

Thursday, 29 January 2026

**Objection to Application 25/01249/COU**

**Site Address: Hare and Hounds Inn, Lane Ends Lane, Old Town, Hebden Bridge, Calderdale, HX7 8TN**

**Description: Change of use from public house (Sui Generis) to a single residential dwelling (Class C3)**

**Introduction:**

This objection is submitted on behalf of Wadsworth Area Community Assets (WACA). WACA is a Community Benefit Society established to maintain and strengthen local businesses, services, and community resources for the people of Wadsworth and the surrounding area.

WACA recognises the Hare and Hounds as a long-established community facility which contributes materially to local social wellbeing, informal support networks, and day to day community life. Against that background, and in response to growing concern about the risk of loss of the premises, WACA nominated the Hare and Hounds for inclusion on Calderdale Council's register of Assets of Community Value in December 2025. The nomination was made specifically to safeguard the pub's ongoing community role and to provide an additional mechanism to support retention and community led solutions in the event of disposal or redevelopment pressure.

This objection is therefore made in the context of a clear, evidenced community interest in the continued use of the Hare and Hounds as a public house, and a strong policy framework at both local and national level which seeks to guard against the unnecessary loss of valued community facilities.

**Discussion of Scheme:**

**Viability:**

Policy HW4 of the Calderdale Local Plan, "Safeguarding Community Facilities and Services", sets a clear expectation that existing community facilities, including public houses, should be retained wherever possible. The policy applies to proposals that would result in the loss or change of use of such facilities, and establishes a presumption against their loss unless specific, stringent criteria are met.

The National Planning Policy Framework directly reinforces that local presumption. Paragraph 98 of the NPPF requires planning policies and decisions to plan positively for the provision and use of community facilities, explicitly including "public houses", and to "guard against the unnecessary loss of valued facilities and services", particularly where this would reduce the community's ability to meet its day-to-day needs. It also requires decision makers to ensure that established facilities and services are able to develop and modernise and are retained for the benefit of the community.

In broad terms, HW4 requires an applicant to demonstrate that one of a limited number of tests is satisfied. Either an appropriate alternative is provided, or it must be robustly shown that the existing facility is no longer required within the local area or is no longer viable, and that all reasonable

efforts have been made to retain it. Importantly, HW4 also requires that other alternative community uses and community ownership options are considered, and that designation as an Asset of Community Value has been considered.

In that regard, both HW4 and NPPF paragraph 98 point in the same direction: the loss of a pub should only be contemplated where the applicant's evidence demonstrates, transparently and robustly, that retention has been properly explored and is genuinely not achievable.

The supporting text to HW4 emphasises that the Council is particularly concerned about the erosion of local pubs, shops, and services, given their role in sustaining the vitality of neighbourhoods and the health and wellbeing of residents. As a result, applications involving the loss of a public house are expected to be accompanied by detailed, transparent evidence on both need and viability, alongside proof of meaningful engagement with the local community and groups who may have an interest in operating or supporting the facility. Where an applicant fails to meet these requirements, the proposal conflicts with Policy HW4 and should not be supported.

### **Viability Assessment:**

The applicant's Viability Assessment should be afforded limited weight. It is expressly prepared solely for the purpose of supporting a planning application, seemingly by the applicant themselves, and is accompanied by a disclaimer limiting reliance for any other purpose. In those circumstances, the onus falls squarely on the applicant to provide transparent inputs and an auditable evidence base.

The report repeatedly asks the decision-maker to accept the conclusion of "no longer viable" while withholding the primary documentation that would normally be required to substantiate such a claim, including full trading accounts, VAT returns, and management accounts,

Instead, the report acknowledges that it does not have access to the full set of accounts, and it relies heavily on narrative assertions, third-party statements, and benchmarking. This is particularly problematic because the report itself accepts that the owner has no oversight of the tenant's accounts and that Companies House information is restricted, yet it nonetheless invites the Council to treat owner-side statements about wet sales and owner profit as determinative.

### **Unfounded inference from "filleted" statutory accounts**

A further flaw is that the report attempts to derive adverse viability inferences from the mere fact that the operating company files small or "filleted" accounts which do not publish turnover or profit and loss. That is not a sound basis for a safeguard policy judgment. The absence of a published profit and loss account is a Companies House reporting feature and does not evidence loss-making trade. However, the report uses that absence to suggest there is no public evidence of sustained profitability and then advances the proposition that this supports trading below any viable threshold. This is an evidential leap. In planning terms, Policy HW4 requires the applicant to demonstrate non-viability through proper evidence, not inference drawn from the statutory filing format.

### **Benchmark modelling appears calibrated to demonstrate loss in every scenario**

The report's cost and operational modelling is not capable of independent verification. It describes a 14 staff structure and uses that headcount to illustrate labour cost pressures and to ground its baseline assumptions. The benchmark model then embeds high and relatively fixed payroll and overhead envelopes across scenarios, with payroll assumed at £18,000 to £22,000 per month and

overheads assumed at £8,000 to £10,000 per month, and it produces six figure losses in every scenario, including the most optimistic case, notwithstanding no rent (freehold) and no financing costs. The combination of limited disclosure of inputs, an inflexible cost structure, and losses generated in every scenario is a red flag that the model has been calibrated to support a predetermined conclusion rather than to evaluate realistic operating options. The report also concedes that it cannot obtain exact energy readings and therefore relies on an estimate based on knowledge of similar businesses. If the applicant's case is that structural costs drive unavoidable non-viability, it is unreasonable that the submission does not provide actual utility bills, payroll records, and other primary evidence for the premises itself.

#### **Rateable Value is not a substitute for the HW4 retention tests**

The report's reliance on Rateable Value and the concept of Fair Maintainable Trade is presented as a shortcut to a viability conclusion. It states that Rateable Value is indicative of the Valuation Officer's assessment of fair maintainable trade and uses this to infer a substantial viability gap, while acknowledging that the only route to viability on the figures advanced would be operation on an altruistic basis.

In planning terms, Rateable Value is a rating tool and not a substitute for the policy-required demonstration that a community facility is genuinely no longer viable and cannot reasonably continue through alternative operational structures. The report's own reference to altruistic operation in fact underscores why community operation routes matter and must be properly evaluated, rather than dismissed.

#### **Marketing evidence is not auditable and does not demonstrate community options were exhausted**

Marketing evidence is presented as compliant with Policy HW4, including the assertion that the property has been marketed since July 2025, that this amounts to an extended marketing period, and that the marketing is consistent with CAMRA guidance. However, the narrative remains conclusionary. The report asserts that no credible or acceptable offers were received from operators seeking to continue the premises as a pub, and it records that a community group viewed in July 2025 and said it was not in a position to make an offer. What is missing is the audit trail that would allow the Council to evaluate whether marketing genuinely sought to secure continued community facility use: a full enquiry log, viewing schedule, offer register, headline terms, follow-up correspondence, negotiations, and reasons for rejection.

The timeline does not indicate a full, extended marketing exercise of the type ordinarily required to demonstrate that reasonable opportunities for retention of the use have been properly evaluated.

On WACA's account, the premises was listed in early July 2025, and, within that same month, the agent was already indicating that the vendor wanted a rapid sale, that cash and unconditional offers were on the table, and that solicitors were expected to be instructed shortly thereafter. In practical terms, that points to a compressed sales process measured in weeks rather than months, with momentum toward an early disposal from the outset. A marketing period of roughly one month, particularly where the vendor is pursuing speed and offers are already being progressed, cannot credibly be described as an extended exercise designed to expose the asset to the market, allow alternative operators to come forward, and enable community or continuation options to be meaningfully explored.

The absence of responsive follow up to WACA's subsequent attempts to obtain updates further reinforces the point. Taken together, the sequence suggests a swift transactional process rather than a transparent, sustained, and open marketing campaign capable of evidencing that continued community use was properly evaluated.

### **Internal inconsistencies in the “alternative provision” narrative**

The applicant's assessment places weight on the existence of other public houses and facilities within Hebden Bridge, suggesting that residents would not be materially disadvantaged by the loss of the Hare and Hounds. The relevant question is not whether any other pub exists within a nominal radius, but whether there is genuinely suitable, accessible, and equivalent provision that would meet the same local role, for the same local user base, in practical and inclusive terms.

The Viability Assessment relies heavily on the premise that steep hillside access constrains trade at the Hare and Hounds. If that is accepted as a relevant characteristic of the area and the facility's catchment, it follows that displaced users would face the same constraints in accessing alleged alternatives, and potentially more so. A venue located approximately one mile away may be theoretically close, but it is not necessarily accessible in planning terms, particularly given the terrain, weather conditions, and the needs of older residents, disabled residents, families with young children, and those without access to a car. Policy HW4 and NPPF paragraph 98 are explicit that decision making should safeguard facilities that support day to day community needs, and that includes realistic walkability and inclusivity, not a map measurement.

Many pubs serve different markets and functions. Town centre venues may be oriented toward visitors, evening economy trade, or different pricing and offer. They may not provide the same informal, locally rooted space for regular community interaction, daytime use, and local support networks. The Hare and Hounds' role as a local meeting point for Lane Ends and the immediate surrounding area is qualitatively different from a destination venue in the town centre.

The assessment also risks implying that other forms of community facility can compensate for the loss of the pub. That is not a sound planning proposition. Public houses are specifically identified in NPPF paragraph 98 because they perform a distinct social and cultural function, often acting as informal “third spaces” which support social cohesion and reduce isolation. Other facilities, even if present, do not necessarily offer the same accessibility, informality, hours of use, or mixed social function. The existence of other facilities therefore does not, of itself, demonstrate that the loss of the Hare and Hounds would be anything other than an erosion of local community infrastructure.

A core requirement of paragraph 98 is to guard against loss where it would reduce the community's ability to meet day to day needs. No analysis has been provided of how users historically accessed the Hare and Hounds, who those users are, or the reliance of certain groups on a local, proximate facility. Without that baseline, the Council cannot reasonably conclude that day to day needs will continue to be met, particularly for groups for whom travel to alternative venues is not straightforward.

For these reasons, the existence of other pubs or facilities within Hebden Bridge cannot be treated as suitable alternative provision for the purposes of Policy HW4, nor does it address the NPPF paragraph 98 requirement to guard against the unnecessary loss of valued community facilities. In the absence of robust, place-based evidence demonstrating genuine equivalence and accessibility, the Council should attach very limited weight to the applicant's claims regarding alternative provision.

### **The asset description undermines the inevitability of closure**

The report's description of the premises undermines the inevitability of its conclusion. It confirms a substantial rural inn with a catering kitchen, circa 40 covers, five en-suite letting bedrooms, terraces and parking, and it notes historically significant marketing reach through social media. Those features typically provide a strong base for diversified income and repositioning. If the contention is that the premises is still incapable of viable operation, the Council should expect a structured and evidenced options appraisal testing realistic lower-cost operational formats, rather than an approach that assumes high fixed staffing and overheads and then predicts losses in every scenario. The report also states that previous tenants repurposed the social media following for a different pub, which suggests that performance and momentum can be operator-specific and transitional rather than inherent to the premises.

### **Corporate disposal decisions are not the planning test**

The report seeks to bolster its conclusion by citing the owner's strategic disposal programme, stating that Timothy Taylor's has decided to dispose of a significant proportion of its tied pubs and treating that as an authoritative benchmark for unviability. Corporate strategy and tied-estate rationalisation are not the Policy HW4 test. They do not demonstrate that an alternative operator or community model cannot viably trade, particularly where the report simultaneously acknowledges the constraints of tied models and the lack of oversight of tenant accounts.

Overall, Policy HW4 establishes a clear presumption against the loss of community facilities such as public houses unless the applicant provides robust, transparent and auditable evidence that the use is no longer needed or genuinely unviable, and that all reasonable steps to secure retention, including community operation options, have been properly exhausted.

On the evidence submitted, that bar has not been met. The Viability Assessment is heavily assertion-led, lacks the primary trading and cost documentation necessary to verify its conclusions, and relies on questionable inferences and benchmarking which appear structured to generate losses in every scenario. Likewise, the marketing narrative is not supported by an enquiry and offers audit trail and, on the timeline advanced, points to a compressed disposal process rather than a sustained exercise designed to secure continuation of the use. In these circumstances, the proposal conflicts with Policy HW4 and should be refused unless and until a full, evidenced and independently verifiable case is provided.

[Appeal Decision Recognising the Hare and Hounds' Community Role \(Mount Skip Inn Appeal, 16 March 2000\)](#)

A further, directly relevant consideration is the Planning Inspectorate appeal decision relating to the former Mount Skip Inn, Height Road, Wadsworth (Appeal Ref: T/APP/A4710/A/99/1031452/P7; decision dated 16 March 2000).

In that case, the Inspector undertook a specific assessment of whether the change of use would represent an unacceptable loss of a community facility, applying the then development plan policy safeguard (UDP Policy CF13), and considering the nature of the facility, the community served, and the availability of alternatives. In doing so, the Inspector expressly identified the Hare and Hounds at Chiserley as the key alternative public house serving the immediate locality, noting its attractiveness and welcoming character and concluding that it represented a suitable alternative facility for the immediate community, as well as for walkers and cyclists using the locality for informal recreation.

Crucially, the Inspector's conclusion that the Mount Skip's conversion would not amount to an unacceptable loss of a community facility was materially influenced by the continued availability of the Hare and Hounds as that alternative facility. In other words, the ongoing presence and operation of the Hare and Hounds was relied upon as part of the planning judgment that the community would continue to have access to a public house facility in the area.

That historic decision lends clear credence to the proposition that the Hare and Hounds is not a marginal or incidental business, but a long established community asset which performs an identified local service function in planning terms. It has already been treated, at Inspectorate level, as the facility which underpinned acceptability of the loss of another public house in the same locality and social catchment.

Against that background, the current proposal to remove the Hare and Hounds from public house use is qualitatively more harmful than a simple "one for one" loss. It would remove the very facility previously relied upon to maintain local community provision, thereby eroding the community infrastructure baseline and materially reducing the community's ability to meet day to day social and wellbeing needs in this rural hillside location. That goes directly to the core purpose of Policy HW4 (Safeguarding Community Facilities and Services) and the NPPF requirement to guard against the unnecessary loss of valued facilities, including public houses.

Accordingly, the 2000 appeal decision reinforces the objection case. It demonstrates that the Hare and Hounds has long been recognised as serving an important local community role, and it confirms that planning acceptability of past losses in the area has been predicated on its continued existence. Its loss should therefore be strongly resisted unless the applicant meets the stringent evidential and policy tests for the loss of a valued community facility.

#### [Flood Risk and Alleged Community Benefit](#)

The applicant seeks to place substantial reliance on the proposition that dedicating approximately one acre of adjacent land to Natural Flood Management (NFM) provides a public benefit that weighs in favour of the change of use. The viability report goes further, characterising the proposed NFM use as a "clear public benefit aligned with Calderdale's strategic priorities." However, that assertion is presently unsupported by any proportionate technical evidence, and it therefore carries very limited weight in the planning balance.

At the most basic level, no Flood Risk Assessment (FRA), drainage strategy, or NFM concept plan has been submitted to demonstrate what is proposed, how it would function, or what measurable flood risk outcomes would be achieved.

Without any plans, it is unknown whether the adjacent field is hydraulically connected to the relevant watercourse and meaningfully functions as part of the floodplain, whether it is already providing flood storage, and whether any intervention could inadvertently displace flood water or exacerbate risk elsewhere. Furthermore, it has not been put forward what NFM interventions are actually contemplated. "NFM" is not a single measure, but an umbrella term covering a wide range of interventions, each with materially different effects and constraints. The feasibility, deliverability and maintenance implications, including land control, design responsibilities, ongoing management arrangements, monitoring, and the timescale over which any claimed benefit would realistically arise has not been defined, and the scale of any reduction in flood risk, and which receptors would benefit, since "public benefit" in flood risk terms typically turns on demonstrable risk reduction to identified properties or infrastructure is unclear.

In any event, even if a detailed NFM scheme were to be provided at a later stage, it would not displace or circumvent the separate and specific policy tests that apply to the loss of valued community facilities. Policy HW4, together with NPPF paragraph 98(c), requires the authority to guard against the unnecessary loss of facilities and services that support the community's health, social and cultural wellbeing. The relevant question is whether the loss of the public house has been robustly justified, including whether it is genuinely no longer viable in community use and whether reasonable efforts have been made to secure its continued operation or alternative community use.

That policy framework cannot be satisfied by offering an unrelated or only loosely related planning gain elsewhere. A claimed flood management benefit, particularly one not evidenced through an FRA and supporting design work, is not a substitute for demonstrating compliance with HW4. Nor can it be used to "trade off" an otherwise policy contrary loss where the applicant has not met the required evidential threshold on viability and marketing and has not transparently demonstrated that realistic community operation has been fully explored. Put simply, the planning system does not treat the retention of key community facilities as optional where an applicant can point to a different, unquantified benefit.

Accordingly, the purported NFM justification should be given limited weight at this stage. It is not supported by the required flood risk evidence, its scope and effectiveness are undefined, and it does not address the determinative policy issue, which is whether the loss of the public house has been demonstrated to be necessary and unavoidable under HW4 and the NPPF. On the information currently before the Council, the claimed flooding benefit is speculative, and it cannot outweigh the policy conflict arising from the proposed loss of the community facility.

## **Conclusion**

Taken as a whole, the applicant has not discharged the evidential burden required to justify the loss of a valued public house under Policy HW4 and NPPF paragraph 98. The Viability Assessment is not underpinned by the primary trading and cost information necessary to allow the Council, third parties or any independent reviewer to audit its assumptions or test its conclusions. Instead, it relies on assertion, selective benchmarking, and questionable inferences, alongside a modelled cost base that appears structured to produce significant losses in every scenario without demonstrating that realistic alternative operating formats, staffing structures, or community-led models have been properly appraised.

Similarly, the marketing case is not evidenced in a manner that would demonstrate compliance with the retention tests in HW4. The absence of an enquiry and offers audit trail, coupled with the compressed sales timeline and stated vendor preference for a rapid disposal, points away from the sustained and transparent exercise normally required to show that continuation of the pub use, alternative community uses, or community ownership have been meaningfully explored and exhausted.

Further weight is added by the Planning Inspectorate appeal decision for the former Mount Skip Inn, Height Road, Wadsworth (Appeal Ref: T/APP/A4710/A/99/1031452/P7, 16 March 2000). In concluding that the Mount Skip's loss would not be harmful, the Inspector relied in part on the continued presence of the Hare and Hounds as the suitable alternative public house serving the immediate community, including walkers and cyclists. The present proposal would remove the very facility previously treated as maintaining community provision in the locality, which reinforces that the Hare and Hounds is a valued local community asset and that its loss should be strongly resisted unless the strict Policy HW4 and NPPF tests are met.

The claimed Natural Flood Management “public benefit” does not remedy these shortcomings. It remains unsupported by a Flood Risk Assessment or any defined scheme, and, in any event, it cannot operate as a proxy for compliance with the specific policy safeguards that apply to the unnecessary loss of community facilities. On the information submitted, the asserted flood benefit is speculative and attracts limited weight, whereas the policy conflict arising from the proposed loss of the public house is clear and significant.

Accordingly, and applying the strong policy presumption in favour of retention under HW4 and paragraph 98 of the NPPF, the proposal should be refused unless and until the applicant provides a full, transparent and independently verifiable case demonstrating that the pub is genuinely unviable in continued community use and that all reasonable steps to secure retention, including community operation options, have been properly and demonstrably exhausted.