

PLANNING APPLICATION SUBMITTED TO PRESTON CITY COUNCIL
SEEKING THE DEMOLITION OF THE FORMER PUBLIC HOUSE PREMISES

REVISED SUPPORTING STATEMENT



The Boars Head Public House
724 Garstang Road, Barton PR3 5DR

Presented at the request of the site owners Barton NWL Properties Ltd

December 2018



BACKGROUND & SITE INFORMATION

The site is located on the east side of the A6 road heading northwards in Barton immediately to the south of St.Lawrence's Church, a grade 2 listed building. The building is part 2 storey/part single storey, with the latter attached to the original building more recently as accommodation for the altered direction of the business then as a family eating establishment being located upon the heavily trafficked A6 road to benefit from passing trade using the A6.

The public house closed in September 2016, over two years ago now, after the site had been purchased by the applicants, as current owners, with a view to the redevelopment of the site for housing. It has been vacant and unoccupied since its closure with no intervening uses, and over time there has been a very significant deterioration in the fabric of the building that initially started with the stripping of the roof, trespass and attempted arson all as criminal activity. There have been numerous break ins over the period.

There is no cellar to the building and as such no hazard or void to fill in that respect. There are no further buildings upon the site. There are hardstanding areas to the rear of the building used as either patio areas/play area and customer car parking. There is a public footpath crossing the site which will be taken account of in the demolition process.

A listing of the former Boars Head property by the City Council as an Asset of Community Value in January 2017 was reversed in a review on the 17th December 2018. The building or the site no longer benefits from formal protection as an asset of community value. This is relevant and material to the decision maker.

CONSTRAINTS APPLICABLE TO THE BUILDING AS FORMALLY ATTACHED BY PRESTON CITY COUNCIL

- Allocation of the building as a rural Non-Listed Heritage Asset of the Local Authority in Summer 2018, without any formal notification by the City Council to the owners of the building of the listing.

RESPONSES TO THE AFORE MENTIONED CONSTRAINT

Upon the listing of the Boars Head as Non Listed Local Heritage Asset, the Council have prepared a list in regard to such rural heritage sites which would not enjoy formal statutory protection but would have some relevance as applicable as being a material consideration as a part of the planning process in determining any application when submitted but only surely when considered with all other factors & circumstances relevant at the time of the making of the application.

The owners made strong representations to the draft listing of the building upon the basis of the of the structural condition of the building per se [as opposed to the cosmetic condition of the facades] and upon the poor visual form now of the building given the existence of the linear single storey addition to the north side of the building addressing the site frontage, running parallel with the A6 - layout as below. In particular the extension was added as a purely functional element to afford the internal operating requirements of the premises as a family eating area and which adds nothing at all to the intrinsic original character that would have existed as a former classical country pub building as a two storey building, and which detracted from the original function of the property as a public house.

The original building as a public house is noted from historical records. It was then an unfettered rectangular building of good proportion with a symmetrical assignment certainly to the front elevation. It may have been coaching inn upon the A6 on the south / north route. The current building bears little or no resemblance to the original with its current appendages. Many country pubs have maintained their original form, certainly to the front elevation, but have more discreet extensions to the rear. The extensions to The Boars Head, in line with the original front elevation, are bold and functional demonstrating a poorly extended building overall and not one warranting maintaining of any sort of listed status.

The property as extended basically became an eatery to serve the wider area with its much extended elements and the bar function was diminished to a minimal, functional extent. To have listed the building now in this manner, as extended, and being in its current state of disrepair would appear pointless and an unwarranted exercise and one undertaken for the wrong rationale on this occasion given its presumed nomination by the local lobby group in the BHG, seeking to

retain the building , first as an ACV [now gone] and now only as the Council's Non-Designated Rural Heritage List . It is no longer a public house and economics and common sense would deem that a return to that as improbable.



Representations were made to the Council's Conservation Officer about potential listing, at the time, as well as the submitting of a Structural Report. The protestations were not taken into account by the Council in the listing process which seems strange given its deteriorating condition.

A full structural survey by Sanderson Peacock, architects & surveyors, was instigated in August 2017. Their report findings were damning in regard to the structural condition of the building now and the internal fabric therein. The deterioration in the building since it was sold and vacated has been quite rapid and that may also bear testament to a lack of on going maintenance and attention to it in the previous ownership regime. The conclusions drawn by SP in para 5.1. in reporting are that the building is in a "poor and dilapidated state as expected due to its lack of use and maintenance".....It then goes on to talk about the water ingress into the building and the serious damage to the fabric of the building that this has been resultant in. The recommendations in para. 5.2 are self explanatory in assessing a re-instatement evaluation would be that refurbishment has now passed a "point of repair" making it commercially unviable to re-use or convert. Logically they assert that accordingly the building should be demolished. Photographs taken at the time of the survey will be submitted in a photographic submission as an application document.

Sunderland Peacock have since revisited the premises, at the request of the owners due to their concerns over the condition of the building, and they have reported to them that further damp ingress resulting in the internal linings to the roofs and ceilings being exposing to further structural issues undermining the principal structural elements of the building. There is significant rot in the purlins undermining their strength and with their structural capability is no longer being guaranteed. SP stress urgent action is necessary to risk future collapse, and the situation is such that the building should not be accessed at all without specialist advice from an experienced, specialist demolition contractor. Photographs of the building internally, at the time of that latest inspection, are shown from pages 11 through to 19 of this statement. As it stands there are clearly serious dangers to parties foolishly wishing to gain access inside the building as adventure seekers. The substance of these comments have been already been passed to the City Council given the location of the site in juxtaposition to the public highway, pavements and the public footpath traversing the site - and the public safety issues that appear relevant here. The Council should note that the owners have undertaken duty of care to erect signage upon the building frontage of the dangers of the possible likelihood collapse of any elements of the building due to its overall condition. The signage has been photographed & is shown on pages 9 & 10 of this revised statement.

The owners remain very concerned in regard to condition of the building especially with the onset of a new period of winter weather, which has already set in with damaging winds.

Given what has been identified above, it is assumed that the former Boars Head public house has been listed by the heritage conservation section without due regard to its condition, which surely must be a material factor in any such exercise. As such there is clearly a basis for the Council to give minimal weight to the non listed heritage status in determining this application. The current condition of the building ought to be overriding. The opportunity to inspect the premises has already been offered to the planning case officer, and Building Control, and this offer is further extended at this time.

It is noted that there have been 43 'third party' objections to the demolition of the building. Nearly all of these have regard to the what is now the former ACV status of the property, which is no longer is a concern for deliberation in the determination of this application. Some mention that the building is old and warrants retention for its heritage status which has been bestowed upon it. One writer refers to the original building footprint dating back to the early 1800's. Examination of

the first 1:2500 OS edition [late 1800's] does identify the original rectangular shaped property. But age alone and identified existence upon historic maps does not provide sufficient justification for suggesting that a current building on site ought to be offered heritage indemnity against prospective demolition. That has to be gauged against all factors at the time that an application is made to demolish a heritage asset. There is no evidence to suggest that the building has ever been considered for listing as a listed building. Had the the building been retained in its original rectangular symmetry, unextended at the side and with ground & first floor windows maintained as traditional elements as opposed to top opening lights and features including the sentry box largely preserved, then the heritage status listing of the building might have been easier to comprehend. The originality of the building has been lost and it was not a traditional country public house as one perceives such to be. Another writer refers to the requirement to address in the decision making process of this application against Preston City Local Plan policies being read alongside para 192 of the NPPF in terms of guidance upon the significance of heritage assets and the contribution they make. (Commentary upon these local policies and national guidance is provided in the section upon policy below.)

Some of the writers it should be noted are also actually inaccurate, or ill-informed, with regard to their perception of what the potential purchase price of the public house building [and a revised parking area to the rear of it] to the community would have been, and that it was an 'all or nothing' amount of £950,000. This perception was not correct. The precise price asked for the reduced site area for the public house was £425,000, and this figure has been in the public domain as being the trigger price for the sale of the building as an asset of community value. That element of the site was indeed actually offered spontaneously by the applicants through the Church to the community { via Reverend Stephen Cooper } prior to the involvement of the Barton Heritage Group and the introduction of the ACV. The Council is clearly aware of this. Moreover in the delisting notice for the ACV status of the property, the chief officer refers to the owners [applicants] have made further attempts to engage with the Barton Heritage Group during the time of the ACV status but with "no substantive progress".

CONSIDERATION OF PLANNING POLICY

Two planning policies are relevant to the Council's deliberation upon the application:

- Firstly **WB1** - *The Protection of Community Facilities*. It is considered that the issues pertinent to this policy were rehearsed in the original application submission document with regard to the ACV listing of the Boars Head property. There was considerable text relating background as to the fact that the property was not why the commercial viability of the Boars Head could not be sustained & why the listing ought not to be maintained. The substance of much of this text is now re-iterated as **Appendix A** to this revised statement. It is noted that the Council's Chief Officer, in his commentary to the delisting from ACV status identifies that previously the Council had refused to retract the ACV status considering that the property could still then have been reutilised for community well being. However, he went on to say that in the passage of time it had become clear that there was no realistic prospect of the building remaining of value to the public interest. This assumption, which cannot have been drawn lightly by the Council, is now pertinent and relevant to the determination of the planning application to demolish the building.
- Policy **EN8B** - *Proposals involving the loss of a heritage asset*. This policy context, and whether or not the Boars Head building should be lost as a heritage asset, has been considered in detail on pages 3,4 & 5 of this statement. It is contended that it has been shown that the proposed demolition is not odds with the normal policy circumstances of gauging whether a heritage asset

ought to be retained or not. The circumstances expressed have identified that all things that ought to have been explored in the determination process have been given due consideration. In addition though the Chief Officer in his delisting notice for the ACV gives special weight to the on going deterioration of the physical fabric of the building. This acknowledgement has to have relevance in an assessment of whether a heritage asset ought to be retained or not. The financial analysis of bringing the building back in to some sort of meaningful use, which in itself becoming out of date with the passage of time, is now in the Appendix to this statement. It is another circumstance that cannot be lightly dismissed, and due weight must be given to it.

- The revised National Planning Policy Guidance 2018, in its reference to heritage assets in paragraphs 189 to 192, does by definition considering heritage assets as being listed buildings, buildings in conservation areas or buildings deemed by the local authority to have significance at a local level. Para. 197 states that upon non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm /loss AND the significance of the heritage asset. As such the decision upon the proposed demolition in essence reverts back to the consideration of policy EN8B, the condition of the building and whether the former Boars Head should realistically have been nominated and listed given the alterations made to it over time. Accordingly, the applicants commentary upon the consideration of that policy can also apply to the circumstances expressed in the NPPF. Critically it is also felt that the poor condition of the fabric of the building is of particular relevance here, and it would be difficult to justify the retention of the building on that alone.

SITE SPECIFIC CONSTRAINTS

- Close proximity of the building to the public realm in respect of a public highway and public footpath.
- Main western elevation close to Garstang Road with a limited threshold for demolition work to work within - but the likely appointed contractor has advised that demolition is achievable.

EXTENT OF THE DEMOLITION PROCESS

The nature of the demolition proposal is to fully strip out all internal features and fittings; the existing building will then be demolished to slab level levelling the site frontage footprint while backfilling any voids created in the demolition process. The removal of waste from site would be continuous. Site clearance and remediation will be as identified. It is anticipated that the whole process will take around 4 weeks to complete. Maximum hours of work would be 0800 until 1700, predominantly monday to friday although there might be a carry over period into Saturdays. No Sunday or bank holiday working.

INITIAL WORKS

- a. The appointed contractors will establish a site compound on a level area of the site in a location as identified upon the site plan accompanying this statement, whilst taking great care to avoid encroachment onto the public footpath running across the site area of the Boars Head. A safe working area will also be delineated. The compound area would be inclusive of a hired, lockable 'welfare unit' incorporating office, tool store and w.c/hand basin. Access to the compound will be via the existing access to the premises which will be maintained throughout. Any remaining outside paraphernalia from the former use will be removed and carted away.

- b. Utilities have already been turned off with the only power available now being from lightweight, quiet inverter generators brought to site that will be used on site for internal stripping out.
- c. Appropriate signage requiring display on site, as described in this statement and in the Risk Assessment, shall be prepared and erected on site in anticipation of site works commencing.
- d. A first aid kit shall be made available on site, with an level of trained first aider experience [with current certification] per numbers of workforce. The kit would contain packets of sterile gloves and expected elements of antiseptic solutions and cream, gauze dressings selection of clean bandages, tweezers, safety pins, eyewash
- e. The working area shall be delineated by rigid metal heras fencing of a type as illustrated below.
- f. Signage will be erected on the fencing to site frontage adjacent Garstang Road & again on the return of the building advising that a demolition process is on-going. The sign will advise of the name of the construction company involved and warn potential intruders of the dangers of transgressing into the site.

CONTRACTORS REQUIREMENTS

It is expected that up to six trained personnel would be used in the demolition process under employment of the parent company. Some similarly trained sub-contractors may be used in the demolition operation dependent upon the principle firm's other commitments at the time of the site commencement. All personnel would be familiar with nature of demolition proposed in this case and the relevant site procedures. Relevant construction skills card certificates will be carried by the operatives.

All operatives would wear protective footwear, hi-visibility fluorescent waistcoats or coats, and would wear protective grip gloves at all times when handling items.

Licensed waste carriers will be used to transport the demolition waste to landfill.

STRIPPING OUT [Soft Strip]

As the internal area has largely been gutted, the contractors will now undertake the remainder of the stripping out process in a organised and methodically manner working individually or in groups [for heavier items such as partitions, doors, staircases] using a variety of appropriate hand tools such as battery powered drills, pinch bars & hammers, removing items to the compound area to the rear through existing doors, which may require their enlargement [as necessary] by hand or by trolley or in barrows. The waste cleared would be segregated as best as possible during the initial clearance. The following will be cleared in groups as follows:

- General fixtures & fittings - remaining 'loose' items taken directly to the skip area for holding or immediate disposal; larger items would be dismantled or reduced to a manageable size in the building with hand tools.
- Floor Coverings - taken up by hand or using hand tools to release from floor surfaces [as applicable]; taken to skip area for holding or immediate disposal.
- Any suspended ceilings - removed by using steps or small tower; tiles pushed out and removed; metal framework cut or twisted out using hand tools. Debris to skip area to await handling or immediate disposal.

- Partition walls - Stud partitions to be removed by contractors with pinch bars, picks, hammers; stud work forced free with hand tools; debris to loading area.
- Doors, Frames & Skirtings - All to be removed using pinch bars, hammers etc; doors to hinge removed by battery drills or prising loose; removed items to loading area.
- Windows / glass - windows, where possible, to be removed whole complete in frame for the avoidance of glass breakage and safety risk to contractors. Any glass broken will be swept up and removed to general waste skips.
- Lights - bulbs and light fittings removed straight to skip handling area.

There would be no utilisation of the front entrance of the premises in the strip process and thereby no encroachment under any circumstances onto the public highway or round the side of the building up the pub access where the public footpath runs.

DEMOLITION OF THE STRUCTURE

This process will be undertaken as an operation predominantly by hand, although there may be some use of a mini-digger during the removal of the single storey, blockwork walls, as applicable. After the erection of relevant scaffolding to a height of a minimum 2m above the highest point of work, work will commence upon the two storey element first with its roof being stripped and chimney stacks knocked disassembled. The roof slates would be carefully stored on pallets for collection for passing onwards for reclamation. The timber structure of the roof would be broken out by hand. Removed timber will pass straight to a waste skip or skips for timber thereby segregating this from the masonry waste.

There would be separate skips for reclaimed items such as slates\tiles, chimney pots and any salvageable metal.

The masonry of the walls of the 2 storey structure is brickwork and this will be knocked out by hand inwards away from the public highway the route of the public footpath. Debris shall be removed to skips contained masonry waste only. The walls of the 2 storey structure shall be reduced to at least single storey height before either these or the single storey elements are commenced upon. Bricks would be removed by hand for reclamation and palleting. Slates or tiles would be reclaimed where applicable and where salvageable. After the removal of the slates / tiles, the roof structures would again be broken largely by hand tools and pass to skips identified for that material. The walls of the residue of the building's masonry have limited value in reclamation and would be broken up mini-digger and manual sledgehammer work. All the masonry would pass into an on going supply of skips segregated from the timber and removed from site.

The slab level of the building would not be broken up at this stage, and any voids occurring would be backfilled with a stockpile of rubble for the broken up blockwork. Most of this waste will pass to skips but any void areas within the former building footprint would be backfilled with the final hardcore being realised on site.

It is important that all demolition works be contained within screened off area for the avoidance of transgression onto the public highway and public footpath crossing the site. The contractors will be made aware of these requirements and as advised in the 'Initial Works' section the demarcation of the working area is a setting out operation prior to the commencement of any demolition work.



Scaffolding will be lowered to suit progress down the building by trained operatives and then removed and cleared from site once no longer needed in the demolition process.

SITE REMEDIATION

It is the applicants intention is to be able to submit a planning application to redevelop the site of 'The Boars Head' public house, accordingly only short term site remediation measures are deemed necessary and applicable given that a planned solution will proceed it is hoped within a number of months. As the foundations are not being dug or slab level broken up, the base area of the building will be intact and just appear as a solid hard surface area. This is considered satisfactory as a short term, clean solution especially as no debris will remain on site. No further remediation is considered to be required as the remainder of the site will have remained undisturbed.

POST DEMOLITION

Once the demolition process has been fully completed, the site compound will be disassembled and the temporary cabin shall be collected from site by the hire company. All skips and collected reclaimed items will have been removed. Fencing will be retained along the site frontage of the original building but removed around the site compound area and the areas cleared of any remaining rubbish or debris. Upon the final vehicular egress from the site two or three 60cm high concrete blocks will be placed along the rim of the access to prevent vehicular access until such a time that the site redevelopment is commenced, or the avoidance of unauthorised vehicular access onto the land. The blocks would spaced by a minimum of 100cm of each other in order to ensure adequate continuous passage for pedestrian, bicycle, wheelchair, pushchair access along the formal route of the public footpath.

CONCLUSIONS

It is considered that it has been thoroughly demonstrated that it is warranted that the building, constituting the former Boars Head public house ought now to be allowed by the City Council to be demolished. Given the evidence presented herein, and given the current condition of the building, there seems an overwhelming case for there to be a positive decision in favour of the applicants. A refusal of planning permission would be strongly contested and pursued through the planning process via a planning appeal.

APPENDIX A

It is known that local communities are entitled to nominate local 'prized assets' prior to them being put up for sale while as a trading concern, irrespective of profitability. But in the case of the Boar's Head this did not occur even though there was plenty of local knowledge upon the poor trading position of the premises by former owners' Mitchells Brewery. Their press release after the immediate closure of the pub, attached as an application document, confirms this and that the brewery had tried very hard over a long period to keep the pub going and open. Indeed there was commentary in the notes forming the release to effect that in cases such as this where a pub has poor trading figures it is vital that local people support their public houses but with the Boars Head that had plainly not been the case and the business had failed to attract sufficient local people to keep it viable. There was a decline "in footfall" and the business had become "unviable". There is no reason to suggest that the circumstances would be any different were the premises to reopen. That eventuality seems more impossible now than unlikely given the current state of the property and the costs incumbent upon any new owners to bring it back into any form of re-use. Reinstatement costs last August were identified as £363,000, which will have increased considerably in the 12 months since given the further deterioration in the fabric of the building. Beyond that there would be the daily operating costs requirements of the business. The Council will surely be aware that as a community public house, like its tenanted partners, the business would require a healthy cash flow in order to keep going and would still incur the following on going weekly costings that would have to be taken into account on top of the purchase of drinks, food and other ancillary items as listed below:

- Utilities
- Council Business Tax
- Repairs, renewals, maintenance
- Insurance
- Consumables
- Marketing
- Professional waste disposal, cleaning, hygiene
- Professional fees including licensed trade accountant
- Bank OR lending fees
- Appointment of a stock taker
- Interest on any on going capital to keep the business afloat
- Miscellaneous costs arising
- Last but not least an experienced Manager's salary, plus that of some experienced staff beyond those of a voluntary capacity

It should also be noted that alternative premises, affording the same functions in the village of Barton, as the Boars Head might once have offered for community gathering together, are 'The Sparling' and the Village Hall. 'The Sparling' has a laid out tabled eating area to the front section of the building, the residue is more informal akin to a comfortable public house facility and the premises can surely accommodate customers wishing to drink and eat snack or bar food or not necessarily even take food. It also currently offers coffees. The premises are advertised as a restaurant and bar, as also photographed on the site frontage. Bar & Grill ventures are now a popular way forward for the licensing trade and it is assumed that The Sparling in this case have taken on the mantle left by the closure of the Boars Head. It is within the preferred cited 'walking distance' of the village residents. The lack of being able to offer entertainment packages such as SKY/BT sports channels are considered irrelevant. Entertainment at public houses is very much an optional pub model where likely to be viable. It is not that potential customers do not have the

option of this at home through the purchase of regular subscriptions to SKY, BT, VIRGIN & TALK TALK TV or short term subscriptions through NOW TV.

The village also has a large village hall facility located to the north of the settlement but no further away pro rata in distance than the Boars Head to the south. A 'small meeting room' is noted on the Village Hall web site. The 'loss' of such a meeting facility at the Boars Head, if one formally existed, is a negligible loss and is afforded elsewhere in the village.

The owners, in the light of the ACV listing at the time, did take the opportunity to look at a potential convenience store use on the ground floor of the existing building or upon the site area if demolished - qualifying as an undeniable facility of community benefit and thereby surely meeting the terms of the ACV, to serve immediate area for the benefit of existing residents and those future ones on housing sites currently under construction. Unfortunately none of the main retail players in that sector felt that they could commit to the site or the location in general. No other possible, realistic & viable uses came to light.

Finally upon the potential re-use of the building / site it should be noted that surveyors actually appointed by the BHG identified that both there was no or little demand for a continued use of the premises as a pub/restaurant especially given other local facilities, and more logically redevelopment for housing appeared a better option.

Now in December 2018 the circumstances of the likely re-use of the premises would appear irreversible, and this is a relevant and material factor for the Council to consider now in regard to the determination of this application to demolish.