



---

## Appeal Decisions

Site visit made on 19 June 2024

**by C Jack BSc(Hons) MA MA(TP) PGDip(CHE) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 5 July 2024**

---

### **Appeal A Ref: APP/K0425/W/23/3330309**

#### **The Three Crowns, Askett Village Lane, Askett, Buckinghamshire HP27 9LT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr C Ansell of Carrington Crescent Catering Ltd against the decision of Buckinghamshire Council - West Area (Wycombe).
  - The application Ref is 22/05256/FUL.
  - The development proposed is construction of single storey extension and new storm porch in connection with internal alterations at ground floor to form new bar area and community/small function room, new kitchen preparation area and toilets. Internal alterations at first floor in connection with change of use from staff quarters to 4 x letting bedrooms (use class C1).
- 

### **Appeal B Ref: APP/K0425/Y/23/3330311**

#### **The Three Crowns, Askett Village Lane, Askett, Buckinghamshire HP27 9LT**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
  - The appeal is made by Mr C Ansell of Carrington Crescent Catering Ltd against the decision of Buckinghamshire Council - West Area (Wycombe).
  - The application Ref is 22/05257/LBC.
  - The works proposed are construction of single storey extension and new storm porch in connection with internal alterations at ground floor to form new bar area and community/small function room, new kitchen preparation area and toilets. Internal alterations at first floor to form 4 x letting bedrooms.
- 

### **Decision**

1. Appeal A – The appeal is dismissed.
2. Appeal B – The appeal is dismissed.

### **Preliminary Matters**

3. The descriptions of the proposed development/works given above differ a little from that initially set out on the application form. I am advised that Council agreed the changes with the appellant's agent when it registered the applications.
4. The proposals relate to a listed building in a conservation area. As such, in considering the appeals, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as relevant.
5. The reasons for refusal reference the Chilterns Area of Outstanding Natural Beauty. In November 2023, Areas of Outstanding Natural Beauty were

redesignated as National Landscapes. This decision therefore refers to the Chilterns National Landscape.

## **Main Issues**

6. The main issues are:

- Whether the proposal would preserve the Grade II listed building, The Three Crowns with Stable Block, or its setting or any features of special interest which it possesses; and whether it would preserve or enhance the character or appearance of the Askett Conservation Area, and conserve and enhance the beauty of the Chilterns National Landscape.
- The effect of the development on highway safety, regarding car parking.
- The effect of the development on a nearby Sycamore tree, which is the subject of a Tree Preservation Order.

## **Reasons**

### *Heritage assets and the National Landscape*

7. Dating from circa 1830, the Three Crowns public house is Grade II listed, together with the attached stable block which now forms the Stable Bar area of the pub. The main building is two storeys of red and vitreous black brick with a slate roof and three chimneys. Windows are mainly multi-paned timber sashes including two canted bays in the front elevation. Stone steps and historic wrought iron railings lead to a central door with fanlight over and gauged brick detailing. The former stable block is single storey, of flint walls with red brick dressings, and clay tile roof.
8. The special interest and significance of the listed building, in so far as it relates to this appeal, principally lies in its historic and architectural interest as a 19<sup>th</sup> Century public house, most likely once a coaching inn. The evidence indicates that the site has been occupied by an inn since the 15<sup>th</sup> Century. The main building is positioned so that its pleasing symmetrical façade faces directly along the road, making it a striking building on entering Askett from the A4010. For the same reasons, it is also a focal point in the heart of the Askett Conservation Area.
9. The conservation area covers a significant part of the small village of Askett. It is principally characterised by an attractive assortment of housing dating from the 17<sup>th</sup> Century and organically arranged in an irregular pattern, including a significant number of listed buildings and other buildings of historic character, interspersed with occasional relatively modern infills. It has an established and spacious feel, with abundant trees and vegetation contributing positively to its character and appearance.
10. Traditional materials predominate in the conservation area, including slate, brick, clay tiles, timber cladding and several eye-catching thatched roofs. These factors contribute positively to the significance of the conservation area, which is derived at least in part from the layers of historic development of the settlement and architectural interest associated with the various historic buildings and local vernacular. The Three Crowns makes a strong positive contribution to the significance of the conservation area on this basis.

11. The parties agree that the internal works associated with the proposed letting bedrooms will not adversely affect the significance of the listed building or the conservation area. On the evidence before me, and my site visit, I find no reason to conclude otherwise.
12. The proposed storm porch would be very modest in size. Nevertheless, it would interfere with the appreciation of the important front elevation of the building, including by disrupting the symmetrical proportions and obscuring an area to the side of the adjacent bay window. The flat felt roof and roof height of the porch would appear discordant with the historic materials, the height of the bay windows, and at odds with the ordered principal elevation. It would therefore cause harm to the significance of the listed building and associated harm to the appearance of the conservation area.
13. The proposed single storey additions and alterations at the back of the pub would provide food preparation and storage space, staff toilets, and internal alterations to form a community/function room separate from the main bar and restaurant areas. The existing kitchen and food preparation area is limited, disjointed, and cramped. The need for altered arrangements appears to have led to some additional canopy and storage space being erected in the rear yard area, which the Council considers unauthorised. In part, the appeal proposal would link to or incorporate those additions.
14. Space around the listed building is limited with, for example, no typical country pub garden, albeit there are a number of outside tables for customers arranged on paved areas around the building. Nevertheless, the main building stands handsomely on the rather constrained site, and part of its significance and its visual appeal and contribution to the appearance of the conservation area is derived from its distinct, disciplined, and largely uninterrupted proportions. The proposal would erode that to a degree by infilling part of the rear yard area, altering the way in which the building would be appreciated in some views.
15. Given the constrained nature of the site the proposed loss of even a modest area of space around the building is significant. The proposal mainly affects an area utilised for various storage and operational functions and so, in practice, and whether or not some of that facility is currently unauthorised, the proposal is unlikely to significantly impact the availability of outside space for customers.
16. Whilst mainly proposed to be timber clad, the basic and generally unsympathetic nature of the design and other materials including the felt and polycarbonate roof materials would be discordant with the listed building and the conservation area. The effect if this would be detrimental to the significance of both. The proposal would also distract, to a small degree, from the setting in which the adjacent listed Chiltern Cottage is appreciated. However, the limited height would significantly limit the impact of the proposal on the streetscene, and in the wider landscape. The set back position in a rear service area, away from the road, would also limit the effects on the character or appearance of the conservation area.
17. From the footpaths in the field next to the site, the flat-roofed area proposed to form part of the community room has a shed-like appearance, albeit with windows proposed to be added, and is subservient in scale and nature to the main pub building and the former stables. Other than the localised detrimental elements set out above, the effect on the beauty of the National Landscape would be very limited.

18. The limited degree of physical attachment to the listed building by the alleged unauthorised elements appears to have had little effect on historic fabric, and the additional toilet and food preparation extension would not be directly fixed to the historic building. Due to its relatively lightweight construction, the addition could be demounted without significant effect on the historic parts of the building or its long-term significance and special interest.
19. Overall, therefore, the harm arising to the significance of the listed building and conservation area from the rear extensions and alterations would be limited. This, and the harm arising from the storm porch, amount to less than substantial harm in the terms of the National Planning Policy Framework (the Framework). Nevertheless, it is a matter of considerable importance and weight. Where such harm is identified, paragraph 208 of the Framework requires it to be weighed against the public benefits of the proposal including securing its optimum viable use.
20. There is significant support expressed for the retention of the Three Crowns as a pub and community facility at the heart of the village, where it is the only pub and there are limited other facilities available locally without travelling to Princes Risborough or elsewhere. In recognition of its role in this regard, the pub has been designated as an asset of community value. Having historically operated as a public house, likely having been built for that purpose, and with the tangible community desire for it to remain so, continuation as such would currently be the optimum use for the listed building.
21. In this light, the proposal seeks to evolve and diversify the business in order to support and retain the pub including as a community facility. There is no detailed viability evidence provided for the operation of the Three Crowns, thus it is not clear on the evidence available that the proposed external additions and associated alterations, which would harm the significance of the listed building and the conservation area, are measures of last resort to ensure the ongoing, sustainable, and profitable operation of the Three Crowns as an important community hub. Whilst there would be clear and significant public benefits to keeping the pub going for the community and its role in the local economy, without this detailed evidence the weight to that benefit is inevitably somewhat reduced.
22. However, in recent years it has been widely reported that the hospitality sector including pub trade, in general, faces significant pressures and challenges and that many pubs, including rural establishments like this one, have closed or are under threat of closure. In this context, the appellant's statement about difficult trading conditions and the need to diversify are generally consistent with an acknowledged wider trend.
23. In the context of the great weight attributable to the less than substantial harm to heritage significance, I find that the public benefits associated with the proposed storm porch extension do not outweigh that harm. While small-scale, the porch would have a significant adverse impact on significance. Moreover, given the internal entrance lobby arrangement with internal doors in each direction, I am not satisfied on the evidence that it is necessary for the ongoing sustainable use of the pub. The heritage harm arising from the porch would not be outweighed by its limited public benefits, being mainly draft prevention which, if necessary, could be managed in other ways given the internal layout.

24. Separately, it is apparent that the Three Crowns needs improved staff facilities and food preparation and storage spaces for modern and efficient catering requirements to support the restaurant function, and that there would be significant community benefits from the provision of a dedicated community room where community meetings and activities and pub dining and events would not encroach upon each other. Such a facility would enable the pub to remain at the heart of the community in various roles, from hosting meetings to social events alongside the day-to-day pub function. This is an important factor, reinforced by paragraph 88 of the Framework, which seeks to support a prosperous rural economy, including through planning decisions that enable the retention of accessible local services and community facilities such as public houses.
25. Taking everything together in the specific circumstances of this case, I am satisfied that the very considerable benefits to the local community and from supporting the retention of the listed building in its optimum use would amount to a substantial public benefit. In so far as the proposed development relates to the staff toilets, food storage and preparation area, and community function room, these benefits would outweigh the great weight to be given to their limited degree of less than substantial harm. This is not the case for the proposed storm porch. The public benefits as a whole therefore do not outweigh the less than substantial harms of the proposal when taken as a whole.
26. The proposal would fail to preserve the Grade II listed building, The Three Crowns with Stable Block, or its setting or any features of special interest which it possesses; and it would fail to preserve or enhance the character or appearance of the Askett Conservation Area, or to conserve or enhance the beauty of the Chilterns National Landscape. However, there would be considerable public benefits which would outweigh the harm in relation to the toilets, food area and community function room, but not in relation to the more significant degree of less than substantial harm arising from the proposed storm porch, which is not outweighed by the public benefits or justified by other material considerations. The letting bedrooms would not result in heritage harm. In part, therefore, the proposal fails to accord, as relevant, with Policies CP9, CP11 and DM31 of the Wycombe District Local Plan which together and among other things seek to conserve heritage assets, and Policy DM30 which seeks to conserve and enhance the beauty of the Chilterns National Landscape.

#### *Highway safety*

27. The Three Crowns has a small off-street parking area in front of the stable block with space for around 6 cars to park. The constrained site means there is no real scope to increase on site car parking provision. As a long-established pub, the evidence indicates it has become long-established practice for customer and staff parking to overspill onto the village roads nearby. There are opportunities for customers and staff to walk, cycle, or travel by bus, with bus routes serving Askett and the footpath network of the National Landscape passing by the pub. Nonetheless, a significant proportion are likely to travel by car given the location. The existing situation is that, at busy times, including when there are events on at the pub, overspill parking is likely to be very significant given the limited capacity of the on-site car park.

28. It is generally accepted that the pub has an existing shortfall in parking provision, including when considered against the relevant expectations of Buckinghamshire Countywide Parking Guidance. There is little specific evidence for the extent to which the proposals might lead to any significant increase in vehicles displaced to parking on surrounding roads. While there would be a modestly increased floorspace, the majority would be facilities to support existing staff and operational requirements and a small function room envisaged to primarily serve Askett community users. The staff toilets and new food storage and preparation area are not likely to generate significant parking requirements compared to the existing facility. Given Askett is a small village, and the pub is fairly centrally located within it, there is a reasonable likelihood that community users would walk or cycle to use the new modest-sized community/function room.
29. The 4 bedrooms proposed for letting were formerly used for staff accommodation. Given the nature of the location, it is quite likely that occupants of those rooms, whether tourists or staff, may bring a car. I note the expectation of the Buckinghamshire Countywide Parking Guidance for one parking space per letting bedroom. However, this proposal should also be considered in the context of the existing facilities and use of the Three Crowns. In that context, the change to letting bedrooms may bring a very modest increase in parking demand given the first-floor accommodation comprises 3 staff bedrooms and a kitchen/living area and the proposal is for 4 visitor bedrooms. Overall, against the potential parking demand from the existing pub, any likely increased parking associated with the proposal, while not specifically quantified, is likely to be limited.
30. I note there have been no personal accident injury records in the vicinity in the past 5 years, and also that this does not necessarily paint a full picture given that any incidents of damage-only collisions are unlikely to have been recorded in the data. This part of Askett Village Lane is subject to a 20mph speed restriction but is not subject to parking or waiting restrictions. While some parts of the road are not suited to on street parking, due to limited width or other reasons, there are other areas nearby along Askett Village Lane and other village roads where on street parking would be unrestricted and achievable without apparent safety concerns taking account of the data and the long-established nature and operation of the pub.
31. There are no pedestrian footways or street lighting in the vicinity of the pub. This is a potential concern in relation to the safety of people accessing the pub site from an on-street overspill parking place. Also, it is clearly desirable to minimise displaced parking to aid in the avoidance of accidents where possible. Unfortunately, there may be instances where drivers choose to park in an obstructive or inconsiderate manner, but this could happen even without the proposed development.
32. Had I been concerned that the proposal would generate any significant level of additional parking demand compared to the existing specific circumstances of this pub, and that this would lead to significant adverse impacts from overspill parking, this potential safety concern could have amounted to harm that justified a reason to dismiss the appeal. However, I am mindful of the existing and long-established operation of the site as a pub, which has operated with a shortfall of on-site parking provision, probably for decades, yet there is no



significant evidence before me that this has been problematic in highway safety terms.

33. There is no significant evidence that the nature of the additions and alterations proposed would in practical terms lead to any significant increase in parking demand when compared to the existing potential use and operation of the Three Crowns and the general fluctuations and peaks in parking demand associated with that. Indeed, the proposal seeks to support and sustain custom, in effect to 'shore-up' the pub as a recognised community asset in challenging times, rather than markedly increase, expand, or change the general nature of the pub business.
34. For these reasons, the proposal would not have a significant effect on highway safety regarding parking and there is no significant conflict with Policy DM33 of the Wycombe District Local Plan, which among other things seeks to ensure there would be no significant adverse impact from overspill parking.

#### *The protected tree*

35. The sycamore tree, situated adjacent to the site within the garden of Chiltern Cottage, is subject to a Tree Preservation Order. Part of the tree's crown is situated over the existing paved area, roughly where the proposed staff toilets and food storage and preparation area would be situated. The Tree Report by South Bucks Tree Surgeons Ltd observes that the tree is in good health, showing strong vigour and vitality, and I made similar observations during my site visit. The tree has considerable amenity value, including making a positive contribution to the character and the appearance of the conservation area and the setting of Chilterns Cottage and the Three Crowns.
36. The tree has a fairly high crown, with no significant low-level branches over the site that would require removal to accommodate the flat-roofed addition. No detailed analysis of the root protection area has been provided. However, it is proposed that the new staff toilets and food preparation area would be of lightweight construction, without dug foundations, such that it would sit upon the existing paving. On this basis, the evidence indicates there would be no significant adverse implications for the future health and vitality of the protected tree. However, the plans and report are unclear how drainage including for the staff toilets would be addressed, or what protective measures or methods might be necessary to safeguard the tree including during construction. Had the appeal been allowed, these matters could have been addressed by condition.
37. For these reasons, there would be no significant conflict with policies DM34 and DM35 of the Wycombe District Local Plan, which among other things seek to protect retained trees during construction and retain positive elements of a developments natural context and character.

#### **Other Matters**

38. The appeal documents also refer to some alleged unauthorised works at the site that do not form part of the applications. Any such works are outside the scope of the appeals before me, and I have not considered them. Instead, this would be a separate matter for the Council.
39. My attention has been drawn to a recent appeal decision, which also relates to the Three Crowns. Whilst that case included some similarities with the current

appeals it differed significantly in that it proposed conversion and extension for use of the listed building as residential apartments with the loss of the public house use. I have had regard to that decision, but it does not alter my findings given the nature, evidence, and circumstances of the proposal before me differ from that case, yet I note my colleague was also mindful of the desirability in community and heritage conservation terms of sustaining the future operation of the Three Crowns as a public house.

40. The Council, opining that the appellant has not substantiated the grounds of appeal, has invited me to consider whether to instigate an award on the basis it was put to unnecessary cost. Whilst no formal applications for costs have been submitted, on the evidence available to me, I find no specific indication of unreasonable behaviour that has been likely to have led to unreasonable expense in the appeal process. I am not, therefore, initiating the procedure for formal consideration of costs.

### **Conclusion**

41. While there would be no significant conflict with the development plan in relation to car parking or the protected tree, there would be a degree of harm in relation to the character and appearance of the National Landscape and to the significance of heritage assets. In total, the public benefits, and any other benefits, of the proposal are not sufficient to entirely outweigh the harms. The proposed development is therefore contrary to the development plan taken as a whole and there are no material considerations, including relevant provisions of the Framework, of sufficient weight to justify a decision other than in accordance with the development plan. Therefore, the appeals are dismissed.

*C Jack*

INSPECTOR