

9: Trojan Horse planning applications

Planning applications are often submitted that retain a pub use on the site but involve either losing or reducing facilities (e.g. car park, meeting room) or reducing the trading area. The term 'Trojan Horse' is much used for such applications because of the suspicion that an adverse impact on trade would actually be welcomed by the applicant who could then claim a non-viable business, justifying full change of use. These applications often represent the thin end of the wedge.

The key question is whether the proposals will, now or in the future, have a detrimental effect on the pub operation and therefore its viability. A smaller car park might, for instance, suffice for current trade levels but they might be artificially low because of how the pub is being run. Similarly, few people might use the garden at present but that is because of its uninspiring or run down nature. A well-run pub would need the current facilities.

SPOTLIGHT ON:

The White Swan, Hunmanby, North Yorkshire

The proposals envisaged loss of both car park and garden plus outbuildings, all said to be under-used.

At appeal, the Inspector concluded that all of them had potential to assist in the development of the pub for the benefit of the community. Their loss would remove the potential they offered.

Should the proposals result in a smaller trading area, will it be big enough to be viable? Or is it, in fact, being 'designed to fail'? Many of the overheads will stay the same so smaller size doesn't automatically mean significantly lower outgoings. At busy times, would the pub be able to accommodate all wanting to use it? Particularly with rural pubs, sufficient room to offer a food service can be critical.

Many applications involve conversion of upper floors to residential use. Sometimes this includes the licensee accommodation, meaning the pub becomes a 'lock up' with the licensee living off-site – which can make the pub a much less attractive proposition when it comes to licensee recruitment. Other instances include loss of what are claimed to be under-used public spaces like meeting and concert rooms. Of course, that under-usage may result from management decisions not to make the rooms available or to put on events. In other hands, they might well be used regularly and add greatly to the pub's value to the community.

Claims are regularly made that income from the desired development is essential to the survival of the business. However, another reason why the pub is struggling could be that it isn't fulfilling its potential because of how it's run. The question always to be asked is 'what could this business achieve if it were run efficiently by management committed to maximising its success?'. A well managed pub is unlikely to have to resort to the asset stripping activities that most of these developments entail.

As always, please get in touch if we can provide any further information – paul.ainsworth@camra.org.uk



Campaign
for
Real Ale