



Appeal Decision

Site visit made on 12 September 2023

by A Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2023

Appeal Ref: APP/P0240/W/23/3315728

The Cricketers, Manor Road, Caddington LU1 4EE

- 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 K McBride of Jawbox (Harpenden) Ltd against the decision of Central Bedfordshire Council.
- The application Ref CB/22/01966/FULL, dated 12 May 2022, was refused by notice dated 21 October 2022.
- The development proposed is demolition of existing Public House and erection of a new building incorporating 9 flats with associated parking.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the area including the setting of the Caddington Conservation Area (CCA);
 - the effect on highway safety;
 - whether the loss of the community facility has been satisfactorily justified; and
 - the effect of the development on the Chilterns Beechwoods Special Area of Conservation (SAC).

Reasons

Character and appearance

3. The Cricketers Public House (pub) is located on Manor Road which is one of the main routes through Caddington and accommodates most of the village's shops and facilities. Indeed the site is within the commercial heart of the village with a pharmacy and surgery to the south, and a small collection of business and then a co-op convenience store to the north. The property is primarily seen in the context of these other commercial properties.
4. In terms of built form, the surgery and pharmacy are in a modest, two-storey, pitched roof, modern building, while the short terrace to the north has an older, dormer bungalow style design and is perpendicular to the road. There is also a two-storey flat roofed commercial building further to the north. Overall, though there is no overriding consistency in the detailed design of the other commercial buildings, their modest height and scale is a cohesive aspect.

5. The existing pub is two-storeys with a pitched roof. Whilst the building presently spans about half of the Manor Road frontage, with the remainder being used for parking, the proposed building would almost completely fill this frontage. The front elevation incorporates design features such as gables, differing eaves levels, a range of finishing materials and a staggered façade which assist to reduce the massing. Nonetheless, it would remain to be a single, wide building. This would contrast with the other commercial buildings nearby which present far narrower elevations to Manor Road.
6. Furthermore, a central part of the building would have an eaves height generally comparable to the ridge height of neighbouring two-storey buildings. Also the eaves to this part of the proposal would be punctuated with 'half-dormer' windows. The combination of the higher eaves and windows at second floor level would result in this part of the building appearing materially and incongruously taller than the other commercial properties nearby.
7. Overall because of its width and height, the building would have an excessive scale and appear overdominant in the street scene, detracting from the character and appearance of the immediate area.
8. The CCA is focussed around the village green and includes the buildings surrounding it, including the commercial properties north of the site, but also the church and The Chequers pub. The collection of these buildings around the village green is the main significance of the CCA. The pub adjoins the southern boundary of the CCA and so forms part of its setting. However, as the significance of the asset is largely based on buildings fronting the village green, those building who do not, and are outside the CCA, provide little contribution to the significance of the CCA. Hence, although in its current vacant state the pub provides little benefit to the setting of the CCA, that setting contributes little to the significance of the CCA itself. For the same reason, although the proposal would detract from its immediate context, it would have little impact on the significance of the CCA. As such the development would preserve the character and appearance of the CCA and so would accord with Central Bedfordshire Local Plan policy HE3 which supports developments that preserve the special character and significance of heritage assets.
9. Nonetheless, it would harm the character and appearance of the immediate area and as such would conflict with policy HQ1 of the Central Bedfordshire Local Plan which aims to ensure developments respond positively to their context including with regards to their scale and massing.

Highway safety

10. It is not disputed by the parties that the development would require a minimum of two parking spaces per flat plus three for visitors as set out in the Council's Design Guide; equating to 21 overall. The plans indicate the provision of one space per flat plus three visitor spaces; totalling 12.
11. The site's position central to the village means it is within easy reach of many local services that future residents would rely on for their basic day to day needs. In addition there is a bus stop directly outside the site at which buses into Luton stop fairly regularly from Monday to Saturday. Furthermore 22 cycle parking spaces would be provided which I understand to be above the requirement.

12. These factors would all suggest that a ratio of less than two spaces per flat would be appropriate. However, whilst I accept that some households may not have a need for two parking spaces, I consider it would be unrealistic to require every unit to have a reduced parking demand, taking account of Caddington's rural location.
13. Opportunities for on-street parking nearby are limited with the lay-by on Manor Road in front of the site having a limit of two hours during the day from Monday to Saturday, and other parking spaces further along Manor Road having a one hour limit. The lay-by on the opposite side of the road is unrestricted and there is further, albeit limited, scope for on-street parking on Orchard Close. At the time of my early afternoon site visit all these parking areas were heavily used, and although during the evenings when shops have closed, availability of this space may be greater, I am not convinced that this would be sufficient to accommodate the likely parking demand from the development.
14. In summary, it is considered that the quantum of parking proposed would be insufficient and the opportunities for off-site parking are limited. This may result in future residents parking indiscriminately in positions which would affect highway safety. For this reason the proposal would be contrary to Local Plan policy T3 which seeks to ensure development does not have a detrimental effect on highway safety.

Loss of the community facility

15. Policy HQ3 of the Local Plan says that redevelopment of community infrastructure will be supported if, among other things, it is satisfactorily demonstrated that the use is no longer financially viable and all reasonable efforts have been made to sell or let the premises for a community use at a reasonable price for 12 months.
16. Much of the financial evidence provided refers to general problems pubs in the UK are having, such as increasing operating costs. There is little information specific to The Cricketers such as the actual accounts in the most recent years it operated. Moreover the suggestion that it would take £100,000 to renovate is not substantiated. Overall, it has not been satisfactorily demonstrated that the premises is no longer viable.
17. From the marketing evidence, it is understood that the premises closed down in 2020 and marketing as a pub began in November of that year. As of August 2023, 139 enquiries were received, and I saw at my site visit that a 'for sale' board was still present. No offers from any pub operators have been received. However there is no price or even a guide price on the particulars. As such I cannot state that the marketing has met the policy requirement of being advertised at a reasonable price.
18. The policy also supports redevelopment if significant evidence is provided to demonstrate that the facility is surplus to requirements and there is no need for any other community use at the facility.
19. There is no evidence to suggest The Cricketers was poorly patronised or patronage was declining, which could suggest it was surplus to requirements. Moreover although Caddington is served by The Chequers and there are other

pubs in nearby settlements, I see no reason why a settlement of Caddington's size could not sustain two pubs.

20. I understand that the property was not granted Asset of Community Value status and that no offers to use the building for another community use were received. Nonetheless, the failure to provide significant evidence that it is surplus to requirements means the proposal fails to accord with this criterion.
21. The policy also states that redevelopment would be acceptable if the lost premises would be replaced elsewhere. It has not been suggested that a replacement pub would be provided.
22. Overall, the financial evidence does not demonstrate that the pub if reopened would be unviable, the marketing evidence does not demonstrate that the property has been marketed at a reasonable price, and there is not significant evidence to demonstrate that the pub is surplus to requirements. As such the loss of this community facility has not been satisfactorily justified and the proposal would be contrary to the requirements of policy HQ3 as detailed above, which generally aims to facilitate strong, vibrant and inclusive communities.

Chilterns Beechwoods SAC

23. A draft unilateral undertaking has been provided by the appellant which purports to secure funding to mitigate the harm that would be likely to result to the SAC from the development. However as I am dismissing the appeal for other reasons, and as the undertaking would merely mitigate harm and not be a positive benefit of the scheme, I need not consider this issue further.

Conclusion

24. The development would cause harm to the character and appearance of the area, to highway safety and would result in the unjustified loss of a community facility. There is therefore conflict with the development plan taken as a whole. There are no material considerations to suggest the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, and having had regard to all other matters raised, the appeal is dismissed.

A Owen

INSPECTOR