

DELEGATED DECISION REPORT

SMD/2024/0228
Valid 17/05/2024

ABBEY INN ABBEY GREEN
ROAD
LEEK

CHANGE OF USE FROM
PUBLIC HOUSE TO A SINGLE
DWELLING

(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Impacts on Historic Assets
- Design and appearance
- Amenity
- Highway safety

DESCRIPTION OF SITE

The application site relates to a Grade II* Listed Building known as Abbey Inn. It 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 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.

Internally, the bar counter is located central of the ground floor service area behind the historic timber staircase that leads up to a three-bed room apartment over two floors. The snug room is to the east and the dining area is to the west of the building with the commercial kitchen located behind the dining area.

Within the wider surrounding area, 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. The main and dominant views of the Inn are from the south or south south east from along Abbey Green Road.

PROPOSAL

This application seeks planning permission for the change of use of the former public house to a single dwelling. No external changes have been proposed.

The applicant intends to remove the ground floor bar counter and to knock two partition walls to create an open plan between the living room and snug room on the ground floor. A fire door is to replace the existing internal timber door.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIE

Staffs Moorlands Local Plan (adopted September 2020)

SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
H1 New Housing Development
T1 Development and Sustainable Transport

Supplementary Planning Guidance

Design Principles for Development in the Staffordshire Moorlands

National Planning Policy Framework

Section 12 – Conserving and enhancing the Historic Environment

RELEVANT PREVIOUS APPLICATIONS

SMD/1983/0379 Conversion of barn to dwelling and alterations to first floor of inn to provide restaurant facilities Approved

SMD/1985/0801 Conversion of outbuilding into bedroom accommodation Approved

SMD/2019/0727 – Proposed construction of a terrace of 3 traditionally built dwellings
Withdrawn

SMD/2019/0728 – Listed building consent for proposed construction of a terrace of 3 traditionally built dwellings Withdrawn

SMD/2020/0671 Construction of 3 Low Energy, Low Carbon Homes Refused

CONSULTATIONS

Publicity

Site Notice expiry date: 09/07/24
Neighbour consultation period ends: 13/06/24
Press Advert: N/A

Public Comments

None

Historic England

No comment to add

Conservation officer

No objection subject to condition

Alan Bell District footpath Staffs Moorlands

Footpath Leek Town 7 goes past the front of the proposed development. The owner has said in the past that the path goes further left going down to the road and doesn't pass the front of their building.

This needs to be sorted out one way or the other.

Waste Services

No objection

Environmental Health Officer

No objection, subject to conditions.

OFFICER COMMENTS**Principle of Development**

The application site is located to the north east of Abbey Green, a hamlet that is considered to be outside of a development boundary that falls under Policy SS10 as Other Rural Areas Strategy. The relevant part of the policy states that the principle of the development can be supported provided that the conversion or replacement of an existing rural building is in accordance with Policy H1. Policy H1 identifies the principle of development can be supported if the conversion of a building would represent the optimum viable use of a heritage asset.

The proposal must also accord with Policy C1- Creating sustainable communities as public houses are considered a community facility. The loss of such facilities can have a widespread negative impact on the community. However, it is recognised that there are occasions where particular uses may become financially unviable. In such cases, a thorough marketing exercise must take place and all options for continued use as a community facility must be thoroughly explored.

As part of the submission, a spreadsheet of the number of people who had visited the property between June 2023 to April 2024 (11months) with comments were provided together with a contract agreement between the owner and the estate agent showing date of when the property was put on the market (March 2023). Within the 16 months, no interested party intended to retain its current use on the basis it was not a financially viable option. The value was also lowered by £50,000 during this period. Therefore, it has been demonstrated that the use is no longer financial viable as a public house/ community use and a dwelling is considered a suitable use that complies with Policy C1.

Therefore, the principle of development can be considered acceptable complying with policies H1 and C1 and provided that the impact of the proposals on the historic integrity of the Listed Building, the character and appearance of the surrounding area and the amenity of nearby occupiers is acceptable.

Impacts on Historic Assets

Policy DC2 of the adopted local plan seeks to safeguard, and where possible, enhance the historic environment which includes designated heritage assets and

listed buildings and conservation areas. In accordance with the Town & Country Planning (Listed Building and Conservation Areas) Act 1990, development is required to preserve or enhance the character and appearance of a heritage asset.

Paragraph 205 of the NPPF states that 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. 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.

The proposed alterations are to a Grade II* Listed building, a building of particular importance. According to the statutory list description, formerly known as the Bowling Green Inn, now Abbey Inn, dated 1702 has been altered and extended that dates back 20th Century. The building is decorated with coursed squared sandstone with ashlar dressings with some replacement in brick to gables. The roof is welsh slated roof. The interior has not been inspected. The materials and architectural detailing are all indicative of a historic building and are important aspects of its special interest.

The Conservation officer has raised no objection to the scheme subject to condition ensuring the works are to be limited to as outlined in the approved document: Heritage Statement at 5.0 The Proposal and 6.0 Impact upon the Heritage Asset. This condition is not considered to be reasonable because any works above and beyond the scope of the minimal works identified in the heritage statement would need to be the subject of a separate consents including that of which would be Listed Building Consent.

The proposed works are internal only to enable the building to function as a dwelling with the intention to remove external flue. The central serving bar is to be removed in order to create an open liveable space and the washroom fittings are removed to create a utility and store on the ground floor. The external flue is also removed which is not integral of the historic building. The works are considered to be minimal changes to make the use of the building for a single household or at most a household of no more than six residents.

There would be no harm to the importance of the listed building. The works would represent the optimal viable use of the building and therefore would safeguard the historic building. Also the impact under class C3 use is deemed less than the impact of a public house under A4 (drinking establishment) where the foot-traffic is, generally speaking, less due to the numbers of visitors on site.

The outline of the curtilage/ planning unit as per the red edge is deemed acceptable as any less than what has been proposed would be a diminution of the listed estate, particularly as it was once called Bowling green inn, in reference to the bowling green on the land to the front such that the land is internal to the historic significance.

There were initial concerns that the car park to the front would appear somewhat of an eyesore due to the mass of hardstanding against the Grade II* Listed building and without a re-landscape condition, there would be a permanence of this concrete pad.

However, the car park was already existing prior to Abbey Inn being listed as a Grade II* building and to retain the car park as part of the domestic curtilage would have limited impact to the current setting of the listed building. Therefore, I am of the opinion that a landscape condition would be unreasonable on this basis.

Given that the fabric of the building will not be harmed and does not affect the setting of the listed building, the balance is in favour of supporting this part of the scheme. The proposal is in accordance with policy DC2.

Design and appearance

Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale.

The works are internal only with the exception of the later extractor unit and flue being removed. The removal would be an enhancement and would be no loss to the character and appearance of the building nor impact on the wider surrounding area. The proposal is in accordance with Policy DC1.

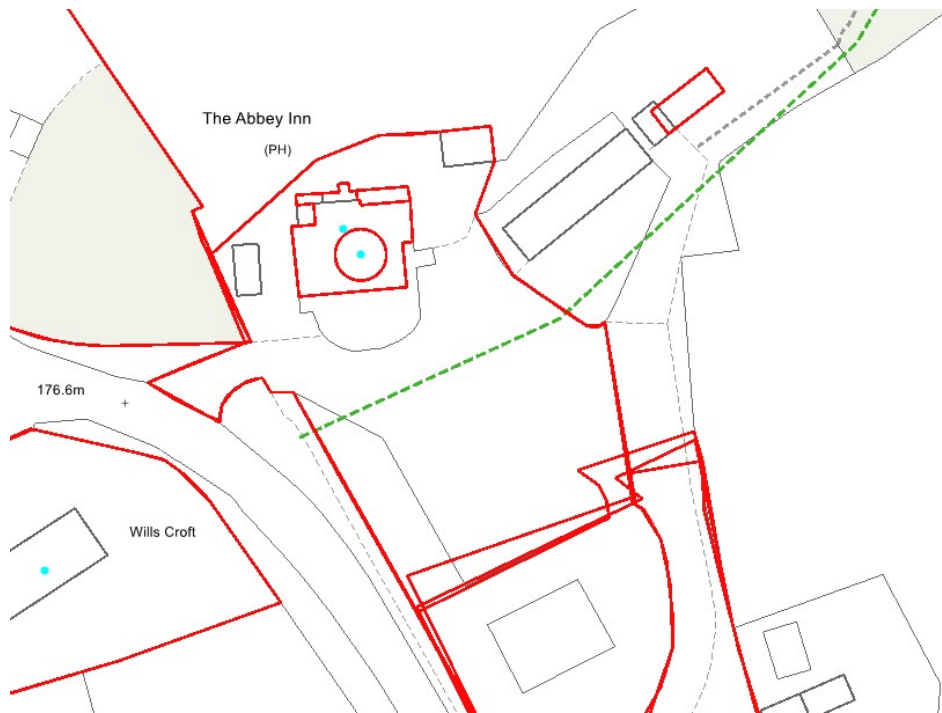
Amenity

Policy DC1 of the adopted Local Plan states that new development should protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

There are no neighbour amenity impact as the works are internal and the distance between the nearest property is at least 36m to be deemed negligible. Furthermore, the use of the building as a dwelling may improve the amenity of nearby neighbours as the foot-traffic would be considerably less than the numbers of visitors using the former public house. It is noted that the EHO recommends a number of conditions including working times, control of pollution measures and lighting, which are considered to be reasonable and in the interests of residential amenity. Matters relating to contamination and soil testing are considered to be unreasonable and without justification. The scheme would be in accordance with policy DC1 in the Local Plan.

Impact to the public footpath

A public footpath (known as Leek town 7 footpath) 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. As shown below:



The applicant has not proposed any changes to the footpath. While the proposal looks to change the land to private domestic use only and inevitably, walkers would be pass into the curtilage of the dwelling, the agent/ applicant has not proposed any changes to divert the footpath nor obstruct the existing footpath as a result. The PROW officer noted that the owner claims 'the path goes further left going down to the road and doesn't pass the front of their building.' I do not have any written information to confirm this nor put any weigh to my assessment. Therefore, the scheme is considered acceptable on the basis that the proposal does not affect the existing footpath and the footpath is not obstructed.

The future occupier may look to restrict access for privacy reasons however, this would need to be applied under a separate remit via a Public paths Diversion order to Staffordshire County Council.

Impact to highways safety

Section 9 of the NPPF states that developments should achieve safe and suitable access to the site for all users. Policy T1 of the Local Plan states that permission will only be granted for development incorporating adequate and satisfactory parking provisions.

For a dwelling consisting of three bedroom units, a minimum of three parking spaces are recommended. The proposal would not affect the existing parking provisions. Thus, three parking spaces are available following the proposal.

This application is therefore considered to be in accordance with Section 9 of the NPPF and Policy T1 of the Local Plan.

Other matters

The Planning (Listed Buildings and Conservation Areas) Act of 1990 states that a listed building, including a Grade II-listed property, cannot be altered, demolished, extended or modified without permission from the local planning authority (LPA).

Permitted development rights are removed for any listed building. It is still considered necessary to include a condition to ensure no outbuildings or additions are added within the curtilage of the site outlined in red to ensure the setting of the heritage asset is protected.

CONCLUSION

The development would not harm the grade II* Listed Abbey Inn or its setting. The conversion would provide an optimum viable use of a heritage asset and would be in accordance with the NPPF and the Local Plan. It is therefore recommended for approval subject to conditions.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Li

Recommendation Date: 5/07/24

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council