

## **NORTH HERTFORDSHIRE DISTRICT COUNCIL**

Planning (Listed Buildings and Conservation Areas) Act 1990  
Planning (Listed Buildings and Conservation Areas) Regulations 1992

### **DECISION NOTICE**

**Correspondence Address:**

Hertford Planning Service  
Westgate House  
37-41 Castle Street  
Hertford  
SG14 1HH  
United Kingdom

**Applicant:**

Mr R Newman

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### **PARTICULARS OF DEVELOPMENT**

Application: 20/01350/LBC

Proposal: Internal and external alterations (majority of which is retention of) including kitchen flue (part enclosed by boarding), enclosure of smoking shelter to form store and formation of additional store alongside on site of previous fuel store (as also covered under ref: 20/02430/FP and as amended by plan nos. P001 Rev G and P002 Rev F received on 13/04/2021).

Location: The Cabinet, High Street, Reed, Royston, Hertfordshire, SG8 8AH,

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **REFUSE LISTED BUILDING CONSENT** to the works described above and proposed by you in your application received with sufficient particulars on 29 June 2020.

The reasons for the Council's decision to refuse Listed Building Consent are:

1. Reason for refusal:

The far right-hand end of this grade II public house is described as a 'C19 weatherboarded and slate roofed outbuilding with 2 doors to front' and previously formed a cellar on the ground floor. The commercial flue at the rear of this part of the listed building has already been installed. Although it is acknowledged that a commercial flue is necessary for the preparation of food and to assist in providing a viable commercial use, by reason of its height, 'swan-neck' form and boxing-in using timber boarding, the commercial flue would result in a bulky, incongruous addition, thereby harming this building's special character and also occasioning harm to the appearance of the Reed Conservation Area. The extent of harm would be 'less than substantial' and the proposal has not been convincingly justified. Consequently, this aspect of the proposal fails to satisfy Sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of Section 16 of the NPPF and the aims of Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031 (Proposed Main Modifications November 2018) and further Proposed Modifications (May 2021).

2. Reason for refusal:

The far right-hand end of this grade II public house is described as a 'C19 weatherboarded and slate roofed outbuilding with 2 doors to front' and previously formed a cellar on the ground floor. To the rear of this stood an open-sided smoking shelter (now enclosed) linked to a small store abutting the C19 section. Beyond this small store a further secondary store has been erected where gas cannisters were once stored. By reason of this smaller store's construction/external appearance and the cumulative impact of two poorly detailed stores side-by-side, these are considered to occasion harm to the building's special character. The extent of harm would be 'less than substantial' and a convincing justification has not been provided for these works which have already been implemented. Consequently, this aspect of the proposal fails to satisfy Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of Section 16 of the NPPF and the aims of Policy HE1 of the North Hertfordshire Local Plan 2011 - 2031 (Proposed Main Modifications November 2018) and further Proposed Modifications (May 2021).

**Signed:**



Development & Conservation Manager

**Date:** 27 October 2022

Development Management  
North Hertfordshire District Council  
Council Offices  
Gernon Road  
Letchworth  
Herts  
SG6 3JF

## NOTES

- 1 If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Planning Inspectorate at Suite C, 4th Floor, Spectrum Building, Bond Street, Bristol, BS1 3LG or online at [www.planningportal.gov.uk/planning/appeals](http://www.planningportal.gov.uk/planning/appeals)

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

### **Purchase Notices**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.