



Report to East Buckinghamshire Area Planning Committee

Application Number:	PL/19/4178/FA
Proposal:	Demolition of existing two storey extension and erection of replacement part two, part single-storey side/rear extension, erection of outbuilding to form additional accommodation, internal alterations, an extension to the existing car park and associated soft and hard landscaping.
Site Location:	The Nags Head Public House London Road Little Kingshill Buckinghamshire HP16 0DG
Applicant:	Mr A Michaels
Case Officer:	Emma Showan
Ward affected:	Great Missenden
Parish Council:	Great Missenden
Valid date:	18 December 2019
Determination date:	23 September 2020
Recommendation:	Conditional permission

1.0 Summary & Recommendation/ Reason for Planning Committee Consideration

1.1 This application proposes the demolition of the existing two storey extension and erection of replacement part two, part single-storey side/rear extension, in addition to the erection of an outbuilding to form additional accommodation, internal alterations, an extension to the existing car park and associated soft and

hard landscaping at The Nags Head Public House in Great Missenden. The public house is located on a corner plot to the south-west of London Road and to the north-west of Nags Head Lane. The site is within the open Green Belt, Chilterns Area of Outstanding Natural Beauty (AONB). It is also adjacent to the Conversation Area, which is situated to the north-east of the site. The public house itself is a Grade II Listed building.

- 1.2 The main issues for consideration are the impact of the development on the openness of the Green Belt; the impact of the proposal on the character and appearance of the AONB; the impact on the Grade II Listed building and conservation area; and the parking and highway implications.
- 1.3 Cllr Gladwin has called in this application for consideration by committee if the Officer's recommendation is for refusal. No reason is stated for the call in, however it is noted that this application was called before the committee prior to the Council becoming Buckinghamshire Unitary Council and the adoption of a new constitution.
- 1.4 The recommendation is to grant permission, subject to conditions.

2.0 Description of Proposed Development

- 2.1 This application proposes the demolition of the existing two storey extension and erection of replacement part two, part single-storey side/rear extension, in addition to the erection of an outbuilding to form additional accommodation, internal alterations, an extension to the existing car park and associated soft and hard landscaping.
- 2.2 The proposed side/rear extension to the main public house would have a maximum depth of 3 metres beyond the existing rear elevation and width of 1.7 metres beyond the existing flank elevation. The height of the two storey extension would be 8 metres to meet the height of the existing building. At ground floor level, this would allow for an extension to the kitchen and food store. At first floor level, this would allow for the creation of bedrooms and en-suite bathrooms. The height of the two storey extension would be comparable to that of the existing building.
- 2.3 A new, detached part single storey, part two-storey outbuilding is also proposed. This would have a maximum width of 16.9 metres, depth of 3.6 metres and pitched roof height of 9.5 metres at two storey level and 6 metres at single storey level. It would accommodate six bedrooms with en-suite bathrooms. The building would be in two parts, the two storey element comprising brick and flint facing materials and the single storey element having a traditional barn-like appearance which would incorporate horizontal weatherboarding. It would be located along north-west flank boundary of the site and adjacent to London Road.
- 2.4 It is also proposed to extend the car park to the rear of the public access and into an area currently used as the pub garden. A total of 27 parking spaces would be

proposed and two disabled parking spaces and the access would continue to remain onto London Road. A cycle stand will also be incorporated.

2.5 Internal alterations and landscaping are also proposed.

2.6 In support of the application, the Applicant has submitted:

- Arboricultural report
- Business support statement
- Heritage statement
- Planning statement
- Topographical survey
- Tree constraints plan
- Tree survey

2.7 Numerous amended plans have been submitted during the course of this application. The amendments have been in consultation with the Council's Historic Buildings Officer in order to secure a scheme that is considered acceptable in terms of its impact on the Grade II Listed public house. The amended plans have led to revisions to and a reduction in scale of the external accommodation block, as well as internal and external alterations to the main public house.

3.0 Relevant Planning History

ADDRESS: Flat The Nags Head Public House London Road Little Kingshill
Buckinghamshire HP16 0DG

PL/19/4463/HB - Demolition of the existing two storey extension and erection of replacement part two, part single-storey side/rear extension, in addition to the erection of an outbuilding to form additional accommodation, internal alterations, an extension to the existing car park and associated soft and hard landscaping, pending consideration.

CH/2018/0266/HB - Roof extension to existing building and attached two storey building to create 9 new bedrooms, new kitchen, extension to the dining room and store. Refused permission as the proposal is not consistent with the conservation of the Listed building due to the impact of the scale of what is proposed, and the historic building would be overwhelmed by the addition and the harm that is caused is not outweighed by additional public benefits.

CH/2018/0265/FA - Roof extension to existing building and attached two storey building to create 9 new bedrooms, new kitchen, extension to the dining room and store. Refused permission for the following reasons:

1. The proposed extension is considered to be a disproportionate addition over and above the size of the original building, and as such, the development does not fall into any of the categories listed in Policy GB2 of the Local Plan and paragraphs 89 and 90 of the National Planning Policy Framework. It therefore constitutes inappropriate development in the Green Belt. Furthermore, given the scale of the proposed extension and the expanse of hardstanding proposed for the new car parking area, the development would have a detrimental impact on the openness of the Green Belt. No very special circumstances have been demonstrated which clearly outweigh the harm to the Green Belt.

2. The proposed development consists of a substantial extension which almost doubles the size of the existing building, a large expanse of hardstanding on land which is currently grass, and a new access onto Nags Head Lane which would require road signs or dragons teeth to enforce a one way system. The proposal will create a much more dominant building within the landscape and a development which fails to conserve or enhance the rural character of the area or high landscape quality of the AONB.

3. This proposal is not consistent with the conservation of the listed building due to the impact of the scale of what is proposed, the historic building would be overwhelmed by the addition and the harm that this would cause is not outweighed by additional public benefits. The additional hardstanding for the new parking area and the consequent reduction of garden would also harm the setting of the listed building. The less than substantial harm identified is not outweighed by public benefit or securing the buildings optimum viable use.

CH/2017/0915/HB - Internal and external alterations with the erection of a building to create 9 new bedrooms, new kitchen, extension to the dining room and store. Refused permission.

CH/2017/0914/FA - Erection of a building to create 9 new bedrooms, new kitchen, extension to dining room and store. Refused permission.

CH/2008/0311/FA - New car park and vehicular access onto Nags Head Lane, refused permission.

CH/2001/1283/HB - First floor rear extension including new external stair (amendment to Listed Building Consent CH/1999/1841/HB), conditional consent.

CH/2001/1282/FA - First floor rear extension including new external stair (amendment to planning permission CH/1999/1840/FA) for use of whole first floor to provide seven rooms for bed and breakfast accommodation, conditional permission.

CH/1999/1841/HB - First floor rear extension, conditional consent.

CH/1999/1840/FA - First floor rear extension, conditional permission.

CH/1980/0287/FA - Erection of single storey rear and side extension, conditional permission.

4.0 Summary of Representations

4.1 'The Parish Council support this application to provide additional much needed hotel accommodation in the Parish, subject only to the planning authority being satisfied that the parking provision on site is adequate for the property if extended as proposed, and that there is adequate provision for disabled access.'

4.2 In addition, three letters of support received which can be summarised as follows:

- Visitors to the area and to the tennis club need more accommodation options
- Shortage of accommodation locally
- More parking is required as there is currently overspill to the tennis club
- The development would attract visitors to the District
- Opportunities for tourism and hospitality
- Job creation
- Would secure future viability for The Nags Head

4.3 The Applicant has also submitted five further letters of support.

5.0 Policy Considerations and Evaluation

- National Planning Policy Framework (NPPF), February 2019.
- National Design Guidance, October 2019
- Core Strategy for Chiltern District - Adopted November 2011:
- Chiltern District Local Plan adopted 1 September 1997 (including alterations adopted 29 May 2001), consolidated September 2007 and November 2011.
- Draft Chiltern and South Bucks Local Plan 2036.
- Chiltern and South Bucks Community Infrastructure Levy (CIL) Charging Schedule

Principle and Location of Development

- Core Strategy Policies:
CS1 (The spatial strategy),

➤ Local Plan Saved Policies:
GB2 (Development in general in the Green Belt)

5.1 The site is located within the Green Belt where most development is inappropriate and there is a general presumption against such development. Chapter 13 of the NPPF emphasises the importance of Green Belts and states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

5.2 Paragraph 145 of the NPPF outlines some exceptions to this, including the extension or alteration of a building, providing that it does not result in disproportionate additions over and above the size of the original building. This is supported by Local Plan Policy GB2. The original building has previously been extended under planning permission CH/2001/1282/FA and Listed Building Consent CH/2001/1283/HB. Accordingly, the existing building, including the permitted extension, has a floor area of 358.6 square metres.

5.3 The application follows on from planning application CH/2018/0265/FA and Listed Building Consent CH/2018/0266/HB, both of which were refused for the following reasons:

- The proposed extension is considered to be a disproportionate addition over and above the size of the original building, and as such, the development does not fall into any of the categories listed in Policy GB2 of the Local Plan and paragraphs 89 and 90 of the National Planning Policy Framework. It therefore constitutes inappropriate development in the Green Belt. Furthermore, given the scale of the proposed extension and the expanse of hardstanding proposed for the new car parking area, the development would have a detrimental impact on the openness of the Green Belt. No very special circumstances have been demonstrated which clearly outweigh the harm to the Green Belt.
- The proposed development consists of a substantial extension which almost doubles the size of the existing building, a large expanse of hardstanding on land which is currently grass, and a new access onto Nags Head Lane which would require road signs or dragons teeth to enforce a one way system. The proposal will create a much more dominant building within the landscape and a development which fails to conserve or enhance the rural character of the area or high landscape quality of the AONB.
- This proposal is not consistent with the conservation of the listed building due to the impact of the scale of what is proposed, the historic building would be overwhelmed by the addition and the harm that this would cause is not outweighed by additional public benefits. The additional hardstanding for the new parking area and the consequent reduction of garden would also harm the setting of the listed building. The less than substantial harm identified is not outweighed by public benefit or securing the buildings optimum viable use.

5.4 The current application differs from the previous application in that the extensions to the public house itself have been reduced in scale and additional accommodation is instead proposed to be erected within a separate, detached part single, part two storey outbuilding located within the existing car park and

along the north-west site boundary. Further, whilst a car park extension remains part of the proposal, the existing access onto London Road will remain as existing and a new access onto Nags Head Lane is no longer proposed.

- 5.5 Each of these elements will be assessed separately in terms of their impact on the Green Belt. Taking the proposed extensions to the public house first, these would for a large part replace the existing extension erected as part of the 2001 planning permission. The proposed extension would be two-storey for the most part with a small single storey rear/side projection with a lean-to roof. The first floor ridge height would be 8 metres, which is the same as the height of the existing building. Taking into account the proposed demolition of the existing extension, the extension would add approximately 43 square metres to the existing footprint, equating to a 12% increase above the existing. Taking into account the proposed extension in addition to the previous extension (some of which is being demolished as part of this extension), it is considered that the proposal would not result in a disproportionate addition over and above the size of the original building. Furthermore, the siting of the extension to the rear/side of the building would consolidate the built form and its design is such that the increase to the footprint would not be substantial, further ensuring that the proposal has an acceptable impact on the openness of the Green Belt.
- 5.6 It is also proposed to erect a part single, part two storey detached outbuilding along the north-west site boundary to provide six bedrooms and their en-suite bathrooms. The proposed floor area of this building would be 77 square metres. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. A new building to provide additional hotel accommodation is not included in the list of acceptable development in the Green Belt, as per the provisions of the NPPF. This outbuilding would therefore constitute inappropriate development, and can only be considered acceptable in very special circumstances. It is noted that the Applicant's supporting statement states that this building would replace a coach house that previously existed on site but that was demolished in the 1970s. There is no trace of the building on site currently and so it cannot be taken into account. It is therefore clear that the proposed outbuilding would constitute inappropriate development and by virtue of the fact that it would introduce built form where there is presently none, it would have a detrimental impact on the openness of the Green Belt.
- 5.7 The application proposes to extend the existing car park to enable the provision of 27 parking spaces, two disabled parking spaces and provision of a cycle rack. The car park extension would be onto an area of existing lawn which currently serves as the pub garden. By virtue of extending the parking into this area, visually, there would be a spread of urbanising features into the Green Belt. Whilst the appearance of the car park could be improved through the use of landscaping planting and Brendon gravel to ensure that extensive tarmac and hardstanding is not used across the site, the harm to the Green Belt and detrimental impact on the appearance of the Area of Outstanding Natural Beauty (AONB) would need to be weighed against the overall benefits of the proposal.

- 5.8 It has been set out above that whilst the proposed extensions to the public house could have an acceptable impact on the openness of the Green Belt, the erection of a new outbuilding to house additional accommodation would constitute inappropriate development, whilst the extension to the car park would undermine the rural character of the Green Belt also. The proposal would not therefore be acceptable unless very special circumstances can be demonstrated.
- 5.9 The Applicant has submitted a Planning Statement which sets out their case for very special circumstances. This will be evaluated in the following sections of this report which will also identify if any other harm exists, before a balanced judgement is made as to whether any very special circumstances exist to outweigh the harm to the Green Belt and any other identified harm.

Raising the quality of place making and design

- Core Strategy Policies:
 - CS4 (Ensuring that the development is sustainable)
 - CS20 (Design and environmental quality)
 - CS22 (Chilterns Area of Outstanding Natural Beauty)
 - CS29 (Community)
- Local Plan Saved Policies:
 - GC1 (Design of development throughout the district)
 - GC4 (Landscaping throughout the district)

- 5.10 The application site is in a relatively remote location which has a rural character. It is surrounded on three sides by fields and is within the Chilterns AONB and close to the Great Missenden Conservation Area.
- 5.11 In accordance with Paragraph 172 of the NPPF, great weight should be given to conserving and enhancing the landscape and scenic beauty of AONBs which have the highest status of protection in relation to landscape and scenic beauty. Policy LSQ1 of the Local Plan states that the scale, size, siting and design of the development as well as the external materials to be used, shall be considered in assessing whether the development is appropriate within the AONB and Policy CS22 of the Core Strategy seeks to safeguard views in and out of the area.
- 5.12 The previous planning application raised concern in respect of the dominance of the building within the landscape in addition to the detrimental impact of the expanse of hardstanding proposed and the new access requiring signage or dragons teeth which were all considered to be contrary to the rural nature of the locality. This latest application has reduced the size of the extensions to the public house (instead providing the additional accommodation in a separate outbuilding) and proposes to retain the existing access arrangements onto London Road, and does not include a new access and signage onto Nags Head Lane.
- 5.13 As the proposed extensions to the public house have been reduced in size and scale in comparison to those proposed as part of the previous application, they are now considered to be more sympathetic and in proportion to the

existing building. This has had a positive impact in reducing the visual impact of the proposal and reducing the prominence of the building in the landscape.

- 5.14 With regards to the proposed outbuilding, this would be a part single storey, part two storey rectangular structure incorporating a gable roof and simple, agricultural appearance. It would be designed to reflect a traditional Chilterns building through its use of weatherboard cladding along the single storey element whilst bricks and flint would be used on the two storey element. The openings would be simple and laid informally. This would ensure that the building retains a simple, rural character. Should planning permission be granted, a condition requiring the submission of details in respect of facing materials would be essential to ensure that the resultant building is in keeping with the rural character of the area. Overall, it is considered that this proposed new building would be designed to respect the character of the area and the AONB.
- 5.15 The creation of a second access onto Nags Head Lane was previously rejected in that the loss of hedging along this road and laying of hardstanding would puncture the landscape and increase the visibility of the car park, to the detriment of the open and rural character of the area. It is now proposed to rely solely on the existing access onto London Road, taking away the need for hedging to be removed and dragons teeth/signage to be erected. Whilst the extension of the car park would undermine the rural character of the landscape to an extent, the additional parking would now no longer extend across the site to Nags Head Lane and so dominate the landscape. Whilst the increase in car parking spaces would have some harm to the appearance of the AONB, it can to an extent be mitigated with the use of appropriate materials and soft planting. To this end, the harm can be reduced, and the scheme represents a positive change away from the concerns raised under the previous planning application.
- 5.16 Finally, the proposal would require the loss of various trees and a hawthorn, but as these are all fairly small trees, they are of limited importance. As such, there are no objections to the application, provided there is adequate protection for the retained trees.

Historic environment (or Conservation Area or Listed Building Issues)

- Core Strategy Policies:
 - CS4 (Ensuring that development is sustainable)
- Local Plan Saved Policies:
 - LB1 (Protection of special architectural or historic interest of Listed Buildings throughout the district)
 - LB2 (Protection of setting of Listed Buildings throughout the district)
 - CA2 (Views Within, out of, or into the Conservation Areas as defined on the Proposals Map)

- 5.17 The Historic Buildings Officer previously objected to the proposal on the grounds that the scale of the proposed extension would overwhelm the historic building and this harm would not be outweighed by public benefits. In response to the amended proposal, the Historic Buildings Officer has worked extensively with the Applicant to advise on a scheme that is considered to be more

appropriate to the Listed Building on site. Following discussions with the Historic Buildings Officer, the Applicant has reduced the scale of works to the Listed public house itself, so that the extension to this building would now be single storey with a minor projection to the rear. It is considered that the modest nature of this extension would have an acceptable impact on the public house.

- 5.18 In terms of the impact of the new building accommodation, the Historic Buildings Officer has retained concerns that this building remains over large to the extent that it could dominate the rural setting of the listed building. Comments have also been provided in respect of the materials and glazing, although the Historic Buildings Officer has acknowledged that appropriate materials and openings can all be secured by way of planning conditions, should planning permission be granted.
- 5.19 The concerns of the Historic Buildings Officer in relation to the size of the detached accommodation block are noted however, the impact this block has on the siting of the Grade II Listed public house must be weighed up against the benefits of this scheme, namely the opportunity to increase the viability of the business operation on site, the increase in service provision, and the increase in employment generation. This will be considered and weighed up in the final section of this report.

Transport matters and parking

- Core Strategy Policies:
CS25 (Dealing with the impact of new development on the transport network)
- Local Plan Saved Policies:
TR11 (Provision of off-street parking for developments throughout the district)
TR15 (Design of parking areas throughout the district)
TR16 (Parking and manoeuvring standards throughout the district)

- 5.20 It is proposed to provide a total of 27 parking spaces, two of which would be designated for disabled users. This is an increase of nine spaces compared with the existing situation. Local Plan Policy TR16 recommends that for hotels one space per bedroom is to be provided. Meanwhile, for public houses, one car space per four square metres of public floor space is to be provided. To this end, the proposed extensions to the public house would entail the creation of a larger kitchen and food store (in addition to hotel rooms at first floor level), as opposed to additional public space. Therefore, in accordance with the standards set out in this Policy, nine parking spaces are to be provided to serve the nine proposed hotel rooms. As an increase of nine spaces is shown on the site plan, the proposal accords with the Council's parking standards and no objections are raised with respect of parking.

- 5.21 It is proposed to rely on the existing access onto London Road. This arrangement has been assessed by the Highway Authority who has raised concern that adequate visibility splays cannot be achievable to the left upon exit.

Due to the intensification of use of this access at a point where visibility is substandard it is considered that the proposal would have a detrimental impact upon the safety of highway users and so the Highway Authority has recommended refusal of this application on this basis. Since the submission of the Highway Authority comments, the Applicant has submitted amended plans showing a reduction in height to the boundary wall at the north flank elevation to 0.6 metres. This reduction in height to the boundary wall is considered to be an acceptable solution to achieve the required visibility splays in this direction and thus overcome the Highway Authority concern in this regard.

5.22 Furthermore, the Highway Authority has confirmed that the access point is wide enough to accommodate two-way vehicular movements and that the parking spaces are of adequate dimensions to allow for vehicles to park, turn and leave in a forward gear.

Amenity of existing and future residents

- Local Plan Saved Policies:
 - GC3 (Protection of amenities throughout the district)
 - GC7 (Noise-generating developments throughout the district)

5.23 The proposed development is located at a sufficient distance away from neighbouring properties and so it remains that it would not adversely affect any residential amenities.

6.0 Weighing and balancing of issues / Overall Assessment

6.1 It has been set out above that the proposed outbuilding providing additional accommodation would amount to inappropriate development in the Green Belt and therefore can only be considered acceptable if very special circumstances can be demonstrated. To this end, the Applicant has submitted both a planning statement and business statement setting out what they consider to be the very special circumstances of the proposal.

6.2 The case can be summarised as follows:

- Removal of poorly integrated existing extension
- Reinstatement of a lost building that has a significant historical interest
- Proposal represents good design
- The site constitutes previously developed land
- There is need for additional accommodation on this site
- Represents sustainable development
- NPPF support for economic and rural development
- There is debate about the effectiveness and purpose of the Green Belt
- Creation of additional habitat for wildlife through landscaping proposals
- Provision of local community facility

6.3 Having regard to the very special circumstances set out by the Applicant, many of these circumstances are not unique and can clearly be replicated at other sites.

- 6.4 However, it is noted that the NPPF does support a prosperous rural economy, with Paragraph 83 stating that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings and; the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open spaces, cultural buildings, public houses and places of worship.
- 6.5 The Applicant has also submitted a business statement. This states that to survive pubs must either diversify their offer and/or expand their present facilities. Details of the existing business mix are provided, including information about the overheads and cash flow. It is outlined that the ratio of staff costs versus turnover have become unsustainable between 2011 and 2019. In addition to this, the business statement sets out there is demand for hotel accommodation locally, with the average annual occupancy of the Nags Head being 87%. This is higher than the national average which is 72%. Further, it is shown that revenue from letting rooms has increased 61% over the previous six years. It is concluded that development at the site will aid the shortage of accommodation in the Chilterns as documented by the Chilterns Tourism Network and letters of support from local businesses; create extra employment for up to five people; and ensure the continued viability of a community asset.
- 6.6 It is clear from the submitted business statement that the existing business on site is viable and operating at a high level of occupancy. The proposed development would allow for the business to continue to remain viable and sustainable, as evidenced by their submitted figures in the business statement. At the same time, expansion of the business would have benefits for the wider economy. It is further noted that the Applicant has demonstrated their commitment to the business by way of securing LEP funding to support its growth and viability going forward.
- 6.7 It is acknowledged that the proposed extension to the existing public house would not constitute inappropriate development whilst the proposed outbuilding has been appropriately sited close to the road frontage and other buildings on site. In addition, it has been sympathetically designed to reflect the rural character of the area and appearance of other traditional buildings in the Chiltern District. The key question is therefore whether the need for expansion to the public house constitutes very special circumstances sufficient to outweigh the serious harm to the openness of the Green Belt.
- 6.8 The NPPF's support for the rural economy has been set out above and the business statement is clear in setting out how the additional accommodation would relate to the existing business and future viability of the business. By providing additional accommodation and rationalising the space within the existing public house, the proposal would help to secure the future of the business whilst supporting both sustainable rural tourism and employment, in line with the provisions of Paragraph 83 of the NPPF. It has already been stated above that the Applicant has already secured LEP funding to help secure a viable future for the public house.

6.9 It is considered that, based on the support documents, that the Nags Head Public House is operating a viable business model which can continue to expand in pace with existing demand. By providing additional accommodation on site, this would help to meet both current and future demand, and would help the public house to diversify, supporting both sustainable rural tourism and rural employment, in line with the provisions of the NPPF.

6.10 Throughout the course of this application, the Applicant has submitted a number of amended plans in an attempt to overcome the concerns raised by the Historic Buildings Officer. Reductions have been made to the scale and nature of works to be undertaken to the Listed Building itself, and the resultant single storey rear extension is considered to be acceptable. However, the Historic Buildings Officer retains concerns in respect of the scale of the separate accommodation block as it is considered that it could dominate the rural setting of the Listed building. These concerns must be weighed up against the merits of the scheme, namely the opportunity to increase the viability of the business operation on site, the increase in service provision, and the increase in employment generation. It has already been set out above that the business is operating at high capacity and seeks to expand in order to secure its long term viability. Securing the long-term viability of the public house and business is in the interests of the Grade II listed building as it would allow the public house to remain in use and therefore be maintained. Although there are concerns about the size of the accommodation block, justification has been provided for its size in terms of the viability of the public house. In addition, it has been sited at the flank boundary of the site where it would be set back from the highway to lessen its prominence in views from the public highway, whilst being sited close to the other development on site so as to limit the sprawl of development into the surrounding countryside, to the detriment of the open Green Belt and AONB. Furthermore, the Historic Buildings Officer has stated that planning conditions would mitigate harm by way of ensuring that the proposed building is appropriately erected and faced, if planning permission is granted. For this reason, taking into account the benefits of the scheme, and the fact that planning conditions can secure a satisfactory appearance for the accommodation block in line with the advice of the Historic Buildings Officer, it is considered that the benefits of the scheme would outweigh the harm caused by the accommodation block, in terms of its scale undermining the setting of the Listed building.

6.11 No other objections have been raised with regards to the impact of the proposal on neighbouring amenities; highway or transport matters; character of the area or setting of the AONB; and landscaping.

6.12 Consequently, on balance and taking into account the merits of the scheme, although the proposal would constitute inappropriate development, it is considered that, in this instance, very special circumstances have been demonstrated and it is considered that the proposal would accord with Paragraph 83 of the NPPF which seeks to support the sustainable growth and expansion of all types of business in rural areas through well-designed new buildings.

6.13 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

6.14 In this instance, it is considered that the proposal has had appropriate regard to the policies of the Local Development Plan and National Planning Policy Framework and it is considered that the proposal is acceptable.

6.15 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act, to reducing the inequalities which may result from socio-economic disadvantage. In this instance, it is not considered that this proposal would disadvantage any sector of society to a harmful extent.

7.0 Working with the applicant / agent

7.1 In accordance with paragraph 38 of the NPPF (2019) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.

7.2 The Council works with the applicants/agents in a positive and proactive manner by offering a pre-application advice service and, as appropriate, updating applications/agents of any issues that may arise in the processing of their application.

7.3 The applicant has agreed to the pre-commencement conditions.

7.4 In this instance the applicant/agent

- was provided with pre-application advice,
- the applicant/agent was updated of any issues after the initial site visit,
- The applicant was provided the opportunity to submit a number of amendments to the scheme/address issues.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

Recommendation: Conditional Permission

Subject to the following conditions:-

1. General time limit

2. No part of the development shall commence until a Demolition Method Statement and Construction Traffic Management Plan have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These shall include details of: Construction access; Management and timing of deliveries; Routing of construction traffic; Vehicle parking for site operatives and visitors; Loading/off-loading and turning areas; Site compound; Storage of materials; and precautions to prevent the deposit of mud and debris on the adjacent highway. The development hereby permitted shall thereafter be carried out in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

3. No part of the development shall commence until tree protection fencing is erected around the trees and hedges to be retained in accordance with both British Standard 5837:2012 and the tree protection proposals set out in the submitted Arboricultural Report (GHA Trees, March 2017). The fencing shall then be retained in position until the development is completed. Within the enclosed areas there shall be no construction works, no storage of materials, no fires and no excavation or changes to ground levels.

Reason: To ensure that the existing established trees and hedgerows within and around the site that are proposed to be retained are safeguarded during building operations.

4. No part of the development shall commence until the new means of access has been sited and laid out in accordance with the approved drawings. This includes the reduction in height of the wall along the north side boundary to 0.6 metres as shown on the approved plans and the provision of visibility splays on both sides of the access between a point 2.4 metres along the centre line of the access measured from the edge of the carriageway and a point 79 metres along the edge of the carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 0.9 metres in height above the nearside channel level of the carriageway.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

5. Before any construction works above ground level commence, details and samples of the external facing and roofing materials to be used for the accommodation block and extension to The Nags Head Public House hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The building and extension shall be constructed using the approved materials and all new brickwork should be laid in a traditional bond (no stretcher bond).

Reason: To ensure that the appearance of the development is not detrimental to the character of the locality, the AONB or detrimental to the Grade II Listed building.

6. Before any construction works above ground level commence, details of the materials and location of the hardstanding hereby permitted for the car park and paths within the site shall be submitted to and approved in writing by the Local Planning Authority. The hardstanding shall only be erected in accordance with the approved details and no alterations shall take place thereafter, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the amount and appearance of the hardstanding is not detrimental to the character of the locality and the AONB and to ensure that it is in keeping with the rural character of the Green Belt.

7 Before any construction works above ground level commence, an elevation plan and sample panel (no smaller than one square metre) showing the flintwork with additional brickwork to support the flint panels shall be submitted to and approved in writing by the Local Planning Authority. The proposed flint panels shall be formed of fractured or knapped flint with the dressed face exposed and set in lime mortar. The use of pre-cast flint panels would not be considered acceptable. The development shall only be erected in accordance with the approved details and no alterations shall take place thereafter, unless otherwise first agreed in writing by the Local Planning Authority. The sample panel shall be retained on site for the duration of the works.

Reason: To ensure that the development does not harm the appearance or character of the Listed Building on site.

8. Before any construction works above ground level commence, full details of the propose flue/chimney for the kitchen extract, including elevations, materials and details of any extraction equipment, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be erected in accordance with the approved details and no alterations shall take place thereafter, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the appearance or character of the Listed Building on site.

9. The scheme for parking and manoeuvring shown on AMENDED PROPOSED SITE PLAN 32-15-21 shall be laid out prior to the occupation of the accommodation block hereby permitted and that area shall thereafter be reserved for parking in connection with the use of The Nags Head Public House and ancillary accommodation and shall not be used for any other purpose. The hard surface shall either be made of porous materials, or alternatively provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the site.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of the highway and to prevent the risk of increased flooding and pollution of watercourses.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In order to maintain, as far as possible, the character of the locality.

11. No external lighting shall be fixed to the buildings or installed within or around the site unless first agreed in writing by the Local Planning Authority.

Reason: In order to maintain the rural character of the locality and to prevent harm to ecology.

12. Approved plans:

Nags Head ground floor main 32-15-16	- 10.08.2020
Nags Head main N and E elevation 32-15-18	- 10.08.2020
Nags Head main S and W elevation 32-15-19	- 10.08.2020
Nags Head first floor main 32-15-17	- 10.08.2020
Nags Head site plan 32-15-21	- 10.08.2020
Nags Head acc block 32-15-20	- 10.08.2020
TOPOGRAPHICAL SURVEY	- 03.08.2020

APPENDIX A: Consultation Responses and Representations

Parish/Town Council Comments

The Parish Council support this application to provide additional much needed hotel accommodation in the Parish, subject only to the planning authority being satisfied that the parking provision on site is adequate for the property if extended as proposed, and that there is adequate provision for disabled access.

Consultation Responses

Economic Development Officer: With both business growth and tourism identified as priorities for the area, it is important that businesses within the sector are supported to grow and succeed. The development proposed at The Nags Head will play a key role in ensuring its future sustainability and growth, safeguarding current jobs and creating new. Furthermore, there will be benefits to the local economy, through supporting tourism and enabling more visitors to stay locally and hopefully patronize other local businesses and tourist attractions. The Nags Head is already engaged with local organisations such as The Chilterns Tourism Network and local visitor attractions such as the Roald Dahl Museum. Continuing such engagement alongside an expanded accommodation offer could bring benefits to the visitor economy, local businesses, visitor attractions and the local economy as a whole. For these reasons, I would like to express my support for the proposed development.

Highway Officer: London Road is classified as the A413 and in this location is subject to a speed restriction of 40mph. This application proposes demolition of existing two storey extension and erection of replacement part two, part single-storey side/rear extension, erection of outbuilding and extension to the existing car park area.

The parking standards specify that each parking space should measure a minimum of 2.4m x 4.8m. Whilst I trust that the Local Planning Authority will consider the level of parking proposed, I can confirm that these spaces are of adequate dimensions and would allow for vehicles to park, turn and leave the site in a forward gear.

Having assessed the proposed plans, I am satisfied that the width of the access point is wide enough to safely allow two-way vehicular movements.

Having interrogated the TRICS® (Trip Rate Information Computer System) database, I consider that the proposed development of 6 additional bedrooms would have the potential to generate in the region of 79 additional vehicular movements a day, two-way. As this is the case, the existing access point serving the development must be assessed in order to determine its suitability to accommodate this increase in movements.

In accordance with guidance contained within Manual for Streets, visibility splays of 2.4m x 82m are required in both directions commensurate with a speed limit of 40mph. Having reviewed the submitted plans, I am aware the splays are not achievable to the left upon exit, due to the existing boundary wall. A splay of 2.4m x 12m is achievable to the left upon exit, which equates to vehicle speeds of 11mph, this is a significant reduction on the

required visibility splays and an intensification of use at this point will subsequently have a detrimental impact upon the safety of highway users.

Historic Buildings Officer: I have finally had an opportunity to study the revised plans and have the following comments.

My previous advice on the amended plans submitted on 28th July is below in the email chain for clarity.

The new building accommodation block is considerably longer bigger than the previous scheme which I considered to be over large; the rooms are all extremely generous in size; there are now three, three bed rooms proposed (previously there were just 2), and all rooms still have baths rather than showers. The two storey section is more than 2 metres longer than is necessary for good sized bedrooms, and the single storey element is now over long and even if reduced by 4 metres would still provide generous sized bedrooms.

I am afraid there is still a serious concern that the new block would dominate the rural setting of the listed building in this open rural setting, and it is considered that the accommodation required could be fitted into a much smaller new building.

With regard to the details of the proposal; the flintwork on the south elevation of the would need to be broken up into smaller panels by brickwork to provide visible support; perhaps this could be agreed by condition? The use of pre-cast flint panels would not be considered acceptable; Flint should be fractured or knapped with the dressed face exposed and set in a lime mortar- I would suggest a sample panel be required in association with the brickwork to ensure the correct details/ materials.

The first floor left flank window on the older part of the building (facing the junction) has been changed at some time since the building was listed. It was agreed that a window matching the original design would be reinstated here, but this is still not shown on the amended drawings. Large scale elevations and sections should be provided and the reinstatement conditioned. On the main building the windows should be single glazed; elsewhere the thin 12mm double glazing would be acceptable as this would enable narrow through glazing bars to be used. New doors should have the traditional wide planks. All new brickwork should be laid in a traditional bond (no stretcher bond), with local matching bricks

I have been asked to provide conditions if the application is approved;

- Large scale elevations and sections shall be submitted and approved in writing; showing the proposed eaves and verge details; to ensure the details are compatible with the listed building and its setting.

- Large scale elevation and sections shall be submitted and approved in writing showing the proposed new windows and doors, drawn in situ.
- Before the use of the new extension, the first floor window on the south elevation of the front historic part of the building shall be fitted in accordance with the approved plans.
- The proposed flint panels shall be formed of fractured or knapped with the dressed face exposed and set in a lime mortar. Note; the use of pre-cast flint panels would not be considered acceptable. A large scale elevation showing the flintwork with additional brick work to support the flint pales shall be submitted for approval in writing.
- All new brickwork should be laid in a traditional bond (no stretcher bond), with local matching bricks
- A sample panel showing the flint and brickwork, no smaller than 1 meter square shall be provided for approval and retained on site for the duration of the works.
- Traditional deep feather edged boarding, stained black shall be used for the single storey element of the detached block- samples to be approved
- The roofs shall be covered in hand made plain clay tiles to match those on the main building. (the single storey element may be natural slate???)
- All new external rainwater goods shall be painted cast metal.
- Detailed elevation drawings showing the proposed chimney for the kitchen extract shall be approved in writing
- Full details of any new external pipework, flues vents, extracts etc shall be submitted and agreed in writing; for the avoidance of doubt

Representations

Other Representations

Three letters of support received which can be summarised as follows:

- Visitors to the area and to the tennis club need more accommodation options
- Shortage of accommodation locally
- More parking is required as there is currently overspill to the tennis club
- The development would attract visitors to the District
- Opportunities for tourism and hospitality
- Job creation
- Would secure future viability for The Nags Head

The Applicant has also submitted five further letters of support.

APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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