



SHAROW PARISH COUNCIL

Minutes of a Parish Council Meeting

DATE: Tuesday 19th April 2022
TIME: 7.00pm
LOCATION: Sharow Village Hall
PRESENT: Councillors Robert Forber (Chair), Alison da Costa, Kim Dodd and Chris Thomson
CLERK: Nick Reed (minutes)
IN ATTENDANCE: Seven members of the public (MoP)

22.01	Declarations of interest and requests for dispensation There were none
22.02	Apologies and reasons for absence Apologies were received and accepted from Cllrs Chris Gilbert and Paul Humberstone
22.03	Minutes of the Parish Council meeting held on Monday 21st March The minutes were APPROVED as a true record of the meeting and signed as such by the Chair.
22.04	Questions or comments from members of the public not related to other agenda items There were none.
22.05	Planning application 22/01162/FUL The Council considered this application for change of use of the Half Moon pub to residential, and RESOLVED that it opposes the application in the strongest possible terms. The Council's agreed statement is attached at the end of these minutes.
22.06	Planning matters The Council considered 22/01233/TPO for work to trees in four properties in Glebe Meadow, and RESOLVED that it supports this application. The Council considered 22/01197/FUL for a single-storey extension and internal works at "Sharow Cottage", Sharow Lane, and RESOLVED that it has no objection to this application.

The meeting closed at 8.05pm.

SIGNED: (Chair)

DATE:

Harrogate Borough Council
Planning Consultations
Place-shaping and Economic Growth
PO Box 787
HARROGATE
HG1 9RW

Planning Application 22/01162/FUL

21st April 2022

Dear Colleagues

Thank you for your consultation letter regarding the above application. Sharow Parish Council OBJECTS in the strongest possible terms to this application, on the grounds to be outlined below. The Council is pleased that this application, unlike the previous two from the same applicant, acknowledges that the permission sought is retrospective and that conversion work from hospitality to residential has been ongoing for more than four years.

The Council contends that this work shows that the applicant has not had any intention of running, or allowing to be run, a business on this site. A five-figure investment would be required of any leaseholder wishing to run a business involving catering on site, yet despite both that and Covid there have been many viewings of the property and serious interest in taking on the lease from at least three parties of which this parish council is aware. One of these is Sharow Parish Council's own working group, which is with great local support drawing up plans to run the Half Moon as a community hub, combining village shop, café, evening hospitality and meeting space.

Fleurets Ltd alone having had 14 viewings in under a year is a very impressive figure, and it is noted from their report that in several cases potential tenants dropped their interest due to the level of investment and refurbishment required. This investment and refurbishment required is *as a result of* the owner's actions since November 2017, and therefore granting this application would be rewarding him for making the Half Moon unusable as a hospitality business.

Feedback from potential tenants has been that the applicant has been intransigent in his terms and difficult to communicate with. This is certainly true of the Parish Council working group, where parish councillors were refused access to the building during the group's visits.

The lease price quoted of £20,000 per year implies a turnover of somewhere between £140,000-250,000, and thus a clearly viable business. Either the leasehold is vastly overpriced, or the applicant's unsupported but frequent assertions that there is no hope of a business succeeding are wrong; he cannot have it both ways.

The Parish Council does not dispute that the Half Moon has struggled in its recent history, and this opinion is shared by the Harrogate BC officer who assessed the Council's two applications to have the building listed as an asset of community value. However, even while turning down the ACV application, both HBC assessments accepted that there was proven viability for future business at the Half Moon, either as a food-led hospitality venue or a community hub open as a village shop, café and maybe post office during the day and a pub in the evening.

A survey run by the Council's working group investigating this possibility showed that 95% of 241 respondents (42% of the parish) would be interested in a community hub of this nature, and it is noted that across the country over 100 former pubs have been reopened along these lines, with none

yet having failed¹. With 20 new properties in Sharow since the Half Moon was sold in 2017, and 60 more being built at New Road (literally around the corner) in the near future, the parish's increase in size offers a further opportunity to an enterprising hospitality business. Recognising the importance of a local pub to their housing offer, the New Road developers have offered help in both cash and kind to the Parish Council Working Group, enabling the commissioning of an independent valuation and viability report on the Half Moon, which will include fair price assessments for sale or lease.

The Parish Council's main objection on planning grounds continues to be that converting a historic village pub into a private residence would be of enormous detriment to life within the parish. The Half Moon was built at the turn of the 18th-19th century and has been the village's pub since 1822². The National Planning Policy Framework protects against the loss of pubs at Paragraph 70. The conversion of this building into a private residential dwelling would result in the loss of the pub as a community facility, which would be contrary to the National Planning Policy Framework.

Allowing the pub to become a private residence would also be in contradiction to Chapter 8 – Heritage and Place-making – in the Harrogate Local Plan. In particular, policy HP8 on the protection and enhancement of community facilities states that:

“Proposals for development that involves the loss of land or premises currently or last in community use (including [... public houses]) will be permitted only where it can be clearly demonstrated that:

A. Continued community uses would cause unacceptable planning problems; or

B. A satisfactory replacement facility is provided in a suitably convenient location for the catchment served prior to the commencement of development; or

C. There is no reasonable prospect of the existing use continuing on a viable basis with all options for continuance having been fully explored, and thereafter there is no reasonable prospect of securing a viable satisfactory alternative community use.

Exceptions A and B clearly do not apply here, and the Parish Council considers that no reasonable case for option C has been made within this application. The applicant asserts repeatedly in his supporting statement that the Half Moon is “clearly” not viable, but does not make any sort of business case that this is the case, appearing not to have considered any use other than an evening-only drink-led pub as it previously was. The Parish Council has, however, had sight of two costed business plans from potential tenants showing viability. We believe that the burden of proof is squarely on the owner to show that a properly equipped hospitality business would not be viable on this site, and to explain why he purchased a business which he believes to be and have been a hopeless case for a generation. The most generous interpretation of his actions is that he failed to perform any due diligence prior to purchase, although even that does not explain why he has never attempted to open the Half Moon as a business, or why he commenced conversion, without planning permission, within a year of purchase.

¹ Information from the Community Pubs (2020) Plunkett Foundation report, accessible [here](#).

"In 2019:

- The community pub sector grew by 19% with 19 new pubs opening during the year
- 119 known community pubs in total were trading across the UK at the end of 2019
- The number of new enquiries to [The Plunkett Foundation] from communities exploring community pub ownership was 154
- The amount raised by all 19 newly opening community pubs was approximately £3.7 million from 3718 new community shareholders [...]

“Approximately 57% of capital required for the start-ups was sourced from community shares. No community pubs ceased trading or transferred out of community control into private ownership during 2019, maintaining an impressive survival rate of 100%”

² It seems oddly important to the applicant to state that the Half Moon has been a pub “only” since the late Victorian period. In fact the building has been a licensed premises from 1822, with landlords/landladies listed in “Sharow: A Yorkshire Village” [Sharow Community History Group, 2006] back to Thomas Lumley in 1822. The 1851 census lists the building as a public house.

The Parish Council would also like to comment regarding the following sub-clauses of HP8:

8.101 – As noted above, the guide price implies that a thriving business is achievable. The Parish Council is aware that reasonable offers near to this price have been turned down without negotiation, again suggesting either that the lease is overpriced or that the applicant has no intention of allowing a business to be run.

8.102 – We repeat, as noted regarding previous applications, that potential tenants, and the industry specialists at Fleurets, confirm that a substantial amount of remedial work from its current condition would be needed in order to run the Half Moon as a hospitality business of any sort, including but probably not limited to the reinstatement of front-facing bar equipment, commercial toilet facilities and a catering kitchen, and work to separate the staircase and living area upstairs from the commercial area downstairs. All of these changes could easily be construed as presuming upon a successful retrospective application and attempting to force the hand of HBC planners.

8.103 – None of this information is available as the applicant has not attempted to run the business in the five years plus since he purchased it.

The Parish Council was greatly reassured in the early stages of the Half Moon's closure by having attended a seminar run by the Harrogate BC planning team, at which it was made clear the level of proof which would be required in order to obtain change of use from a public house to residential. It is clear to the Parish Council that the supporting information in this application is nowhere near the level of proof laid out in these sessions to show that a business is unviable, and even further away from the level of proof that any serious attempt has been made to investigate non-commercial community use.

To conclude, Sharow Parish Council believes that the Half Moon is an important part of village life, and that it has great potential as a community hub and/or hospitality business in the right hands. The pub always performed an important role as a cultural and social amenity space for the local community and visitors, and this has been sorely missed in recent years – all the more as Covid and its wake have seen more villagers working from home and looking for places to socialise during the day.

The Half Moon's continued closure, and the lack of communication with local residents or organisations from the owner, have been a source of continual frustration within the parish. The Parish Council finds this application absolutely inadequate to justify a change of use. If the applicant is unwilling to run the business he has purchased, he should sell the freehold to someone who will or agree a reasonable market rate lease, having first made the building suitable again to be run as a pub/restaurant business.

Finally, the Parish Council notes that the advertising boards have already been removed from the Half Moon, and the premises taken off sale by the agents previously engaged. This seems to us once again to represent a prejudging of the result of this application in an unsatisfactory way.

The applicant has, since purchasing the Half Moon, placed many hurdles in the way of anyone wishing to run the business. Granting this retrospective application would be rewarding him for doing so.

Sharow Parish Council would welcome the opportunity to present our case to officers and/or the Planning Committee in person if that would help you come to a decision.

Yours faithfully



Nick Reed, Clerk to Sharow Parish Council