



Appeal Decision

Site visit made on 22 January 2026

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 February 2026

Appeal Ref: APP/E2530/W/25/3365325

Wheatsheaf Cottage, Main Street, Dry Doddington, Newark, Notts, NG23 5HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Harry Woodward against the decision of South Kesteven District Council.
 - The application Ref is S24/1476.
 - The development proposed is Change of Use from Sui Generis (two rooms) to Class 3, plus structural work to secure boundaries.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on a community facility, with due regard to local and national planning policy.

Reasons

3. The proposal relates to the change of use of 2 rooms within the public house of the Wheatsheaf Inn from rooms associated with the public house to residential accommodation for the adjoining Wheatsheaf Cottage. The Council's Officer report states that the rooms to be lost were the games room and restaurant seating area. The public house has been closed for some time, and the ground floor was boarded up at the time of my visit. The arrangement of the site is relatively unorthodox, with the 2 rooms being located below bedrooms of Wheatsheaf Cottage, which has a 'flying freehold' over this part of the public house.
4. The submitted plans indicate that a kitchen would be retained in the public house, although the bar and seating area would be significantly reduced. Alternative plans have been submitted with the appeal which show a new restaurant/dining/function area and a smaller kitchen. However, it has not been demonstrated that either of these layouts would be functional for a viable public house. This is particularly important in respect of the size of the kitchen and dining facilities, as the provision of a food service is often important to ensure the viability of public houses in rural locations such as this.
5. The appellant submits that the rooms are no longer part of the public house as they have been transferred to Wheatsheaf Cottage as part of a land exchange. However, a change in ownership does not affect the planning status of the property. In respect of planning considerations, the rooms remain part of the public house unless planning permission has been granted to the contrary.

6. Policy SP6 of the Local Plan¹ states that applications for the change of use of all community facilities which would result in the loss of the community use will be resisted, subject to a number of considerations. The proposal only relates to 2 of the rooms in the public house, and the remaining area of the public house would be retained for that use. However, the loss of these rooms may hinder the future operation of the public house, with the result that it may not be viable and may therefore be lost as a community facility.
7. Policy SP6(a) requires proposals to demonstrate that there are alternative facilities available and active in the same area which would fulfil the role of the existing use. The Wheatsheaf Inn is the only public house in this village, and I am mindful that public houses play an important role in community cohesion and social wellbeing. There is a village hall close to the public house. But although the hall may be able to provide some of the services of a public house, its role is very different and would not provide equivalent alternative facilities, particularly in respect of informal socialising and drop-in custom. There are a number of public houses in other villages in the area, but these are not within convenient walking distance of Dry Doddington and would not fulfil the same role as a focal social point. On that basis, the proposal would not meet the requirements of Policy SP6(a).
8. Policy SP6(b) requires a demonstration that the existing use is no longer viable, supported by documentary evidence. The appellant has provided a history of their operation of the public house which sets out the various steps taken to support the business, and emphasises that the public house was closed when they took it over as well as referring to previous closures. However, although this history is extensive, it is anecdotal and is not a robust demonstration of the viability of the business. Reference is also made to a previous owner and details from their accountants, but this detailed evidence has not been provided with the appeal. Similarly, accounts from the appellant's operation of the public house have also not been provided.
9. Although not required by Policy SP6, the results from the marketing of a public house for sale can be an indication of its future viability by gauging potential levels of interest. However, although there is some evidence of marketing, the listing price has not been justified with regard to comparable properties in the area, and the evidence suggests that the marketing details excluded the 2 rooms which are the focus of this appeal. On that basis, the marketing exercise does not appear to be suitably robust in respect of the future viability of the public house with the 2 rooms included.
10. The appellant also refers to the public house being offered at a reduced price to a community organisation, on the basis that it is kept as a public house. However, although this offer was not taken up, it has not been demonstrated that the public house has been offered on that basis as part of a wider marketing exercise.
11. The appellant refers to the benefits of the land exchange, including the provision of land for a car park, beer garden and gas storage for the public house. However, the evidence suggests that these areas were previously available to the public house, and it has not been set out why the land exchange is necessary to ensure that they remain available. In any event, even if the land transferred to the public

¹ South Kesteven District Council Local Plan 2020

house may be of benefit, this would be of little effect if this resulted in an impractical internal layout due to the loss of the 2 rooms.

12. All that said, I consider that concerns relating to the 'flying freehold' carry more weight, as the location of bedrooms of a separate dwelling over part of the public house could raise issues including noise and odours. However, this is an existing situation, and it has not been demonstrated that this raised issues for the operation of the public house in the past. Although the appellant refers to problems relating to obtaining a mortgage or premises licence, this is anecdotal and does not represent substantive evidence that the flying freehold would be a barrier to the future operation of the public house.
13. Therefore, in respect of Policy SP6(b), insufficient documentary evidence has been submitted to demonstrate that the existing community use as a public house is no longer viable.
14. Policy SP6(b & c) refers to the prospect of the premises being used for an alternative business and community facility use. However, based on the evidence before me, it would appear that this possibility has not been fully explored.
15. Policy SP6(d) refers to the potential impact that closure may have on the community, and support for the existing use, amongst other things. The impact on the community of the loss of this facility has been referred to previously in respect of cohesion and social wellbeing. Although the appellant refers to limited custom for the public house, the support for the facility is indicated in objections to the proposal
16. Drawing the above together, there is a significant possibility that the proposal would result in the loss of a community facility, namely the Wheatsheaf Inn. Insufficient evidence has been submitted to demonstrate that the proposal meets the considerations of Policy SP6 of the Local Plan which seeks to resist proposals which would result in the loss of a community use, except in specific circumstances. The proposal is therefore contrary to Policy SP6 of the Local Plan as well as the National Planning Policy Framework which seek to ensure that facilities are retained for the benefit of the community.

Other Matters

17. The appellant refers to the time taken to reach a decision on the application, inconsistent and inaccurate advice given by the Council, and failure to follow planning procedures and good practice. However, these are not matters for this appeal which I have determined on its planning merits.
18. The public house has previously been designated as an Asset of Community Value, although the appellant states that this designation was lifted on the basis of a judgment from the General Regulatory Chamber. However, this matter does not lead me to a different conclusion on this appeal based on the evidence before me.

Conclusion

19. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be dismissed.

David Cross INSPECTOR