
Appeal Decision

Site visit made on 5 October 2020

by John Wilde CEng MICE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 October 2020

Appeal Ref: APP/L3245/W/20/3256872

Longville Arms, Longville in the Dale, Much Wenlock, Shropshire TF13 6DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Longville Arms Limited against the decision of Shropshire Council.
 - The application Ref 18/03355/FUL, dated 17 July 2018, was refused by notice dated 13 February 2020.
 - The development proposed is the change of use of former public house to residential.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of former public house to residential at Longville Arms, Longville in the Dale, Much Wenlock, Shropshire TF13 6DT in accordance with the terms of the application, Ref 18/03355/FUL, dated 17 July 2018, subject to the conditions contained within the attached schedule.

Main Issue

2. The effect of the proposed development on the social and economic vitality and quality of life of the local community.

Reasons

3. The appeal property is a three storey public house located on the B4371 between the towns of Much Wenlock and Church Stretton. The property has three main bar areas on the ground floor, the larger of these being considered to be the function room. There is parking available to the front and one side of the building.
4. The pub is the only community facility within the village and consequently its loss would have a negative impact upon the quality of life, particularly in the social sense, on the community. I have anecdotal evidence that the pub has in the past been the meeting point for a range of clubs including Young Farmers and the parish council. It has also been used by tourists, both passing through and staying in the area. It follows that there has to be strong evidence in favour of allowing the appeal.
5. The village of Longville in the Dale is small; the Market Demand Report (2018) (MDR) prepared by Lowe Chartered Surveyors on behalf of the appellant estimates there to be about 50 dwellings in the vicinity, although from my visit it would seem that far fewer than this number would be within a safe walkable distance. It seems therefore that it is very unlikely that the pub could be viable

based purely on the nearby community, and would need to become a 'destination' pub to be viable.

6. The appellant has been the owner of the pub since 2012. Prior to this it seems to have had a chequered history, although no accounts are available from this time. Since 2012 the MDR indicates that the business made a loss every year until 2017 when it was closed. The minimum loss during this period was £8,391 in 2013/14 and the maximum loss was £30,841 in 2016/17. During this period the appellant also spent in the region of £70,000 in refurbishing the property.
7. The evidence before me as to the current condition of the building is somewhat ambiguous. The Appellant's planning application statement indicates that additional works to the value of £70000 are required, whilst the MDR concludes that there is no evidence of significant repair that would prevent the property from being used as a public house. However, from my site visit it is apparent that some money would be needed to be spent before the pub could be re-opened as a going concern.
8. The pub has been up for sale since December 2015 at a price of £395000 and no offers have been forthcoming. However, no independent valuation has been submitted and the asking price has not been varied during the entire period that it has been up for sale. This does give me cause for concern, and I will return to this point later.
9. I note that there are several pubs within relatively close proximity including the Wenlock Edge and the Plough Inn at Wall under Heywood. Both of these other pubs are on the B4371, the former being about 2.5 miles away to the east and currently closed (but with planning permission for improvement works) and the latter about 2 miles to the west. This latter pub has also been the subject of a marketing exercise, with the price being lowered from £425000 to £29500 during the marketing period, although no sale took place.
10. The evidence before me indicates that this pub was closed in early 2020, and whilst closed on the day on my site visit, it appeared to be generally open at the present time. There is also a functioning pub at Cardington about 2.5 miles to the north-west. The Plume of Feathers on the A458 is about 8 miles away, and although recently closed, appeared open when I visited the area.
11. The appeal property was also designated as an Asset of Community Value, although the local community did not register their intention to bid for the property in the time set aside for such bids. It has been suggested that the pub has not been operated on a suitable and sustainable model during the recent past. Conversely, the appellants' point to various models that were trialled from top end destination pub to a more basic approach. It has also been inferred, anecdotally, that the pub did not exude a welcoming ambiance over the last few years. However, I can give only limited weight to such evidence.
12. There are a number of factors therefore that lead towards the conclusion that the pub is no longer viable. These include that it could not rely on the local community in terms of numbers to make it economic to run; it would therefore need to be a destination pub. There are two other pubs within two to three miles either way on the same road as well as another one less than three miles to the north-west. Given their proximity and the relatively sparse population, I am not persuaded that all of these pubs could run at a profit, although I acknowledge that the Wenlock Edge pub is closed at present.

13. The appeal pub lost money for four consecutive years. Whilst detailed accounts have not been provided for these years, I have been given no substantial evidence to show that the headline figures given are in any way inaccurate or skewed.
14. Against this is the fact that the price of the pub was not lowered during its marketing exercise and no independent valuation has been submitted. However, the Plough Inn, which is only just over two miles away, was greatly reduced during its period for sale to a price well below that at which the appeal pub has been marketed. Despite this, no sale was achieved. This indicates to me that lowering the price of the appeal pub would not necessarily lead to its successful sale. I am also conscious that all three pubs on the B4371 have struggled in the recent past as has the Plume of Feathers.
15. To my mind therefore, taking into account my above reasoning, I consider that it has been adequately demonstrated that, on the balance of probability, the appeal pub is no longer a viable enterprise.
16. Policies CS15, CS8 and CS5 of the Shropshire Local Development Framework (LDF) all seek, to varying degrees, to support the protection of existing day to day services and facilities within villages. There would therefore be conflict with these policies. There would also be conflict with paragraphs 83 and 92 of the National Planning Policy Framework. However, given my deliberations above, in this particular case there are material considerations that outweigh these conflicts.

Other matters

17. I note that the use of the existing cottages to the side of the appeal pub (Coach House Cottage and the Old Coach House) are currently the subject of separate appeals. The cottages are shown as within the appeal site pertaining to this decision and I wish to make clear that this decision for a change of use relates solely to the main pub building contained within the site.

Conditions

18. I have imposed the standard time condition and in the interest of certainty also imposed conditions relating to the approved plans and to the nature of the application. In the interest of highway safety, I have imposed a condition requiring that the car parking and site access are constructed as per the drawings and retained thereafter. The Council also requested that a condition relating to ground contamination be imposed due to the potential presence of petrol tanks. However, as the application relates to a change of use, and given that the building has been used as a pub, and already has owners' accommodation within it, I consider this suggested condition to be unnecessary.

Conclusion

19. In light of the above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

John Wilde

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: (1) Location plan, (2) site layout.
- 3) Prior to the occupation of the development the car parking and access onto the public highway shall be constructed in accordance with the unnumbered site layout (dated February 2018), and thereafter maintained.
- 4) This permission is granted only for a single residential unit and the property shall only be occupied as such.