

Officers Report

Planning Application No: 148255 (WL/2024/00310)

PROPOSAL: Planning application for the change of use from public house to 1no. dwelling - resub of 146710

LOCATION: White Hart Inn Linwood Road Lissington Lincoln LN3 5AE

WARD: Dunholme and Welton

WARD MEMBERS: Cllr Mrs D M Rodgers, Cllr P Swift & Cllr S H Hague

APPLICANT NAME: Allison Redstone

TARGET DECISION DATE: 30/07/2024

DEVELOPMENT TYPE: Change of Use

CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant with conditions attached.

The application is referred to the planning committee for determination in line with the constitution as the proposal has received a significant amount of objections from local residents and a Parish Council.

The application is recommended for approval with suggested conditions (see end of this report) subject to the Planning Committee delegating back to Officers to issue a decision once a consultation has concluded on minor amendments to the site location/red line ownership plan.

Description:

The site is the White Hart Public House located within the developed footprint of Lissington. The public house (a "sui generis" use) is a traditional two-storey building which fronts the B1202 (Linwood Road) to the east and to the north of the crossroads with Wickenby Road and Lissington Road. The public house has a beer garden mainly located to the south and extensive car parking accessed off Linwood Road to the north. There is private living accommodation for the White Hart on the first floor of the building.

To the north west of the public house is a two storey dwelling 'The Maltings, Linwood Road' which is attached to the public house at one corner and which has its own access through the car park of the public house. Further to the north west are two new two storey semi-detached dwellings (yet to be given an address) which are also accessed through the car park of the Public House. To the north of the car park is the access drive and front gardens of No.1-4 Church Cottages, Linwood Road. To the west are gardens of neighbouring dwellings and to the east across Linwood Road are open fields. To the south beyond the beer garden is the large garden of 'The Garden, Wickenby Road.'

This application seeks planning permission to change the use of the existing public house to one residential dwelling.

Relevant history:

146710 - Planning application for the change of use from public house to 1no. dwelling. Withdrawn by the applicant 10/07/2023.

'The Maltings, Linwood Road':

W60/869/78 - Conversion of barn to form dwelling. Granted 30/10/78.

W60/641/85 - Erect three garages and a store. Granted 19/09/85.

Site to the north west:

141289 - Application for approval of reserved matters to erect 2no. dwellings considering access, appearance, landscaping, layout and scale following outline planning permission 136283 granted 24 August 2017. Granted 24/08/2020.

Representations:

Cllr S Bunney (Chair of West Lindsey District Council and Ward Member for Market Rasen): Lissington is not in my ward but is just across the border - however, the nearby settlements of Legsby, Bleasby and East Torrington, all in the hinterland of The White Hart, are in the Market Rasen Ward.

I support the overwhelming opinion of the residents that they oppose to the change of use application and want to see the primary function of the property remain as a public house / hospitality / social venue. Lissington and the surrounding villages have less than a handful of buildings where residents can meet and develop their local communities. The loss of the White Hart, as a possible venue, will only magnify this situation.

Parish Meeting: No representations received to date.

Wickenby Parish Council: Wickenby Parish Council wish to oppose the planning application, on the following grounds:

1. the application is contrary to WLDC plans in respect of community assets and rural development.
2. The loss of an historic public house would be detrimental to all local villages and parishes in the vicinity, as it acts as a community hub for many residents.
3. We already have a lack of suitable meeting places and amenities.
4. After careful consideration, we feel that it would be beneficial for the community if it continued as a public house.
5. The Council wishes to retain the Heritage aspect to the community.

Further representation received:

The Parish Council object to this application due to the loss of heritage in the community.

Friends of the White Hart Community Group: Wish to object for the following reasons:

The proposal does not conform with the following provisions of **Policy S50 of the CLLP**:

Condition a) The White Hart Public House is in 'ready to open' condition, as confirmed by the sales particulars in the applicant's supporting documents.

Condition b) There is no alternative within a 5 mile radius of Lissington (an area covering approx. 72 sq miles) which is not a reasonable proximity. The pub also benefits from a sufficient catchment area to support a well-run public house.

Condition c) Clearly does not apply to this application.

Viability – The question of viability and success of running a country pub is significantly as a direct result of the owner's management. The community has always been there to help the current owners and unfortunately their own operational choices have certainly led to the current closure.

Sale price and marketing - It has to be questioned what value have the current owners added to the pub - having only traded for one year (December 2021 to December 2022) to increase its value from a purchase price of £170k to the current sale price of £375k under their ownership? The increased price has significantly reduced its ability to sell. When compared to similar pubs with turnover between £300 and £400k per year that are detached and offer self-contained accommodation, restaurant facilities with parking being advertised by the same agent [Sydney Phillips) within a 30 mile radius this is by far the most expensive.

Existing housing and amenities - Currently in the parish of Lissington the total number of houses currently for sale or with planning for future developments totals 13 houses, two of which were built behind the White Hart public house and remain unsold since being built, demonstrating little need for any more dwellings, in a village with no facilities or community meeting places.

Other matters – The strength of objection in the community towards this application is no less than it was when the first application was made in 2023, and withdrawn, due to 'strength of feeling in the local community'. The comments provided by the local community objecting to this application, also strongly indicate the reason for lack of success begins and ends with the business model adopted, rather than the viability as a pub.

Summary - To grant permission you are effectively voting against your own adopted plan policies to protect such a wonderful and viable community facility, that offers so much more than just being a pub, which would be lost forever. To refuse permission creates a fantastic opportunity for both WLDC and this committed community to work in partnership with the current owners to formulate a successful plan with community funding, like a tenancy agreement, to bring this pub back to life, which then allows the current owners to market a more attractive working pub facility should they still wish to move on.

Local residents/Occupiers:

Local residents raising concerns and/or objections:

- Brooklyn, Snelland Road, Wickenby.
- 3 Church Cottages, Linwood Road, Lissington.
- Ourholme, Swinthorpe Lane, Snelland.
- Manor House, Linwood Road, Lissington.
- Oakside, Main Road, Bleasby Moor.
- 2 Manor Farm Cottages, Main Road, Linwood.
- 22 Lady Frances Drive, Market Rasen.
- 43 Coopers Holt Close, Skellingthorpe.
- The Gables, Lissington Road, Wickenby.
- Springfield, Main Road, Bleasby Moor.
- Lissingley House, Lissingley Lane, Lissington.
- The Croft Wickenby Road, Lissington.
- Woodbine Cottage, Wickenby Road, Lissington.
- Edythe Cottage, Wickenby Road, Lissington.
- The Old Vicarage, Linwood Road, Lissington.
- Bleasby House, Bleasby House Lane, Legsby.
- Manor Farm, Buslingthorpe Road, Linwood.
- Rectory Cottage, Lissington Road, Lissington.
- Lewknor House, Lissington Road, Wickenby.
- 1, The Terrace, Grundy Lane, Lissington.
- The Terrace, Grundy Lane, Lissington.
- 1 Church Cottages, Linwood Road, Lissington.
- Bleasby Fields Farm, Bleasby Field, Bleasby.
- Brooklyn, Snelland Road, Wickenby.
- 5 The Willows, Sudbrooke.
- 10 Acre Close, Market Rasen.
- The Bungalow, Top Farm, Bleasby Moor Road, Lissington.
- Westfield, Spridlington Road, Faldingworth.
- Glebe Barn Farm, Snarford Road, Wickenby.
- White House Farm, Station Road, Snelland.
- White Lion Retreat, Lissington Road, Wickenby.
- 4 Squires Place, Nettleham.
- Charterhouse, Washdyke Lane, Glentham.
- Ashgrove, Wickenby Road, Lissington.
- The Maltings, Linwood Road, Lissington.
- 8 Snelland Road, Wickenby.
- Holton Grange Farm, Holton Grange Lane, Holton Cum Beckering.
- Ashlyn ,snelland Road ,Wickenby.
- 38 Ash Tree Avenue, Nettleham.
- 66 Waterloo Street, Market Rasen.
- Lughnasagh Cottage, Linwood Road, Lissington.
- 10 Spridlington Road, Faldingworth.
- 8 Wetherby Close, Market Rasen.
- 20 Prince William Road, Newtoft.
- Corner House Farm, Main Road, Linwood.
- 4 Church Mill Close, Market Rasen.
- 33 The Meadows, Langworth.
- 3 Jubilee Close, Nettleham.
- 66 Sudbrooke Lane, Nettleham.
- The Holding, Snelland Road, Wickenby.

- 9 The Crescent, Wragby.
- White Rose Farm, Lissington Road, Holton cum Beckering.
- The Barn, Church Farm, Stainton by Langworth.
- 20 Prince William Road, Newtoft.
- 17 Eagle Drive, Welton.
- Flat 2, 93 Bridge Street, Worksop.
- 8 Wetherby Close, Market Rasen.
- Lilac Cottage, Station Road, Wickenby.
- 7 Rectory Close, Binbrook.
- Braemar House, Church Street, Middle Rasen.
- Ling O Dell, Gallamore Lane, Market Rasen.
- Hill Farm, Snarford Road, Snelland.
- Rose Cottage, Shetland Road, Wickenby.
- Manor Farm Cottage West, Linwood Road, Lissington.

Summary of the matters raised:

- The White Hart public house has been, could be & should be a focal point for the community. It is a community asset & amenity that we do not want to lose.
- To change this to a dwelling would be a sad loss to the community.
- I feel the owners couldn't make it work as they were not right for the pub, if owners with the right attitude and willing to put the work in this could be an amazing place yet again.
- The facility is totally fit for purpose. It was extensively renovated by the current landlord/lady and is of excellent quality. It has good off-road parking and beer garden.
- It is worth noting that this pattern has occurred previously with the same applicant, where poor business performance was followed by successful change of use application.
- A lot of money was spent to change the pub to the owners taste. However this doesn't entitle them to a return on their investment.
- To lose the pub forever because these owners couldn't capitalise on the greater footfall their renovation created would be a terrible loss to the community.
- If it stays as a pub there is hope one day this will return to a thriving business as it was pre 2020.
- It is vital that residents living in an isolated situation engage in social activities or they can suffer from depression and isolation anxiety
- There is plenty of traffic passing the doors daily including numerous bikers every weekend.
- The population of Lissington is growing with new homes being built.
- The White Hart public house has been, could be & should be a focal point for the community. It is a community asset & amenity that we do not want to lose.
- I fully supported the owners when the pub was open.
- Myself and my family have supported the pub for many decades.
- I feel if the right people came in and provided what the market/customers wanted it would easily be a success again.
- The pub has served as a great community asset over the years providing a sociable place for various meetings and community events.

- The statement made by the owner is now further out of date and does not reflect the present community base. Many claims on the statement are again incorrect and simply included to seek a change of use.
- At no point has there been a for sale board outside of the pub and more importantly the price of the sale has not dropped once during its time on the market.
- At no point has the applicant attempted to approach the village as a group and offer / ask for advise on how to keep this premises able to sustain itself and further more provide employment to local people.
- This is the only Pub in the local 2 villages in all directions.
- The proposal does not include the provision for a new community facility and there is no comprehensive evidence that the building cannot be used for the purpose it was built for.
- The sale price is over market value (purchased at £170k in 2020 and on the market for £375k).
- This pub was extremely profitable, the current owners allowed the demise of this pub.
- Prior to be taken over by the present landlord the pub was recording a yearly turnover of £240,000 plus.
- If planning is approved under the applicants request, the pathway is wide open for others to do the same with community buildings and businesses that enable longevity of community sustainability and engagement.
- It appears the owners behaviour has been strategically focussed on running the business down to build a case for change of use and financial gain.
- There are still two houses at the back of the car park that have been on the market for nearly two years and still have not sold.
- The proposal is not supported by Policy S5 or S50 of the Central Lincolnshire Local Plan.
- If this application is granted it will never go back to being a pub again.
- With it's strong historic wartime links it has been the regular meeting place for many families visiting to pay their respects, at what was the former 'RAF Wickenby'.
- It is situated in a prime location on the national cycling route and close the Lincolnshire Wolds and the Viking Way.
- It provides a much needed economic asset to the area.
- Pubs such as this are absolutely vital for those living in isolated rural areas. For many this pub is the only opportunity for much needed social interaction and support.
- As we have no local restaurants/takeaways in the village the pub was an ideal location for locals to eat out. Unfortunately the frequent change in the menu including unavailable items, poor quality meals and poor service along with erratic opening hours soon meant customers dwindled
- Since the new owners took over it was very clear they had absolutely no idea how to run a successful pub. With limited opening times, if you own a pub who doesn't open bank holidays? Between Christmas and new year? Has a month off? Doesn't open through the summer?
- Just seemed as though they didnt know how to run a village pub. It was constantly overstaffed with their son and his friends.
- Previous owners ran a tight ship as many business owners do to enable them to turn a profit but the new owners constantly had 4/5 behind the bar which

isn't needed, they took a long time opening and advised they'd spent a lot of money renovating, but the changes seemed merely cosmetic.

- The new owners had no idea of their target market and this was reflected in the food, entertainment, the vibe and feel of the place. The beer was constantly flat.
- The menu was overpriced mid-week meals that you'd eat at home, and weren't very good quality.
- The same music was played over and over again.
- The pub previously was a family pub, we all met there and there were summer events and competitions.
- The new owners refurbished the pub and made a really good job of it. Initially the food was really nice, but over the following few months, they started to cut corners on the quality and increase the prices.
- The quality of the beer was a bit hit and miss.
- It seems that the owners are now blaming the community for the pub closing, but this is not the case.
- The pub was always busy when the old owners had it, even though it was quite shabby.
- Times are changing and lots of Pubs are reopening, for example Heineken is re-opening 62 pubs across the UK this year and according to the Yorkshire Times are planning to invest £1.64 million into Yorkshire and Humber Pubs alone. This gives a good indication that pubs are a much more economically viable business now than they were just a few years ago.
- The global pandemic is over and we are getting over the financial crisis too. Local people have more money to spend again and can do so safely. Hospitality has recently experienced a bounce back and pubs have been reopening. So, it seems a great shame to waste the White Hart Pub's facilities.
- How is the local community going to be able to replace such a building which, in part dates back to the 1500's and 1800's? It has a bar, cellar, commercial kitchen, downstairs ladies and gents and 20 vehicle car park. These facilities are not easily replaced if lost. It is located on a main cycle route and would be of benefit to locals, walkers, cyclists, motorcyclists, motorists and tourists alike.
- It could be of benefit to the tourism industry, being not that far from the Lincolnshire Wolds and having the potential to use either one or two of the double bedrooms as holiday/tourist accommodation. It is surrounded by many small villages which do not have their own pub.
- This pub could again be of great social benefit to the local community while helping to prevent loneliness and improve mental health in a largely rural and agricultural community. Local clubs, societies and charities would benefit from using this pub's facilities in the future, especially as some clubs, charities and societies find it difficult to meet in a church.
- A Greener Place to Eat It would be great to have a nice lunch, evening meal or take away without having to resort to the use of a car.
- This Pub may not sell well as a Private Dwelling As a private dwelling this pub might not sell very well, as it will look like a pub, even without its signage and as it is located on a junction with two roads, it will be awkward/noisy for families, especially families with young children. Also, what would a private dwelling do with a car park for 20 cars?

- It would be likely to spend quite a long time on the market and be bought by a developer, not for use as a private dwelling, but to then seek permission to demolish the pub and make use of the pub's large car park to build several houses.
- The historical interest will be totally lost.
- There is already planning permission for the building of 6 private dwellings just up the road from this pub, which probably already meets the council's demand for the increase in the number of private dwellings at Lissington.
- The White Hart would provide someone with an excellent business opportunity, provided it is sold at the right price. It would also provide many employment opportunities for local people.
- The Loss of Tourism to the County Either one or two of the double bedrooms on the first floor of this pub could be used as holiday/tourist accommodation. These bedrooms have not been utilised as part of the business by the current owners.
- The current owners purchased this pub at a very unfortunate time and we appreciate their difficulties with ill health and their economic situation.
- The White Hart is situated on the B1202 – a road known as Route 1 of the National Cycle Network. The location benefits from close proximity to the Lincolnshire Wolds, a number of tourist and self-catering accommodation, in addition to the Market Rasen racecourse and other tourist attractions.
- It is a common opinion amongst patrons of the White Hart - that lack of effective business model led to the pub's closure in such a short space of time. When compared to the previous ownership of 42 years, which demonstrated the pub to be a thriving business at the heart of the local community.
- The application suggests that the owners solely worked joint roles including front of house. This was not my observation, and front of house roles were most regularly filled by significant levels of staff. A chef was also appointed.
- The pub progressively operated with erratic opening and food service hours. For example, during the Christmas period in 2022 just before its formal closure in January 2023. This is well known as one of the busiest periods in hospitality.
- The following public house of a similar size was listed on the market within West Lindsey and neighbouring wards, at the following prices:
- The Crossroads Inn, East Barkwith, LN8 5RW - £165,000 (June 2023) This pub has now re-opened and is now a thriving local pub, serving food. This has been possible due to its realistic sale price.
- The application also references drink driving laws (introduced in the UK in 1967), competition such as Uber Eats and Deliveroo, which are not operating in the area, and a series of other facts which have no bearing on the pub's chance of success.
- Converted to an excellent standard during some extremely challenging times and the pub was full to the brim on opening night showing people were excited about the pub re-opening post renovation. New owners were welcoming and friendly and there was an improved garden area/seating.
- The public house only traded for a period of 14 month (December 2021 until January 2023)
- Kitchen not open for a long time after pub re-opening - initially just drinks.

- Food only became available from May until closure - 8 months. Once open for food, the food was 'average' for high prices & limited choice/menu. Typical pub food was not on offer (e.g. burgers, fish & chips etc)
- Not accommodating people's preferred opening hours/running with limited opening hours.
- Pub would be closed during popular times (e.g. Christmas/New Year/bank holidays/evenings).
- It was often cold in the pub to sit there with people wearing coats and hats indoors.
- Initially long waiting times/not well organized with food orders/preparation which put people off.
- Owners were not around as much as the previous landlord relying on other staff.
- Owners barred local customers who expressed an opinion on things rather than addressing the issues being raised and seeking resolution.
- Previously popular activities were not available post refurbishment – e.g. darts/pool table.
- Other local pubs such as the Adam and Eve in Wragby, The George in Langworth and The Crown in Glenthams are thriving.
- By agreement between Quickline Communications Ltd and the current owners, in the pub garden there is a fibre broad band "street cabinet" which serves the village and is of specific benefit to the pub.
- Guests from our holiday cottage did enjoy going there and it is a great benefit having this community pub so close by. The White Hart pub is within walking distance of the residents of Lissington and Wickenby and would be a great loss for our guests and for tourism in the local area, and the local community.
- To our knowledge the applicants have never formally consulted Lissington residents about the future of the pub.
- There is and has been since 2023 an on-line sales ad (which is also one of this application's supporting documents) at <https://www.thelandsite.co.uk/properties/23132-public-house-and-restaurant-for-sale-in-lissington> It includes the following details: "£190k worth of improvements" – "Only pub in the village". "Reluctant sale due to ill health".
- No obvious effort to market it effectively,; no drop in asking price, and no "for sale" sign.
- The applicants made significant improvements to the pub, including a professional kitchen and new package treatment plant, providing really good foundations on which to build a thriving pub and restaurant business.
- If a change of use to residential is granted, we anticipate that the applicants will immediately offer the property for sale, take the windfall profit, and will then leave the village.
- Currently in Lissington there are 4 houses and 6 plots for sale.
- No robust marketing exercise has been carried out.
- There will be a loss of economic benefit to the area too as the pub has provided employment in the surrounding villages for decades and has been a contributing factor to house sales locally in the area with people wanting to move to a location with a pub available.
- There are still two houses at the back of the car park that have been on the market for nearly two years and still have not sold.

- Please also note that the last time the current owners tried to get change of use (Ref. 146710) over 70 people objected.
- Based upon 2011 census information, the approx. adult population within a one-mile radius is 154, with the approx. adult population within five miles radius (which is key in rural areas) is 11073. This demonstrates a huge availability of potential customers, within the catchment of the public house.
- Housing growth in the area since then will have greatly increase the catchments potential, with major housing development in Market Rasen, Middle Rasen, Faldingworth and Wragby.
- The pub sits in a great position on the B1202. a regular route between Wragby and Market Rasen, and direct links to Grimsby and Gainsborough. The pub has huge appeal to those who drive or cycle out to pubs, With great parking facilities off road, as well as well proportioned garden with good facilities
- Tourism is a major growth area and many local sports teams and charities would use the pub.
- There are no other pubs within a five mile radius.
- Clear evidence should be sought that the pub has been marketed as a going concern at a reasonable price and for a significant length of time, If there is insufficient evidence of a comprehensive marketing campaign, this application should be refused.
- We owned and ran The White Hart very successfully for 42 years. We were not in any severe financial difficulties as the applicants have expressed, and were put into administration by the capital management company our mortgaging bank sold us to in a tranche of properties.
- I do not dispute the hard work the owners put in getting the business ready to open. I sympathize with the applicants regarding rising costs etc . “ But when the going gets tough, the tough get going” Working harder and more effectively is the answer – not closing during weekdays when there is little trade about, many days in a rural pub can be like this midweek, but also for no apparent reason we could be extremely busy.
- The business was allowed to open for 82 1/2hours a week plus a restaurant licence allowing diners an additional hour at night (this was rarely used) At the time of their closure the opening hours amounted to a maximum of 20 ½ hours per week.
- In the sale details with agents (Sidney Phillips) the reason for selling as a going concern was stated as “because of ill health” yet this is not mentioned among all their reasons in this application to yourselves.
- The White Hart is currently being marketed at an unrealistic price, based on it’s turnover (given an educated approximation). Breweries are not interested in food led pubs. They want high level beer and alcohol sales.

Local residents writing in support of the proposals (or neutral):

- Mead House, Linwood Road, Lissington.

Summary of comments made:

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- When reading comments submitted to the previous application, most of which opposed the application, we were very concerned to see that the majority were from people not living in Lissington.
- As residents of Lissington for 45 years we have spent many happy hours with friends and relatives enjoying the facilities of the White Hart. However, over recent years there have been changes to peoples' entertainment preferences and more recently to their financial situations which, together with the higher running costs inflicted on the hospitality industry have influenced the viability of public houses.
- Closure is more often the inevitable result in the current climate of public house closures. Five Hundred and Nine (509) public house closed in 2023 and a further Seven Hundred and Fifty (750) are set to close in the first half of 2024 according to the British Beer and Pub Association. In addition more than half the Freehold sites sold in 2023 no longer operate as public houses.
- So the reality is this, how does a village the size of Lissington, together with its sparsely populated, rural catchment area of, say, 10 miles, sustain a public house whilst the running costs for the hospitality industry continue to spiral and place unsustainable burdens on their viability.
- There is a limited population within the catchment area for the prolonged viability of the White Hart. If there is a significant number of clients out there where were they when the White Hart was open for business. There certainly do not appear enough of them to have kept it open as a going concern.
- We still have no public house in Lissington. Its designated role appears to be defunct. We note the history of the building has been questioned if it is no longer a public house. Why? Surely any alterations to its structure could, through planning regulations be regulated.
- If people wish to commemorate the valiant RAF WW2 personnel who flew from Wickenby we understand there is an appropriate memorial at Wickenby airfield.
- We would love to see, and be able to frequent, a vibrant, successful public house and eatery in Lissington but feel common sense has to prevail and we do question whether that is ever going to be an option for Lissington.
- We do share the hopes of others for a good, efficiently run, vibrant public house in any village and the added value it gives to that village and surrounding area. However, equally we are very concerned that a closed public house may eventually become a derelict and boarded up public house which would have an even more significant effect on the attractiveness and ambiance of the village. We would much rather see the White Hart turned into a private dwelling than for it to deteriorate and eventually become an eyesore on what is a pivotal corner of Lissington.

LCC Highways and Lead Local Flood Authority: The development proposals will generate a reduction in vehicle movements to that of its former use. It is therefore not possible to raise an objection to the proposals based on traffic impact, in accordance with NPPF. Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual

cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023).

Development Plan:

The following policies are particularly relevant:

- Central Lincolnshire Local Plan adopted 2023 (CLLP):

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S4: Housing Development in or Adjacent to Villages

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S21: Flood Risk and Water Resources

Policy S33: Non-designated Employment Proposals within Identified Settlements

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S50: Community Facilities

Policy S53: Design and Amenity

- <https://www.n-kesteven.gov.uk/central-lincolnshire>

Neighbourhood Plan:

No plan currently being prepared.

National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions.

The most recent iteration of the NPPF was published in December 2023.

[National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.gov.uk/government/publications/national-planning-policy-framework)

- • **National Planning Practice Guidance**

<https://www.gov.uk/government/collections/planning-practice-guidance>

- **National Design Guide (2019)**

<https://www.gov.uk/government/publications/national-design-guide>

- **National Design Code (2021)**

<https://www.gov.uk/government/publications/national-model-design-code>

Main issues

- Principle of Development

- Residential Amenity
- Visual Impact
- Highways and Car Parking
- Other Matters

Assessment:

Principle of Development

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

This application seeks planning permission to change the use of the existing public house (a “sui generis” use) which is located within the developed footprint of Lissington to one residential dwelling. The public house incorporates a bar area, garden room, dining area, kitchen, cellar and toilets on the ground floor and has a large beer garden to the south and extensive car parking to the north. There is private accommodation for the public house on the first floor including three double bedrooms.

Change of use to residential

Policy S1 of the Central Lincolnshire Local Plan (CLLP) categories Lissington as a tier 6 small village which will accommodate limited housing growth through allocations and proposals which accord with Policy S4 of the plan. The proposal is for the change of use of a Public House to 1no. dwelling which is located within the developed footprint of Lissington and therefore accords with the NPPF and Policy S1 & S4 of the Central Lincolnshire Local Plan as the site is considered to be an appropriate location and only one dwelling is proposed.

Loss of the public house

The proposed loss of the public house must be tested against Policy S50 of the CLLP which states:

‘In most instances, the loss of an existing community facility will not be supported.

The loss, via redevelopment, of an existing community facility to provide an alternative land use which is not that of a community facility will only be permitted if it is demonstrated that:

- a) The facility is **demonstrably** no longer fit for purpose and the **site is not viable to be redeveloped for a new community facility; or***
- b) The service provided by the facility is **met by alternative provision that exists within reasonable proximity**: what is deemed as reasonable proximity will depend on the nature of the facility and its associated catchment area; **or***
- c) The proposal includes the provision of a new community facility of similar nature and of a similar or greater size in a suitable on or offsite location.*

It should be noted that a development is only required to meet one of the criteria (a)-(c), in order to comply with the policy.’

The current owners of the White Hart purchased the property from the receivers in April 2020 and invested a substantial sum of money (190K) before opening in December 2021, with the following list of improvements being made:

*'Partial reroofing * Rewiring & replumbing. * New fireplaces & Woodburner * 2 x New bars & servery areas. * 30 plus x tables & chairs, bar stools. * Upholstered banquette benches. * New commercial flooring. * Complete cellar system renewal, coolers/Pythons etc. * 3 x Wine/Beer chillers. * Epos system. * Surveillance cameras. * Ice machine. * Glass washer. * Sound system. * Projector & large screen. * 2 x gents toilets 4 x urinals, wash basins, cubicles, hand driers, flooring. * 2 x ladies toilets. 2 x cubicle toilets and wash basins, hand driers, flooring. * Three rooms & two entrances tiled. * Resurfacing of car park. * External painting of building. * Landscaping pub garden, new benches and parasols, BBQ, fencing, Lighting, decking, staging. * Childrens play area. * Outside lighting & signage. * New full stainless steel commercial kitchen & extraction system (stoves, friers, grill, pass, salamander grill, refrigeration, freezers, microwaves, new glassware, crockery/cutlery, potware, commercial safety flooring).'*

However, due to rising costs the public house closed in January 2023. The applications supporting documentation show that Sydney Philips Ltd have been marketing the public house since December 2022 and are currently still offering it for sale for £375k. As part of their marketing strategy the property also appears on the sites below:

Rightmove - Zoopla - Prime Location - Morning advertiser - Dalton Business - Rightbiz - Landsite -Business for sale - Instagram.

The applicant has also placed the public house for sale on Facebook Marketplace, pub owners network, pubs for sale & Rent on a weekly basis and has approached many major breweries to ascertain if there is any interest.

The following supporting information has also been submitted with this application:

- Accounts for the period 1 November 2020 to 21 October 2021 showing a substantial loss.
- Accounts for the period 1 November 2021 to 21 October 2022 showing a substantial loss.
- Accounts for the period November 2022 to January 2023 showing a loss.
- Mortgage documents showing substantial arrears.

It is considered that the Public House has been marketed for an adequate length of time from December 2022 to the current time and has been marketed at an appropriate price owing to the location and quality of the business on offer (especially after the substantial sum of money invested by the current owners). The asking price of £375K is similar to other public houses that are currently on the market in West Lindsey/Lincolnshire1.

There have been no offers for the White Hart and therefore this is a clear indication that the market considers the public house to be unviable to be re-opened as a going concern. There are also other circumstances to consider such as the fact that the

White Hart is located on a B road serving a small community and would likely be unviable and again at real risk of going into receivership, if opened up as a going concern or for a new community facility.

The proposal is considered to comply with Policy S50 part a) and the provisions of the NPPF as it is considered that the loss of the public house is not unnecessary as the current proposal provides appropriate evidence to demonstrate that the public house is no longer viable.

Loss of employment

When in use, the public house may generate a modest amount of employment. Policy S33 Part 2 states that:

- a) the loss of land or buildings will not adversely and significantly affect the employment opportunities or services available in the area that the site or building would likely serve; and
- b) the proposal will not harm the character of the locality and/or the amenities of neighbouring occupiers; and
- c) the proposal will not impact unacceptably on the local and/or strategic highway network.

It is considered the proposal would result in the loss of a modest amount of potentially local employment opportunities. However, it is considered that appropriate marketing has been carried out with little if any interest being expressed in purchasing the public house as a going concern. The proposal would not affect the character of the area or the amenity of neighbouring occupiers and would not impact the highway network. On balance the proposal is considered to comply with Policy S33 of the Central Lincolnshire Local Plan and the NPPF.

Conclusion regarding the principle of development

The loss of the public house and associated employment to residential use is considered acceptable in light of the merits of the case. The conversion to one dwelling in this location is also supported.

Residential Amenity

It is proposed to change the use of a public house to one dwelling with no internal or external alterations being made apart from the removal of pub signage and the continuation of a picket fence around a proposed garden area to the north of the public house where part of pub car parking area currently exists. Another part of the pub car park will be retained for bin storage and car parking for the proposed dwelling.

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things.

There are no issues of loss of light, over dominance or overlooking with this proposal and therefore it is considered that the development would not have an unacceptable harmful impact on the living conditions of the future occupiers and is acceptable with

regard to the impact on existing neighbouring uses and would accord with Policy S53 and the provisions of the NPPF.

Visual Impact

Local Plan Policy S53 states that all development *'must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.'* Development must *'relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area'*. It further states that development should *'contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness'*, and should *'be appropriate for its context and its future use in terms of its building types, street layout, development block type and size, siting, height, scale, massing, form, rhythm, plot widths, gaps between buildings, and the ratio of developed to undeveloped space both within a plot and within a scheme.'* In addition, development must *'achieve a density not only appropriate for its context but also taking into account its accessibility.'*

It is proposed to change the use of a public house to one dwelling with no internal or external alterations being made apart from the removal of pub signage and the continuation of a picket fence around a proposed garden area to the north of the public house where part of pub car parking area currently exists. Another part of the pub car park will be retained for bin storage and car parking for the proposed dwelling.

It is therefore considered that the proposal will not harm the character and appearance of the street-scene in accordance with the NPPF and Policy S53 of the Central Lincolnshire Local Plan.

Highway Safety and Car Parking

This application seeks planning permission to change the use of the existing public house to one residential dwelling. The proposed dwelling will retain part of the existing public house car park for its car parking which is accessed off Linwood Road.

Local Plan Policy S47 and S49 requires well designed, safe and convenient access for all, and that appropriate vehicle parking provision is made for development users. Appendix 2 of the CLLP which is referred to in Policy S49 states that 3 bed dwellings in this location should provide 3 parking spaces.

Lincolnshire County Council Highways have been consulted on the application and raise no objections to the proposal.

Paragraph 114 of the NPPF states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Overall, the proposed access, parking and turning arrangements are acceptable and the proposal is considered to accord with Policy S47 and S49 of the Central Lincolnshire Local Plan.

Other Matters:

Amended Plan

An amended site location/layout plan has been received which shows the access to the two new two storey semi-detached dwellings (yet to be given an address) which are also accessed through the car park of the Public House as well as 'The Maltings'.

Gas Pipeline

The application site is within a 500 metre buffer zone for a gas pipeline. No internal or external alterations are proposed.

Historic Building and Removal of Permitted Development Rights

A number of representations received have cited the history of the building. No internal or external alterations are proposed apart from the removal of pub signage.

The application also proposes the continuation of a picket fence around a proposed garden area to the north of the public house where part of pub car parking area currently exists. Another part of the pub car park will be retained for bin storage and car parking for the proposed dwelling.

If it is minded to grant planning permission certain permitted development rights will be removed to protect the design of the building, the appearance of the street scene and the residential amenity of neighbouring occupiers.

Energy Efficiency:

Policy S13 encourages the improvement of energy efficiency as stated below:

'For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).'

However, no internal or external alterations are proposed.

Conclusions and reasons for decision

The decision has been considered against policies S1: The Spatial Strategy and Settlement Hierarchy, S2: Growth Levels and Distribution, S4: Housing Development in or Adjacent to Villages, S13: Reducing Energy Consumption in Existing Buildings, S21: Flood Risk and Water Resources, S33: Non-designated Employment Proposals within Identified Settlements, S47: Accessibility and Transport, S49: Parking

Provision, S50: Community Facilities and S53: Design and Amenity of the Central Lincolnshire Local Plan and guidance contained in the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and National Model Design Code has also been taken into consideration.

In light of this assessment it is considered that the principle of development is acceptable and the proposal will not harm the character and appearance of the street scene or have an unacceptable impact on the living conditions of the residents of neighbouring properties or the future occupiers of the proposed dwelling. Furthermore, the proposal will not have an unacceptable impact on the highway network.

RECOMMENDATION- Grant planning permission with the following conditions subject to the Planning Committee delegating back to Officers to issue a decision once a consultation has concluded on minor amendments to the site location/red line ownership plan:

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

None.

Conditions which apply or are to be observed during the course of the development:

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: Site Layout Plan received 20 June 2024. The works shall be carried out in accordance with the details shown on the approved plans, and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local.

Conditions which apply or relate to matters which are to be observed following completion of the development:

3. Notwithstanding the provisions of Classes A, AA, B, C, D, E, F, G and H of Schedule 2 Part 1 and Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall

not be altered or extended (including the installation of solar panels), no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the host dwelling, no new hardstanding, chimney's or flues, microwave antenna and gates, walls or fences unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable any such proposals to be assessed in terms of their impact on the dwelling and on the living conditions of the host dwelling and neighbouring occupiers/the resulting amount of space around the host dwelling and to safeguard the character and appearance of the building and its surroundings in accordance with Policy S53 of the Central Lincolnshire Local Plan.

Notes to the Applicant

None.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report.