



Dealing with planning applications

Planning permission is needed to convert a public house into residential use. Anyone is entitled to object to an application and the more objections that are received the stronger the case is likely to be against change of use. Planning permission is not currently required to convert a public house into a restaurant, café or a shop.

The planning procedure

When a planning application is submitted it is processed by the planning department at your local District, Borough and Unitary Local Authorities. Objections normally need to be made within 21 days, and applications are usually dealt with within 8 weeks, but it is worth noting that delays do occur.

The local Parish Council or Community Council will be notified and will consider the application. Parish and Community Councils do not have formal powers to block a planning application. However they can be useful in ensuring that a planning decision is taken by a committee of Councillors rather than delegated to a planning officer. Local Authorities are required to consult the public and everyone has a right to submit an objection to the planning application.

Planning Aid

The Royal Town Planning Institute provides a Planning Aid service comprising free, independent and professional planning advice and support to communities. The Planning Aid service is provided regionally. You can find out who you should contact in your region by visiting www.planningaid.rtpi.org.uk. If you do not have access to the internet you can phone the National Planning Aid Unit on 0121 693 1201.

Before Submitting an Objection

Consider the application carefully. Visit the local planning office dealing with the application and ask for a copy of the application. You should also ask to discuss the application with a Duty Planning Officer who will be able to help you with understanding the application.

Review the Local Plan policy. The Local Authority will have copies of its Local Plan available either to view or purchase. It will probably also be available on the internet. Your Local Plan should have policies which refer to the retention of public houses, community amenities and facilities. If you can find such policies then you should refer to them in your letter of objection.

Check the planning history of the public house. This may not be the first application which has been made for change of use. Previous applications may give you an idea of the most effective planning arguments that can be made as part of an objection.

Submitting your objection

Your objection should be sent direct to the local planning authority. You must include either the planning reference number or the full address of the property. Contact the planning case officer to find out the deadline for receipt of objections. You should always try to meet the deadline given, but if you do miss the deadline you can make an objection up to the time the decision is made. The later you get your objection in though, the less impact it will have. It is important that the reasons why you are objecting are clearly stated in your letter. You may wish to consider using separate sub headings for each reason. Reasons why you object may include:

- Economic impact – i.e. loss of employment, loss of tourism.
- Community amenity – the pub is a local amenity and its loss will deprive the community of a place to socialize.
- Viability of the public house – that with the proper management the pub could be a viable business.
- Visual impact
- Access/traffic

Petitions of objection or support may also be submitted and will be considered provided that::

- each page of the petition is headed with the aim of the petition
- the names and addresses of those signing are provided and are readable
- the comments are material in planning terms and clearly stated
- the name and address of the petition coordinator is stated

Monitor the Application

Once you have submitted your objection you should follow up by asking the case officer to keep you informed. Most non controversial decisions are dealt with by council officers rather than the planning committee. However it is likely that an application involving the loss of a public house will be decided by the planning committee, which comprises elected Councillors. If the application is to be heard at planning committee level you are entitled to inspect a copy of the officers' report to Committee. This report will include the recommendations of planning officers to the committee and is normally available a couple of days before the planning meeting.

Attending the Planning Committee Meeting

The public are normally allowed to speak at committee meetings, but the procedure varies. You will normally need to notify the Council beforehand that you wish to speak. Two or three minutes are common time periods allowed for members of the public to address the committee. If you are representing other people you should ensure you have their permission for you to speak on their behalf.

Next steps

If the application is approved then this may be the end of the matter, although if you consider the Local Authority did not act properly then you might consider a complaint to the Ombudsman.

If the application is refused the applicant may go to appeal. You will then need to repeat the process at an appeal. Do not assume your objections will automatically be represented at this stage. You will need to object again.