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Council’s refusal leaves Esher’s Marquis of Granby derelict

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The owners of the Marquis of Granby in Esher have hit back at Elmbridge Borough Council after it refused to recognise the venue as a restaurant. They said the decision they say is “wrong” and “based on a misunderstanding”.

Greene King, which owns the site on Portsmouth Road, has now submitted a fresh planning application asking for a Certificate of Lawful Existing Use. They want official confirmation that the Marquis of Granby should be classed as a restaurant, not a pub.

They argue the council made a “fundamentally flawed” decision last year when it rejected their original application in November 2023.

According to Greene King, the venue has operated primarily as a restaurant since 1994, with alcohol sales playing a secondary role. In simple terms: most people went there to eat, not just to drink.

Elmbridge council, however, ruled that the premises looked more like a “drinking establishment with expanded food”, a specific planning category used for pubs that also serve meals. The classification puts it outside the normal restaurant category and limits what the building can be used for in future.

Although 77.8 per cent of its sales come from food, officers said in their 2023 report, this is typical for modern pubs, which commonly serve meals, and pointed to industry data showing similar patterns nationwide. They also highlighted pub-style features including a large bar area, self-seating, multiple beer taps, a cellar stocked with kegs, gambling machines, event nights with DJs, and the venue’s own website branding itself as a “local pub”. The council found these characteristics outweighed the presence of a restaurant area and concluded the premises more closely resembles a pub, not a restaurant, leading them to refuse the certificate.

But Greene King strongly disagrees. They say the council has misunderstood the planning rules and how they apply to the site. Their planning consultants argue:

- The Marquis of Granby has never been a drinking-led pub, so it cannot suddenly be classed as one.
- Planning rules do not allow a restaurant to automatically change into a “drinking establishment with expanded food” without permission.
- The business was still food-led even after its carvery deck was removed in 2020.
- Features like a bar, beer taps and a garden do not automatically make somewhere a pub and many restaurants have these too.

They also say the council relied too heavily on a trade magazine article about pub food and drink sales, which they describe as “meaningless” evidence.

Greene King points out that it successfully secured the same certificate for six similar venues elsewhere, with no objections from councils. The Marquis of Granby is the only one that has been refused.

Since closing, the building has become run down, with heavy graffiti, vandalism and anti-social behaviour. Greene King says the lack of a certificate is “sterilising” the site and stopping it from being reused and that it is now a potential fire risk.

A spokesperson said the evidence clearly shows the venue was laid out for dining, with large kitchen facilities, menus focused on meals, tables set with cutlery and condiments and most of the space is dedicated to seated customers. They argued this proves food was the main attraction.

Greene King is now asking the council to reconsider and approve the certificate without delay. If granted, it would officially confirm the Marquis of Granby as a restaurant, making it easier to bring the site back into use.

The council has not yet commented on the new application.

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Marquis of Granby pub on Portsmouth Road, Esher. (Credit: Google Street View)

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