OFFICER REPORT

Case No: 25/00078/FUL Full Planning Application

Proposal: Change of Use, including internal works, from Public House (Sui-Generis) to Dwelling (Class C3)

Location: Crown And Cushion West Street Great Gransden

Applicant: Ms Louisa Reeve

Grid Ref: 526837 255798

DESCRIPTION OF SITE AND APPLICATION

The application site relates to the Crown and Cushion Public House, West Street, Great Gransden, SG19 3AT. The property sits upon a key junction in the village and the wider area is mainly residential in nature, with many of the dwellings in the immediate vicinity different ages, design, siting and materials. To the rear and side is a large garden area with access from the side of the property.

The site is located within the Great Gransden Conservation Area and is a Grade II Listed Building. To the South and South East there are numerous Listed Buildings in this area.

The property is comprised of a two storey pitched-roof building. The principal east-west range is timber framed and dates to the 17th Century. It is built on a typical three-bay plan with the main entrance located opposite the chimneystack. Originally single storey in height, it has an inserted floor to create attic rooms. The construction of a two-storey brick extension to the south of the main range led to further alterations. The southern side of the timber frame was built up to allow first floor access to the extension and to create of an internal corridor. Consequently, the roof is asymmetrical with a shallower pitch to the southern roof slope than that to the north. It appears that the cellar and eastern bay of the original building were built or rebuilt in brick in the 19th Century although there may still be residual timber framing hidden behind modern fabric.

At ground floor level the framing has been removed to allow access into the brick extension. The timbers appear to have been re-used to create an internal room that incorporates a small extension on the north elevation. This created a small discrete room with access to the street frontage. It is likely that activity within this room required security as the entrance framing retains hasps for a draw bar. It may have been used for storing and selling beer or other goods, discrete from the function of the rest of the building.

There are relatively few 20th Century alterations. The bar and fittings are modern, covering up an assumed inglenook fireplace and there is a small single storey modern extension on the southern elevation housing the toilets.

The building is painted white with timber detailing on the elevations with flat-roofed single storey projections to the rear. The building immediately fronts the pavement with an open parking area to the northern side and a garden area to the rear. A low timber fence separates the building from the carpark, which is hardstanding and open on its front elevation. The submitted plans show the

existing layout of the building to comprise of a public house on the ground floor with accommodation to the first floor.

This application seeks permission for the change of use and conversion of the existing public house (use class: Sui Generis) to a residential dwelling. This would extend the existing first floor accommodation into the Public House area. There would only be internal alterations.

The proposed internal alterations to the listed building to enable this change are:
a. removal of the bar, commercial kitchen, boiler and toilets.
b. reinstatement of the assumed fireplace in the west side of the main stack.
c. changing the east wall of the toilet extension and the re-arrangement of the internal space to create a utility room.
d. creation of a master bathroom in Bedroom 2 and removal of adjacent toilet.

The site lies within Flood Zone 1 on the Environment Agency Maps for Flooding and on the Council's Strategic Flood Risk Assessment maps.

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 2024 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, beautiful and 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)

* C1 - Understand and relate well to the site, its local and wider context
* I1 - Respond to existing local character and identity
* I2 - Well-designed, high quality and attractive
* B2 - Appropriate building types and forms
*M3 - Well-considered parking, servicing and utilities infrastructure for all users
* N3 - Support rich and varied biodiversity
* H1 - Healthy, comfortable and safe internal and external environment
* H2 - Well-related to external amenity and public spaces
* H3 - Attention to detail: storage, waste, servicing and utilities

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

PLANNING POLICIES

Great Gransden Neighbourhood Plan 2023

Para 3.24 Social hubs including the Crown and Cushion, 3 ACV's including the Crown and Cushion.
G5 Conserving and enhancing Great Gransden's Conservation Area

G10 A walkable village and reducing village car use
G12 Great Gransden Infrastructure Priorities

Huntingdonshire Local Plan to 2036:

LP1: Amount of Development
LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP6: Waste Water Management
LP9: Small Settlements
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP22: Local Services and Community Facilities
LP30: Biodiversity and Geodiversity
LP34: Heritage Assets and their Settings

Supplementary Planning Documents/ Guidance:

- Huntingdonshire Design Guide SPD (2017)
- Developer Contributions SPD (2011)
- Huntingdonshire Landscape and Townscape Assessment (2022)
- Huntingdonshire Strategic Flood Risk Assessment (2024)
- Cambridgeshire Flood and Water SPD 2017
- Huntingdonshire Tree Guidance Note 3
- Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)
- Annual Monitoring Review regarding housing land supply (2024)

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

PLANNING HISTORY

74/00141/FUL for ALTERATIONS & EXTENSIONS,
GRANTED dated 15.07.1974

85/00396/FUL for CHIMNEY STACK
CROWN & CUSHION P H GREAT GRANSDEN,
GRANTED dated 10.06.1985

85/00398/LBC for ERECTION OF CHIMNEY STACK
CROWN & CUSHION P H GREAT GRANSDEN,
CONSENT dated 10.06.1985

19/01893/FUL for Proposed annexe/ancillary accommodation,
GRANTED dated 20.01.2020

20/80197/COND for Conditional information for 19/01893/FUL: C3 (materials), C5 (ramp construction), C6 (landscaping),,
DISCHARGED dated 15.01.2021

25/00079/LBC for Change of Use, including internal works, from Public House (Sui-Generis) to Dwelling (Class C3),

PENDING

There is a pending enforcement case for the 'Change of use from Pub to dwelling without consent'.

CONSULTATIONS

The below responses are summaries of the full consultation response. To view all full consultee responses, please visit the councils website.

Highways: No objections.

Historic England: No comments, defer to the conservation officer.

Conservation: There would be some loss of historic significance through the removal of the bar and change of use to residential, however, interpretation of the listed building is not solely reliant on its continued commercial use. If the negative aspects of the proposals are considered there would be less than substantial harm to the significance of the heritage asset. Under NPPF Paragraph 215 this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. A commercial use may be viable where there is no pressure to make significant internal alterations or to extend the building. A residential use is likely to be accommodated within the existing capacity of the building.

Ward Councillor for Great Gransden: The numerous objections to this planning application are a testament to the wish of villagers for this ACV to reopen as a pub. The Councillor is aware, as a long-term resident, that were a sale be agreed, the villagers would raise the funds required to purchase the ACV. The owners have dragged the marketing process out and not made a constructive attempt to sell the business at its market value. The pub was successful, and a community asset used by many village groups. In the Councillor's opinion, it was one of the best Indonesian restaurants in the UK. The decision to not provide food was the first indication that the owners did not want the pub to succeed.

Huntingdonshire Campaign for Real Ale (CAMRA): CAMRA feel that there has been no effort to run the pub effectively. Prospective buyers have not been granted access to the pub. They feel these are common tricks that are unsuccessful across the country. The application is contrary to NPPF, as the last pub in the village it should be protected. Para 83 and 92 of NPPF support the retention of the Public House and they express the vital community role pubs have. They feel that the public house is not unviable, it just needs the right opportunities, right landlord and community behind it. They feel the application is contrary to LP15 and LP12 and the Community should be given the opportunity to make the Public House work.

Parish Council (PC): The Parish council feel that the application represents demonstrable harm. It fails LP22 as there is great community support with over 100 objections to the planning application and a village survey of 295 people found 93% in favour of the pub re-opening. They feel the applicants have undertaken an ineffective marketing campaign with an aspirational price, not the true market value. In fact, they feel the price is double the RICS red book valuation and there has been no meaningful discussion with the buyers or consideration of a reduction in price, including a lack of a for-sale sign. The PC feel that the proposal is contrary to LP9 as the closure of the public house would not sustain a sustainable small settlement. They also feel that the proposal is contrary to G12 of the Neighbourhood Plan as there should be improvements with a growing community and not a loss of them.

No response have been received from Environmental Health and Waste (bins).

REPRESENTATIONS

A total of 128 submissions were received during the public notification period some are from the same address (12). 2 of these were in support of the application and 126 were in objection. Below is a list of properties who objected to the proposed development:

- 19 responses were from outside of Great Gransden, 2 of these were in support.
- 109 responses were from residents of Great Gransden

There was also an extensive representation made by the Great Gransden Community Benefit Society Ltd (GGCBS).

The concerns raised within the submissions have been summarised below and the full responses can be viewed on the council website:

Support
- Feel that the pub is not viable or profitable
- Desire to have a pub is not matched by the use of the pub
- Too small for food, cannot survive on drinks sales alone
- Community cannot find the money
- Condition deteriorating and so will bring back to residential use
- It's a family home and they have a right to it
- Cambourne can only sustain one pub and is much larger

Objection
- Feel there is demand for a pub from within Great Gransden and neighbouring villages
- On sustainable routes for walking and cycling
- Pub has not considered diversifying, such as B&B. Or specialise in a food or local brews, as other local pubs have done.
- Loss of the last pub in the village
- Loss of a Asset of Community Value (ACV). Made on the 9th October 2014. The listing was renewed July 2023 and runs to July 2028.
- Did not try to re-open after COVID
- The Reading Rooms (community space) has a pop up pub showing demand for this facility in the village.
- Not letting the community give it a go
- It was awarded Huntingdonshire CAMRA "Most Improved Rural Pub 2013"
- People have mentioned they are happy to pay a membership to keep the pub going.
- Part of the garden not in the listing and so reducing potential interest in the enterprise
- In the Neighbourhood Plan and should be protected
- There is a village campaign to get it re-open showing support for the pub
- Community (Great Gransden Community Benefit Society GGCBS) offer refused twice, under offer and then on offer but refused as no cash.
- All viewings have been refused even from potential buyers who have written in to say they couldn't view, couldn't get more details and offers not acceptable as not cash.
- Concerns the listing was mainly with residential sales agents and not marketed correctly.
- Growing village and more residents need community facilities.
- Substantial harm felt to be created to the Listed Building contrary to LP34
- Contrary to LP22 as there is community support and not effectively marketed.
- Used to run as a profitable business with food and events, so can again.
- Potential buyers not allowed in for surveys including the community group
- Community group undertaken a RICS red book valuation and the market value is felt to be inflated due to hope value for a residential dwelling. No evidence or explanation of the value.
- Charging VAT which acts against a sale
- State of the property reduces the chance of a sale
- No change in marketing to try and attract more buyers
- Lack of financial transparency in the application
- Marketing report does not mention the other viewings requested by potential buyers that were refused and noted in their representations.

- It is also highly irregular to suggest that an offer for the asking price, subject to survey, from a registered community body that is subject to regulation by the Financial Conduct Authority (FCA), with legal and financial duties for its registered officers, and abiding by the Plunkett Foundation Model Rules for Community Ownership, might be "vexatious" and thus should be dismissed if "not credible". As noted, the stated purpose of GGCBS in its FCA registration is to purchase the pub and to run it as a community business.
- Treated bids differently
- Non negotiable price
- Similar public house
- Conservation area is being harmed by the building falling into disrepair
- Owners not willing to engage with the community.
- Contrary to the NPPF para 202, the Crown & Cushion should be conserved as a pub; para 212, great weight should be given to conserving the pub; para 213, there is no clear or convincing justification for a change of use; para 214, the application will not result in any public benefit, harm will be substantial and the application fails tests a to d. Retaining the pub meets requirements in para 96 a and 98 a.
- People feel the owner has tried to run it down to ensure it is not viable and should be turned into residential.
- Similar to the Dragoon, Brampton that was refused and dismissed at appeal
- Loss of Centre for social contact, foster a sense of community, negative impact on social cohesion, interests, trust, sense of belonging and heart of social life for the villagers. Poorer socially for not having a pub and adding to social isolation with a growing wider demographic.
- The social contact that pub could bring and has previously brought includes:
    * Live music
    * Community meetings
    * Sports events meeting afterwards
    * Meeting after church services
    * Pub garden for children
    * Films in the pub or garden
    * Amateur dramatic group
    * Tennis groups
    * Badminton groups
    * Golf groups
    * Walking club
    * Cycling club
    * Car enthusiasts
    * Musicians
    * Darts group
    * Artists

The Great Gransden Community Benefit Society Ltd (GGCBS) response is summarised below due to the level of detail:

- A key part of the submission is a RICS red book Valuation of the Pub to prove that the "non negotiable" "Asking Price" is double the "Market Value". £215,000 market value from the RICS assessment. The red book is evidence of unreasonable asking price
- They have made attempts over 16 months to meaningful engage in the sales process.
- Community owned businesses have a 94% success rate.
- 93.6% support in recent survey for retention of the Public House
- This is a Limited company formed to engage with the freeholder to purchase the C&C (Crown and Cushion)
- Formal invitation to apply for community ownership funding dismissed by applicant.
- Refused access by the applicants
- Cost of rewiring etc not taken into account and no access for next level survey to allow for funding process

- They do not feel that reasonable steps to market the property effectively
- This is a Grade II listed building and in the conservation area . It is deteriorating, destroying heritage setting of the area and key junction. They feel converting it to a residential dwelling would lose its heritage interest.
- They feel the applicant cannot argue that it won't be financially viable in the future and provide evidence of this legal argument. Not confuse commercial viability with what altruism and community effort can achieve.
- Price had hope value of possible residential use, not just public house
- No professional Valuation
- Land reduced in size to make less attractive
- Price and sales details produced by applicant alone
- If the pub was open and in a good condition and run by reasonably efficient operator and achieving a fair and operating profit then it would be worth £295,000
- Trying to engage from July 2023 to 5th Dec 2024
- Refused access, and asking for seeing funds in place first is unreasonable.
- the community group have provided a timeline of communication and offers

ASSESSMENT

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 (2019). 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".

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 matters to consider in the determination of this application are whether there is any conflict with Development Plan policies. In the event of any conflict with the Development Plan, consideration must be made to whether there are any material considerations, including the NPPF (2023) and Planning Practice Guidance (PPG), which indicate that planning permission should be granted. With this in mind, the main issues to consider in the determination of this application are:

*Principle of Development
*Design, Visual Amenity and Heritage Assets
*Residential Amenity
* Highway Safety, Parking Provision and Access
*Biodiversity
*Flood Risk
*Other Matters

<u>The Principle of Development</u>

The proposal is for the change of use of the building from Public House (sui generis use class, which broadly is defined as being 'in a class of its own') to residential use class by converting the ground floor of the public house into two self-contained flats resulting in three residential units within the existing building.

Para 98 of the NPPF states:

> *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*
>
> *c) 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;*
> *d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*

Whilst the Public House has been closed for some time the established use is a Public House with accommodation above. The application seeks to convert the premises, known as the Crown and Cushion, into one dwelling, removing the public house use.

Although the site is located within the built-up area and the conversion of the building into residential use may be supported, there is concern that the proposal does not sufficiently demonstrates that the development would not outweigh the loss of the public house as discussed below.

The Neighbourhood plan does not have a specific policy for the loss of community facilities and so defers to the Local Plan as the adopted plan policies. It does encourage walkable and sustainable access to services, community facilities to meet the needs of growing communities when development is approved and protection of the conservation area in line with policy LP34.

The purpose of Policy LP22 is to maintain the sustainability, vitality and viability of settlements and individual neighbourhoods within towns and villages, to support local facilities and services and to provide for the needs of the local community. The policy outlines that local services and community facilities include, among other things, public houses.

Policy LP22 of The Huntingdonshire Local Plan to 2036 states:

> *Where permitted development rights do not apply, a proposal which involves the loss of a local service or community facility will only be supported where:*
>
> *d. an equivalent service or community facility will be provided in a location with an equal or better level of accessibility for the community it is intended to serve; or*
> *e. it demonstrates that there is no reasonable prospect of that service or facility being retained or restored because either:*
>
> *i. there is insufficient community support for its continuation; or*
> *ii. reasonable steps have been taken to effectively market the property for its current use without success.*

No equivalent or replacement service or community facility is proposed in this application. As such, there would be a conflict in respect of criterion d of LP22. The applicant has not provided any details of any exploration of this. Therefore we move to criterion e.

With regard to criterion e i) of LP22, the supporting text advises that assessing the level of community support for a local service or facility is a matter of judgement, but could be informed by information such as evidence of the level of recent usage, as well as the number and nature of comments made on an application by members of the local community.

The applicants in their planning statement have stated they are not following this criterion but feel they comply with e ii). However, e i) is explored below for completeness.

The applicants stopped trading during COVID shutdowns and did not re-open after this. No recent trading accounts were provided. However, the planning officer requested details and trading accounts from the 31/3/2020 were provided with a profit of £10,336 and income for each owner of £5,168 and in 2019 this was £19,813 with an income to each owner of £9,907. Whilst this indicates a low turnover, neighbour representations state that the public house was used by various community groups. Representations state that the pub was slowly being 'run-down' and effective management and opportunities for the use of the Public House were reduced. However, commercial viability should not be confused with what altruism and community effort can achieve. The last few years of trading accounts are not felt to be a true representation of what the public house could achieve with the right landlord, opportunities and community support.

Although there has been a decline in drink-led pubs between 2003-2023, food led pubs have been resilient. There is a shift in the way people use pubs and the change from drink led to eating out or social uses. The applicants have not provided any evidence of diversification attempts or how they have tried to engage community groups to create a social space that returns people to the pub.

The Public House is a Asset of Community Value (ACV) and has been renewed as such to 2028. Showing the value of the community facility being recognised.

The application has raised 126 objections with 109 from residents of Great Gransden and only 2 letters of support. In a local community survey of 295 respondents, 93% were in favour of the pub re-opening.

No survey by the applicants was undertaken to show support for the loss of the Public House.

The Community have set up a limited company 'Great Gransden Community Benefit Society (GGCBS)'. This community group had the sole task of trying to purchase the public house for the community. The community group tried to get additional details and visits for surveys but were refused by the applicants. The group have support and options for funding but their two offers were refused. One was under offer and the other was asking price but refused as they could not provide proof of funds. This was because the process requires access to the building for surveys to progress to the next stage of the funding. The group have a real intention of buying, with undertaking a RICS red book valuation and the support and interest of its members. But has not been supported by the applicants. This shows that there is real community support to the extent to try to purchase the public house.

The Parish Council and the Ward Councillor also support the retention of the public house.

The community have also shown that there is a demand and desire of a public house by setting up a pop up pub in the community space (Reading Rooms). The public house did not re-open after COVID to show that there was any interest or lack of interest after this hard time.

In respect of criterion e) ii) of LP22, the supporting text sets out that a robust marketing exercise is the most transparent way of demonstrating that such facilities are no longer viable. It states that effective marketing will in most cases need to be for a continuous period of 12 months at a value reflecting its permitted use, while recognising that in particular circumstances it may be appropriate for alternative arrangements to establish if there is any realistic prospect of maintaining the service or facility.

A very brief marketing report has been provided with the application and explains offers that have been received. However, from representations received it is not felt the details of the offers was a true representation of the offers put forward. With some missing from the report.

The marketing report states that the application was advertised on:

- Daltonbusiness.com
- Businessforsale.com
- Rightbiz.co.uk
- Zoopla.co.uk
- Primelocation.co.uk
- Morningadvertiser.co.uk
- Rightmove.com
- The agents own website 'Sidney Phillips', which also sent out emails to 4692 registered buyers and sale particulars sent to direct enquiries.

The only public house specialist was Sidney Phillips. The 'Publican' 'Christies' 'Find my Pub' are examples of more specific focussed marketing websites that were not utilised. Although it states social media was utilised, no details of how or how many listings were made. No local press advertising was utilised, and residents have stated that a for sale sign was not utilised for the 12 month period. This was from the 3 August 2023 and so 12 months has been achieved.

Although it was marketed for 12 months this is not felt to be a specialist marketing directed to a public house use or other community use.

Although the Asset of Community Value (AVC) has a right to bid there is not Right to Buy and these offers can be refused for unjustified reasons.

No evidence of marketing for other community uses has been provided or considered.

The representation state that when viewings were requested the applicants declined. This would significantly reduce any offers or interest in the property. The marketing report reflects this with only one viewing in the 12 months.

The advertising was brief with no floor plans or extensive details. When additional details were requested by potential buyers these were refused.

When access was requested by potential buyers for surveys, these were refused.

When bids were put forward they were refused as they were under the value and there was no consideration of reducing the price in the 12 month period. Some not included in the marketing report.

When offers were made the applicants refused to consider them as proof of funds could not be provided (surveys were needed first, which were refused) or they were not cash buyers. The applicants have provided the annual returns for the Community Group, but this is not a true reflection of the funding they would have available to make an offer and was used as an unreasonable reason to refuse an offer.

The planning officer requested details of the valuation of the property and how this price was reached. Other public houses in the Cambridgeshire area nearby are much less (£100,000 less) than this value for larger enterprises.

The applicants agent responded in an email on the 13/3/25 that 'The value that the property has been marketed at is the value needed in order for my clients to be able to leave the property and buy another home within the village. We provide sold price comparables for detached houses within 3 miles of the property in order to be able to substantiate this.' Therefore the marketing of the public house has not been at a value reflecting its permitted use but instead what the applicants need to buy a house elsewhere. It appears to be marketed at a residential value and not at the public house/community use value. It has not been marketed as a public house or looked at

alternative community uses/ multiple uses within the site, if these could be achieved or the value this would achieve.

The local community group has had a RICS red book survey undertaken that states that the value would be £215,000 in its current state and if the pub was open and in a good condition and run by reasonably efficient operator and achieving a fair and operating profit then it would be worth £295,000.

Bids were not unsuccessful but chosen to not be explored or accepted by the applicants.

Therefore, it is not felt that reasonable steps have been taken to effectively market the Crown and Cushion for its current use.

Great Gransden has lost all of the other public houses in the village and this is the last public house and asset of community value. There is community group have stated that there is a café in the Reading Rooms (community space) every Friday morning which is very busy primarily the retired generation. There is a pop up pub in the Reading Rooms which is a temporary event which takes effort to convert the community space each time. Great Gransden has a full time Shop/Post Office.
The chequers in the neighbouring village of Little Gransden is open Thursday to Sunday. It is basically a wet pub but does pizza of a Friday. The two pubs have always coexisted serving different demographics. Therefore, Great Gransden has very limited local community services and the loss of this community space would be a significant detriment to the community and peoples quality of life.

For these reasons the proposal does not accord with part d) or part e) i) or e) ii) of policy LP22. The proposal does not provide an equivalent service or community facility, it does not have insufficient community support for its continuation and it has not been ul effectively marketed for its current use.

The proposal is therefore unacceptable in principle.

Design, Visual Amenity and Heritage Assets

Paragraph 130 of the National Planning Policy Framework states planning decisions should ensure that developments will, amongst others, function well and add to the overall quality of the area, is visually attractive as a result of good architecture, layout, appropriate landscaping and is sympathetic to local character including the surrounding built environment and landscape setting.

Local Policy LP11 sets out the mechanisms for achieving high standards of design for all development, particularly those that will significantly add to, or create new communities and will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings, including natural, historic and built environment.

Local Policy LP12 states new development will be expected to be well designed based upon a thorough understanding of the constraints and appraisal of the site's context, delivering attractive, usable and long-lasting buildings and spaces. A proposal will be supported where it can demonstrate that it contributes positively to the areas character and identity, successfully integrates with adjoining buildings, the routes and spaces between buildings, topography and landscape.

Policy LP34 of the Local Plan to 2036 outlines that "Great weight and importance is given to the conservation of heritage assets and their settings. The statutory presumption of the avoidance of harm can only be outweighed if there are public benefits that are powerful enough to do so.

The National Planning Policy Framework (2024) states 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 (Para 212) and 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 (Para 213). The NPPF 2024 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (Para 214).

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.

The proposal is for a conversion of an existing public house into 1 dwelling with no external alterations. Consequently, it is not anticipated that the proposed changes would cause significant visual harm to the property itself or the wider public realm.

Given the proposal would not incur a significant change to the exterior of the building, it is considered that although the proposal would be viewable from the street scene, it is not felt to cause significant harm to the Conservation Area or Listed Building. The conservation officer acknowledges this stating 'the proposed alterations would impact modern fabric with no special architectural or historic interest. The historic evolution of the building would be retained. There would be slight loss of significance through moving the modern extension wall to change the historic entrance to the building. There would be slight enhancement to the significance of the building by opening up the assumed fireplace in the main stack. No alterations to the exterior of the building are proposed and therefore there would be no impact on the character and appearance of the conservation area under these applications.'

Alternative community uses would need to consider the works to the Listed Building but could be explored.

The proposal on balance would not give rise to any significant harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies LP34, LP11 and LP12 of Huntingdonshire's Local Plan to 2036.

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. A site visit was carried out by the case officer during the consultation period of the application.

Again, as the proposal would not alter the external appearance of the building, the garden and access would be utilised less by a residential use and windows would not cause harmful overlooking. It is felt the proposal would provide a high standard of living for the residents and maintained for neighbours. The change of use is considered acceptable in terms of overshadowing, overlooking, overbearing impact, loss of privacy, loss of light and would not have a significant detrimental impact upon residential amenity. The proposal is therefore considered to be in accordance with Policy LP14 of the Local Plan to 2036 and paragraph 135(f) of the NPPF (2024).

Highway Safety, Parking Provision and Access

Policy LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles. Paragraph 115 of the NPPF (2023) states that development should only be prevented or refused on Highway Safety Grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal seeks to implement an existing area of hardstanding to the side of the existing public house for off-road car parking spaces.

Cambridgeshire County Council as the Local Highways Authority have reviewed the proposals and advised that there are no objections raised to the proposal on highway safety grounds.

Policy LP17 of the Local Plan to 2036 and the Huntingdonshire Design Guide (2017) seeks the provision of secure and covered cycle parking on the basis of 1 space per bedroom. This could be secured by condition in the event of an approval being made to the proposal.

Therefore, subject to conditions, it is considered that there is sufficient car and cycle parking and manoeuvring space on the site for dwellings of this size and location. The proposals are not considered to cause any adverse impacts on highway safety and are therefore considered to meet the aims and objectives of the NPPF (2024) and Policies LP16 and LP17 of Huntingdonshire's Local Plan 2036.

Biodiversity

The NPPF states Planning policies and decisions should contribute to and enhance the natural and local environment. Policy LP30 of the Local Plan to 2036 states that development proposals should demonstrate that all potential adverse impacts on biodiversity have been investigated. Any proposal that is likely to have an impact, directly or indirectly on biodiversity will need to be accompanied by an appropriate appraisal, such as a Preliminary Ecological Appraisal (PEA). LP30 also states that all proposals must also demonstrate a net gain in biodiversity where possible.

No Preliminary Ecological Assessment has been received by the LPA. It is acknowledged that the site is either covered development hardstanding and a garden which would not change in appearance. There are no works to the roof that could disturb nesting mammals. However in this case, given the nature of the site and its surroundings relating to a garden and hardstanding in an established residential area, it is considered that the site provides little value in terms of biodiversity and it is considered that conditions could be set to secure biodiversity gain in the event of an approval of this proposal so that the development would accord with Policy LP30 of Huntingdonshire's Local Plan to 2036 and the NPPF in this regard.

Flood Risk

The site is located in a Flood Zone 1 which is appropriate for all forms of development.

The National Planning Policy Framework (NPPF 2024) requires Local Planning Authorities to steer development to areas at the lowest probability of flooding by applying a flood risk sequential test and the NPPF technical guidance states that the overall aim should be to steer new development to Flood Zone 1. It is considered a flood risk assessment is not required for this application as no portion of the building is located on land in Flood Zone 2 or 3.

The proposed development is considered acceptable in terms of flood risk and accords with Policies LP5 and LP15 of the Local Plan and the NPPF 2024 in this regard.

Other Matters

Accessible and Adaptable Homes:

Policy LP25 of the Local Plan to 2036 requires proposals that include housing to meet the optional Building Regulation requirement M4(2)" Accessible and adaptable dwellings" unless it can be demonstrated that site specific factors make this unachievable.

Although no evidence has been submitted demonstrating the proposal will accord with the above requirement, it is considered that the applicant can meet this policy requirement which could be secured by a suitably worded condition.

Water Efficiency:

Policy LP12, Criteria j, of the Local Plan to 2036 requires all new dwellings to be in compliance with Building Regulations approved document G, which sets out standards for water efficiency.

In the event of an approval decision being made on this application, a condition could be attached to secure this.

Infrastructure requirements and CIL

For this proposed change of use, the only infrastructure requirement is for the provision of wheeled bins. A Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 has not been provided to secure a financial contribution towards the provision of wheeled refuse bins contrary with the requirement of policy LP4 of Huntingdonshire's Local Plan to 2036.. The proposal would generate a need for such facilities. The contribution is considered necessary to make the development acceptable in planning terms. This would need to be provided before any favourable decision was to be made.

The Community Infrastructure Levy will generate funding to deliver a range of District-wide and local infrastructure projects that support residential and economic growth, provide certainty for future development, and benefit local communities. It allows the District Council to work with infrastructure providers and communities to set priorities for what the funds should be spent on and provides a predictable funding stream so that the delivery of infrastructure can be planned more effectively.

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 discord with the relevant national and local policy as:

The application is contrary to policy LP22. The proposal does not accord with part d) or part e) i) or e) ii) of policy LP22. The proposal does not provide an equivalent service or community facility, it does not have insufficient community support for its continuation with a significant and demonstrable amount of support for retaining the Public House and it has not been effectively marketed for its current use. Although marketed for over 12 months, it has been marketed with an inflated market value for a residential property not a public house, lack of negotiation, lack of appropriate marketing, refusing to consider offers or even viewings, as just some of the poor marketing undertaken. The proposal is therefore contrary to paragraph 98 of the NPPF 2024 and The Huntingdonshire Local Plan policies LP7, LP22, sections d) and e) insofar as they seek to locate and safeguard local services and community facilities.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be REFUSED for the above reason.

CONTACT OFFICER:
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