

## Planning & Heritage Statement

Planning Application

Retention of outside bar

The Woodman & Olive PH, 20 West End Road, Wormley,  
Broxbourne EN10 7QN

DLA Ref: 23/030

December 2023

## CONTENTS

|     |                                 |    |
|-----|---------------------------------|----|
| 1.0 | INTRODUCTION .....              | 1  |
| 2.0 | SITE & CONTEXT ANALYSIS.....    | 2  |
| 3.0 | RELEVANT PLANNING HISTORY ..... | 3  |
| 4.0 | POLICY CONTEXT .....            | 4  |
| 5.0 | DESCRIPTION OF DEVELOPMENT..... | 5  |
| 6.0 | PLANNING CONSIDERATIONS.....    | 6  |
| 7.0 | CONCLUSIONS .....               | 11 |

## 1.0 INTRODUCTION

### 1.1.0 Background

1.1.1 This report relates to a retrospective planning application for the retention of an outside bar at The Woodman and Olive Public House (PH).

### 1.2.0 Scope

1.2.1 This document comprises an overarching Planning Report. Sections 2 to 4 consider the physical, economic, social and historical context of the site, identifying the relevant local, regional and national planning policy framework; and Section 5 sets out the details of the proposal. All these sections inform the evaluation of the proposal in Section 6 against the identified planning policy framework. The overall conclusions are set out in Section 7 and which are summarised below at paragraph 1.3.0.

### 1.3.0 Summary

1.3.1 The actual harm caused to the openness and purposes of the Green Belt is relatively low. Therefore, the benefit of supporting a local business is a very special circumstance that would outweigh any harm by reason of inappropriateness.

1.3.2 The outside bar would provide a number of benefits for the business that operate on the site, as well as for its staff and for customers of the site.

1.3.3 The applicant is also happy to accept a suitable hours of operation condition as not cause disturbance for neighbouring occupiers.

1.3.4 The outbuilding would be subservient in nature and appropriately designed as not to cause harm to the setting of the Listed Building.

## 2.0 **SITE & CONTEXT ANALYSIS**

### 2.1.0 **Location**

2.1.1 The application site is on the south side of West End Road to the west of Broxbourne and the A10.

### 2.2.0 **Application Site**

2.2.1 The application site comprises a listed building in use as a public house. Parking is available to the east and west of the site and the rear of the site is a grassed area including tables for patrons. To the immediate rear of the building is a patio, the retention of which is subject to application reference 3/23/1785/FUL, with the outside bar locate adjacent to this.

### 2.3.0 **Context**

2.3.1 West End Road is semi-rural with sporadic housing. The nearest dwelling is No.22 to the east.

### 2.4.0 **Planning Constraints**

2.4.1 The application site is located within the Green Belt, has a Grade II Listed building, and is within Flood Zone 2.

### 3.0 RELEVANT PLANNING HISTORY

#### 3.1.0 Application Site

3.1.1 The relevant history of the application site is summarised below.

| LPA Ref         | Proposal                                                                                                                                                        | Outcome                             |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 3/23/1785/FUL   | Retention of patio                                                                                                                                              | Approved                            |
| 3/22/2037/CBBPN | Temporary marquee within the rear garden of the public house limited to 120 days per annum. The marquee will measure 6.0m x 8.3m x 3.0m high (49.8m plan area). | Prior Approval Required and Refused |
| 3/22/2023/FUL   | Construction of a new chimney to conceal existing kitchen mechanical extract vent                                                                               | Granted                             |
| 3/22/2024/LBC   | Construction of a new chimney to conceal existing kitchen mechanical extract vent.                                                                              | Granted                             |
| 3/22/2008/FUL   | Retrospective application for the retention of an external servery, within the rear garden                                                                      | Refused                             |
| 3/20/1386/FUL   | Detached external glazed seating area                                                                                                                           | Withdrawn                           |

#### 3.1.2 3/22/2008/FUL

This application is a resubmission of application reference 3/22/2008/FUL. This application was refused on two reasons – impact on the Green Belt and impact on the Listed Building. This application seeks to alter the proposed outbuilding with a more appropriate design as not to cause detrimental harm to the setting of the Listed Building. The proposals are also included with VSCs which overcome the minimal Green Belt harm. Both of these points are assessed in more detail at Section 6 of this report.

## 4.0 POLICY CONTEXT

### 4.1.0 National Policy / Guidance

4.1.1 The National Planning Policy Framework (NPPF) 2023, sets out the Government’s planning policies for England. It is considered that Chapters 6 (Building a strong, competitive economy), 11 (Making effective use of land), 13 (Protecting Green Belt land), and 16 (Conserving and enhancing the historic environment) are considered directly relevant.

### 4.2.0 East Herts District Plan 2018

| Policy No. | Title                              |
|------------|------------------------------------|
| DES4       | Design of Development              |
| HA1        | Designated Heritage Assets         |
| GBR1       | Green Belt                         |
| NPPF       | National Planning Policy Framework |

## 5.0 DESCRIPTION OF DEVELOPMENT

### 5.1.0 Use

5.1.1 The proposals do not result in the change of use of the site, and it would retain its existing use as a public house.

### 5.2.0 Layout

5.2.1 As shown in Figure 1 below, the outside bar is located to the rear of the site with the large garden area of the pub. This building is only a floor area of 16.9m<sup>2</sup>, and provides an area for outside drinks to be served, as well as an area for storage.

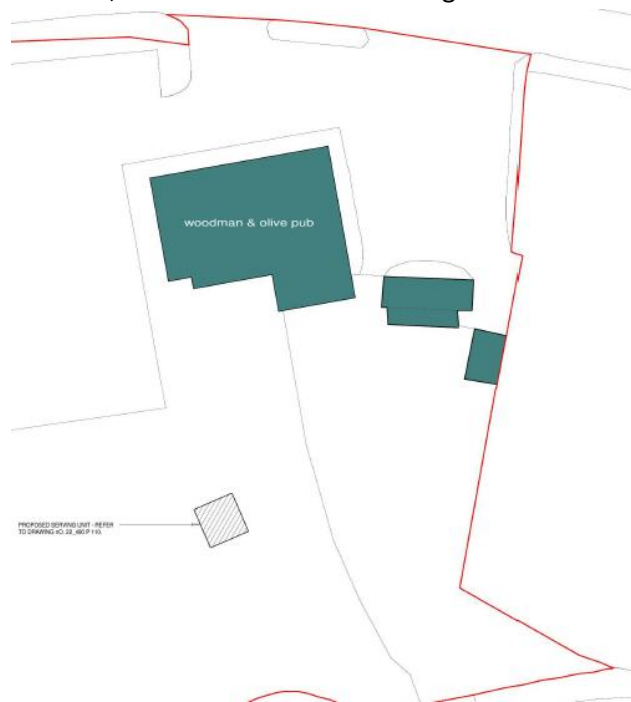


Figure 1 - Block plan

### 5.3.0 Appearance

5.3.1 The building would be modest in height, measuring 2.25m to the eaves and 3.4m to the ridge. The building would have a hipped roof, and would be constructed from black timber weather boarding, red clay roof tiles, and low-level facing brickwork. The proposed front elevation are shown in Figure 2 below.

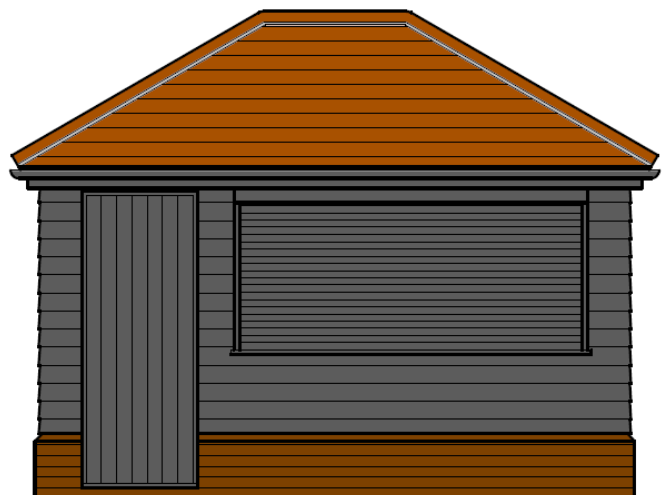


Figure 2 – Proposed front elevation

## 6.0 PLANNING CONSIDERATIONS

Based on the analysis set out in Sections 2 to 5, the application proposal raises the following issues, which are considered in turn below:

1. Principle
2. Layout & Design
3. Heritage
4. Flooding

### 6.1.0 Issue No 1: Principle

6.1.1 As noted in Paragraph 2.4.0 of this report, the site is located within the Green Belt. Policy GBR1 of the District Plan states that planning applications within the Green Belt will be considered in line with the provisions of the National Planning Policy Framework (NPPF). In the NPPF, Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. It is acknowledged that the proposed outside bar does not meet any of the exemptions set out in the NPPF for development in the Green Belt. It is therefore necessary to demonstrate very special circumstances that would outweigh any harm caused by inappropriate development. In respect of this paragraph 148 of the NPPF states:

*“Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*

6.1.4 In the context of paragraphs 147 and 148 of the NPPF, the starting point in respect of this issue is a consideration of the potential ‘other harm’ beyond the definitional harm.

6.1.5 **Openness** Whilst the outside bar would have a physical presence, its size and appearance have been sensitive design in order to minimise the impact on openness. The building would have a modest floor area of under 17m<sup>2</sup>, and a low profile, hipped roof, measuring only 2.25m to eaves and 3.4m to ridge. The buildings scale, along with its suitable design which will be detailed further in 6.2.0 & 6.3.0 below, gives the building the appearance of a small ancillary outbuilding to the main pub, as opposed to a separate function in its own right. Furthermore, the proposed location to the rear of the main building site on approved hard standing under reference 3/23/1785/FUL, combined with the mature landscaping on the boundary of the site, means that the modest outbuilding would not be readily visible from public view. It therefore concluded that whilst the outside bar would have a physical impact on opens, this impact is considered negligible.



6.1.6 **Purposes** Paragraph 138 of the NPPF sets out the five purposes of Green Belt land. Taking each of these in turn:

**a) to check the unrestricted sprawl of large built-up areas** The Woodman and Olive is separated from the settlements of Broxbourne and Cheshunt. The site is also contained by boundary hedges and trees and the proposal would not result in any new permanent buildings. For these reasons the proposal would not result in any urban sprawl.

**b) to prevent neighbouring towns merging into one another** For the reasons given above the proposal would not conflict with this purpose.

**c) to assist in safeguarding the countryside from encroachment** The site is part of an established pub use, wherein it is not unusual to have a variety of buildings, structures and activities. This, together with the enclosed nature of the site, would ensure that there is no conflict with this purpose.

**d) to preserve the setting of and special character of historic towns** The proposal would have no impact on the character and setting of any nearby towns.

**e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land** The proposal is small scale in nature and so would not reduce the demand for development within in urban areas.

6.1.7 The actual harm caused to openness and the purposes of retaining land within the Green Belt is therefore very limited. It is considered that harm attributed to inappropriate development would therefore be outweighed by the following very special circumstance:

**The benefit supporting a local business**

6.1.8 Paragraph 84 of the NPPF states that planning policies and decisions should enable the sustainable growth and expansion of all types of businesses in rural areas. Pubs specially are having a very difficult time at the moment for a number of factors, which has led to 512 insolvencies of pubs in 2022, and up to 332 for the first 6 months of 2023 (source: Business Rescue Experts). It is therefore vital that Planning decision should enable the growth of such business. The key points below detail how the outside bar would help the running of the business.

6.1.9 **Benefits for business operations**

The outside bar is a key element of the business that the owners would like to retain. They have confirmed that the vast majority of the businesses trade is in the summer months, and as such the outside bar plays a vital role in this. Full details of accounts can be provided

if required by the Council, but the owners have confirmed that in peak periods the outside bar would roughly take roughly 80% of the drinks orders and taking, as well as circa 80% of the food orders. The outside bar also means that glasses and plates in the outdoor area can be collected, stored and distributed in a faster and safer manner. The outside bar can also serve any outdoor marquee (something which is now feasible as a Prior Approval under Schedule 2, Part 4, Class BB a following the approval of the hardstanding under reference 3/23/1785/FUL) which again would be a vital element of the business.

#### 6.1.10 **Improvements for staff**

The outside bar is a much more usable space for the bar staff. The inside bar is long and narrow, which often provides conflict of movements. The outside bar however, which is square layout and being open on 3 sides allows for 3 different serving points. Not only does this allow for staff to have more comfortable and safe working space, but it also means that drinks and orders can be taken more efficiently as opposed to from the inside bar only.

#### 6.1.11 **Improvements for customers**

The outside bar also provides a benefit to the customers of the pub. As the pub's facilities includes a children's outdoor play area, it means that if parents/carers decide they want to purchase beverages they still have full view of the children. This is not the case if they have to walk and queue at the indoor bar. Furthermore, particularly from Spring to Autumn when people would sit outside, the outside bar is a quicker access to order drinks and food, as well as meaning people aren't having to carry a tray of drinks circa 80ft from the inside bar to their outside seating.

#### 6.1.12 **Improvements to safety**

The existing business has one bar located within the pub. As the pub is a Listed Building, its size and layout is difficult to alter, and as such the location of the existing bar is fixed. This bar is located by the fire exit, and when this bar is busy the exit is blocked and inaccessible. As the outside bar dramatically reduces the amount of trade within the building, this would improve the safety of the inside of the pub as the fire exit isn't blocked.

#### 6.1.13 **Benefits to Listed Building**

The application site contains a Grade II Listed Building in the form of the main building of the pub. As the outside bar would improve the facilities of the business that operate within the Listed Building, it would help ensure the long-term vitality and vibrancy of the pub. Conversely, if the pub's operations and business model were to fail, this would ultimately end up having a detrimental impact on the upkeep and condition of the Listed Building.

#### 6.1.14 **Conclusion**

Given the limited harm to openness and the other purposes of the Green Belt that would occur, it is considered that the number of different benefits to the local business that would occur from its continued use of the site would outweigh any harm that would result by reason of inappropriate development.

#### 6.2.0 **Issue No 2: Layout & Design**

6.2.1 Policy DES4 of the East Herts Local Plan requires that all development proposals must be of high standard of design. It is considered that the outbuilding meets this high standard, as it utilises good quality, traditional materials that would be suitable for this use and its surrounding. The building is of a modest scale and size, giving the appearance of a small stable or coach house style of building. The outbuilding is also located behind the main pub to the rear of the site within the large garden area of the pub. Combining this with the mature landscaping means the small building would not be prominent from public viewpoints. Furthermore, its setting within the backdrop of the large pub garden would not appear to have a detrimental impact on the street scene or character of the area. The outside bar would also have a minimal impact on the setting of the listed building, something which is explored in more detail in 6.3.0 below.

6.2.2 As noted in section 7.2.0 of this report above, the outbuilding would provide a number of benefits for the business that operate on the site, as well as for its staff and for customers of the site. The applicant is also happy to accept a suitable hours of operation condition as not cause disturbance for neighbouring occupiers.

#### 6.3.0 **Issue No 3: Heritage**

6.3.1 Policy HA7 states that proposals that affect the setting of a Listed Building will only be permitted where the setting of the building is preserved. As noted previously, the outbuilding would be modest in both size and scale, therefore being fully subservient to the Listed Building. The outbuilding would also be constructed of traditional materials, including black timber weatherboarding, low level facing brickwork, and clay roof tiles. These proposed design and colour of the materials would be the same as the Listed Building, something which can be secured by a condition if required. This would further connect this small outbuilding as being a subservient structure to the main Listed Building. Furthermore, as noted in Paragraph 6.1.13 of this report, the outbuilding is important to the running of the business which operates at the Listed Building. As the structure would improve the facilities and operation of the business that operate within the Listed Building, it would further help ensure the long term vitality and vibrancy of the pub.

6.4.0 **Issue No 4: Flooding**

6.4.1 This application would provide the same level of floorspace within Flood Zone 2 as the previous application under reference 3/22/2008/FUL. In determining the application, the Council concluded that there would be no issue in terms of flooding, stating that *“This building would not provide a dining area for customers or accommodation and therefore cannot be considered as a vulnerable use. The environment agency have not been consulted on this application however due to the sizing and use of this building the proposal can be considered acceptable. The proposal is therefore considered to comply with Policy WAT1 of the East Herts District Plan 2018 in this regard.”*

## 7.0 CONCLUSIONS

### 7.1.0 Background

7.1.1 This report relates to a planning application for the retention of paving at The Woodman and Olive Public House. The proposal is promoted in the following circumstances:

- The actual harm caused to the openness and purposes of the Green Belt is relatively low. Therefore, the benefit of supporting a local business is a very special circumstance that would outweigh any harm by reason of inappropriateness.
- The outside bar would provide a number of benefits for the business that operate on the site, as well as for its staff and for customers of the site.
- The applicant is also happy to accept a suitable hours of operation condition as not cause disturbance for neighbouring occupiers.
- The outbuilding would be subservient in nature and appropriately designed as not to cause harm to the setting of the Listed Building.

DLA | Heritage

DLA | Strategic

DLA | Commercial

DLA | Residential

DLA | Leisure

DLA | *Solutions*