



## Report to East Buckinghamshire Area Planning Committee

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<b>Application Number:</b>	PL/19/4463/HB
<b>Proposal:</b>	Listed Building Consent for: 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.
<b>Site Location:</b>	The Nags Head Public House London Road Little Kingshill Buckinghamshire HP16 0DG
<b>Applicant:</b>	Mr A Michaels
<b>Case Officer:</b>	Emma Showan
<b>Ward affected:</b>	Great Missenden
<b>Parish Council:</b>	Great Missenden
<b>Valid date:</b>	20 December 2019
<b>Determination date:</b>	23 September 2020
<b>Recommendation:</b>	Conditional consent

## **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 issue for consideration is the impact of the development on the Grade II Listed building.
- 1.3 Cllr Phillips has called in this application for consideration by committee if the Officer's recommendation is for approval. 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 consent, 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:

- Heritage statement

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

### 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)

5.1 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.

5.2 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.

5.3 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.

## 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 dominate the rural setting of the listed building. To this end, the Applicant has submitted both a planning statement and business statement setting out what they consider to be the merits 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 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.

6.4 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.

6.5 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.

6.6 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.

6.7 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.

6.8 Consequently, on balance, it is considered that the benefits of the proposal are sufficient to outweigh any harm identified.

6.9 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

6.10 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.

6.11 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 work 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 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 Consent**

Subject to the following conditions:-

1. General time limit

2. 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.

3. Before any construction works above ground level commence, large scale elevation plans and sections shall be submitted to and approved in writing by the Local Planning Authority. These plans shall show the proposed eaves and verge details and new windows and doors in situ. 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.

4. 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.

5. No amendments to existing or installation of new external pipework, flues, vents or extracts shall take place within or around the site unless 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.

6. All new external rainwater goods shall be painted cast metal.

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

7. 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

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 28<sup>th</sup> 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 1meter 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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