

PLANNING, HERITAGE IMPACT & DESIGN & ACCESS STATEMENT

**PROPOSAL : CHANGE OF USE FROM PUBLIC HOUSE TO
DWELLING**

**ADDRESS : THE ABBEY INN, ABBEY GREEN ROAD,
LEEK, STAFFORDSHIRE, ST13 8SA**

APPLICANT : MR & MRS WILBY

DATE : MAY 2024 JOB No.: 2024-2881

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1.0 INTRODUCTION

This statement is submitted in support of a full planning and listed building consent application for the change of use of a former public house to a dwelling at The Abbey Inn, Abbey Green Road, Leek. The application has been submitted by Sammons Architectural Ltd on behalf of Mr & Mrs Wilby and is accompanied by drawing numbers 2024-2881-01A; 2024-2881-02; 2024-2881-03, 2024-2881-04; 2024-2881-05; Heritage Statement of Significance and Impact undertaken by ASAP Architects (April 2024) and marketing information, all of which should be read in conjunction with this statement.

2.0 SITE DESCRIPTION

The Abbey Inn is a distinctive tall stone building which stands in an elevated and prominent position overlooking what has become altered and made-up ground which serves chiefly as a car park at the front. The Abbey Inn is a Grade II* Listed Building. The building is set against steeply rising ground to the rear with some associated amenity land and field and further unconnected farm fields beyond. The drive entrance comes in front of the building from the C195 Abbey Green Road which climbs the hill just to the left of the Inn. The drive sweeps around on a level then drops down the further side of the land to the front of the Inn to re-emerge down a steep slope back on to Abbey Green Road. There is a linear single storey detached stone out building to the right of the Inn (east) which has been converted to bedroom accommodation. A public footpath also passes across the front of the Inn and in front of the adjacent converted outbuilding before heading up across fields rising to the north east. There are some four detached dwellings and associated outbuildings in a disparate group either side of Abbey Green Road to the west of the Inn but these are largely cut off by topography and tree cover so as not generally to be seen in conjunction with the Inn. For the purposes of the development plan the application site lies outside any designated settlement boundary within an area of open countryside.

Listing Description

Details LEEK SJ9 5NE ABBEY GREEN ROAD 611-1/1/3 (East side) 13/04/51 Abbey Inn (Formerly Listed as: ABBEY GREEN Abbey Inn) GV II* Formerly known as: Bowling Green Inn ABBEY GREEN. House, now inn. Dated 1702, altered and extended C20. Coursed squared sandstone with ashlar dressings, some replacement in brick to gables. Welsh slated roof. Coped gables with moulded kneelers and end brick stacks. EXTERIOR: 2 storeys with attics. Symmetrical principal elevation with massive lintel to central doorway, pierced by small circular light, and bearing date and initials. Flanking the door are 3-light chamfer mullioned windows with 8-pane casements and C20 shutters. Continuous drip mould stepped over doorway. 2- and 3-light windows to first floor and gabled attic dormers of 2 and 3 lights with copied gablets. INTERIOR: not inspected. SUBSIDIARY FEATURES: steps at right angles; enclosing wall now replaced by raised terrace and random stone retaining wall surmounted by C20 iron railings. Listing NGR: SJ9794057787

3. PROPOSAL

The application seeks planning and listed building consent to convert the ground floor and cellar area which are currently used as a public house into residential and annex them into the existing apartment which currently sits on the two upper floors. The resultant dwelling would provide storage in the cellar, a living, dining room, snug, entrance hall, kitchen, utility, w.c. store and lobby at ground level with a living room, kitchen, shower and bedroom on the first floor and two further bedrooms on the second floor.

The proposed change of use would be undertaken within the shell of the existing building and no extensions are proposed as part of this application. Internally changes are limited to the cellar and ground floor where existing fixtures (server and public toilets) will be removed and a new door will be installed at the bottom of the staircase to improve fire safety. Externally the only alteration relates to the removal of the existing extraction unit. The existing beer garden would become the private amenity space for the dwelling and adequate parking and manoeuvring space would be provided on the existing car park.

4. PLANNING POLICY

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The National Planning Policy Framework (NPPF) was revised in December 2023. It is the Government's clear intention that the document should be considered to be a material consideration and as such carries particular weight where development is not addressed by planning policies in the existing Development Plan.

Whilst the recently published NPPF does not change the statutory status of the Development Plan as the starting point for decision making it does provide guidance to LPA's and is a material consideration in determining planning applications. The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development (para 11) and that for decision making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise. The NPPF also sets out requirements in respect of housing delivery and securing high quality design. The following are considered to be the most relevant chapters:-

- Section 2 - Achieving Sustainable Development
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 6 - Building a Strong and Competitive Economy
- Section 9 - Promoting Sustainable Transport
- Section 11 – Making Effective use of Land
- Section 12 - Achieving Well Designed Places
- Section 15 – Conserving and Enhancing the Natural Environment
- Section 16 – Conserving and Enhancing the Historic Environment

The Development Plan for the Staffordshire Moorlands comprises of the adopted Local Plan (September 2020) and the Saved Local plan Proposals Map / Settlement Boundaries (1998). The most relevant policies of the adopted Local Plan are considered to be SS1 (Development Principles); SS1a (Presumption in Favour of Sustainable Development); SS10 (Other Rural Areas Area Strategy), C1 (Creating Sustainable Communities); DC1 (Design Considerations); DC2 (The Historic Environment); DC3 (Landscape and Settlement Setting) E3 (Existing Employment Areas and Premises); H1 (New Housing Development); T1 (Development and Sustainable Transport) and T2 (Other Sustainable Transport Measures); NE1 (Biodiversity and Geological Resources). For the sake of brevity these policies are not quoted in full but they are referred to where appropriate in the following section.

In addition to the above the following adopted supplementary planning documents / guidance are also considered to be of relevance:

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD (Feb 2018)

As well as the supporting evidence document “Landscape and Settlement Character Assessment (2008).

5. ASSESSMENT

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF, 2023) promotes a ‘presumption in favour of sustainable development’. For decision makers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Paragraphs 83 and 92 of the NPPF require that planning decisions retain and guard against the unnecessary loss of valued and accessible facilities and services, particularly where this would reduce the community's ability to meet its day to day needs.

Paragraph 119 of the NPPF encourages the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 120 of the NPPF goes on to state that planning policies and decisions should promote and support the development of under utilised land and buildings, especially if this would help to meet identified needs for housing.

The application site is located within the open countryside where Local Plan Policy SS10 applies. This sets out that the rural areas supports only development which meets an essential local need and supports rural diversification and sustainability of the rural area (or supports sustainable tourism or enhances the countryside).

Local Plan policy H1 provides for housing in the open countryside at H1 (5) and in summary is limited to affordable housing if the need cannot be met elsewhere; essential local need accommodation such as for a rural worker; a replacement dwelling; conversions to residential use, and redevelopment of previously development land.

With regard to Local Plan policy C1, the proposal would lead to the loss of a community facility and the above policy seeks to both provide and retain such facilities. However, Policy C1 does allow for the loss of a community facility where there is a similar facility nearby of the same type and quality, or if it is demonstrated that the facility is no longer viable for either continued use or as

an alternative community facility and also demonstrated that its loss would not disadvantage the local community.

The public house has suffered a similar fate to many pubs across the country which have been impacted adversely by economic factors, which alongside the struggles which have come about from the Covid pandemic, have resulted in the closure of many public houses. The public house has historically traded a destination pub and on a sunny summer's evening it was not uncommon to find the beer garden overflowing in part due to its proximity to Leek. However such summer evenings are reasonably limited especially within the Moorlands and certainly not substantial enough to maintain and grow any business. The limited number of covers (just 35) and the internal room layout (very small and compartmentalised) has also contributed to its demise and meant that customers looking for places to accommodate larger parties have often gone elsewhere. It should also be noted that the Inn does not have disabled access and given its listed status it is unlikely that an acceptable solution could be found. The declining profitability of the public house was documented in detail within a previous application which sought the consent for the erection of three dwellings within the car park to act as a catalyst for enabling development for the public house. However these applications were refused and the viability of the pub has declined further. After primary overheads the applicant confirms that there is a maximum of 10% left in order to cover utilities, taxes and maintenance and therefore there is nothing left for any listed building work.

The public house has been actively marketed for a number of months as shown on the details provided by the estate agent. In addition the price has been reduced by 50k during that period. Notwithstanding this it is clear from the feedback provided by the estate agent that despite the prolonged and sustained marketing campaign there is no interest in the site being occupied as a public house again and the most viable option is proving to be the conversion of the building back to its original use as a residential dwelling. Under domestic ownership more attention would be given to the heritage and preservation of the grade 2 * listed building, as commercial activity has deemed it necessary to preserve income first.

The application proposal would deliver a residential use on an under utilised building which is worthy of conversion. The building also offers the opportunity to be converted without requiring any significant works to accommodate the proposed residential use.

In terms of alternative provision although the application site technically lies within the open countryside it only lies a short distance from Leek where there is a plethora of pubs and inn. These include, but are not limited to The Mulberry Leaves, the Dyers Arms, The Green Dragon, Leek Conservative Working Men's Club, The Roebuck, The Valiant, Spout Brew House as well as many more. These can all be accessed within walking distance whilst the Lazy Trout at Meerbook lies to the north, the Three Horseshoes at Blackshaw Moor to the north west and Rudyard Lake Hotel to the west.

In this particular case, due to the existence of a number of pubs within close proximity, including the nearby town centre, it is considered that whilst it's loss would be regrettable, it would not significantly disadvantage the local community as a choice of alternative nearby pubs are in existence. The proposal will also help bring back into use an attractive listed building in a prominent location and this weighs in favour of the scheme as does the fact that the proposal would result in the provision of a single detached dwelling at a time when the council cannot provide a 5 year housing supply. In this respect it is considered that the proposal complies in principle with policies SS1, SS2, SS10, C1 and H1 of the Local Plan (2020).

Design & Heritage

The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty upon the local planning authority in determining applications for development affecting listed building to pay special regard to the desirability of preserving the building or its setting.

The National Planning Policy Framework (NPPF) provides the Government's national planning policy on the conservation of the historic environment. In respect of information requirements for applications, it sets out that: 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance

Paragraph 200 of the NPPF requires that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 201 goes on to state 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 205 advises that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Paragraph 206 makes it clear that "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: •grade II listed buildings, or grade II registered parks or gardens, should be exceptional; •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."

"Where a proposed development will lead to substantial harm to (or total loss or significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: •the nature of the heritage asset prevents all reasonable uses of the site; and • no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and •conservation by grant funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and •the harm or loss is outweighed by the benefit of bringing the site back into use" (Paragraph 207).

Paragraph 208 states that "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 securing its optimum viable use."

Paragraph 209 states, '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'.

In addition to the above paragraph 135 of the NPPF (2021) requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

In terms of adopted development plan policies, policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area to the respect the site and its surroundings. New development should promote a positive sense of place and identify through its scale, density, layout, siting, landscape, character and appearance.

Policy DC2 requires heritage assets and their setting to be enhanced and gives protection to designated and non-designated heritage assets.

The proposed development would have little impact upon the building both internally and externally. Internal changes would comprise of the removal of the central servery and the removal of the washroom fittings to provide a utility and store. It is not considered that either of these alterations would be damaging to the character and appearance of the building or the way in which it is read and interpreted especially as such alterations are easily reversible. Furthermore, the removal of the existing external flue would result in a positive enhancement to the character and appearance of the application building and its setting. The private amenity space proposed for the dwelling would be formed from the existing beer garden and off road parking would be provided on part of the existing pub car park thereby resulting in little change to the setting of the listed building. In conclusion it is considered that the proposed works are sensitive and appropriate to the unique historic fabric and character of this nationally important heritage asset, and together with a programme of future maintenance, and ultimately the re-use of the building, will help to conserve, secure and enhance its significance for future generations to come. The proposal therefore accords with policies DC1 and DC2 of the adopted Local Plan and advice contained within the NPPF.

Impact on residential amenity

National planning policy dictates that at the heart of its core principles, planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings paragraph 135(f). This is further re-iterated in CS Policy DC1, which seeks to protect residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping as informed by the Council's 'Space about Dwellings' SPG. In addition sub section (e) of Local Plan Policy H1 requires all new dwellings to be of a sufficient size to provide satisfactory levels of amenity for future occupiers of the dwellings whilst respecting the privacy and amenity of occupiers of existing dwellings.

The proposed residential use of the site is compatible with the residential character of the immediate surrounding area. Furthermore, the size of the dwelling complies with the size requirements set out in the Nationally Described Space Standards and adequate natural light will be provided through the existing openings. In accordance with the council's adopted Space About Dwellings SPG Sufficient private amenity space will be provided as will off road parking and manoeuvring facilities, all as shown on the proposed block plan submitted with the application.

On this basis it is considered that the proposal accords with such requirements in relation to LP Policy DC1, H1 and the NPPF.

Highway Safety

Paragraph 32 of the NPPF states: 'Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe' as is reflected within LP Policy T1 'Development and Sustainable Transport'.

The application proposes to utilise the existing access and no changes to this are proposed as part of this proposal. Having regard to the above and the established lawful use of the site it is concluded that there would be no adverse impact on highway safety and accordingly there is no conflict with LP policy T1 or with the guidance of the NPPF.

CONCLUSION

The Framework sets out that there should be a presumption in favour of sustainable development and indicates that to achieve that, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

The application seeks change of use from a vacant public house to a residential dwelling with associated amenity space and off road parking provision. The reuse of the under utilised building is supported by paragraphs 119 and 120 of the NPPF. The proposed residential use is in compliance with policies SS2 and SS10 of the Local Plan which permits the reuse of traditional permanent buildings. Whilst the loss of the public house is regrettable it is justified by the presence of similar facilities nearby and the fact that a robust and sustained marketing campaign has been undertaken. The residential use of the building is therefore considered to now be its optimum use. The proposed development would provide a suitably sized family dwelling with adequate amenity and parking facilities at a time when the council cannot meet its housing land requirements. The proposed development would result in a sensitive and sympathetic conversion of the building and would not due to the limited alterations required result in any adverse harm or impact adversely on the special and historic interests of the Grade II listed building or its setting. Accordingly, the proposal constitutes sustainable development which would safeguard the future of the building and contribute to the areas housing requirements as required by the National Planning Policy Framework and is in compliance with policies SS1, SS2, SS10, C1, H1, D1, D2, D3 and T1 of the Staffordshire Moorlands Local Plan. It is therefore respectfully requested that the application be approved without delay.

7.0 DESIGN & ACCESS STATEMENT

USE

The application proposes to convert the currently vacant public house to a single domestic dwelling. Such use is both policy compliant and consistent with neighbouring land uses

AMOUNT

The proposed development will not make any changes to the footprint or volume of the application building and the number of residential units on the site would be retained as one.

LAYOUT

The proposed development would not make any changes to the existing layout of the application building albeit rooms would be renamed.

SCALE

No alterations to the scale of the application building are proposed as part of this application.

LANDSCAPING

No additional landscaping is proposed as part of this proposal.

APPEARANCE

The external appearance of the application building will be enhanced as part of the application through the removal of the later extraction unit and flue with all other original features retained.

ACCESS

The site is located within the open countryside but considered to be within easy walking and cycling distance of Leek where public transport links are easily accessible to the site and other parts of the Staffordshire Moorlands as well as the neighbouring city of Stoke on Trent.