

DELEGATED FILE NOTE

CASE OFFICER: ...Vicki Wood.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00573/FP	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).	Royston Manor House 14 Melbourn Street Royston Hertfordshire SG8 7BZ

Submitted Plan Nos

3261.300C 3261.100 3261.200 3261.500 3261.501 External Area Management Plan

1.0 Policies

1.0 **National Planning Policy Framework (2024)**

Section 2 – Achieving sustainable development
Section 6 – Building a strong, competitive economy
Section 7 – Ensuring the vitality of town centres
Section 11 – Making effective use of land
Section 12 – Achieving well-designed and beautiful places
Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 16 – Conserving and enhancing the historic environment

1.1 **North Hertfordshire Local Plan (2011-2031)**

Strategic Policies

Policy SP1 - Sustainable development in North Herts
Policy SP2 – Settlement Hierarchy and Spatial Distribution
Policy SP3 – Employment
Policy SP4 – Town Centre, Local Centres and Community Shops
Policy SP6 – Sustainable transport
Policy SP9 – Design and sustainability
Policy SP10 – Healthy Communities
Policy SP13 – Historic environment

Development Management Policies

Policy ETC3 – New retail, leisure and other main town centre development
Policy ETC5 – Secondary Shopping Frontages
Policy D1 – Sustainable Design
Policy D3 – Protecting Living Conditions
Policy T1 Assessment of transport matters
Policy T2 Parking
Policy HE1 – Designated heritage assets
Policy H4 - Archaeology

2.0 **Site History**

- 2.1 Planning permission was granted under 12/02367/1 for “Refurbishment to facilitate use as public house comprising bin store, disabled ramp, pergola, canopy and external goods lift shaft to rear (as amended by plans received 18.01.13 and 15.02.13).”

3.0 **Representations**

- 3.1 **Press, Site and Neighbour Notification** – Five objections have been received raising a number of concerns which, in planning terms, primarily relate to noise, disturbance and the impact on neighbouring residential amenity. The specific concerns raised are summarised below:

33 Dog Kennel Lane

- Reduction in original hedge making the whole area visible and the noise situation worse.
- Untidy appearance for a listed building.

- Metal and canvas barriers moved to the side of the vehicle access to the car park.
- Insignificant planters placed at what is the only entrance to this whole outside area including the part that is the car park.
- Bins relocated further down the car park.
- Eyesore.

Crofton, Dog Kennel Lane

- Original a temporary permission that should not be made permanent due to excessive noise, littering, drug trading and use and rowdy behaviour.
- Consumption of alcohol should be within the Manor House building.

Jowlers, Dog Kennel Lane

- Loss of parking: already very little parking available in Royston town centre and the loss of yet another car park creates problems for visitors intending to park for the town centre or Wetherspoons. More parking likely to over spill onto Dog Kennel Lane which is a private road where there is unauthorised parking.
- Impact on the planned refurbishment of Richard Cox House and its use as a facility for disabled persons. Such a health facility being so close to the expanded seating area would inevitably suffer from nuisance due to noise and disturbance, which already affects the residents of Hunter's Mews.
- Minimal parking in front of Richard Cox House would no doubt be occupied by cars parked there to access Wetherspoons and/or the town centre rather than visitors to Richard Cox House.
- Incidents in Dog Kennel Lane by youths plying drugs, throwing objects, littering, braking glass and engaging in other unacceptable behaviour.
- Extended seating area is likely to increase the number of loud, rowdy people in the immediate area for lengthy periods of time in summer months and evenings.
- Dog Kennel Lane is poorly maintained and will inevitably be made worse by the increased number of people using it.

4 Manor House Yard

- Disturbance to nearby residents.
- Frequent noise during evenings and late-night house, including activity continuing after closing time and sometimes involving individuals not associated with the premises.
- Littering with bottles and glasses left on neighbouring residential property.
- Inappropriate behaviour, including use of nearby residential areas for urination.
- Negative impact on residents' wellbeing and amenity.

Hunters Mews Residents Limited, 33 Hunters Mews

- Temporary beer garden tolerated during the pandemic.
- Significant increased level of anti-social behaviour very close to the seating area and close to the old wall.
- Vandalism as a result of some people leaving the premises and going home via Dog Kennel Lane.
- Increased litter and Wetherspoons glassware left in Dog Kennel Lane or on the kerbside. When discussed with Wetherspoons they promise to tidy up and put doormen in the gardens, but this lasts for a matter of weeks.
- Associated environmental issues.

- Constant smell of marijuana during evenings and weekends in summer months has become intolerable, with some residents including families with young children and the elderly using Dog Kennel Lane feeling intimidated.
- Temporary seating is not monitored or overseen by the staff of Wetherspoons at any time.
- Extra seating is very close to the entrance of a very busy car park with over 30 spaces.
- Delivery bikes and cars use the car park more and more as they rush in and out at speed to make their deliveries on time.
- Some families allow their children to play in the car park unsupervised, an accident waiting to happen.
- Some neighbouring properties of the car park have changed with some former business premises that would be closed in the evenings now in residential use some with balconies facing onto the car park area.
- Increase in noise levels becoming exceptionally high and at times unruly.
- Allowing the garden shows little to no respect or consideration for the people that live there.

3.2 **Royston Town Council** – Object on the grounds of concern about anti-social behaviour and increase in noise. Would wish to see assurances from the Manor House related to plans for noise control, CCTV and reimplementation of cut-off rules and lights out in the evenings.

3.3 **HCC Highways** – No objection.

3.4 **NHC Licensing** – Informal discussion regarding the current Premises Licence shows the opening hours of the premises as follows (this includes inside the building and the beer garden):

Monday-Wednesday & Sunday 7:00am to 00:30hrs
(Sale of alcohol between 8:00hrs to midnight)

Thursday-Saturday 7:00am to 01:30 hrs
(Sale of alcohol between 08:00hrs to 01:00hrs)

The exception to this is Christmas Eve, Boxing Day, Maundy Thursday, Sundays preceding Bank Holiday Mondays and New Years Eve, where the standard terminal hour will be extended by one additional hour.

3.5 **NHC Environmental Health (Noise)** – No objection subject to condition that the additional external seating area be operated in accordance with the submitted External Seating Area Management Plan.

3.6 Environmental Health have confirmed that 3 complaints have been received regarding the outside seating area, the most recent being two being in April of this year relating to noise inside and outside of the premises with the other complaint made during the pandemic and relating to the outside seating area and spacing between seating and furniture blocking the pavement.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The Manor House is a two-storey, Grade II* listed building located within the Royston Conservation Area, occupying a prominent position of the northern side of Melbourn

Street. The property benefits from a lawful existing beer garden to the rear of the building and a pavement cafe area to the front of the building (approved under 12/02367/1).

4.1.2 Access to the rear of the site is taken from a private access road off Melbourn Street, situated between The Manor House and No.12 Melbourn Street to the west. This access also serves a private car park with a capacity for around 30 vehicles, part of which includes an unauthorised extension to the beer garden that is the subject of this application.

4.1.3 The surrounding area is characterised by a mix of uses. Adjoining properties to either side of The Manor House comprise of commercial units at ground floor level, with the building to the west including residential accommodation to the upper floors. To the rear of the site, on either side of the car park, are residential properties, with Dog Kennel Lane to the east.

4.2 **Proposal**

4.2.1 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).

4.2.2 The amended document relates to the submission of an External Area Management Plan (EAMP).

4.2.3 The application is supported by a covering letter and a Design and Access Statement (DAS).

4.3 **Key Issues**

4.3.1 The key issues for consideration are as follows:

- The acceptability of the design of the proposed development and its resultant impact on the listed building and the character and appearance of the Conservation Area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.

Impact on Heritage Assets

4.3.2 Within a Conservation Area, the Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of the Listed Building and Conservation Areas Act (1990). Furthermore, Section 16 of the NPPF sets out guidance relating to sustaining and enhancing heritage assets. In this regard, Policy HE1 of the Local Plan is consistent with the NPPF.

4.3.3 When considering the impact of proposed development on the significance of a designated heritage asset (such as a listed building and Conservation Area), the NPPF notes that great weight should be given to the asset's conservation; the more important the asset, the greater the weight should be.

- 4.3.4 Following an informal discussion with the Council's Conservation Officer on the 13 April 2026, it was concluded that the development would not result in any significant harm to the setting or significance of the listed building nor result in any harm to the character or appearance of the conservation area. As such, no objection has been raised on heritage grounds. The development is therefore considered to accord with Policy HE1 of the Local Plan and Section 16 of the NPPF.

Design

- 4.3.5 The objectives of the National Planning Policy Framework (NPPF) include those seeking to secure the creation of high quality, beautiful and sustainable buildings and places (Section 12 – Achieving well-designed and beautiful places). Paragraph 131 of the NPPF states that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable communities”*. In this regard, Policies D1 and D2 of the Local Plan are consistent with the objectives set out within the NPPF.
- 4.3.6 The approved beer garden (floor area 184m² with approximately 98 covers) extends across almost the full width of the rear of the building and has a depth of approximately 6.6 metres, as measured from the rear elevation of the main building. The area is defined by a relatively low hedge along its boundaries, incorporating a central pedestrian access point aligned with the main rear entrance to the building. This access also serves as a route for beer deliveries. In addition, a secondary ramped access is located on the western side of the building, providing a step-free access for disabled users and facilitating further deliveries.
- 4.3.7 The proposal seeks to extend the existing lawful beer garden by a further 140m², accommodating approximately 104 covers resulting in a total area of approximately 324m² with around 202 covers. The extended area would comprise a single row of seating along the western side, separated from the existing rear pedestrian access to the building, with a larger seating area proposed to the eastern side. Although the extension would encroach into part of the existing car park, the number of parking spaces would remain unaffected. The extent of the additional seating area would be defined by the installation of 'Millboard' planters featuring 'Wetherspoon' branding. The planters would act as a soft barrier providing a clearly defined boundary between the seating area and car park.
- 4.3.8 The site lies within the defined town centre boundary and is designated as a Secondary Shopping Frontage in the Local Plan. Policy ETC3 of the Local Plan supports proposals for new retail, leisure and other main town centres uses, subject to a number of criteria. Of relevance in this case is criteria (d) which requires development to be appropriate to its context in terms of use, size, scale, function, catchment area and historic and architectural character, and (e), which seeks to ensure that there would be no significant adverse impact upon residential amenity. Policy ETC5 further recognises that, within Secondary Frontages, drinking establishments can make a positive contribution to the vitality and viability of a town centre. The lawful use of the premises as a public house with associated external seating has already been established. In this context, The Manor House does contribute to the vitality and viability of the area in terms of day and evening time activity. Policy D1 of the Local Plan supports development that responds positively to the site's local context. Policy D1 also supports development that responds to the site's local context and sets out criteria in relation to this, of relevance is: vii. design-out opportunities for crime and anti-social behaviour. At para 9.10 of the Local Plan, it sets out *‘...by designing-out opportunities for crime and anti-social behaviour through the incorporation of physical and management measures...’*. The agent has submitted an EAMP which sets out how the

external seating area will be managed to ensure the use does not result in a negative impact on neighbouring residential amenity. The plans include the external seating area being closed and inaccessible to customers from 22.00hrs each day, with no activities carried out by staff following its closure. The EAMP also sets out several points to ensure excessive noise and anti-social behaviour is prevented from taking place.

- 4.3.9 In view of the above, I find the modest scale of the extended external seating area relative to the existing premises and its surroundings and ensures that the development is acceptable and in accordance with Policies ETC3, ETC5 and D1 of the Local Plan and Sections 2, 6, 7 and 12 of the NPPF.

Impact on Neighbouring Properties

- 4.3.10 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the Local Plan.
- 4.3.11 Five objections have been received in respect of the application, details of which are set out at paragraph 3.1 of this report. The principal concerns relate to noise, disturbance and the potential impact on neighbouring residential amenity arising from the use of the existing unauthorised beer garden, with additional concerns relating to anti-social behaviour and loss of parking amongst others. Whilst these concerns are noted, matters relating to customer behaviour and statutory nuisance are primarily controlled through separate environmental health and licensing controls.
- 4.3.12 In assessing the impact on neighbouring amenity, it is noted that the proposal would increase the number of covers from 98 within the existing approved beer garden to a total of 202, with an additional 104 covers provided within the extended area. This represents a notable increase in capacity with the potential to intensify on site activity.
- 4.3.13 Whilst the extension would extend beyond the lawful beer garden and utilises part of an existing car park, it has been demonstrated that there would be no parking spaces lost as a result of the proposal. The scale of the extension remains proportionate within the context of the overall site and is set away from the site boundaries. The eastern boundary benefits from an approximate 2 metre high wall which provides a degree of screening and noise attenuation. Although the western boundary is more open in character, the extended seating area is positioned away from its boundary. It is acknowledged that the extension would, in part, bring activity closer to neighbouring properties, it would not materially reduce separation distances to these boundaries or result in a materially different relationship with neighbouring residential properties.
- 4.3.14 It is also important to recognise that although there is a change of use of part of a car park as an extension to an existing lawful beer garden, a beer garden exists, and whilst there would be an increase in capacity, the scale of the extension is not considered to result in a significant or unacceptable intensification of activity. Furthermore, the use of the external area can be appropriately managed, and it is recommended that compliance with the submitted EAMP is secured by condition to mitigate potential impacts. Subject to compliance with the EAMP, the level of noise and disturbance generated is not anticipated to give rise to unacceptable harm to neighbouring residential amenity. However, to address any unforeseen impacts it is recommended that permission be granted for a temporary period of two years, if issues arise during this temporary period then that would be considered in any application for renewal of the permission. Subject to the recommended conditions, the proposal is considered to be in accordance with Policy D3 of the Local Plan and Section 12 of the NPPF.

Parking

- 4.3.15 Parking provided to the rear of The Manor House is by way of a private car park, the spaces of which would remain unaffected by the development.

Ecology & Biodiversity Net Gain (BNG) Requirements

- 4.3.16 The development is not subject to the statutory biodiversity gain condition, as it falls within one of the exemptions set out in paragraph 17 of Schedule 7A to the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Environmental Implications

- 4.3.17 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.
- 4.3.18 The proposed development, would have no significant implications for the local environment in terms of carbon emissions and therefore would be generally in compliance with Policy D1 of the Local Plan and Section 14 of the NPPF.

4.4 Conclusion

- 4.4.1 Taking all matters into account, the proposal is considered to provide an acceptable balance between supporting an established local business and safeguarding neighbouring residential amenity.
- 4.4.2 A temporary permission is considered appropriate in this instance to allow the Local Planning Authority to retain a degree of control over the development and to ensure that the premises operate in accordance with the details set out in the EAMP. This approach is considered reasonable and necessary given the nature of the proposal and the potential for amenity impacts, enabling the Local Planning Authority to review the operation of the extended beer garden and its effect on neighbouring residential amenity over a defined period of time before determining whether a permanent consent would be appropriate. On this basis, the proposal is considered to comply with Policies ETC3, ETC5, D1, D3, T1, T2 and HE1 of the North Hertfordshire Local Plan (2011-2031) and Sections 2, 6, 7, 11, 12, 14 and 16 of the NPPF (2024).

4.5 Alternative Options

- 4.5.1 N/A

4.6 Pre-Commencement Conditions

- 4.6.1 N/A

5.0 Recommendation

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

2. The use of the extended beer garden hereby approved shall be for a temporary period of 2 years from the date of this permission only. At the end of this period, the use shall cease and the land shall be restored to its former condition unless a further planning permission has been granted.

Reason: In order to allow the Local Planning Authority to assess the impact of the extended outdoor seating area on the amenities of neighbouring residential occupiers, with particular regard to noise and disturbance, in accordance with Policy D3 of the Local Plan 2011-2031

3. The use hereby approved shall be carried out entirely in accordance with the provisions of the External Area Management Plan dated April 2026.

Reason: The use is located in close proximity to residential properties and the management of the area is necessary to ensure that the residents of those properties can continue to expect to enjoy times of reasonable peace and quiet and to comply with Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

Biodiversity Net Gain

1. This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Shaun Greaves Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 19 June 2026	