
Appeal Decisions

Site visit made on 15 November 2016

by Olivia Spencer BA BSc DipArch RIBA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08 December 2016

Appeal Ref: APP/H0520/W/16/3151811

Kings Head, South Street, St Neots, Cambridgeshire PE19 2BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Brian Anderson against the decision of Huntingdonshire District Council.
 - The application Ref 15/01463/FUL, dated 14 August 2015, was refused by notice dated 5 November 2015.
 - The development proposed is demolition of barns to rear of Kings Head and redevelopment for 5 dwellings.
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Appeal Ref: APP/H0520/Y/16/3151813

Kings Head, South Street, St Neots, Cambridgeshire PE19 2BW

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Brian Anderson against the decision of Huntingdonshire District Council.
 - The application Ref 15/01572/LBC, dated 14 August 2015, was refused by notice dated 5 November 2015.
 - The works proposed are demolition of barns to rear of Kings Head and redevelopment for 5 dwellings.
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Decisions

1. The appeals are dismissed.

Main Issues

2. Following submission of a revised Flood Risk Assessment the Council withdrew the 5th reason for refusal by email dated 11 October 2016. I therefore consider the main issues are:
 - The effect of the proposed development on the special interest of the Kings Head which is listed grade II and on the character and appearance of the St Neots Conservation Area.
 - Whether the development would provide acceptable living conditions for future occupiers with particular regard to outlook, odour and noise.

Reasons

Listed building and Conservation Area

3. The Council has provided evidence of the history of the Kings Head indicating the substantial role it has historically played in the commercial life of South
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Street and the development of the St Neots corn trade up to 1878. Whilst evidently altered in the mid to late 18th century, it retains its historic place in the street scene and the characteristic layout of a frontage building with yard and outbuildings to the rear. The yard buildings have historically provided not just ancillary facilities for the public house but facilities also for travellers and traders. There is no dispute between the parties that the single storey building enclosing the south side of the yard is considerably altered and does not therefore now make a significant contribution to the group. The 2 storey structure and its evolution in combination with the main building, together with the layout of buildings around the yard however provide substantial evidence of the role and stature of the Kings Head in the development of St Neots and the place of South Street in the history of the town. As such they are important contributors to the special interest of the listed building and the heritage significance of the Kings Head and the St Neots Conservation Area.

4. The proposal includes the demolition and replacement of the 2 storey barn, the replacement of the single storey structure to its south and the construction of a single storey dwelling with accommodation in the roof across the northern end of the yard. The Council has no in principle objection to the introduction of dwellings behind the street frontage and I saw a number of examples of residential development behind buildings on the south side of the High Street. I am not however aware of the full planning history of these developments and I note that each differs in terms of scale, layout and detail from that before me which I have considered on its own merits.
5. In this case the new structure to the south would be of a similar scale to that of the existing outbuilding and given the nature of the existing structure its replacement would not result in significant harm. However, the proposal would result in the complete demolition of the 2 storey barn, with the loss of its historic fabric and form. The replacement building would be longer and wider, with a modern domestic character and appearance. Further the proposed building to the north of the replaced 2 storey barn would result in the introduction of a large building occupying and enclosing this end of the yard, reducing its extent and scale and running contrary to the historic pattern of buildings to the rear of the frontages that are predominately built along a north south axis.
6. The fabric, character and appearance of the yard and its buildings would thus be fundamentally altered. I conclude the proposal would therefore fail to preserve the special interest of the listed building and its setting, and fail also to preserve the character and appearance of the Conservation Area contrary to Policies En2, En5 and En9 of the Huntingdonshire Local Plan (LP) 1995.

Living conditions

7. Whilst unit 5 would have a dual aspect offering views not just along the remaining length of the yard but also to the private garden, all of the other units would be single aspect with views only to the small yard. I note that the rearmost fire escape has been removed and that cosmetic improvements are proposed to the rear surfaces of the former public house and to the yard surface. Nevertheless, the space would be small and notwithstanding the proposed bin enclosure, railings and gates, the restaurant building and in particular the large extract flue fixed to the rear of it, would be a very dominant presence both from within units 1 – 4 and when occupiers are using

- the shared external space of the courtyard. Painting of the flue would have some, but only a very limited, effect in reducing its visual impact. This would result in poor quality living conditions for future occupiers of these units.
8. In addition, the kitchen/living room of unit 2 would be lit by a single north facing window at ground level albeit supplemented by the rooflights serving the mezzanine bedroom above. This window would face directly onto the 2 storey gable wall of unit 3 approximately 1 metre away. Whilst it is argued that the dwelling would meet the requirements of the Building Regulations, it is nevertheless the case that levels of daylight within the building would be relatively poor and that the outlook for occupiers would be unpleasantly enclosed and oppressive.
 9. The submitted Environmental Noise Assessment concludes that ambient noise levels within the courtyard are likely to be dominated by noise emissions from the stack at the rear of the Nawab Lounge restaurant (formerly the Kings Head), and that noise breakout from the restaurant is also likely to be significant at times. The impact on the private amenity area of unit no.5 is rated *significant adverse*. It advises that subject to the inclusion of recommended construction details, noise levels within the dwellings would be likely to be acceptable if all windows were kept closed day and night. Whilst I note that it is the appellant's case that the extract ventilation equipment would only be used for a maximum of 4 hours, I have no evidence before me to indicate that the operating hours of the restaurant are restricted to this short time span or would be in the future. Further if the 4 hours of operation were in the evening or at weekends this is the time occupiers would be most likely to be at home and wish to open their windows. That reasonable internal noise levels could only be achieved by severely limiting the times at which occupiers could open their windows is a further indication of the poor living environment that would result from the proposed development.
 10. Raising of the flue could potentially reduce cooking odours within the courtyard, but in the absence of specific proposals the effect this may have in terms of noise and visual impact is unknown. Resolution of this issue would not in any case outweigh the other harms identified in respect of the effect of the development as a whole on the living conditions of future occupiers.
 11. The appellant contends that permission has been granted by the Council for other developments in the area with poor outlook and living environments, including to the rear of a curry house. I am not aware of the specific planning circumstances of these developments, nevertheless if poor conditions exist elsewhere this does not justify granting permission for further poor quality housing. To do so would run contrary to the objectives of the National Planning Policy Framework which seeks positive improvements in the quality of the built environment and in people's quality of life. For the reasons given above I conclude that the proposed development would fail to provide acceptable living conditions for future occupiers contrary to LP Policy H31 which states that new dwellings will only be permitted where appropriate standards of amenity can be maintained.

Other matters

12. Cycle storage facilities could be accommodated within the courtyard and secured by a planning condition. I find no conflict therefore in this respect with Policies LP17 and LP18 of the draft Huntingdonshire Local Plan to 2036: Stage

3 (2013) which seek to promote sustainable modes of travel. This does not however outweigh the considerations that led to my conclusions on the main issues.

Planning balance

13. I note that in order to convert the 2 storey barn to a dwelling the appellant has been advised that extensive rebuilding would be necessary. The submitted costings indicate that such works would render the viability of residential conversion of this building doubtful and for this reason demolition and redevelopment is proposed. I have no evidence before me however to indicate that conversion to residential use is necessary for the long term maintenance of the main listed building nor, given that the proposal includes complete demolition of the barn, that the proposal would secure the optimum viable use of the structure. I find no public benefit therefore in these terms.
14. There is an identified need for small dwellings in the town. Whilst the proposed development would provide 5 such dwellings, I have concluded that they would provide poor quality living conditions for future occupiers. The weight I give to this benefit is therefore limited. Whilst harm to the significance of the heritage assets would be less than substantial, it would not be outweighed by the benefit of the additional residential units.

Conclusions

15. For the reasons given and having had regard to all matters raised, I conclude that both appeals should be dismissed.

Olivia Spencer

INSPECTOR