

JP2/01/3480

FAO Vicki Wood
North Herts Council
Council Offices
Gernon Road
Letchworth Garden City
Herts
SG6 3JF
Submitted via Planning Portal only

25 August 2026

Dear Vicki

RE: Application under Section 73 of the Town and Country Planning Act 1990 to vary the approved plan numbers of planning permission 26/00573/FP at Land adjacent to The Manor House, Melbourn Street, Royston, SG8 7BZ

nineteen47 is instructed by JD Wetherspoon plc ("the Applicant") to submit this application under Section 73 of the Town and Country Planning Act 1990 to vary the approved elevation plan (3261-501) of planning permission *Change of use of land from car park to external seating area to include installation of planters with signage (development already carried out)*. (As amended by document received on 28th April 2026), which was approved in June 2026, LPA ref: 26/00573/FP.

The application seeks approval to substitute the approved boundary treatment plan (3261-501) with the revised plan (3261-501 Rev A) submitted as part of this application. The application does not seek to alter the approved use of the land, the extent of the external seating area, or the temporary two-year duration of the permission. Instead, the proposed amendment relates solely to the form of boundary treatment to be provided for the remainder of the temporary consent.

In support of this application, the following information is submitted alongside this supporting letter:

- Application Forms and Certificates
- Proposed elevation plan (3261-501 Rev A)
- Decision Notice (26/00573/FP)

The application fee plus the Planning Portal's administration fee has been paid via the planning portal.

The Site and Surroundings

The Site comprises part of the wider existing car park immediately adjacent the existing external seating area in connection with the Grade II* listed two and a half storey red-brick Public House (Sui Generis) on the north side of Melbourn Street. It is located within the secondary shopping frontage in Royston Town Centre and lies within the wider Conservation Area.

Neighbouring units include a mixture of commercial and retail uses such as retail units to the west, take-away to the east and to the south on the other side of Melbourn Street, a two-storey shopping precinct know as 'Market One' which is home to further retail, leisure and take-away uses.

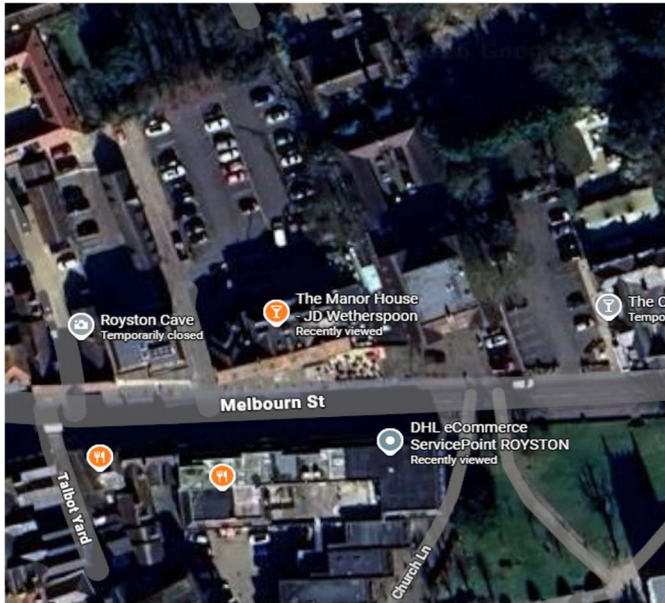


Figure 1 – Site Location (Source Google Maps)



Figure 2 – Proposed (retrospective) seating area

To the north (rear) of the Site is a privately operated open-air car park with capacity for circa 30 vehicles. It is the southernmost portion of the car park which is subject to this (retrospective) application (see Figure 2, above) with the area comprising 206sqm of the wider car park – equivalent to less than 10% of the wider car park's area.

At the rear of the Site, boundary treatments include a ~12ft high wall to the east and shared access drive to the west, beyond which is a combination of commercial/ office buildings and residential uses.

Background

Planning permission was granted for the retrospective use of land adjacent to The Manor House as an external seating area associated with the public house. The permission was granted on a temporary basis for a period of two years and includes a requirement for the approved boundary treatment to be implemented in accordance with the approved plans.

The approved scheme proposed the use of Millboard planter boundary treatments to help define and contain the external seating area. Since the grant of permission, the Applicant has reviewed the practical implications of implementing this boundary treatment in circumstances where the planning permission is expressly temporary and where there remains uncertainty as to whether the arrangement will be secured in perpetuity once the temporary two-year period has run its course.

The Millboard planter treatment represents a significant investment. Given the temporary nature of the permission and the circumstances regarding the longer-term continuation of the external seating area, the Applicant is unable to reasonably commit to this level of expenditure at this stage.

The Applicant nevertheless remains committed to providing the approved Millboard planter treatment should a permanent planning permission subsequently be granted. The purpose of this application is therefore to secure an appropriate, attractive and functional alternative boundary treatment solely for the duration of the existing temporary permission.

Proposed Amendment

The revised boundary treatment is shown on drawing 3261-501 Rev A 'proposed external elevation' prepared by DV Architects.

The proposal comprises a combination of Wetherspoon-branded fabric barriers, smaller freestanding planters and cleaned white barriers, with the existing red barriers to be removed. Together, these elements will clearly define the external seating area and provide an attractive, durable and appropriate physical and visual separation from the adjacent private car park.

The revised arrangement has been developed specifically in response to discussions with officers and seeks to provide a viable and deliverable defensible temporary boundary treatment, whilst still securing a clear & obvious betterment compared to the existing arrangement. The appropriateness of this amendment via the S73 application has route has also been agreed as part of informal pre-application discussions with the Local Planning Authority (LPA) and following on from the recent granting of permission.

Planning Justification

The amendment is limited in scope, does not introduce any new development, nor does it conflict with any operative part of the main planning permission. The principle of the external seating area has already been accepted through the grant of the extant planning permission, and this application does not seek to intensify or extend that use.

The only material consideration is whether the revised boundary treatment would continue to provide an acceptable standard of visual amenity and appropriately define the boundary between the external seating area and the adjacent car park.

The revised treatment will continue to provide a clear and obvious boundary between the existing/approved external seating area and adjacent private car park. The combination of fabric barriers, freestanding planting and cleaned barriers will provide an attractive and defensible boundary treatment appropriate to the temporary nature of the permission.

The revised treatment has been the subject of constructive pre-application discussion with the LPA. Officers have confirmed agreement to the submission of a S73 application on the basis of the revised arrangement and have indicated that – with prejudice - it would be difficult to justify not supporting the amended barrier design on a temporary basis given the context and circumstances. Whilst these comments are accepted to be informal and non-binding, they provide useful confirmation that the proposed amendment has been discussed with, and developed in consultation with, the Council.

It is also important to emphasise that the Applicant is not seeking to avoid or permanently depart from the approved Millboard planter treatment. JD Wetherspoon remains committed to implementing the treatment should a permanent permission for the external seating area subsequently be secured. The revised boundary treatment is specifically proposed as an interim arrangement for the remainder of

the existing two-year temporary permission and is considered to represent a fair and reasonable compromise between ensuring an attractive development against the commercial realities.

Conclusion

This Section 73 application seeks a modest amendment to the approved boundary treatment only. The approved external seating use, its extent and the two-year temporary duration of the permission are unaffected by the proposals.

The revised boundary treatment will provide an appropriate and effective means of defining the external seating area and separating it from the adjacent car park, whilst being proportionate to the temporary nature of the permission.

The revised arrangement is temporary, does not alter the planning principles or impacts previously accepted through the grant of planning permission, such that a reassessment against relevant planning policies is needed. Furthermore, the proposals have been developed following constructive discussions with officers and are submitted in accordance with the approach agreed with the Local Planning Authority.

The proposed alterations are in accordance with relevant Development Plan policies, and it is respectfully requested that the application is supported.

Yours faithfully



Jamie Pert
Associate Director

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