our Viability Report.

- Has the pub been offered at a realistic competitive price? (Information to enable this to be analysed can be obtained from The Publican and Morning Advertiser newspapers and from Fleurets, specialist Chartered Surveyors)

The freehold interest of the property was marketed on an 'Offers Invited' basis in order to test the full market and establish any interest in the site. The marketing ended in October 2021 which rules out the marketing being affected by the Covid-19 pandemic. I refer to section 10.00 – 10.05 within our Viability Report.

- If yes, how many offers have been received?

The marketing campaign resulted in 1 offer for alternate use (for residential development) and no offers were received for pub use. I again refer to section 10.00 to 10.05 within our Viability Report which provides a detailed summary of the marketing campaign.

- Have any valuations been carried out?

As far as I'm aware no valuations have been carried out on the pub.

- Has the pub been closed for any length of time? Is it currently closed?

The property ceased trading in March 2020 due to a combination of declining trade making the business unviable and enforced government restrictions as a result of the Covid-19 pandemic.

- Does the sale price of the pub, as a business, reflect its recent trading?

The property did not have a sale price as we wanted to test the full and open market. The freehold interest of the property was therefore marketed on an 'Offers Invited' basis. I refer to section 10.00 – 10.05 within our Viability Report.