OFFICER REPORT

Case No: 24/02399/FUL Full Planning Application

Proposal: External alterations to provide fabric stretched tent structure located over the existing outside customer seating area

Location: Public House Wagon And Horses 184 Great North Road

Applicant: Punch Pubs

Grid Ref: 516967 259051

DESCRIPTION OF SITE AND APPLICATION

The Wagon and Horses Public House is a Grade II Listed Building, dating from the 18th Century. It comprises of one and two storey buildings and is constructed of brick, painted white, with a slate roof. It is located within the Eaton Ford Conservation Area.

The proposal is for external alterations to provide fabric stretched tent structure located over the existing outside customer seating area.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (NPPF 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

The NPPF 2023 sets out the Government's planning policies for (amongst other things):
* delivering a sufficient supply of homes;
* building a strong, competitive economy;
* achieving well-designed safe places;
* conserving and enhancing the natural, built and historic environment.

Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

The National Design Guide (2021)

*C2 – Value heritage, local history and culture
*I1 – Respond to existing local character and identity
*M3 - Well-considered parking, servicing and utilities infrastructure for all users
*H1 - Healthy, comfortable and safe internal and external environment
*H2 - Well-related to external amenity and public spaces

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)

LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP7: Spatial Planning Areas
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP17: Parking Provision and Vehicle Movement
LP21: Town Centre Vitality and Viability
LP22: Local Services and Community Facilities
LP30: Biodiversity and Geodiversity
LP34: Heritage Assets and their Settings

St Neots Neighbourhood Plan 2014-2029 (2016)
* Policy A3 – Design
* Policy SS2 – Utilising Historic Buildings

Supplementary Planning Documents

- Huntingdonshire Design Guide Supplementary Planning Document 2017
- Developer Contributions SPD 2011
- Huntingdonshire Landscape and Townscape Assessment (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2024)
- Cambridgeshire Flood and Water SPD 2017
- St Neots Conservation Area Character Assessment (October 2006)

Local policies are viewable at https://www.huntingdonshire.gov.uk

Planning (Listed Buildings and Conservation Areas) Act 1990

PLANNING HISTORY

78/00244/FUL - Erection of double garage and store – permission granted 22.05.1978
88/00057/ADV - Illuminated signs and floodlighting – consent granted 01.03.1988
88/00058/LBC - Additional signs and external lighting – consent granted 01.03.1988
92/00961/FUL & 92/00962/LBC - Extension and alterations to public house – consent granted 09.09.1992
0600266FUL – Alterations to public house – permission granted 04.04.2006
0600267LBC - Replacement of window with door and internal alterations – consent granted 13.03.2006
21/01933/FUL & 21/01934/LBC - External alterations to form an external drinking area with roofed timber pergola structure with festoon lighting and fixed seating, erection of an external cold store and dry goods store, erection of a timber shed and alterations to hard landscaping – consent granted 19.05.2022
24/00304/LBC - Proposed installation of new aluminium framed secondary glazing to existing windows internally at Ground and First Floor Levels – consent granted 16.04.2024

CONSULTATIONS

St Neots Town Council recommends approval. It is considered that the proposal would have a limited impact on neighbours.

HDC Conservation Team – recommended not to support the proposal. It is considered that the proposal would appear visually intrusive and erode public views at the rear, as well as detract from the historical building, causing less than substantial harm.

Officer comment – comments are noted. The points raised are addressed in the main body of the report below.

HDC Environmental Health Team - no objection to this proposal with regard to environmental health matters.

REPRESENTATIONS

No objections received at time of determination.

SUMMARY OF ISSUES

When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

In Huntingdonshire the Development Plan consists of:
o Huntingdonshire's Local Plan to 2036 (2019)
o Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
o St Neots Neighbourhood Plan 2014-2029 (2016)
o Godmanchester Neighbourhood Plan (2017)
o Houghton and Wyton Neighbourhood Plan (2018)
o Huntingdon Neighbourhood Plan (2019)
o Bury Village Neighbourhood Plan (2021)
o Buckden Neighbourhood Plan (2021)
o Grafham and Ellington Neighbourhood Plan (2022)
o Great Gransden Neighbourhood Plan (2023)
o Sawtry Neighbourhood Plan (2023)
o The Stukeleys Neighbourhood Plan (2023)

The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

The main issues to consider are:

o The Principle of Development
o Design, visual amenity and impact upon the designated heritage assets
o Residential Amenity
o Highway safety, Access and Parking Provision

o Biodiversity

*The Principle of Development

The application site relates to the rear garden of The Waggon and Horses located in Eaton Socon, a residential area within the Spatial Planning Area of St Neots. The proposed fabric tent structure will cover an existing outside customer seating area located to east side of the plot to the rear of the main pub building and adjacent to an existing car park.

A public house is defined by the Huntingdonshire Local Plan to 2036 as both a local service/community facility and a 'main town centre use' (consistent with the NPPF 2024).

Policy LP22 (Local Services and Community Facilities) states that:

Local services and community facilities include, but are not limited to, shops, public houses, places of worship, cemeteries, health centres, libraries, fuel filling stations and public halls.

A proposal for a new local service or community facility within a built-up area, or the extension of an existing local service or community facility on land immediately adjoining the built up area, will be supported where it:
a. is of a scale to serve local needs;
b. comprises up to a maximum of 600m2 net internal floorspace for a main town centre use; and
c. provides for a new service or facility or it retains or enhances an existing service or facility, including through the provision of premises suitable for mixed use or multiple community functions.

The provision of tent structure will enhance the existing service and is below the limit of 600m2 net floorspace, at 154 square metres. It will cover the existing outside seating area providing an all-weather seating area enhancing the current provision.

The proposal, therefore, accords with Policy LP22 (Local Services and Community Facilities) in this regard.

Therefore, it is considered that the principle of development is acceptable in accordance with Local Plan Policy LP22 and the St Neots Neighbourhood Plan in this regard.

It is therefore considered that the principle of the installation of the tent structure to the outside seating area is acceptable, subject to compliance with the other relevant policies and considerations.

*Design, visual amenity and impact upon the designated heritage assets

Policies LP11 and LP12 of the Huntingdonshire Local Plan to 2036 state that developments should respond positively to their context, draw inspiration from the key characteristics of its surroundings and contribute positively to the area's character and identity.

Policy LP34 states that a proposal within, affecting the setting of, or affecting views into or out of, a conservation area should preserve, and wherever possible enhance, features that contribute positively to the area's character, appearance and setting as set out in character statements or other applicable documents.

The Council will consider the significance of a designated heritage asset and where there is less than substantial harm, this will be weighed against the public benefits of the proposal. Where there is deemed to be substantial harm, then the proposal would need to achieve substantial public benefits to outweigh that harm.

The proposal falls within the Eaton Socon Conservation Area.

Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Para. 212 of the NPPF set out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Para. 213 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification…'

Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

The Wagon and Horses Public House is a grade II listed building within the Eaton Socon Conservation Area. The proposed works are for external alterations to provide a fabric stretched tent structure located over the existing outside customer seating area. It is noted that the structure is free-standing and is not connected to the main public house building.

The proposed fabric tent structure is located to the east side of the site with the adjoining car park. It will cover an existing area of external customer seating which is placed on an area of artificial grass finish.

The pub sits adjacent to a substation on the corner of Shakespeare Road. The rear of the pub can be clearly viewed from Shakespeare Road beyond the substation and above the timber fencing, resulting in the visibility of the proposed structure from the public highway. The highest points of the structure measure 3.8 metres in height, with the lowest point being 2.3 metres; with the structure positioned adjacent to a 1.8 metre tall close boarded fence at the southern boundary. Therefore, the most prominent features would be the two peaks of the tent structure, with the majority of the awning being obscured by the boundary fence. It is noted that these two points, would be set in by approximately 5 metres from the boundary, helping to mitigate the visual impact of the structure. In addition, it is noted that there are a number of trees adjacent to the southern boundary, outside of the application site, that will further obscure the structure from the public highway.

The proposed structure is to be constructed of three-ply heavy duty tensioned fabric. Due to the nature of the proposed material, it is considered appropriate to limit the planning permission to 3 years to take account of the temporary nature of the materials and structure. After this period the applicant may wish to renew the permission or reapply with a new proposed structure of more permanent construction.

HDC Conservation Team has provided comments on the proposal and does not support the installation of the structure. It is considered that the proposal would appear visually intrusive and erode public views at the rear, as well as detract from the historical building, causing less than substantial harm.

Therefore, whilst the objection from the Conservation Officer is noted, it is considered that the visual harm of the structure would be lessened by the boundary treatment and their position set further in from the southern boundary. It is considered that the less than substantial harm caused by their installation would be at a low level, with the public benefit of enhancing the existing provision of the public house and thereby the continuing viability of the listed building outweighing

the level of harm. It is acknowledged that there would be a degree of harm to the setting of the listed building, but due to the benefits of the scheme this is not considered significant enough to warrant a refusal of the application.

Officers have had special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. The harm of the proposal is considered to be less than substantial and may be balanced against their location and relationship to the Listed Building and to the Conservation Area, and the public benefit from the proposal in securing the optimum viable use of the Listed Building in its current use as a public house. The proposal istherefore in accordance with ss. 16, 66 & 72 of the Planning (LBCA) Act 1990, the NPPF (2024), and also with policies LP12 and LP34 of the adopted Huntingdonshire Local Plan and SS2 o the St Neots Neighbourhood Plan.

*Residential Amenity

Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

Environmental Health has been consulted on the proposal and has no objections to raise.

The boundary of the closest residential property is adjacent to the eastern boundary of the application site. However, it is noted that the properties have long gardens and that there will be a separation gap of 2.3 metres between the structure and the rear boundary of the closest dwelling. In addition, due to the open nature of the structure, the open end of the structure will face towards the residential boundary. Further, it is noted that the structure is covering an existing seating area. Therefore, it is considered that the proposal will not result in a significant detrimental impact upon the residential amenity of the neighbouring properties such to warrant refusal of the application.

Therefore, overall, the proposal is considered to accord with Policy LP14 of the Huntingdonshire Local Plan to 2036 in this regard.

*Highway Safety, Access and Parking Provision

Policy LP17 states that a proposal will be supported where it incorporates appropriate space for vehicle movements, facilitates accessibility for service and emergency vehicles and incorporates adequate parking for vehicles and cycles.

The tent structure will cover an existing seating area with no impact upon the car parking area for the premises. Therefore, there should be no significant adverse effect upon the Public Highway from the proposal.

Therefore, given the scale and siting of the proposal, it is considered that the proposal would not have an adverse impact on highways safety. The proposal, therefore, accords with LP17 of Huntingdonshire’s Local Plan to 2036 (2019) in this regard.

*Biodiversity

Policy LP30 of the Local Plan to 2036 states that a proposal will be required to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated. A proposal will ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type and location of development.

It is noted that the proposal is below the development threshold applying to the requirement to provide a Biodiversity Net Gain as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) as there is no impact upon a priority habitat and no loss of on-site habitat. It is noted that the proposed structure will cover an area of astroturf.

In addition, whilst the proposal does not include measures to achieve a net gain in biodiversity there is no net loss and so the proposal is considered to accord with Policy LP30 of Huntingdonshire's Local Plan to 2036 and the NPPF (2023) in this regard.

There are no other material planning considerations which have a significant bearing on the determination of this application.

*Conclusion
The proposed development is considered to be compliant with the relevant national and local policy as it:
* Is of an appropriate scale and design;
* Will result in less than substantial harm upon the designated heritage assets but this will be outweighed by the wider public benefits;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
* Would not have a harmful impact upon highway safety;
* Would not have a harmful impact upon biodiversity.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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CONTACT OFFICER: Enquiries about this report to **Olivia Manton**