

Planning Statement.

Application for Permission in Principle.

Change of use from public house (sui generis) to single residential dwelling (Use Class C3).

The Horse Guards, Brokenborough, Malmesbury SN16 0HZ

On behalf of Carol Dobson and Manjula Cook.

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1. Introduction

- 1.1. This Planning Statement supports an application for permission in principle, for development at The Horse Guards public house, Brokenborough, Malmesbury SN16 OHZ.
- 1.2. The application proposes the change of use of the site from public house (sui-generis) to a single residential dwelling (Use Class C3).
- 1.3. This Planning Statement sets out the context of the Site, the relevant planning designations and planning history. It then proceeds to set out the relevant policies within the Development Plan against which the application should be determined and any other material considerations relevant to the application.
- 1.4. Finally, it provides an assessment of the proposal against these considerations, ultimately concluding that it accords with the Development Plan and that there are no material considerations that indicate that permission in principle should not be granted.
- 1.5. As this application is for permission in principle, the scope of assessment is limited to the following matters only:
 - location,
 - land use, and
 - amount of development.
- 1.6. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. All other matters are not for consideration under this application, and would instead be considered at the later 'technical details consent' stage.
- 1.7. For the avoidance of doubt, with regards to biodiversity net gain, planning practice guidance provides the following (Biodiversity Net Gain, Paragraph: 003 Reference ID: 74-003-20240214):

"The grant of permission in principle is not within the scope of biodiversity net gain (as it is not a grant of planning permission), but the subsequent technical details consent (as a grant of planning permission) would be subject to the biodiversity gain condition."

2. Site and Surrounding Area

Site and Surrounds

- 2.1. The Site is located in the settlement of Brokenborough, within the County of Wiltshire. Brokenborough is located approximately 2 km to the north west of Malmesbury.
- 2.2. The Site extends to 0.32 hectares and incorporates a two-storey stone construction public house ('pub') (The Horse Guards) with a pitched tiled roof and area of hardstanding, car parking and a small, grassed area to the front adjacent to the main road.
- 2.3. The pub ceased trading in March 2020 and has been vacant ever since. It was listed as an Asset of Community Value on 2 December 2020; however, due process has been followed, and no bids for purchase have been received (as discussed in more detail later in this Statement).
- 2.4. Land to the north and south of the Site is in residential use, with buildings of a similar construction. Land to the east and west is more open, which is a reflection of the linear pattern of the settlement. There is a dwelling on the opposite side of the road to the east of the Site.
- 2.5. The Site is located just inside the boundary of the Cotswolds National Landscape (formerly Area of Outstanding Natural Beauty).
- 2.6. The Site is not located within a Conservation Area and there are no Listed Buildings within the Site. There is a Grade II Listed Building located in close proximity to the southeast of the Site – Brokenborough Farmhouse.
- 2.7. The Site is located within Flood Zone 1, the area least at risk from flooding.

Planning History

Recent Records

- 2.8. The most recent planning application relating to the Site (reference PL/2021/08712) proposed the change of use of the pub to a dwelling. It was submitted on 09.09.21 and was withdrawn on 31.03.22. The planning application was supported by a marketing report and planning statement along with the supporting plans. No viability report or assessment was submitted in support of the planning application.

Earlier Records

- 2.9. Prior to this, planning application reference N/08/00278/FUL proposed an extension to the pub (previously known as the Rose and Crown) to accommodate a dwelling, 2 flats, 5 en-suite bedrooms and other rooms to turn the pub into a destination venue. Planning permission was refused on 15.04.08.
- 2.10. A planning application (reference 08/02031) for extensions and alterations was submitted and approved on 05.03.09 after the Officer's recommendation for refusal was overturned at the North Wiltshire District Council Development Control Committee. The planning permission was not implemented due to the impacts of the global recession after 2009.



- 2.11. Planning application reference 07/01846/FUL was approved on 30.08.07 which proposed a new stone porch entrance to the pub which was implemented. An earlier planning application proposing similar development (reference 06/03237/FUL) was withdrawn on 09.02.07.
- 2.12. Planning application reference 06/01030/OUT proposed the erection of a single dwelling to the south of the pub. The planning application was refused and an appeal was dismissed on 12.12.06.



3. The Proposed Development

- 3.1. This application proposes the change of use of the site from a public house (sui-generis) to a single residential dwelling (Use Class C3).
- 3.2. As this is an application for permission in principle, the scope for consideration is limited to the following 'in principle' matters:
 - **Location:** The Horse Guards, Brokenborough, Malmesbury SN16 OHZ (as identified on the accompanying Site Location Plan).
 - **Proposed Land use:** Residential (Use Class C3)
 - **Amount of development:** One single dwellinghouse.
- 3.3. No further details are to be considered at this stage.

4. Planning Policy

- 4.1. The planning policy considered relevant to the assessment of the acceptability of the proposed change of use in principle is summarised below.

The Development Plan

The Wiltshire Core Strategy 2015

- 4.2. The relevant document comprising the Development Plan for the determination of this planning application is the Wiltshire Core Strategy (2015) (the 'Core Strategy').
- 4.3. The Core Strategy was adopted in 2015 and covers the period up to 2026.
- 4.4. The Glossary to the Core Strategy confirms that a public house is categorised as a 'community service.' As a result, the most relevant policy is **Core Policy 49** – 'Protection of rural services and community facilities', which states:

"Proposals involving the loss of a community service or facility will only be supported where it can be demonstrated that the site/building is no longer economically viable for an alternative community use. Preference will be given to retaining the existing use in the first instance, then for an alternative community use. Where this is not possible, a mixed use, which still retains a substantial portion of the community facility/service, will be supported. Redevelopment for non-community service/ facility use will only be permitted as a last resort and where all other options have been exhausted.

In order for such proposals to be supported, a comprehensive marketing plan will need to be undertaken and the details submitted with any planning application. Only where it can be demonstrated that all preferable options have been exhausted will a change of use to a non-community use be considered. This marketing plan will, at the very minimum:

- i. be undertaken for at least six months*
- ii. be as open and as flexible as possible with respect to alternative community use*
- iii. establish appropriate prices, reflecting local market value, for the sale or lease of the site or building, which reflect the current or new community use, condition of the premises and the location of the site*
- iv. demonstrate the marketing has taken into account the hierarchy of preferred uses stated above*
- v. clearly record all the marketing undertaken and details of respondents, in a manner capable of verification*
- vi. provide details of any advertisements including date of publication and periods of advertisement*

- vii. *offer the lease of the site without restrictive rent review and tenancy conditions, or other restrictions which would prejudice the reuse as a community facility*
- viii. *demonstrate contact with previously interested parties, whose interest may have been discouraged by onerous conditions previously set out."*

4.5. Paragraph 6.70 of the supporting text states:

"Local facilities and services are a vital part of the smaller settlements of Wiltshire⁹⁸ but despite this there has been a continued decline in many of these services. Overall, there has been a decline in rural post offices and petrol filling stations, and a more gradual decline in health facilities and general stores (although mobile stores are increasing). The threat to local services is exemplified in the national trend for closure of public houses which is reflected in Wiltshire. Public houses are important to the fabric of village life. There has been little evidence of the diversification into joint facilities as promoted nationally. It seems inevitable that this trend will continue unless we can produce two-fold measures based on firstly improving their viability by striving for sustainable communities, encouraging diversification, and secondly by taking a hard line on change of use applications. However, the latter will not work without the former."

4.6. Paragraph 6.71 states that:

"Rural facilities and services are those that benefit the local community such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. There is a need to protect and encourage the development of rural services and facilities in Wiltshire to ensure that settlements, particularly those named in this Strategy, can still meet some of the day to day needs of the people who live in them."

4.7. **Strategic Objective 3** confirms the housing requirement for Wiltshire over the plan period 2006 to 2026 is 42,000 new homes.

4.8. Brokenborough is located within the Malmesbury Community Area according to **Core Policy 13**, which states that this community area will accommodate 1,395 new homes over the plan period, of which 885 will be within Malmesbury and the remaining 510 within the rest of the Community Area.

4.9. The Site is located within the Cotswold National Landscape (formerly AONB) and **Policy 51 'Landscape'** is relevant which states the following:

"Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies. In particular, proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:



- i. *The locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodland, field boundaries, watercourses and waterbodies.*
- ii. *The locally distinctive character of settlements and their landscape settings.*
- iii. *The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe.*
- iv. *Visually sensitive skylines, soils, geological and topographical features.*
- v. *Landscape features of cultural, historic and heritage value.*
- vi. *Important views and visual amenity.*
- vii. *Tranquillity and the need to protect against intrusion from light pollution, noise, and motion.*
- viii. *Landscape functions including places to live, work, relax and recreate.*
- ix. *Special qualities of Areas of Outstanding Natural Beauty (AONBs) and the New Forest National Park, where great weight will be afforded to conserving and enhancing landscapes and scenic beauty.*

Proposals for development within or affecting the Areas of Outstanding Natural Beauty (AONBs), New Forest National Park (NFP) or Stonehenge and Avebury World Heritage Site (WHS) shall demonstrate that they have taken account of the objectives, policies and actions set out in the relevant Management Plans for these areas. Proposals for development outside of an AONB that is sufficiently prominent (in terms of its siting or scale) to have an impact on the area's special qualities (as set out in the relevant management plan), must also demonstrate that it would not adversely affect its setting."

The Malmesbury Neighbourhood Plan 2015

4.10. The Malmesbury Neighbourhood Plan was made in 2015 and the plan boundary includes the settlement of Brokenborough and the Site.

4.11. Policies 4 and 5 are relevant in respect of new housing and they state the following

"Policy 4: Planning applications for new housing, including conversions, must be tested against the current evidence of local demand and supply from sources including Wiltshire Council population forecasts, the Social Housing Register, the Strategic Housing Market Assessment and the most recent Neighbourhood Survey. Tables 2.1.1 and 2.1.2, above, are derived from this evidence."

"Policy 5: Planning applications for new housing, including conversions, should be assessed against the demand net of cumulative consents given in the period, not the gross demand identified at the beginning of the period."

The National Planning Policy Framework (NPPF) (December 2024)

4.12. There are a number of relevant parts of the NPPF as follows.

4.13. **Paragraph 8** confirms that achieving sustainable development means that the planning system has three overarching objectives: economic, social and environmental:

“an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure”;

“a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being”; and

“an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

4.14. **Paragraph 11** sets out that decisions should apply the presumption in favour of sustainable development and that for decision taking this means (inter alia):

“c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

4.15. **Paragraph 39** requires LPAs to approach decisions on proposed development in a positive and creative way.

4.16. **Section 5** deals with the matter of delivering housing. The thrust of this section of the NPPF is to support the Government’s objective of significantly boosting the supply of housing. **Paragraph 65** confirms that affordable housing should not be sought for minor development proposals. **Paragraph 78** requires local authorities to demonstrate a supply of five years’ worth of housing against their housing requirement.

- 4.17. **Section 15** states that decisions should contribute to and enhance the natural and local environment and states that (**paragraph 189**):

“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.”

Material Considerations

Housing Land Supply

- 4.18. The Council’s most recent 5 year housing land supply statement was published in June 2025, and has a base dated of April 2024. This statement confirms that the Council cannot demonstrate a 5 year housing land supply, with supply currently being 2.42 years. Importantly, the Site is located within the North & West HMA area which has the greatest shortfall against the Wiltshire Core Strategy requirement (880 units).
- 4.19. The latest appeal position¹ (April 2026) confirms a housing land supply of 2.42 years.

Local Plan Review

- 4.20. The Development Plan has been under review by Wiltshire Council, with a draft replacement Local Plan having been submitted to the secretary of state for examination on 28 November 2024.
- 4.21. In February 2026, Wiltshire Council received a response from the examining Inspectors, setting out the option to either withdraw the plan, or have the final report issued (which would recommend non-adoption).
- 4.22. The plan was formally withdrawn on 22 May 2026; therefore, the draft plan carries no weight in the assessment of this application. However, the ongoing absence of an up-to-date Local Plan continues to hinder the delivery of the required housing to meet local needs and this remains a material consideration.

Draft NPPF

- 4.23. The Government consulted on proposed changes to the NPPF between December 2025 and March 2026. The updated version is expected to be published in summer 2026.
- 4.24. The consultation version included the following of relevance to this application.
- 4.25. **S3 & S5** – The principle of the presumption in favour of sustainable development is carried through, confirming that, outside settlements, the re-use of an existing building which is of permanent and substantial construction should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects.

¹ APP/Y3940/W/25/3374421 – Land off Woodrow Road, Melksham, Wiltshire, SN12 7AY, 09.04.2026



- 4.26. **HO6** – Appreciating that this is a plan making policy, as opposed to a decision making policy, it recognises the importance of the contribution that small sites can make to housing land supply.
- 4.27. **HO7** – substantial weight should be given to the benefits of providing accommodation that will contribute towards local housing need.
- 4.28. **L2** – substantial weight should be given to the benefits where a proposal would make better use of vacant buildings.

Previous Asset of Community Value

- 4.29. The pub was previously a listed Asset of Community Value (ACV), Wiltshire Council reference 2020/0009; however, the listing expired on 2 December 2025, and the entry is now included on Wiltshire's Removed Assets List.
- 4.30. It is noted that the Parish Council requested the listing of the site as an ACV; however, during the period that the site was included on the ACV list and was for sale, during 2019–2020, the Parish Council made no attempt to secure the site for a pub or alternative use.

5. Planning Assessment

- 5.1. The scope of assessment for this application for permission in principle is limited to location, land use and amount of development only. Issues relevant to these 'in principle' matters should be considered under this application.
- 5.2. All other matters should be considered at the technical details consent stage.

Principle of Development

- 5.3. The proposal seeks permission in principle to convert a long-term vacant pub into a single dwelling.
- 5.4. The Site is located within the settlement of Brokenborough and within the Malmesbury Community Area according to the Wiltshire Core Strategy.
- 5.5. It represents brownfield land, having been previously developed, and it accommodates an existing vacant building suitable for re-use.
- 5.6. The starting point for assessment is the Development Plan, comprising the Wiltshire Core Strategy. NPPF paragraph 11c) confirms that proposals that accord with the development plan should be approved without delay.
- 5.7. However, the Core Strategy is both time-expired, having been adopted in 2015, to cover the period to 2026; and out of date by virtue of the shortfall of housing supply well below 5 years.
- 5.8. The most recent Wiltshire Five Year Housing Land Supply paper confirms a significant shortfall in housing land supply, with a demonstrable 2.42 years' supply against the 5 year target. It also confirms that the area within which the Site is located has the highest shortfall against the Core Strategy target.
- 5.9. Therefore, in the context of NPPF paragraph 11d), the policies which are most important for determining the application are out-of-date, and so planning permission should be granted unless:
 - i. the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 5.10. In this context, set out below is, firstly, an assessment against Core Strategy Core Policy 49; and secondly an assessment against NPPF para 11d).



Core Policy 49

- 5.11. Technically speaking, the proposal would result in the loss of a community facility use, as defined by the Core Strategy. However, the Site has not traded, nor contributed in any way to the local economy or community, for more than 6 years. If it is not possible for it to contribute as such, it would clearly be preferable to secure a viable long-term use for the Site than to insist it remains vacant into the future. Particularly where it could deliver housing in the context of a serious under-supply.
- 5.12. Core Policy 49 sets down specific requirements for a proposal involving the loss of a community facility to be supported. The requirements are two-fold:
1. To demonstrate that the site is no longer economically viable for a community use; and
 2. To provide evidence of a comprehensive marketing plan which has failed to secure a community use. The policy provides detailed requirements for the marketing plan, which are reproduced in section 4 of this Statement.
- 5.13. This application is supported by viability and marketing reports, providing the required evidence, which is summarised below.
1. Viability
- 5.14. The policy requires a 'sequential approach' to viability where the preference is for the existing use to be retained. If this is not possible, preference would be for an alternative community use; followed by a mixed use community facility/service; and finally, redevelopment for non-community service/ facility uses.
- 5.15. The Viability Assessment prepared by Fleurets, which is submitted in support of this application, specifically addresses the issue of whether or not The Horse Guards was, and could reasonably have remained, an economically viable trading public house on commercial terms.
- 5.16. It sets out the background to the pub's closure, which was after the Prime Minister at the time had recommended that people should not frequent pubs in light of the Covid-19 pandemic, but also following poor performance for a number of years prior.
- 5.17. At that point it had already been marketed for sale for around 5 years.
- 5.18. The report states that the fundamental motivation and purpose of owning and operating a public house is to generate an income and profit; and profit is driven by the inclination of people to visit the establishment. Location and competition are key influences.
- 5.19. The Fleurets Report confirms that:
- The pub is located remotely and is accessed by way of a single track lane;
 - The nearest town, Malmesbury is over 1.5 miles away and there is no other settlement between Brokenborough and Malmesbury;



- The population of Brokenborough is very low, with approximately 23 dwellings in the village, and it cannot on its own sustain a pub; and
- There are almost 20 other competing pubs within a 5 miles radius of the Site

- 5.20. One of the contributing factors to the pub's decline is the extent of competition within the vicinity of the Site. There are a number of alternative options offering similar provision within the local area.
- 5.21. While it is acknowledged that the Horse Guards was the only pub within Brokenborough specifically, it must be recognised that this is a settlement comprising only 23 dwellings.
- 5.22. It is not commonplace for settlements of this size to be in a position to maintain the viability of such facilities.
- 5.23. This means that the pub would have to attract regular additional custom from further afield to have any chance of maintaining a profit. However, there is no potential customer-base situated between Brokenborough and the other settlements which contain their own public house offer. In addition, the site is not on an obvious through route, so is very unlikely to attract passing trade. As a result, any potential customers from further afield are already provided for more locally, and therefore unlikely to travel to Brokenborough purely to visit the Horse Guards.
- 5.24. The report sets out the general economic context, identifying the initial significant impact of the 2007 economic downturn, with progress since having been hampered by Brexit, and then Covid-19, which more specifically triggered a sudden and severe decline in public house businesses' trading performance. For a number of public house businesses, it has been extremely difficult to improve trading performance, with people generally working at home more, and it being more difficult to recruit staff.
- 5.25. Knock on effects since, alongside the Ukraine-Russia war, have compounded the issues, with rising energy costs and price inflation being particularly high in relation to food.
- 5.26. Fleurets have had the opportunity to review the detailed accounts for the pub. The report confirms that over the five year period from 2015 to 2019 (before the impacts of Covid), the trend in sales was downward with an overall decline in sales of approximately 16.5%. In the latter years, the accounts show the business as loss-making.
- 5.27. The report identifies that, although the building has fared reasonably well, given the period of vacancy, a significant level of investment would be required for a new operator to re-commence trading.
- 5.28. The assessment explores the viability of the purchase of the property and bringing it back into use as a public house. It concludes an estimated annual loss of nearly £ before operator remuneration, which is clearly not a viable prospect for prospective purchasers. This assessment is based on a 'best case' scenario. On a more realistic scenario, the loss making would be more severe and as such, investment into the business is highly unlikely.
- 5.29. Consequently, the conclusion of the Report is that the pub does not have a credible or economically sustainable future trading as a public house. The reasons given in coming to this conclusion are based on its physical size; the facilities it is capable of offering; the limited indications available of its most recent trade history; the external factors currently impacting



on the trade performance of local public houses; and the scale and nature of the existing local public house competition serving both the resident community and visitors to the area.

- 5.30. In the time since the viability report was written, the economic situation for rural services, particularly public houses, has declined still further.
- 5.31. The UK licensed hospitality sector continues to operate in a challenging economic environment. Operators face significant cost pressures arising from inflation, increased energy costs, rising wage bills associated with National Insurance payments, higher business rates liabilities and ongoing supply chain cost increases. A hospitality trade body has recently reported that nearly 25% of all pubs and restaurants lose money; and in April 2026, The Gazette and Herald reported that 20 pubs in Wiltshire were listed for sale on Rightmove alone.
- 5.32. These factors have disproportionately affected rural and destination public houses, where profitability is heavily dependent upon achieving sufficient levels of food and beverage sales to offset operating costs. As a result, many operators have become increasingly selective when considering acquisitions, lease commitments and expansion opportunities, focusing primarily on locations with strong trading performance, established customer catchments and clear opportunities for growth.
- 5.33. Demand is concentrated on profitable and sustainable businesses with demonstrated trading performance. Properties requiring significant investment, operational repositioning or those located in more limited catchment areas experience reduced levels of operator demand.

2. Marketing

- 5.34. Core Policy 49 requires that marketing must be undertaken over a period of at least 6 months, in line with other criteria set out in the policy.
- 5.35. As a result of its failing viability, The Horse Guards has been marketed a number of times.

Earlier Marketing (2017-2021)

- 5.36. The Fleurets Report includes reference to previous marketing efforts carried out over a sustained period of time between 2017 and 2021 (see Appendix 3 to their Report). This information was submitted and published in relation to planning application ref 2021/08712, as summarised below.
- The pub was openly marketed for sale in March 2017 at a guide price of £
 - Marketing continued for over 4 years, until the end of 2021, which is clearly well in excess of the 6 months required by Core Policy 49.
 - Enquiries were received from a range of parties which included property developers, independent operators and regional breweries.
 - Four offers are reported to have been received; two were withdrawn by the party making the offer and two were declined due to a combination of lack of proof of funding and being too low. All offers received were from parties intending to pursue a change of use.

- 5.37. Fleurets' assessment is that the guide price in relation to similar sites was realistic and would not have deterred potential parties from acquiring the pub as a going concern. Their opinion is that in the last two years, similar properties have come to the market with guide prices of £ or less and have generated good levels of interest and have quite readily sold.

Most Recent Marketing (December 2025–Present)

- 5.38. More recently, a renewed marketing campaign was commenced on 22 December 2025, by THP Chartered Surveyors. A Marketing Report prepared by THP is submitted in support of this application.
- 5.39. The report demonstrates that the marketing campaign has been carried out with full regard to Core Strategy Policy 49, and that each of the criteria have been met, summarised as follows:

Policy 49 Marketing Criteria	Response
(i) Carried out for at least 6 months.	Having commenced on 22 December 2025 and remaining ongoing now, marketing has been ongoing for more than 6 months (in addition to the 3+ years marketing carried out between 2017 and 2021)
(ii) Open and flexible as possible	Openly listed, for sale or rent, inviting interest for any community use.
(iii) Appropriate price	Stated price is reflective of similar properties, in a similar area and condition. Stated as a guide price, so as not to deter offers.
(iv) Accounted for the hierarchy of preferred uses	Offered openly for any community use (or indeed <u>any</u> other use), other than residential.
(v) All details and responses recorded	Marketing report provides details for the 22 enquiries received and the outcome.
(vi) Provided details of advertisements	Copies of online listings and marketing particulars brochure appended to the marketing report.
(vii) Absence of restrictive rent review, tenancy conditions, or restrictions	No restrictions suggested.
(viii) Contact with previously discouraged parties	Agents not aware of any previously discouraged parties.



- 5.40. The Marketing Report clearly demonstrates, in line with the requirements of Policy 49, that despite an extensive period of marketing, prior to and after its closure, previously and more recently, it has not been possible to secure an operator to continue a public house use, or alternative community use, for the building.
- 5.41. In conclusion, the viability and marketing requirements of Policy 49 have been satisfied and compliance with Policy 49 has been demonstrated.
- 5.42. If this building is not going to be occupied for a public house, or alternative community use, conversion to a dwelling to contribute towards a current housing shortfall in this area should be considered positively.

NPPF Paragraph 11

- 5.43. As set out previously, under paragraph 11c), planning applications which accord with the development plan should be approved without delay. As this application is for permission in principle, Core Policy 49 is the most important policy for determining the application and it has been demonstrated above how the proposal complies with this policy in full.
- 5.44. As such, permission in principle should be granted, without delay.
- 5.45. In addition, this policy is also out-of-date and therefore, under paragraph 11d), even if the Council were to consider that the full requirements of Core Policy 49 have not been met, planning permission should be granted unless (in summary):
- i. NPPF policies that protect areas of particular importance provide strong reasons for refusal; or
 - ii. Any adverse impacts would significantly and demonstrably outweigh the benefits, having particular regard to (among others) making effective use of land.
- 5.46. For completeness, these points are addressed below.
- 5.47. Firstly, the site is located within a National Landscape, which is an area of particular importance. However, NPPF policies which protect such areas require great weight to be given to conserving and enhancing landscape and scenic beauty; and as this application relates to land use principles only, there is no resultant physical change occurring which could impact the area's scenic beauty.
- 5.48. Secondly, there are clear overriding benefits to securing a residential use for the site in the context of a severe housing shortage and a long-term vacant site. There are no adverse impacts to weigh against this in planning terms, as the evidence set out in response to Policy 49 as summarised above confirms that there is no prospect of this site providing a community use.
- 5.49. As such, under para 11, permission should be granted.
- 5.50. On this basis, it is extremely undesirable for the site to continue to sit vacant where it could be providing much needed housing.



Principle of Development: Summary

- 5.51. In summary, development proposals which accord with the Development Plan should be approved without delay.
- 5.52. Policy 49 is the key Development Plan policy of relevance, confirming that the change of use of a former pub to an alternative use will be supported where:
1. It is demonstrated that it is no longer economically viable for the previous or any alternative community use.
 2. A comprehensive marketing plan has been undertaken, demonstrating at least 6 months marketing (meeting specific requirements).
- 5.53. This application includes evidence to demonstrate that both these requirements have been met. The Fleurets Viability Report clearly demonstrates that the re-establishment of the building as a pub or to provide another community facility would be loss-making and as such, unviable. The historic marketing, alongside the more recent marketing campaign, as detailed within the THP Marketing Report clearly demonstrates that the only meaningful interest in the site has been in relation to alternative non-community uses.
- 5.54. With Policy 49 having been satisfied, it is clear that this proposal for conversion to a residential dwelling offers a suitable and appropriate alternative use to secure the long-term occupation of the site, in compliance with the Development Plan.
- 5.55. Furthermore, it has also been demonstrated that, even if the Council considers there to be some form of conflict with the Development Plan, under NPPF paragraph 11, permission should still be granted. This is on the basis that the Development Plan and relevant policies within it are out of date, and the benefits of the proposal significantly and demonstrably outweigh and adverse impacts (of which there are considered to be none).

Previous Asset of Community Value

- 5.56. The pub was previously listed as an Asset of Community Value (ACV); however, this expired on 2 December 2025, with no bids having been made to secure the site for community use.
- 5.57. As such, no weight should be given to the ACV listing in the consideration of this planning application. Due process has been followed, and no community use secured.



6. Conclusion

- 6.1. This Planning Statement is submitted in support of an application for permission in principle for the change of use of the Site from a vacant public house to a single dwelling.
- 6.2. Due to the nature of the application, the assessment can only consider the principle of development. All other matters should not be considered until the technical details consent stage.
- 6.3. The Development Plan is both time-expired (having been adopted in 2015, to cover the period up to 2026) and relevant policies are out of date by virtue of the significant shortfall in housing land supply.
- 6.4. Progress towards a replacement Local Plan has recently been stopped, with the Council having withdrawn a proposed plan from examination. As such, there is no strategy in place, or forthcoming, to address the housing shortfall.
- 6.5. In this context, compliance with the relevant Development Plan Policy (Core Policy 49) has been demonstrated, through viability and marketing information which both make it clear that there is no prospect of the vacant pub being occupied as a viable community use.
- 6.6. Notwithstanding, given the development plan policies are out of date, even if the Council were to consider there is any conflict, planning permission should be granted under NPPF paragraph 11d) on the basis that there are clear benefits and no adverse impacts arising from the proposal.
- 6.7. Whilst the pub was previously listed as an ACV, due process has been followed and no bids have been received for a community use, from the Parish Council, local community or otherwise. The ACV listing has now expired, as of 2 December 2025. Therefore, no weight should be given to the ACV status in the determination of this application, except to acknowledge that this did nothing to help secure a community use for the site.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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