

001_HR_StaffordshireMoorlandsDC_P21-0445_120721

12th July 2021

Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
ST13 6HQ

Planning Portal Reference: PP-10006699
Planning Application for alterations to an ancillary outbuilding at The Boat Inn,
Basford Bridge Lane, Cheddleton, ST13 7EQ

Dear Sir/Madam,

I am instructed by my client Marstons Plc to submit a planning application for alterations to an ancillary outbuilding at The Boat Inn, Cheddleton.

For clarification, the completed planning application forms and relevant ownership certificates were submitted via the Planning Portal (PP-10006699) on 12th July 2021, along with the following supporting drawings and reports:

- Site Location Plan
- Elevations – Drawing No. 0221/15285/EL (rev C)
- Site Plan – Drawing No. 0221/15285/SP (Scale 1:100 @ A1)
- Heritage Statement, prepared by Pegasus Group
- Structural Survey Letter, prepared by PCA Consulting Civil and Structural Engineers
- Preliminary Roost Assessment, prepared by Focus Ecology
- Bat Survey Report, prepared by Focus Ecology

Background and Context

The Boat Inn is a detached, functioning public house built between 1837 and 1851, located close to the Caldon canal in the village of Cheddleton. For the purposes of this application, the site comprises a small stone outbuilding, ancillary to the main public house building. The building is structurally in poor condition and requires alterations to make the building

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safe and reduce the risk to the canal and its users.

The site is located within the Caldon Canal Conservation Area therefore a Heritage Statement has been prepared in support of the application.

Pre-Application Advice

Pre-application advice was sought from Staffordshire Moorlands DC in February 2021 (ref: GEN/2021/0027). The Council advised that any planning application would need to be accompanied by a heritage statement and ecological assessment for bats and suggested that specialist structural advice would need to be sought.

The applicant has followed this advice and this application is supported by a Heritage Statement, Structural Survey Letter, Preliminary Roost Assessment, and Bat Survey Report.

Proposal

The proposals are for the alteration of the existing outbuilding and the creation of an outdoor seating area to the public house. This includes the removal of the roof, lowering of the walls to make the building safe. The proposed works are necessary to conserve the structure and are shown in drawing no. 0221/15285/EL RevC.

Along the canal side of the outbuilding, the original walls will be reduced to approx. 900 mm, new capping and a metal fence will be installed to ensure public safety adjacent to the canal. The building height and existing openings will be retained on elevation B. Along the elevation C, the brick and steps will be retained, with the door opening remaining open and functional. Along both elevation C and D, the wall will be stepped from full height to 900 mm. This will provide the most stable arrangement for the outbuilding and through the retention of the majority of the built fabric will allow for the structure to be interpreted as an outbuilding.

A patio area will be created within the walls of the structure which would allow pub patrons to utilise the area for outdoor seating. All timber from the roof structure will be retained and reused to create fixed seating.

It is also proposed that the tree which has caused the damage is removed for safety reasons. The structural survey letter stated that the tree is likely to fall into the canal which poses a health and safety risk. The main pub building and other structures on site are not subject to this application.

Relevant Policy

Staffordshire Moorlands Local Plan

The Staffordshire Moorlands Local Plan was adopted in September 2020.

Policy DC 1 Design Considerations encourages all development to be well designed and reinforce local distinctiveness, complimenting the character and heritage of the area. It necessitates the design of developments to respect the site and surroundings, creating attractive, functional, and accessible environments. The policy also indicates that applications effecting heritage assets will be required to submit a heritage statement.

Policy DC 2 The Historic Environment requires the conservation and enhancement of heritage assets, indicating that the Council will promote development which sustains or enhances buildings which contribute to the character or heritage of an area.

Policy C 3 Green Infrastructure encourages the enhancement of man-made features that are crucial to the local landscape and create opportunities for the enhancement of the urban fringe and contribute to the diversification of the local economy and tourist development through the enhancement of existing, and provision of new facilities.

Staffordshire Moorlands DC Churnet Valley Masterplan SPD

The site lies within the boundary of the Staffordshire Moorlands DC Churnet Valley Masterplan SPD (adopted March 2014). The overarching principal of the masterplan is one of sustaining and enhancing the natural, built, and historic environmental quality of the area. It identifies Cheddleton within the 'central local character area'. The Cheddleton Churnet Valley Railway lies 120 m from the site and has been identified as a gateway visitor hub. The character area identifies the Boat Inn as a facility to be supported, along with directing improvement works to upgrade to the nearby tow path.

Development Management Principals are detailed within the Masterplan. Section 8.2 Heritage requires that designated heritage assets shall be protected and enhanced where possible, including promoting public accessibility. Development proposals should not cause avoidable harm. Section 8.4 Sustainable Transport details that there will be support for canal-related proposals which have the potential to bring in more tourists and support local businesses. There will be support for enhancement of canal related facilities in appropriate locations including parking, access, moorings, and visitor facilities.

National Planning Policy Framework (NPPF)

The presumption is set out in full at paragraph 11 of the NPPF and reads as follows:
Plans and decisions should apply a presumption in favour of sustainable development.

Section 16 of the NPPF relates to 'Conserving and enhancing the historic environment' and states at paragraph 190 that:

"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

Paragraph 192 goes on to state that:

"In determining planning applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness".*

With regard to the impact of proposals on the significance of a heritage asset, paragraphs 193 and 194 are relevant and read as follows:

"193 – When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

"194 – Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens should be exceptional;*

- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."*

In the context of the above, it should be noted that paragraph 195 reads as follows:

"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use"*

Paragraph 196 goes on to state:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"

The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 200 that:

"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably."

Paragraph 201 goes on to recognise that "not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance" and with regard to the potential harm from a proposed development states:

"Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole"

With regards to non-designated heritage assets, paragraph 197 of NPPF states that:

"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to a Scheduled Monument will be subject to the policies for designated heritage assets.

Planning Assessment

As set out in the accompanying Structural Survey, the outbuilding is in a poor structural condition, with tree roots severely damaging the integrity of the canal side wall and foundations. The Survey notes that the tree and wall and roof structure may fall into the canal during a summer storm. As a result, the report recommended that the tree should be removed and the adjacent wall rebuilt as necessary.

This application proposes necessary alterations to make the building safe and ensure ongoing structural stability. The removal of the roof and tree along with the alterations to the canal side wall to take it down to 900mm will significantly improve the structural integrity of the outbuilding and remove a safety risk to the canal and public users by removing the risk of collapse. It should be noted that any uncontrolled collapse could result in the loss of the entire outbuilding, not just the canal-side wall and roof. The stepping of the side walls retains existing openings and provides support for the pub-side wall which will be retained. As set out in the accompanying Heritage Statement, the proposed works are necessary and will ensure that the general form of the building can still be interpreted. The Heritage Statement will result in no harm to the listed bridges. It acknowledges there will be a degree of harm to the Conservation Area through loss of historic fabric however it is demonstrated that this is less than substantial harm and at the lowermost end of the scale. The proposal will remove a substantial risk and enhance this part of the Conservation

Area which weighs in favour of the proposals. In addition, there are further public benefits to this proposal which must be considered in the balance. These include securing an ongoing, viable use for the outbuilding as an outdoor seating area associated with the pub. Paragraph 192(a) of the NPPF recognises the desirability of putting heritage assets to viable use consistent with their conservation. The utilisation of the outbuilding in conjunction with the pub use will achieve this. Paragraph 192(b) also recognises the positive contribution that the conservation of heritage assets can make to sustainable communities, including their economic vitality. Utilising the outbuilding as an outdoor customer seating area will contribute positively to the economic vitality of the existing pub. This is particularly the case in the current context of the pandemic which has proved challenging for businesses in the pub industry whilst also increasing the demand for outdoor seating areas. This proposal will support the economic vitality of the pub and also provide more outdoor seating areas for customers. This will also increase opportunities for the public to enjoy views of the canal from the pub site. This proposal is consistent with national and local heritage policy, including the Canal SPD. The reuse of the

A Preliminary Roost Assessment was undertaken by Focus Ecology in March 2021. This identified moderate potential for roosting bats and recommended a further specialist bat survey. This was conducted in June 2021. The Bat Survey Report, also by Focus Ecology, found that the building has moderate potential for bats and identified a single bat emerging. The Survey concluded this can be addressed under a low impact bat license and provision of a bat box and suitable landscaping to the new patio area. This can be secured by way of a suitably worded condition.

The proposed hours for the outdoor seating area are 10:00-23:30. The pub itself has longer hours but the proposed hours for the outdoor seating area have been shortened to reflect the outdoor nature of this use. It should be noted that the seating area is adjacent to the canal and beyond the existing pub and seating area.

Design and Access

The design of the scheme has been carefully considered with respect to the conservation area and listed bridge structures. Much of the original structure will remain, with some removal necessary to ensure the longevity and preservation of the building, which will allow for it to remain in use and for the enjoyment of the public. The views over the canal will be more accessible to the public.

The alterations to the canal-side wall is necessary as the structural survey found this wall to be unsound. If left in place, there is a risk that it will collapse and could cause the rest of the building to become unstable or collapse with it. The alterations to this wall and the

removal of the roof will allow for the rest of the building to be stabilised and retained in an ongoing, viable use. The stepping of the two side walls increases the structural integrity of the building. The stepping of the walls has been carefully considered to allow for the opening in Elevation C to be retained. The pub-side wall (Elevation B) will be retained to its current height and all openings will be retained. The retention of a significant amount of the built fabric will ensure that the overall form of the building can still be interpreted.

The creation of a patio area allows the building to be used as an outdoor seating area, a complementary use to the pub and secures an ongoing viable use. This is recognised as a positive in heritage terms as buildings in ongoing productive use are more likely to be maintained and endure for the enjoyment of future generations.

When considering access, the existing access taken from the pub will be used as the outbuilding lies in an accessible location within the pub's gardens. Use of the gardens will increase with the opening of the building as an external area for customer enjoyment. The creation of an attractive outdoor seating area will encourage use of the exterior space and allow the pub to increase in trade, in line with current government guidelines with the Covid-19 pandemic and changes in public attitude towards external trade.

Conclusion

This Planning, Design and Access statement demonstrates that the application accords with the relevant local and national planning policy and it is respectfully requested that planning permission is approved.

The requisite planning application fee of £462 (plus £28 planning portal admin fee) has been paid via Planning Portal.

If you have any other queries please do not hesitate to contact me.

Yours faithfully

HANNAH RACE

Planner

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