



## Appeal Decision

Inquiry Held between 4 and 6 December 2018

Site visit made on 6 December 2018

**by D. M. Young BSc (Hons) MA MRTPI MIHE**

an Inspector appointed by the Secretary of State

Decision date: 16<sup>th</sup> January 2019

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**Appeal Ref: APP/X1925/W/18/3205685**

**The Station Inn, Station Approach, Knebworth, Hertfordshire SG3 6AT**

- 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 Market Homes (Knebworth) Limited against the decision of North Hertfordshire District Council.
  - The application Ref 17/01622/1, dated 22 June 2017, was refused by notice dated 1 May 2018.
  - The development proposed is the erection of a three storey building to provide 9 x 2 bed flats, conversion and extension of store to one bed house and new vehicular access from Station Approach.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a three storey building to provide 9 x 2 bed flats, conversion and extension of store to one bed house and new vehicular access from Station Approach at The Station Inn, Station Approach, Knebworth, Hertfordshire SG3 6AT in accordance with the terms of the application, Ref 17/01622/1, dated 22 June 2017, subject to the conditions set out in the schedule to this decision.

### Preliminary Matters

2. The Inquiry sat for 3 days on 4, 5 and 6 December 2018. There was an accompanied site visit on 6 December 2018. With the agreement of the main parties, the Inquiry was adjourned following the site visit pending the submission of closing statements on 7 December. The Inquiry was subsequently closed in writing on 10 December 2018.
3. The Council confirmed before the Inquiry that it no longer intended to contest reasons 3 (parking), 4 (living conditions) and 5 (infrastructure contributions). I have determined the appeal accordingly.
4. An agreement under Section 106 of the Town and Country Planning Act 1990 was submitted prior to the Inquiry. This would provide financial contributions towards education, youth services, libraries and waste collection. I shall return to this matter later in my decision.
5. Various appeal decisions were referred to in the evidence and at the Inquiry. However, there was no suggestion that the facts of any one case were so aligned with the facts here that the previous decision indicated that this appeal should be either allowed or dismissed. I have therefore had regard to the

various decisions insofar as they are relevant to my consideration of this appeal.

6. Shortly before the Inquiry opened the Inspector's Main Modifications to the "North Hertfordshire Submission Local Plan 2011-2031" (the emerging LP) were published. Relevant copies were provided by the Council at the opening of the Inquiry. At this stage it is intended to consult on the modifications in early January 2019. The Council has confirmed that the Main Modifications do not materially affect its stance in relation to the appeal scheme. In view of its advanced stage, I am satisfied that the policies in the emerging LP should be afforded moderate weight in determining this appeal and accordingly, I have had regard to them in reaching my decision.
7. Finally, a signed Statement of Common Ground (SOCG) was submitted prior to the Inquiry and I have had regard to this in reaching my decision.

### **Main Issues**

8. The main issues are, firstly, whether the appeal scheme would prejudice the long term retention and viability of the public house and, secondly, the effect of the development on the character and appearance of the area.

### **Reasons**

#### *Viability*

9. Paragraph 92(c) and (d) of the "National Planning Policy Framework" (the Framework) advise that planning decisions should:  
  
*c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*  
  
*d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.*
10. The Station Inn Public House (the PH) is listed as an Asset of Community Value (ACV) in accordance with the requirements of the Localism Act 2011. Contrary to its Statement of Case, the appellant has clarified that the appeal scheme is not enabling development and the PH has only been closed pending the outcome of this appeal. Although those opposing the scheme are keen to focus on what they see as a "volte face", I consider the appellant's change of position was unequivocally dealt with by Mr Escott's oral evidence and as a consequence, I do not intend to comment on the matter further.
11. At the Inquiry I heard from local people about the importance of the PH to the local community as the only pub in the centre of Knebworth. Prior to its closure, it provided an important meeting place for a range of local groups including amongst others the lawn tennis club and twinning association. There appears to me to be a genuine desire on all sides to see the PH reopened and doing well. Despite suggestions to the contrary, I have no reason to think that a future operator would not share the same aspirations.
12. The appeal scheme does not involve the loss of the PH. On the contrary, it would be retained and refurbished as would the staff accommodation on the first floor. The provision of a 50 cover garden patio to the rear is proposed to offset the loss of the existing pub garden. Although it is not possible to know

at this stage exactly which direction a future operator will want to develop the PH, I have not identified any conflict with the aims and objectives of the ACV listing.

13. It is common ground between the parties that the PH had up until its closure been financially viable as a wet led enterprise with a basic food offering. Where the parties diverge is on the matter of the lawned garden and pétanque court and whether their loss would undermine the viability of the PH. The appellant called two expert viability witnesses at the Inquiry both of whom were of the opinion that irrespective of wider market trends, the PH would be equally viable with or without the existing garden. Both had considerable knowledge of the hospitality trade and one practical experience of running a pub. Their evidence has not been challenged in any cogent way by those opposing the scheme and I do not consider the credibility of Mr Taylor's evidence is in any way diminished by arguments about when he first read the appellant's statement of case.
14. Whilst the pub garden was undoubtedly well used on occasion, no evidence has been presented to suggest it enjoyed a sustained level of use such that it contributed significantly to the viability of the PH. The English climate is not one that is known to be particularly conducive to the use of a pub garden for large parts of the year and even in summer the weather is inherently unpredictable. Based on the foregoing and my own experience, I do not consider a garden is essential for a pub to operate successfully especially where it is an urban area as is the case here.
15. The Rule 6 Party through its expert witness Mrs Ingram sought to argue that the loss of the pub garden could have a significant effect on the PH. However the evidence supporting that position is at best patchy. The 30% figure proffered is largely anecdotal and based on her personal knowledge of the Duke of Wellington PH in Spitalfields and The Crown PH in Battersea. No documents were produced to show how the 30% figure had been arrived at. Moreover, I concur with the appellant that the location of these pubs within London is not remotely comparable to the PH. This therefore limits the weight I attach to these arguments.
16. I acknowledge that the existing garden would be better suited to hosting those events cited by Mrs Ingram which in turn could contribute to supporting the pub in the future. However, there is nothing to show that any of these activities took place in the recent past nor is there any evidence to suggest that a relatively small number of events of this kind would make a meaningful contribution to the financial viability of the PH. I accept the argument that a lawned garden would be more attractive to some patrons particularly families with young children. However, by the same token, the proposed landscaped courtyard patio with its accessibility and management benefits would be more attractive to other sections of the community who are perhaps more likely to frequent the PH. In both qualitative and quantitative terms the patio would be an attractive environment to drink, dine and to simply enjoy the company of a loved one on a warm summer evening.
17. The loss of a pétanque court would be both unfortunate and place some at a disadvantage. The court is clearly an important community facility that can hopefully be accommodated elsewhere in the village. However, I have not been provided with any compelling evidence to suggest that the numbers

engaging in this pastime are so great that the future viability of the PH is dependent upon its retention. I am also not aware that the existing pub garden is the only option for providing a facility of this kind in Knebworth.

18. The suggestion has been made that the appeal scheme represents a "*trojan horse*" development whereby there is a deliberate attempt to strip assets away from the PH with the intention of ensuring its decline and eventual redevelopment for housing. However, I am bound to consider the development that has been put to me which in this case involves the retention of the PH. Accordingly, speculation about what may or may not happen in the future is not a material planning consideration to which I can ascribe any degree of weight. In any event, the appellant has patently gone to some considerable lengths to demonstrate that the PH has a positive future which is perhaps not the approach one would expect if the real motive was to secure its demise.
19. The SOCG confirms that there would be no adverse consequences on the living conditions of future occupiers. Despite that, it was argued at the Inquiry that the proximity of unit 10 could lead to noise complaints and onerous licencing restrictions being placed on the PH which in turn could affect its viability. I do not accept that proposition for a number of reasons. Firstly; it seems illogical to accept that the proximity of the pub would not harm the living conditions of adjacent occupiers but then to suggest that the same occupiers would be likely to complain. Secondly, any prospective purchaser or occupier of unit 10 would be well aware of its location next to the PH and hence would be able to exercise consumer choice in these matters.
20. I do not consider there is any merit in the suggestion that the conversion of the outbuilding would reduce the ability of the PH to operate successfully through a reduction of essential storage space. The floor plans submitted with the application show that an alternative storage room could be provided in place of the office on the first floor accessed via the internal staircase. Whilst the stairs might be a minor inconvenience, they would be no more so than having to walk outside particularly during periods of inclement weather. Overall, there would not be any significant loss of storage in terms of amount or quality.
21. Given the PH's sustainable location and the availability of alternative car parking in the immediate vicinity, I do not consider the small reduction in parking spaces would be detrimental. The Council has referred to the creation of a separate access to the staff accommodation, new extraction systems and the creation of a separate planning unit. However, even if I were to agree with the Council that these effects would occur, it is not clear how they would prejudice the viability of the PH. Accordingly and given that a number of these matters could be dealt with by planning conditions, I am giving very limited weight to these concerns.
22. Overall, the development would result in the loss of the pub garden including the pétanque court. The strength of local opposition to the scheme would suggest that the PH is a '*valued facility*' in the terms of the Framework. As to whether the garden and pétanque court are valued facilities in their own right the evidence is unclear. Nonetheless, the PH would be retained, refurbished and provided with an alternative outdoor seating area which would be beneficial to a future operator and the majority of paying customers. Consequently, I do not consider the loss of the garden would reduce the community's ability to meet its day-to-day needs nor is there any credible

evidence to suggest it would prejudice the long term retention and viability of the PH. Accordingly, there would be no conflict with Policy ETC7 of the emerging LP or the overall aims and objectives of paragraph 92 of the Framework. I note that the revised reason for refusal also cites conflict with paragraph 83 of the Framework which, inter alia, seeks the retention of pubs. Notwithstanding that the appeal site is not in a rural area, there would be no conflict with paragraph 83(d) on the basis that the PH is to be retained.

### *Character and appearance*

23. The PH is located prominently on the inside of a sweeping bend within the built-up centre of Knebworth. There is an unusually large pub garden to the side (west) of the PH which includes a pétanque court close to the southern site boundary. To the rear of the PH is a small outbuilding currently used for storage purposes. The PH has been closed for some time and consequently it and the garden have developed a neglected and forlorn appearance.
24. The PH and wider site are seen very much in the context of Park Lane, Station Approach and the train station located on the opposite side of the road. Whilst not unattractive in streetscape terms, I noted a wide variety of building forms and architectural styles such that it was difficult to identify a single overriding style or character. I note that the area is not subject to any special designation and that similar layouts to the appeal scheme have been approved on the adjacent site known as Wordsworth Court as well as that currently under construction at 1 & 2 Park Lane. There are various 3-storey buildings in the immediate area including Redemption House to the east. Whilst none of these buildings set a precedent for the appeal scheme, they are nonetheless an intrinsic part of the urban fabric and part of the site's context.
25. The 3-storey flatted building would be built on the pub garden. Due to local topography it would be set at a slightly higher level than the PH. A shared parking area served via a new access would be provided to the front of the building with a small communal outdoor amenity area to the rear. The siting, scale and layout of the development would thus be markedly similar to Wordsworth Court which I understand was also built on land that was previously associated with the PH.
26. Whilst certain elements of the design such as the circular windows, the use of contrasting materials, recessive elements, a front gable and asymmetrical/symmetrical fenestration patterns are not common features in the locality, these would provide articulation to the façade adding to the eclectic mix of building styles in this part of Knebworth.
27. The Council and others are clearly concerned that the building would appear cramped. The first point to make is that the prevailing settlement pattern in this part of Knebworth did not strike me as particularly spacious nor are there large gaps between buildings. Putting that to one side, the building would be set back generously from the roadside behind a spacious parking area on a similar alignment to other buildings along Park Lane. A new footpath for use by the public would be provided along the western site boundary. There would also be ample separation to the PH. I am therefore satisfied that adequate distance would be provided between the building and its nearest neighbours such that it would not be out of keeping with the pattern of development in the locality.

28. There would be some, albeit limited, opportunity to implement landscaping across the site frontage and set further into the site which over time would assist in softening the visual impact of the building. The appellant's analysis of plot ratios including the amount of outdoor amenity space, demonstrates that the development would be generally consistent with what has been accepted by the Council at Wordsworth Court and 1-2 Park Lane. I accept that the amount of outdoor amenity space would be limited. However, there is no suggestion that the living conditions of future occupiers would be harmed in this regard. Moreover, being located to the rear of the building, the communal garden would be largely screened from public viewpoints. Reference has been made to the proposed fence fronting unit 10. However, that again would have limited visual exposure in public views. Accordingly, I fail to see how it would cause unacceptable harm to the character and appearance of the area. Based on the foregoing, the development would not appear unduly prominent or cramped.
29. The loss of an open, green and undeveloped green space within the centre of Knebworth is of course unfortunate perhaps more so given the scarcity of such land in the vicinity. However, neither the Council nor local community has sought to recognise its status by formally registering the land as a Local Green Space in accordance with the provisions of paragraph 99 of the Framework. I have no reason to agree with the Council's suggestion that a green space within a Category A village such as Knebworth should be protected at the expense of open areas in more rural parts of the district, one has to accept that the erection of a 3-storey building on an open parcel of land, would transform its appearance giving it a more built-up and urbanised character. To that extent at least, some minor visual harm would arise. However, this harm would be mitigated by the detailed design and layout of the building which would be appropriate to the site's already urbanised context.
30. The PH is locally listed on account of its historical interest and is therefore a non-designated heritage asset. The pub garden is not specifically referred to in the listing description and the Council and Rule 6 Party both conceded at the Inquiry that the effect of the development on the setting of the PH would not in itself, justify refusal of the appeal scheme. I see no reason to depart from that agreed position and accordingly there would be no conflict with paragraph 197 of the Framework.
31. Overall, there would be some harm to the character and appearance of the area arising from the loss of an open space. However, for the reasons given above, I find that this would not be at a level to cause significant harm. I therefore conclude that the development would only cause minor harm to the character and appearance of the area. Consequently, there would be some limited conflict with Policy 57 of the "*North Hertfordshire District Council: District Local Plan No.2 with Alterations originally adopted April 1996*" (the LP), Policy D1 of the emerging LP and the relevant sections of the Framework.

### **Planning Balance**

32. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 explains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The starting point in weighing the various factors is therefore that the proposal would conflict with

- Policies 57 of the LP and D1 of the emerging LP. As to whether material considerations indicate that the permission should be allowed, the Framework is one such consideration.
33. Despite its laudable work to address the situation through its emerging LP, there is no dispute between the parties that the Council cannot demonstrate a 5 year supply of housing<sup>1</sup>. Consequently, those policies which are most important for determining the application are to be considered out-of-date. Not only does this reduce the weight that I can attach to them it also engages the default position identified in paragraph 11 d) ii of the Framework. The effect of this is that the planning balance shifts in favour of the grant of consent. Only if the Council is able to demonstrate harm which "*significantly and demonstrably*" outweighs the benefits of the development should consent be refused.
34. The scheme would incur the loss of an open parcel of land within the village centre of Knebworth. To that extent, there would be some limited harm to the character and appearance of the area. However, the appeal site has no special designation and the Council accept that greenfield sites will have to be forfeit in the future to meet its housing targets. Furthermore, in view of the area's varied and somewhat robust character, the level of harm would not be significant. The site occupies a sustainable location in one of the larger villages in the district where residents would have a realistic choice to walk, cycle and use public transport to access essential day-to-day services and facilities.
35. In terms of the economic role, the purchase of materials and services in connection with the construction/conversion of the buildings and an increase in local household expenditure are benefits that again weigh in favour of the scheme.
36. The development would result in the loss of the PH garden and associated pétanque court and to that extent there would be some limited erosion of a valued community facility. However, in view of the Council's housing land supply position and the aims of the Framework to significantly boost supply, I do not consider this loss would be "*unnecessary*" in the language of paragraph 92(c) of the Framework. I have found that there would be no significant adverse effect on the future viability of the PH. The supply of 10 dwellings would make a welcome and much needed contribution towards the Council's housing stock. Irrespective of the fact that 10 dwellings would not, in themselves, eradicate the Council's housing shortfall, the importance attached to these matters in the Framework requires me to allocate significant weight to these social benefits. Even if I gave the housing benefits reduced weight as advocated by the Council and Rule 6 party, the level of harm I have identified to the character and appearance of the area would not be at a level to outweigh the benefits of 10 further houses in a district that currently has a significant undersupply.
37. Taking all these matters in the round, the development would deliver significant social and economic benefits consistent with the aims of the Framework. These would significantly outweigh the environmental harm I have identified. The development would therefore represent sustainable development for which there is a presumption in favour. I consider this to be a

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<sup>1</sup> The SOCG confirms that the Council have a supply equivalent to between 2.7 and 3.7 years.

significant material consideration sufficient to outweigh the conflict with the development plan.

### **Other Matters**

38. There is no compelling evidence before me to suggest that the existence or otherwise of restrictive covenants attached to the land are likely to cause significant delays in bring the development forward. In any event, this is a private legal matter and not a planning consideration to which I can attach any degree of weight.

### **Conditions**

39. The Council has suggested a number of planning conditions which I have considered against the advice in the "*Planning Practice Guidance*" (PPG). In some instances I have amended the conditions provided by the Council in the interests of brevity.
40. A condition specifying the approved plans is necessary to provide certainty<sup>[2]</sup>. I have imposed conditions in relation to landscaping works, external materials and floor levels to ensure the satisfactory appearance of the development<sup>[3,4,5]</sup>. I have combined several of the suggested highway conditions to ensure the access and parking areas are provided in accordance with the approved plans prior to first occupation of the buildings<sup>[6,7]</sup>. A drainage condition is necessary to ensure satisfactory drainage of the site in the interests of flood prevention<sup>[8]</sup>. I am satisfied that the removal of permitted development rights for unit 10 is necessary to safeguard the operational requirements of the PH<sup>[9]</sup>. A noise mitigation strategy is necessary to protect the living conditions of future occupiers<sup>[10]</sup>. To protect the future viability of the PH I have imposed conditions relating to the use of the ground and first floors<sup>[11,12]</sup>. Finally, I have imposed a condition relating to a vehicle charging point to assist the move towards a lower carbon future<sup>[13]</sup>.
41. On the very limited justification before me, I am not persuaded that conditions relating to external plant or kitchen extraction equipment are necessary. There is no evidence to suggest there is a reasonable likelihood of bats being present in the outbuilding, I have omitted the suggested condition accordingly. The design of the rooflights to unit 10 would be covered by my condition 3 and a separate condition is unnecessary.

### **Planning obligations**

42. Regulation 122 of the CIL states that obligations should only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.
43. An education contribution of £7,716 is sought towards primary education is supported by a response from the County Council. This identifies a potential future deficit at the local primary school which would serve the development. I consider the primary school obligation, which is calculated via a standard formula, would be fairly and reasonably related to the development proposed and it would as a result pass the tests.
44. A contribution of £1,469 is sought to mitigate the impact of use of library services by the 20.1 additional future library users generated by the

development. The contribution would be put towards the provision of ICT equipment at Knebworth library. The County Council has advised that although this is a 'pooled' form of contribution, pursuant to Regulation 123 of the Community Infrastructure Levy (CIL) Regulations 2010, less than 5 specific planning obligations have been entered into. I am therefore satisfied that this contribution would be fairly and reasonably related to the development proposed and it would as a result pass the statutory tests.

45. A formula based waste collection contribution is sought towards the provision of household waste collection services on the site. The Council clarified that this relates to the provision of wheelie bins and containers as opposed to the collection of waste itself. On that basis, I am satisfied the obligation would meet the tests.
46. Despite the development only being projected to generate 0.4 additional young people, a youth services contribution of £129 is sought towards the cost of art equipment at Bowes Lyon Centre in Stevenage. The justification for the contribution refers to the centre being over-subscribed. However, rather than being directed towards the creation of additional capacity, the contribution would be spent on art equipment. In my view, this contribution is not necessary to make the development acceptable in planning terms.

### **Conclusions**

47. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should succeed.

*D. M. Young*

Inspector

## APPEARANCES

### For the local planning authority:

Mr Hashi Mohamed, (No5 Chambers)

He called

Mr Shaun Greaves  
BA (Hons), DIP URP, MRTPI

GC Planning Partnership

### For the Rule 6 Party - Save Our Station Pub Action Group

Mr Ashley Bowes (Cornerstone Barristers)

He called

Mrs Dale L Ingram MSc CHE FRSA

Director, Planning for Pubs Ltd

Mrs Alison Young BA (Hons)

Alison Young Town Planning  
Associates **For the appellant:**

Mr Jonathan Clay (Cornerstone Barristers)

He called

Mr David Morgan  
FRICS, MEWI, MRPAS

Morgan & Clarke Chartered Surveyors

Mr Peter Taylor  
FRICS, DipArb, FCI Arb

Christie & Co

Mr John Escott  
BA (Hons) DipTP, MRTPI

Robinson Escott Planning LLP

### Interested persons:

Mr Henry Lytton Cobbold

Local Resident

Mrs Ann Judge

Local Resident and Chair of Twinning Association

Mr Malcolm Chapman

Representing CAMRA

Mr Michael Maresh

Local Resident and Chair of Knebworth Lawn  
Tennis Club

### Documents submitted at the Inquiry

1. Council's Appeal Notification Letter dated 26 November 2018
2. Mr Edis' rebuttal evidence on heritage matters
3. Appellant's opening statement including amenity space & layout plan
4. Council's opening statement
5. Rule 6's opening statement
6. Statement of Henry Lytton Cobbold
7. Michael Donnelly article r.e. Housing Delivery Test dated 3 December 2018
8. John Geoghegan article r.e. Housing Delivery Test dated 21 November 2018
9. Emerging LP Main Modifications s with Knebworth extract
10. Statement of Ann Judge
11. Knebworth Twinning Association leaflet
12. Appearance of Rule 6 party list
13. GCA Market monitor report extract
14. Condition relating to EV charging point
15. Hertfordshire County Council supporting statement for planning obligations

## **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01 (location Plan), 02 (survey drawing & elevations), 03 – (outbuilding floor plans & elevations), 20 rev C (site plan), 21 rev B (existing public house), 22 rev A (existing elevations), 23 rev A – (Unit 10 outbuilding plans, section and elevations), 24 rev A – (units 1-9 plans, section and elevations) & 25 rev C (visibility splays).
- 3) No development above slab level shall commence until details of the external materials to be used for the construction/conversion of the buildings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 4) No works of construction above slab level shall take place until full details of the soft landscape works including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
- 5) No development above slab level shall take place until full details of the finished levels, above ordnance datum, of the ground floor of the proposed building, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
- 6) No part of the development shall be occupied until the access, parking and turning areas have been laid out and constructed in accordance with the approved drawings. These areas shall thereafter be retained for those purposes.
- 7) Prior to first occupation of the development, the redundant accesses shall be closed off and the adjacent footway reinstated in accordance with details that have first been submitted and agreed in writing with the local planning authority.
- 8) No construction work shall commence until a surface water drainage scheme for the development, based on sustainable drainage principles including details hard surfaces which shall be made of porous materials has been submitted to and approved in writing by the Local Planning Authority.
- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development as set out in Classes A to E of Part 1 of Schedule 2 shall be

carried out to the converted outbuilding referred to as unit 10 without first obtaining planning permission from the local planning authority.

- 10) A noise mitigation scheme in accordance with the measures set out in the Accon UK Environmental Consultant's report ref: A3239/N/02/V1 dated 14 February 2018 shall be submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before any part of the development is occupied and retained thereafter.
- 11) The occupation of the first floor residential accommodation above the public house shall be limited to a person solely or mainly employed in the public house and any resident dependents.
- 12) The ground floor of the public house shall be used as a public house within Use Class A4 of the Town and Country Planning (Use Classes Order) 1987 (as amended) and for no other purpose.
- 13) Prior to first occupation of any residential unit, one electric vehicle charging point shall be installed to the flatted development (units 1-9) and shall be retained thereafter.