



Appeal Decision

Site visit made on 9 November 2022

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2022

Appeal Ref: APP/K0425/W/21/3283560

The Three Crowns PH, Askett Lane, Askett HP27 9LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) as amended against a refusal to grant planning permission.
 - The appeal is made by Mr C Ansell against the decision of Buckinghamshire Council - Wycombe Area.
 - The application Ref: 20/06628/FUL, dated 30 June 2020, was refused by notice dated 26 March 2021.
 - The development proposed is described as change of use and internal alterations to public house and annexe bar to create two additional 2-bed apartments.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990).
3. The description in the banner heading above, which is taken from the appeal form and decision notice reflects a change of description at registration¹. The submitted drawings include various elements which go beyond this revised description. Notwithstanding their inclusion in the revised description, the proposed internal alterations illustrated within the submitted drawings fall outside the statutory definition of development in section 55 of the Act, and so are beyond the scope of the type of permission sought in this section 78 appeal. Also, the proposed illustrated internal alterations would fall to be determined under an application for listed building consent, which is not before me. As such, the proposed internal alterations illustrated within the submitted drawings do not form part of my deliberations in this case.
4. Thus, for the purposes of my decision, I take the proposed development to comprise those elements which fall under the Act's statutory definition of development, namely change of use to two additional 2-bed apartments, and building operations materially affecting the building's external appearance.

Main Issues

5. The main issues in this case are:
 - Whether the proposal would result in an unacceptable loss of a community facility; and

¹ As set out in the Planning Officer's Report.

- Whether the proposal would a) preserve the Grade II listed building, The Three Crowns with Stable Block, or any features of special architectural or historic interest that it possesses, and b) preserve or enhance the character or appearance of the Askett Conservation Area (CA) and the Chilterns Area of Outstanding Natural Beauty (AONB).

Reasons

Community Facility

6. The appeal property comprises the Three Crowns public house, its carpark and yard areas. The Three Crowns is a Grade II listed building that dates from the early nineteenth century, and is within the village's CA. It is the only public house in the village of Askett, which is located in the Chilterns AONB.
7. Part 2 of Community Facilities Policy DM29 of the Wycombe District Local Plan (LP) requires that land or buildings currently or last occupied for community use must be retained unless the applicant has clearly demonstrated through an exhaustive needs assessment that the land and/or buildings proposed to be lost are surplus to any community needs. Supporting text paragraph 6.94 of the LP highlights the unique and pre-eminent role of public houses as community facilities, and the onus on the developer to evidence that their removal will not reduce the community's ability to meet its day-to-day needs for social, recreational or cultural facilities of services.
8. Whether or not the Three Crowns has a viable future as a public house is a matter of dispute between the parties. The appellant's operating statement indicates that after around a decade and a half of investing in and operating the Three Crowns they consider that it does not have a viable future as a village gastro pub. I saw for example, during my site visit on a weekday lunchtime, that the seven on-site parking bays were full, albeit with six cars parked on the street nearby. As such, future car-borne trade is likely to be somewhat constrained by the relatively modest amount of available carparking space at and in the vicinity of the pub.
9. However, that said, while it is undisputed that Covid has had some dampening economic effects in recent times, including on the hospitality sector, it also amplified the need for outdoor activities, and opportunities for social interaction to tackle social isolation. These are among important community needs which, given the following combination of factors, the future continuation of the Three Crowns as a public house would likely be well-placed to help provide for.
10. The appellant's evidence and some local residents' comments indicate that over recent years, the customer base for this public house, operating as a 'gastro pub' has included a mix of local village residents, visiting walkers and cyclists in the Chilterns AONB, and car-borne trade from outside the village. Given the following attractions of this historic village pub, I anticipate that a mix of these types of customers would potentially be part of a future customer base for the pub. And also that there is realistic potential to further increase the customer base of the public house.
11. The Three Crowns has 'kerb appeal', with an attractive traditional main frontage and stable block which together prominently face the eastern approach to the heart of this charming Chilterns AONB village, with a backdrop of thatched cottages, on the road through Askett. The village's approximately

100 houses include a noticeable amount of large, detached properties. Furthermore, the visitor economy potential of the public house is indicated by the nature and location of the site and village, as follows. With a Risborough Countryside Group Red Route public footpath adjoining the north-eastern corner of the site, the Three Crowns is well connected to the Chilterns AONB walking network. Walking groups on this public footpath network, passing and using the pub during my site visit further points to this. Monks Risborough railway station also contributes to access to the area for visitors.

12. Moreover, there is no other pub, cafe, village hall or community centre in the village to serve the socialising, community meeting and dining/drinking out needs of the locality. And the reported closure of other public house and cafe facilities in the area further provides opportunity for the Three Crowns to pick up business from those other premises. As such, the Three Crowns public house is located at the heart of an apparently affluent area, the desirability of which to reside in and visit is enhanced by its village location in the AONB.
13. Architectural elements In the Three Crown's restaurant such as the bay windows and timber framing contribute to its historic charm. Also, the stables bar is a pleasant, intimate hospitality and function space, to which its historic brick and flint walling and timber beams and roof trusses add charm. As such, together, the restaurant and stables bar provide a choice of attractive spaces for dining, drinking and socialising, with a pleasant combination of historic village pub charm and evidently well maintained facilities.
14. These indoor hospitality spaces are supplemented by a variety of outdoor seating options, with around 20 outdoor tables at the front, to the side, and in the rear yard. The latter is pleasantly landscaped, and the neighbouring sycamore tree provides a pleasing verdancy that contributes positively to the historic country village setting of the pub. For customers wishing to sit outdoors at the rear, there is a choice of space in the vicinity of the tree's canopy for those seeking pleasing shade and shelter, for example on hotter days, and for those seeking a more open aspect much of the rear yard is not beneath the tree's canopy. Thus, the rear yard adds to the pub's choice of useable and attractive outdoor space.
15. Within this attractive setting, the potential for future customers to patronise the Three Crowns was further indicated during my site visit, on an autumn weekday lunchtime, by the historic pub's characterful, vibrant, and welcoming atmosphere, which was being enjoyed by a range of groups of lunchtime customers, including walkers. The blackboard outside advertising for staff further indicated customer demand and enthusiasm for the public house.
16. This combination of factors points to future scope for walkers, cyclists, weekend break visitors and other 'staycation' and tourist visitors in the area to use the pub. Furthermore, the expressions of passionate local community support in the village for retention of the public house use, including for various social and community activities and meetings, and the asset of community value listing further indicate likely future customer interest in the Three Crowns.
17. These factors together indicate that as a public house the Three Crowns is a valued community facility for socialising, recreation in the form of dining and drinking out, community meetings and events. As such, it plays an important role in meeting the community's social, recreational and cultural needs. No

substantive community needs assessment is presented by the appellant to decisively demonstrate otherwise. Also, the above factors indicate likely future need and demand for its use as a public house.

18. Furthermore, while the appellant's operating statement suggests operating losses between 2009 and 2019, it is not supported by, for example, a specialist pub business consultant's viability assessment of the Three Crowns, and submission of detailed audited financial statements. The appellant indicates that they have explored selling or leasing the Three Crowns, with their personal contacts through the hospitality industry. However, be that as it may, no advertising of the property for sale or lease as a public house is presented. As such, there is not substantive evidence before me of the pub having been marketed for sale for a sufficient length of time and at a sufficiently realistic price to decisively support a finding of lack of future viability.
19. Thus, I have no certainty that options other than the appeal proposal have been reasonably explored as potential solutions for future operation of the public house. Consequently, it is far from certain that absence of the appeal proposal would prevent future viable operation of the public house and maintenance of the listed building.
20. In conclusion, it has not been clearly demonstrated that the community facility is surplus to any community needs, or that the loss of the facility would not reduce the community's ability to meet its day-to-day needs for social, recreational or cultural facilities or services. Thus, the proposed change of use would result in the unacceptable loss of a community facility. As such, the proposal would fail to satisfy the requirements of Part 2 of LP Community Facilities Policy DM29 and thus conflict with this policy.

Heritage assets and AONB

21. The CA focusses around *the* central historic core along the east-west section of Askett Lane, onto which the appeal premises face. The CA has a number of pretty, listed village residences, reflecting its evolution through the seventeenth to nineteenth centuries. Among these listed buildings is the Three Crowns, which is the sole public house operating in the village. The Three Crowns is a two-storey public house with attached single storey stable block, which now contains a bar. Dating from the early nineteenth century, its main body has red and vitreous brick walls, a hipped slate roof and brick chimneys. Its striking and attractive symmetrical front elevation includes a decorative entrance that comprises stone steps with wrought iron railings up to a central door, with radiating fanlight and gauged brick arch.
22. Also, the main body of the public house has been positioned at approximately right angles to the road, to form an eye-catching vista on the eastern approach to the heart of the village. The stable block, which is at right angles to the main body of the building, has brick and flint walls and a tile roof. As such, the Three Crowns has a legible historic hierarchy, with the two storey main body, and the subordinate stables forming part of an approximately L-shaped building. This charismatic historic architecture and location contribute to its prominence.
23. Furthermore, the listed building's almost century-long presence as a public house for the village continues to articulate the long history of there being an inn within the core of the village, on this site, which apparently dates back around 500 years. As a quintessential English village facility, the historic public

- house also contributes to the Chilterns AONB's reputation for an impressive selection of pubs and restaurants,
24. Consequently, the listed building embodies evidential, communal and historic values, which contribute to both the building's special interest and the significance of the CA.
25. Given the above, the CA's significance, insofar as it relates to this appeal, lies in its illustration of the village's architectural evolution through the seventeenth to nineteenth centuries, as manifested in its characterful mix of historic buildings, and the community facility of the public house. The special interest of the Three Crowns listed building, insofar as it relates to this appeal, is primarily associated with the legibility of its nineteenth century village public house architecture, and long-standing public house function at the historic core of this Buckinghamshire Chilterns village.
26. The proposed development includes a single storey residential extension, to the north-west corner of the listed building. This extension would entail removal of and extension beyond the footprint of a wooden store that is apparently unauthorised². The proposed extension's walling is illustrated³ as being of a similar material to the walling of the existing storeroom that is linked to the main pub building, namely black timber weatherboarding. The roof of this proposed extension would be mono-pitch corrugated metal sheeting coated with PVC⁴.
27. This north-western extension would be within the following context. The existing single storey red brick and flint-walled, and red tile-roofed former stables, and the adjoining timber-clad and slate roofed storeroom make up a mix of single storey building elements that contribute a somewhat varied and evolved single-storey character to the appeal property's north-eastern perimeter. This existing single storey cluster appears subordinate to the main body of the listed public house with its substantial brick walled elevations, and roof expanse with eye-catching chimneys, viewed from fields and paths to the north.
28. Within this context, the ridge height of the proposed extension would be subordinate to that of the stable block and the adjoining storeroom proposed for conversion. Also, the dark coloured timber-clad walling would match that of the storeroom. Together these factors would go some way towards visually assimilating the proposed north-western extension within the single storey cluster along the appeal property's northern perimeter, viewed from fields and paths to the north. Also, the proposed conversion of the stables to residential accommodation would not significantly alter the appearance of this part of the listed building, as the extent of its fenestration would not noticeably increase, and its characterful combination of red brick and flint walling, and red tile roof would continue to draw the eye. Also, there would continue to be car parking in front of it.
29. However, that said, the sheeting profile and PVC finish of the roof would have the look of a more modern, temporary outbuilding, different from the more durable and traditional roofing materials of the listed building. Also, the

² According to section 2.2 of the Planning Officer's Report.

³ In the North Elevation illustrations on Elevations Layouts and Sections drawing No. 280520/001 Rev B3.

⁴ As per Proposed Roof Layouts and Materials drawing No. 030720/001A.

proposed extension to the rear of the main body of the public house, would have a distracting diversity of materials and apertures, and a more permanent appearance than the apparently unauthorised existing rear canopy structure. This proposed rear extension would, with the north-western corner extension, visually clutter and distract from the historic symmetrical architectural dynamics of the listed building's rear elevation, viewed from its rear yard. Also, this combination of elements would distract from the street-facing historic gable end of the listed building, and erode the rural openness of the rural backdrop to this village pub, viewed from various points on Askett Lane.

30. These combined elements would also distract from the historic architectural presence of the neighbouring, thatch-roofed Grade II listed Chiltern Cottage, viewed from the public footpath that runs through fields to the north, and from Askett Lane.
31. As such, the proposal would distract from the historic architecture of the appeal listed building and the neighbouring listed building, with consequent harm to the character and appearance of the CA. Also, the proposed intrusion of residential construction and occupation into the likely root zone and the canopy spread area of the neighbouring sycamore tree would invite future pressure for disfiguring pruning and/or removal of the tree. This would detrimentally erode the characteristic greenery and rural appeal of the village CA.
32. Furthermore, the cessation of the long history of the listed building and its site of providing a public house would detract from the historic character of the building and the historic core of this Buckinghamshire village in the Chilterns. This adverse impact on the historic character of the listed building and the CA would be noticeable to village residents and visitors.
33. Taking the above together, the proposed distracting extensions and loss of the public house use of the listed building would erode the legibility of its historic public house architecture and function at the historic core of the village, and so harm the character and appearance of the CA. Therefore, I find that the proposal would fail to preserve the special interest of the listed building and the significance of the CA. I give this harm considerable importance and weight in the planning balance of this appeal.
34. Paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given the scale and substance of the proposal, I find the harm to the listed building to be less than substantial, but nonetheless of considerable importance and weight. Under such circumstances, Framework paragraph 202 advises that this harm should be weighed against public benefits of the proposal, including any contribution to securing optimal viable use of listed buildings.
35. The proposal would stimulate a fresh source of finance, arising from residential occupation including potentially letting income, to contribute to future upkeep of the historic fabric of the listed building. Also, it would make a net contribution of two apartments to local housing supply, with associated socio-economic benefits during and after construction. Albeit this would be tempered by socio-economic detriment from loss of the pub use and community facility to the village. Furthermore, it is not decisively shown that the two additional apartments proposed, resulting in a total of three apartments, together with the building's change to residential use, would be

the minimum necessary intervention to secure the fabric and special interest of the listed building in future. Given the scale of development, the benefit would be limited and not outweigh the less than substantial harm to the listed building, and the character and appearance of the CA.

36. Accordingly, I attach limited weight to the benefits of the proposal, and find that its public benefits do not outweigh the great weight given to the conservation of designated heritage assets and the less than substantial harm to their significance identified.
37. I therefore conclude that the proposal would fail to preserve the special interest of the Grade II listed building, and the character and appearance of the CA and AONB. This would conflict with Policies CP9, CP11, DM30, DM31, DM35 and DM37 of the LP, which together seek to ensure that proposals conserve and where possible enhance the historic environment, and deliver the highest design quality to respect the built heritage of the AONB. Furthermore, this would fail to satisfy the requirements of the Planning (Listed Buildings and Conservation Areas) Act, and the Framework in respect of the desirability of sustaining and enhancing the significance of heritage assets, with great weight given to the asset's conservation.

Other Matters

38. Other pubs in the county cited by various parties have their own setting and circumstances, and the details of their business models are not before me. Furthermore, while some have different attributes such as more off-road parking or a play area, they do not have the same combination of heart-of-the-village historic charm and proximity to the AONB walking network as the public house in this appeal. This limits the equivalence of the other pub examples to the Three Crowns, and I shall determine this case on its own merits.

Planning Balance and Conclusion

39. As set out above, I have determined that the public benefits of the proposal are insufficient to outweigh the less than substantial harm that would be caused to the significance of heritage assets. Accordingly, I confirm that overall the benefits of the proposal are insufficient to outweigh the totality of harm that I have identified in relation to the main issues.
40. Going forward, the Three Crowns is likely to require dedication and product innovation to sustain its future operation as a public house. Nevertheless, judging by the potential identified above, and the community passion for it to remain as a pub, I find that it would be premature and unjustified to 'call time' on the Three Crown's history as a charismatic public house at the heart of this charming and apparently prosperous historic Buckinghamshire village in the Chilterns AONB, through the appeal proposal.
41. The proposed development would be contrary to the development plan and Framework and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal fails.

William Cooper

INSPECTOR