

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242953
Site Address:	The Horns Inn, Crazies Hill, Wargrave, RG10 8LY
Expiry Date:	15 April 2025
Site Visit Date:	4 June 2024 & 20 February 2025
Proposal: Full application for the proposed change of use of part of the upper floor to guest accommodation (Use Class C1) and part to a dual flexible use of Class C1 (guest accommodation) and Sui Generis use (Public House); erection of a replacement gazebo with PV panels, removal of decking and 2 no. existing sheds and erection of 1 no. shed, plus landscaping and external alterations to the building including changes to fenestration and erection of a single storey canopy roof to the side.	

PLANNING CONSTRAINTS/STATUS

Scale and Location of Development Proposals – Countryside
Green Belt
Grade II Listed Building
Areas of Special Character – Crazies Hill
Bat Roost Habitat Suitability
Landfill Gas Consultation Zone
Landscape Character Assessment Area
SSSI Impact Risk Zones
Historic Flooding Points Consultation Zone
Historic Flooding Points

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP2 – Inclusive Communities CP3 – General Principles for Development CP6 – Managing Travel Demand CP7 – Biodiversity CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits CP12 – Green Belt CP15 – Employment Development
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage

	TB01 – Development within the Green Belt TB07 – Internal Space Standards TB21 – Landscape Character TB23 – Biodiversity and Development TB24 – Designated Heritage Assets TB26 – Buildings of Traditional Local Character and Areas of Special Character
Joint Minerals and Waste Plan (JMWP)	The JMWP is not relevant to the type of development proposed.
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Wargrave Parish Design Statement

PLANNING HISTORY		
Application No.	Description	Decision & Date
242954	Application for Listed Building consent for the proposed external alterations to the building, including changes to fenestration and erection of a single storey canopy roof to the side; internal refurbishment of the bar area; removal of 3 no. chimney breasts at ground floor and associated structural works; structural works to the existing ground floor timber frame and 1 no. ground floor chimney, toilets and first floor rooms; new signage to the main elevation and a replacement roadside post sign.	<i>Pending Decision</i>
171384 (not implemented)	Full planning application for the proposed erection of a single storey rear extension to the existing building.	C/A 03/07/2017 –
LB/2010/0687	Listed Building application for the proposed addition of new flue to serve log burning stove.	C/A 01/06/2010 –
F/2010/0285 & LB/2010/0284	Proposed erection of a gazebo to provide smoking shelter.	C/A 31/03/2010 –
LB/2001/5524	Proposed internal alterations to listed building to enlarge trading area.	C/A 04/07/2002 –
F/1997/66724	Proposed construction of store building.	C/A 30/01/1998 –
36332 & 36333 (LBC)	Single storey side extension (toilets & lobby) & alterations to parking area.	C/A 31/10/1990 –
138/72	Door of car park	C/A 03/03/1972

CONSULTATION RESPONSES

Internal

WBC Environmental Health: No comments received
WBC Drainage: No objection subject to condition
WBC Highways: No objection
WBC Landscape and Trees: Request further information before determination
WBC Built Heritage Officer: Objects on the following grounds: Less than substantial harm to the historic significance of the Grade II Listed Building.
WBC Cleaner and Greener: No comments received
WBC Ecology: No objection subject to conditions

External

Thames Water Utilities Ltd: No comments received

REPRESENTATIONS

Parish/Town Council	Wargrave Parish Council raised no objection.
Ward Member(s)	Cllr Katrin Harding supports the application on the following grounds: The proposal carefully considers how to most sensitively retain and restore this heritage building, while adapting to allow successful use as a country pub. It will restore a valuable community asset and give more people the opportunity to interact with the history of the building as it moves into a new chapter. Cllr Wayne Smith supports the application on the following grounds: The application is sympathetic to the original building and its surroundings. Compliant with policies and is trying to maintain the pub's economic viability for the future. <i>Officer's Comment: Cllr Smith listed this application to Planning Committee in the event that it was recommended for refusal by Officers. As the application is recommended for approval it can be determined under delegated powers.</i>
Neighbours	37 comments (not including duplicates) received in support of the application.

APPRAISAL

Site Description:

The site is a vacant 16th Century Public House within the loose settlement of Crazies Hill, a cluster of development within the open countryside and Green Belt to the north-east of Wargrave Village and the south-east of Henley-on-Thames. Crazies Hill is identified as an Area of Special Character, a non-designated heritage asset, where there is a consistent period of character reflecting the age of the settlement. The site benefits from later alterations and additions, particularly to the rear, as well as a large garden and parking area.

The site was designated as a Grade II Listed building in 1983. The official list entry states:

WARGRAVE CRAZIES HILL SU 78 SE (West side) 1/30 The Horns Inn II Inn and barn, now public house. Late C16 with C19 and C20 alterations. Timber framed with painted brick infilling, part weatherboarded. Old tile roof, flanking chimneys. 4 framed bays. One and 2 storeys. South-east elevation: 2 bays C19 2-light casement windows with horizontal glazing bars on first floor with small gables breaking eaves: central entrance door on ground floor under board hood on brackets, antlers attached to carved wood skull fixed to wall above, C19 similar casements to left of door and 3-light to right. C19 single storey extension from right hand gable, former barn adjoining left hand gable part weatherboarded with one arch brace visible and one 5-light casement window on ground floor. Interior contains some exposed framing.

Proposal:

This application proposes the part change of use of the upper floor of the existing public house to create 'Bed & Breakfast' style guest accommodation (Use Class C1), the part change of use of the upper floor to a dual flexible use of guest accommodation (C1) or ancillary staff accommodation (Sui Generis), the refurbishment of the existing public house facilitated by internal and external alterations including layout and external fenestration changes, new signage including a replacement roadside post sign, the erection of a porch canopy on the side (north-east facing) elevation, the demolition of 2no. sheds and an existing gazebo and the erection of 1no. replacement shed and a replacement gazebo with PV (solar) panels and landscaping changes.

Following discussions with the applicant, revised plans were submitted which provided more detail on the proposed internal works including a reconsideration of the alterations to the central bar area. This application proposes the part change of use of the upper floor of the existing public house (Sui Generis) to guest accommodation (C1) and/or ancillary staff accommodation (Sui Generis). If approved, this flexible part use would then have to accord with the terms of Schedule 2, Part 3, Class V of the General Permitted Development (England) Order (as amended) whereby the use in operation at the end of the 10 year period following approval becomes the established, lawful use of this part of the building.

Principle of Development:

The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

Core Strategy policy CP3 states that planning permission will be granted for proposals that are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life; and contribute towards the provision of an appropriate sustainable network of community facilities.

Development within the Green Belt & Countryside

The application site is located within designated Green Belt and outside of settlement limits in the open Countryside. The government attaches great importance to Green Belts with national policies for the protection of Green Belt land covered by Chapter 13 of the NPPF. Paragraph 142 of the NPPF states that, "The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence". Paragraph 143 of the NPPF states that the Green Belt serves 5 purposes, the one most relevant to this proposal is, "(c) to assist in safeguarding the countryside from encroachment".

Paragraph 153 of the NPPF 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, LPAs must ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. These principles are reflected in Core Strategy policy CP12 and MDD Local Plan policy TB01.

As the site is outside of settlement limits, Core Strategy policy CP11 is also relevant which states that development will not normally be permitted unless it meets certain exception criteria, including:

- 1) It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside-based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside; and*
- 2) It does not lead to excessive encroachment or expansion of development away from the original buildings; and*
- 3) It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement; or*
- 6) Essential community facilities cannot be accommodated within development limits or through the re-use/replacement of an existing building;*

This proposal includes the erection of a shed and a gazebo to the rear of the main building to replace the existing gazebo and 2no. existing sheds, as well as an enlarged area of hardstanding at the rear. The shed would be used for storage while the gazebo and enlarged patio area would enhance the public house's outdoor siting/dining area. With exception of a replacement roadside post sign and a porch canopy on the side (north-east facing) elevation, no other external additions are proposed.

Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate unless one of eight exceptions applies. In this case, exceptions c) "extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building" and d) "the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces" are relevant.

Similar principles over proportionate increases are reflected in Core Strategy policy CP12 and MDD Local Plan policy TB01. The NPPF does not define what can be considered a “disproportionate addition” in size. Policy TB01 defines a “limited” addition as one that is cumulatively 35% or less in volume compared to the original building, and as such could be viewed as not “disproportionate” in size. Although the supporting text to Policy TB01 is specifically directed towards proposal for residential extensions, it remains a useful comparative tool to assist in assessing harm to the Green Belt.

In this case, the original building has already been enlarged through the erection of a single storey side extension, and the site benefits from existing detached structures. Volume calculations for all of the proposed additions have been submitted as part of this application. Upon reviewing the submitted calculations, drawings and the site’s planning history, the agreed volume calculations are summarised in the tables below:

Parameters	Original Building*	Existing Additions	Current Proposal**
Approximate Volume (m3)	850	120	10.35
Total (m3)	850	970	980.35
% Increase over original building		14%	15%

*The NPPF clarifies that the original building is considered as it existed on 1st July 1948, when the Town and Country Planning Act 1947 came into effect.

**Proposed addition to the existing building (porch canopy) only.

Detached Structures	Replacement Shed	Replacement Gazebo
Existing Volume	44.25	137.5
Proposed Volume	31.5	310.5
% increase over existing	-29%	126%

In respect of the main public house, the agreed volume calculations demonstrate that the proposed porch canopy would constitute a marginal increase in volume of the existing building (as it stands today), and result in a cumulative increase of 15% over and above the size of the original building. The proposed canopy is viewed as a limited addition to the original building which would not be disproportionate in accordance with the NPPF and MDD local plan policy TB01.

In terms of the replacement shed and gazebo to the rear, while the proposed shed would be of a lower volume than the existing, the proposed gazebo is considerably larger than the existing with an increase in volume of approximately 126%. This is due to its larger depth and height, with a pitched roof in contrast to the existing flat roof structure. The NPPF does not define a “materially larger” replacement building. However, given that the proposed gazebo would be more than double in size compared to the existing structure it would replace, this would be a substantial increase in volume and, by definition, harmful to the openness of the Green Belt.

In isolation, the proposed gazebo would be “materially larger” than the structure it would replace, conflicting with paragraph 154(d) of the NPPF, Core Strategy policy CP12 and MDD Local Plan policy TB01. Therefore, the proposal is inappropriate development which fails to safeguard the Green Belt from encroachment and is unacceptable in principle.

Impact on Openness

MDD Local Plan policy TB01 states that development proposals will only be permitted where they maintain the openness of, and do not conflict with the purposes of including land in, the Green Belt. This is consistent with Section 13 of the NPPF. There is no definition of openness in the NPPF, however in Green Belt context it is generally held to refer to freedom from, or the absence of development. Development does not necessarily need to be visible in order to harm the openness of the Green Belt.

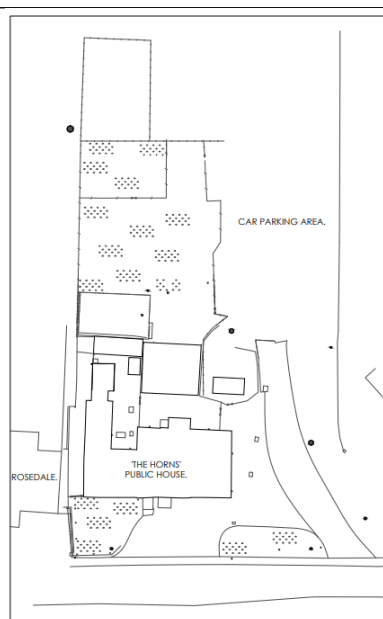
It has already been established that the proposal in inappropriate development by reason of the substantial increase in built form on the site resulting from the proposed replacement gazebo. There is not a distinctive pattern of built form within Crazies Hill, with no set rhythm of gaps between buildings as well as varying sizes of buildings and plots.

While the replacement gazebo would be significantly larger in volume, height and depth compared to the existing structure, it would still be viewed in the context of the existing built form on the site as part of the commercial premises. The increased footprint, as well as the proposed hardstanding, would only marginally encroach the existing decking area to the rear, with no encroachment into the surrounding open countryside. Moreover, the existing parking area to the side of the PH extends significantly beyond the footprint of the existing structures towards the rear boundary of the site, and the enlarged structure would sit within the existing development. This is notable when comparing the submitted existing and proposed site plans (see extract below).

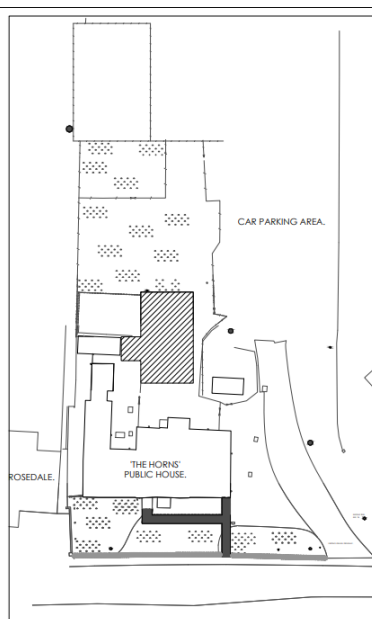
The visual impact of the gazebo on the openness of the Green Belt would also be mitigated by its open-sided nature, while its increased height is minimal and would retain a lower profile appearance compared to the main PH. Overall, while a significantly larger structure, the replacement gazebo would not add significant bulk to the existing built form on the site or expand development away from the existing footprint towards the woodland and open countryside to the north-west.

Regarding the other proposed additions, the replacement shed would largely be sited within the existing footprint of the existing shed and is smaller in volume, while the proposed porch canopy to the existing PH would add minimal bulk due to its relatively small footprint and open-sided nature.

Overall, as a whole, the proposal would not have a significant spatial impact on the openness of the Green Belt for the reasons outlined above, with the impact of the replacement gazebo sufficiently mitigated. It is therefore considered that the inappropriate increase in built form identified would not have an adverse spatial or visual impact on the openness of the Green Belt, in accordance with the aims of the NPPF and MDD Local Plan policy TB01.



EXISTING 1:500 SITE PLAN.



PROPOSED 1:500 SITE PLAN.

Extract from submitted Existing & Proposed Site Plans drawing showing the relationship between the proposed gazebo and the existing development on the site.

Very Special Circumstances

The proposal is inappropriate development by definition. As set out in paragraph 153 of the NPPF the proposed development should not be approved except in 'very special circumstances'. These circumstances will not exist except where potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Of significance to this case is that the existing PH has been vacant since September 2022. The applicant is a group of local residents who bought the site in 2024 so the PH can be bought back into use for the benefit of the community and be economically viable to secure its long-term use as an important community facility.

The application is supported by an economic analysis report, produced by the applicant, which in more detail justifies elements of the proposal in terms of economic viability. This document is referred to throughout this report where relevant.

The submitted report argues that the refusal of any of the key elements of the proposed scheme would equate to a operational loss once the PH is re-opened. This includes the replacement gazebo, which is argued would result in the loss of seat covers during the busier seasonal period, with a subsequent reduction in sales and profit.

It is noted that the submitted report has not been independently verified. Nonetheless, it is accepted that a reduction of additional seat covers which could be created under this scheme would have a knock-on effect the viability of the PH once re-opened. The re-opening of a key community facility is a significant benefit of the proposal which is supported by the NPPF and the local development plan.

Paragraph 88 of the NPPF states that LPAs should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings; and the retention and development of accessible local services and community facilities such as public houses.

Paragraph 98 of the NPPF states that LPAs should plan positively for the provision of shared spaces, community facilities (such as public houses) and other local services to enhance the sustainability of communities and residential environments, guard against the unnecessary loss of valued facilities and services, and ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community. The proposal would facilitate the re-opening of a valued community facility and allow the new owners to improve the viability of this rural business in the long term. This holds significant weight in the planning balance.

The question is whether this is significant enough of a public benefit to be considered a “very special circumstance” which clearly outweighs the potential harm to the Green Belt by reason of its inappropriateness, and any other harm resulting from the proposal. As discussed, it is also considered that the inappropriateness of the scheme, due to the significant increase in built form resulting from the replacement gazebo, would not unduly impact upon the visual and spatial openness of the Green Belt given its open-sided nature and its relationship with the existing built form on the site.

There are other material considerations which could weigh in favour of approving the application, however these must be weighed against any identified harm including the proposal being harmful by definition under the NPPF. All matters will be weighed up against each other, including a conclusion on whether the re-opening of the PH constitutes a “very special circumstance” for approving the development, within the ‘Planning Balance and Conclusion’ section of the report.

Design and Character of the Area:

Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height materials and character to the area in which it is located and must be of high-quality design without detriment to the amenities of adjoining land uses and occupiers.

The proposal includes the part change of use of the upper floor of the existing PH to convert 2no. existing bedrooms into ‘Bed & Breakfast’ style accommodation (Use Class C1), and the part change of use of the upper floor to convert 3no. existing rooms into a dual flexible use of guest accommodation (Use Class C1) or ancillary staff accommodation (Sui Generis).

The existing lawful use of the upper floor is residential accommodation ancillary to the use of the PH, it is understood the accommodation was previously occupied by the PH Landlord. Following the change in ownership this function is no longer required, the proposed dual flexible use would allow part of the existing accommodation to be used as an additional guest room (3no. in total), or as an ancillary 1 bed flat for staff accommodation. The intention behind the part dual flexible use is to allow for the accommodation to be used as an additional guest room, if staff accommodation is not required once the PH has re-opened.

The continued use of part of the upper floor for staff accommodation, ancillary to the use of the site as a PH, is acceptable as this would not alter the character of the site or introduce permanent, self-contained residential accommodation. Regarding the part change of use to guest accommodation (Use Class C1), this would complement the existing use of the site as a Public House and there are other examples of public houses with guest accommodation within the wider area. The scale of activity proposed (a maximum of 2-3 guest bedrooms) is relatively minor and would not have an adverse effect on the character of the immediate area or the surrounding countryside in this respect.

The proposed replacement gazebo, while significantly larger than the existing structure, would be visually subservient to the main building due to its appropriate height and pitch which sufficiently reduces its overall massing. The proposed oak framing and slate roof tiles would complement the appearance of the main building at the rear and would not be visible from the front. The proposed solar panels on the canopy would be flush with the roof plane to minimise the additional bulk.

All other external alterations and additions, including the porch canopy to the north-eastern flank elevation, are modest and would not detract from the overall appearance of the main building. All proposed external materials for these elements would match the existing, further mitigating the visual impact of the overall scheme. The proposed replacement roadside post sign would be sited in the same position as the existing and would match its size and materials. As such, there are no concerns with this aspect.

Overall, the external alterations and additions to the site would have an acceptable impact on the appearance of the site and on the character of the surrounding countryside, while the proposed part change of use to guest accommodation would not result in adverse increase in activity on the site in accordance with Core Strategy policy CP3.

Impact on Heritage Assets:

The application site is Grade II Listed and is therefore a designated heritage asset. Policy TB24 of the MDD Local Plan outlines that the Council will conserve and seek to enhance the designated heritage assets in the Borough and their settings by supporting development proposals that will conserve the local character, setting, management and historic significance of designated heritage assets.

Paragraph 212 of the NPPF 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The application site also falls within an Area of Special Character, a non-designated heritage asset. Policy TB26 of the MDD Local Plan states that planning permission will only be granted where proposals demonstrate that they retain and enhance the traditional, historical, local and special character of the area and its setting. Paragraph 216 of the NPPF states that the effect of an application on the significance of a non-

designated heritage asset should be taken into account, with a balanced judgement required having regard to the scale of any identified harm or loss to its significance.

In addition to the external elements of the proposal discussed above, several internal alterations to the main building are proposed to facilitate the creation of additional table covers on the ground floor, an enlarged bar area, and the first floor guest accommodation as well as other structural and repair works as part of the refurbishment of the building to bring it back into use.

Following the submission of the original plans, the Council's Built Heritage Officer objected to the proposal on the grounds of identified harm to the historic significance of the building. The following elements caused particular concern: the alteration and removal of historically significant timbers of the earliest historic part of the building to create the enlarged bar area, the removal of 19th century ground floor internal walling and fireplace/chimney breasts to create additional usable ground floor space, and insufficient information relating to the first floor en-suite bathrooms and how these would be achievable without harm being caused.

No harm resulting from the proposed resulting from the proposed external alterations and additions on the historic significance of the building or the Area of Special Character was identified. Following significant discussions between the applicant and Officers, revised plans were submitted to improve the scheme from a heritage perspective and minimise the identified harm resulting from the internal alterations.

The Built Heritage Officer has reviewed the revised scheme and following the submission of additional information on the first floor en-suites has withdrawn their objection to this element of the scheme. They have also welcomed the improved approach to the alterations of the historic timbers to facilitate the enlarged bar area, with the significantly harmful deep notching of the horizontal wall timber previously proposed removed from the scheme.

Nonetheless, the revised scheme did not fully resolve the concerns raised regarding the proposed works structural works to the central bar area which requires a slight loss of the bottom portion of the timber studs. The applicant has stated there is no alternative to the proposed approach without causing potential structural issues in the future. The proposed removal of 19th century ground floor internal walling and fireplace/chimney breasts has also not been amended, which the Officer advises would result in the loss of historic fabric and features with a detrimental impact to the historic planform and the legibility of the phased development of the historic public house.

In conclusion, the proposal would amount to less than substantial harm to the significance of this designated heritage asset. Paragraph 215 of the NPPF states that where a proposal would amount to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.

As discussed in the 'Principle of Development' section of the report, there are clear public benefits to the scheme. The proposal would re-open the vacant building and return it to its historic use as a public house, serving as an important community facility that the residents of Crazies Hill, and the surrounding Hamlets, have not benefitted

from for more than two years. The proposal would also provide employment opportunities for local residents. It is also acknowledged that members of the local community have bought the site with the aim of returning it to its former use while securing its long-term economic viability.

The application is supported by an economic analysis report, produced by the applicant, which in more detail justifies elements of the proposal in terms of why they are essential for the long-term economic viability of the re-opened PH. The report also discusses why previous tenures of the PH prior to its closure have failed to make a profit, noting its internal layout and lack of guest accommodation.

The submitted report argues that the refusal of any of the key elements of the proposed scheme would equate to an operational loss once the PH is re-opened. This includes the removal of the identified internal walling/fireplaces, which if not approved would result in the loss of 22% of potential additional seat covers with a subsequent reduction in patronage and sales. It is argued throughout the report that re-opening the PH without any of the proposed refurbishment works being allowed would not be economically viable, meaning that the PH may have no viable future.

It is noted that the submitted report has not been independently verified. Nonetheless, it is accepted. The re-opening of a key community facility is a significant benefit of the proposal which is supported by the NPPF and the local development plan. It is also acknowledged that an extended period of vacancy could result in further degradation of this important designated heritage asset.

There are clear public benefits to the scheme and these will be balanced against the identified harm to the significance of the designated heritage asset in the 'Planning Balance and Conclusion' section of the report.

Neighbouring Amenity:

Due to the central siting of the proposed replacement gazebo away from all site boundaries, and the relatively modest scale of all other proposed external additions and alterations there are no concerns relating to impact on neighbouring amenity in terms of loss of light, overlooking or overbearing.

Landscape and Trees:

Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, promote linkages between public open space and the countryside, retain existing trees and establish appropriate landscaping. There are no protected trees within the site, however trees to the front and rear are important to the verdant setting and should be retained and protected in accordance with policy CC03.

The Council's Landscape Architect has raised no concerns with the proposed external works in terms of landscape impacts, but noting the proximity of the proposed replacement gazebo and extended patio area to mature trees requested the submission of an Arboricultural Implications Assessment to understand the impact of the development on the existing trees and other landscape features.

The applicant has subsequently submitted a full Arboricultural Report including a Tree Protection Plan to cover the construction works (Sylva Consultancy, February 2025). The Landscape Architect was re-consulted on this application, but no further comments were received. Nonetheless, the submitted report demonstrates that the proposal would not result in the direct loss of, or harm to, the mature trees within the site in accordance with policy CC03. To ensure that the trees are protected during the development, a condition requiring the permitted works to be carried out in accordance with the submitted Tree Protection Plan is recommended.

Ecology:

Paragraph 187 of the NPPF is clear that new development should contribute to and enhance the natural environment by minimising impact on and providing net gains for biodiversity. Policy TB23 of the MDD Local Plan requires the incorporation of biodiversity features, buffers between habitats and species of importance and integration with the wider green infrastructure network.

The site is located within an area where bat roosts have been previously identified. The proposed vents in connection with the first floor en-suites would be routed via the roof. The applicant has submitted an Emergence Survey Report (Chase Ecology, ref: CE1119-02) which confirms that these works could impact one of 2no. bat roosts within the main roof without sufficient mitigation during the works.

Following discussion between the applicant and Officers, an amended report was submitted on 7th March 2025 which includes a thorough non-licensed method statement to protect bats during the works, and proposes a bat box on the south-west elevation to offer a suitable alternative roost habitat.

The Council's Ecology Officer has reviewed the report and raised no objection to its conclusions, subject to the works being carried out in accordance with the method statement. This is secured via condition. The report states that works must be carried out outside of the hibernation season (October – March) to avoid harm, on this basis the Officer has recommended that the condition is worded so that if the works are not carried out by 1 October 2025, a further Emergence Survey Report and mitigation strategy must be submitted to the Council prior to commencement.

While the Officer's concerns are duly noted, the recommended deadline for commencing the works is not reasonable and excessively onerous. Failure to carry the specific works outside of hibernation season would constitute a breach of the approved mitigation strategy, and subsequently a breach of condition, which could be liable to enforcement action.

The LPA is only able to assess the up-to-date bat survey information submitted under a planning application and is not able to consider whether additional bats could be identified during the development. If further bats or bat roosts are identified during the works then all works must cease until a qualified Ecologist has resolved the matter in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), this may require the applicant to obtain a licence from Natural England. As this is covered by the wildlife regulation there is no need for this to be duplicated by the recommended planning condition.

The Officer has also recommended a separate planning condition concerning the materials to be used in the construction of the porch canopy roof. However, they have not justified why this element of the works is a cause for concern from an ecological perspective, and the canopy (an open-sided feature) is located on the opposite end of the building from where the 2no. bat roosts were identified. This recommended condition is therefore not reasonable and is excessively onerous.

Following discussion, an external lighting strategy was submitted which largely comprises the removal of all high level flood lighting, and existing low level lighting to be replaced with downward facing lighting. No additional external lighting is proposed. The Ecology Officer has raised concerns with the strategy as it does not refer to best practice guidance. However, the strategy clearly demonstrates an improvement of the existing arrangement, with replacement lighting only, and given the scale of the proposal is considered to propose an acceptable level of mitigation. It is therefore considered that an additional strategy is not necessary or relevant to the development permitted.

Overall, subject to their implementation being secured by condition, the proposal includes sufficient mitigation and enhancement measures for protected species and biodiversity in accordance with the NPPF and MDD Local Plan policy TB23.

Highway Access and Parking Provision:

The Council's Highways Officer has reviewed the proposal and concluded that the existing car park area can accommodate approximately 50 parking spaces, meeting the Council's parking standards for the floorspace of the PH, increase table covers, and the proposed first floor guest accommodation. As such, there is no objection on this basis.

Flooding and Drainage:

Policy CC09 of the MDD Local Plan requires consideration of flood risk from historic flooding and policy CC10 requires sustainable drainage methods and the minimisation of surface water flow. The site falls within Flood Zone 1 with Environment Agency data indicating that the site is not prone to surface water flooding and the proposal represents no additional flood risk or vulnerability from fluvial sources.

The Council's Flood Risk and Drainage Officer has raised no objection to the principle of the proposal but has recommended the submission of a drainage strategy via condition. While this request is duly noted, given the increase in external built form is relatively minimal, the proposed hardstanding is permeable and the site is located within a low risk area for flooding, it is not considered reasonable to impose this condition.

Planning Balance and Conclusion:

As established within the 'Principle of Development' section of the report, the proposal would result in the erection of a 'materially larger' replacement building, with the replacement gazebo constituting a 126% increase in volume over and above the existing structure to be demolished. The proposal therefore does not fall within any

exception listed in paragraph 154 of the NPPF and constitutes harmful development by definition. It is therefore inappropriate development in principle.

As set out in paragraph 153 of the NPPF the proposed development should not be approved except in 'very special circumstances'. These circumstances will not exist, except where potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

As discussed in the 'Impact on Heritage Assets' section of the report. Less than substantial harm has been identified in relation to impact on the significance of the Grade II Listed Building. In accordance with paragraph 215 of the NPPF, this harm must be weighed against the public benefits of the proposal including where it would secure the optimum viable use of the site.

The proposal would re-open the vacant building and return it to its historic use as a public house, serving as an important community facility that the residents of Crazies Hill, and the surrounding Hamlets, have not benefitted from for more than two years. The proposal would also provide employment opportunities for local residents. It is also acknowledged that members of the local community have bought the site with the aim of returning it to its former use while securing its long-term economic viability.

The application is supported by an economic analysis report, produced by the applicant, which in more detail justifies elements of the proposal in terms of why they are essential for the long-term economic viability of the re-opened PH. The report also discusses why previous tenures of the PH prior to its closure have failed to make a profit, noting its internal layout and lack of guest accommodation.

The submitted report argues that re-opening the PH without any of the proposed refurbishment works being allowed would not be economically viable, meaning that the PH may have no viable future. While the applicant has indicated that they would still re-open the PH if this application was refused, it is argued that the inability to create additional seat covers through creating more usable floorspace both internally and externally, and the introduction of guest accommodation on the first floor, would result in operational losses and impede the success of the business.

It is noted that the submitted report has not been independently verified. Nonetheless, it is accepted that a reduction of additional seat covers which could be created under this scheme would have a knock-on effect on the viability of the PH once re-opened. The re-opening of a key community facility is a significant benefit of the proposal which is supported by the NPPF and the local development plan. It is also acknowledged that an extended period of vacancy could result in further degradation of this important designated heritage asset.

In respect of the replacement gazebo, despite the significant increase in size it has been identified that the structure would not unduly impact upon the visual and spatial openness of the Green Belt due to its open-sided nature and its relationship with the existing development on-site. It is also noted that the large size of the gazebo allows for the maximisation of seat covers externally, reducing the need to create further space internally (and potentially cause further harm to the Listed Building). The solar panels on the gazebo also constitute an environmental improvement for the site and

any reduction in the size of the gazebo would limit the useable roofspace for solar PV or may result in the need for these to be re-located to the main building which could affect its significance and reduce the environmental benefits of the scheme.

In respect of the internal alterations that the Council's Built Heritage Officer has objected to, it is noted that significant amendments to the scheme have been secured that have removed its most harmful elements in terms of impact on the historic fabric of the building. Following discussions, concerns regarding the external alterations and additions and the introduction of guest accommodation have been withdrawn.

The economic and social benefits arising from the proposal weigh significantly in favour of approving the application. On balance, it is considered that the public benefits from re-opening the PH as a vital community facility and ensuring its long-term economic viability outweighs the less than substantial harm to the designated heritage asset identified and constitutes a 'very special circumstance' which outweighs the potential harm to the Green Belt by reason of its inappropriateness.

On the basis of the above, and all comments received on the application, the proposal would represent an appropriate outcome for the site with the harm to the Green Belt, and the less than substantial harm to the Grade II Listed Building, clearly outweighed by the scheme's economic and social benefits. No adverse harm relating to all other relevant material considerations has been identified. As such, this application is recommended for **approval** subject to conditions.

Community Infrastructure Levy (CIL): When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

The Public Sector Equality Duty (Equality Act 2010): In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION	
Conditions agreed:	Yes
Recommendation:	Approve
Date:	14 April 2025
Earliest date for decision:	28 February 2025

Recommendation agreed by: (Authorised Officer)	<i>JMM</i>
Date:	15 April 2025