

DELEGATED DECISION REPORT

**SMD/2025/0257 &
SMD/2025/0258**

**THE KNOTT INN STATION
LANE
RUSHTON SPENCER**

**ERECTION OF A MARQUEE
WITHIN THE CURTILAGE OF A
LISTED BUILDING**

Valid 30/05/2025

(FULL – MINOR & LBC)

MAIN ISSUES

- Impact on Green Belt
- Impact on Character and Appearance of the Area
- Impact on the setting of the listed building
- Impact on the amenity of an adjacent residential neighbour

DESCRIPTION OF SITE

The Knot Inn is located on the edge of the village of Rushton Spencer within the Green Belt. The mid-C19th property comprises a Grade II Listed public house with a small forecourt off Station Rd to the north, an access drive to the west serving a car park to the rear and south of the building. Beyond the car park is a grassed beer garden. To the east of the site is a new infill residential development (nearing completion) and, to the east, a public trail and Station House, the former station building (also Listed). To the north and south of the inn is open agricultural land.

The Knot Inn (Grade II) is a mid-19th century railway inn, constructed in red brick wall and blue tile patterned roof. The significance derives from its historic association and connection to the former railway which was in close proximity to the site, retention of historic fabric and plan form, illustrative use of traditional materials influenced by local availability and association with the growth of inns and public houses in the Victorian period. Its immediate setting is provided by the former station building and disused railway to the west, which provides a tangible connection to the building's historic interest. The wider setting is provided by the village and open agricultural fields, which enhance the rural character of the building.

Rushton Spencer Station (Grade II) is a c.1844 railway station building, which has since been converted to residential use. It is constructed in sandstone with a patterned tiled roof. The building is of high architectural interest with the use of Neo-Tudor and Gothick features. The significance derives from its association with the development of the north Staffordshire Railway and Churnet Valley line, its high architectural value and its landmark positioning as a bookend to this part of Station Lane.

PROPOSAL

A shelter has been provided on the site by way of a demountable marquee in the form of a 'hatted' tipi. The tipi has a 10-metre diameter and is 6.5m in height. The tipi has a canvas exterior finished in a light beige/off white colouring.

The tipi has been located towards the northwest corner of the beer garden as shown on the site plan. The tipi has been placed on compacted ground where the turf has been scraped off and, on inspection, some loose stone might have been laid to prepare the ground.

The application retrospectively seeks permission for the erection of the tipi as an act of operational development and its permanent placement on the land.

It is said that the existing beer garden is popular during the summer months, but its full use is often curtailed due to inclement weather. The tipi, therefore, would provide shelter for drinkers and diners, and it is envisaged that the tipi would be available for bookings by small groups for social occasions such as birthday and anniversary meals, christening parties, baby showers, gender reveals etc. and community functions.

The applicant also seeks listed building consent for the introduction of the tipi under reference 258. The proposal to retain a tipi structure within the setting of the listed building does not involve work to be carried out to the fabric of the listed building. It would not in those regards affect the special architectural or historic interest of the listed building and should not therefore require listed building consent. However, for the avoidance of doubt, the application is determined.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2025/0258 erection of a marquee within the curtilage of a Listed building LBC.
PENDING.

CONSULTATIONS

Publicity

Site Notice expiry date: 25th July 2025
Neighbour consultation period ends: 25th July 2025
Press Advert: N/A

Public Comments

None

Town / Parish Comments

Rushton PC: No response within consultation period

Conservation Officer

Object/Recommend Refusal.

In summary, the proposal would result in a moderate degree of harm to the setting of the two Listed Buildings. This would fail to satisfy the requirements of s.66 of the Act. With reference to the planning policies, this would be 'less than substantial harm' to the designated heritage assets (par.215 of NPPF and policy DC2 of the local development framework). There does not appear to be clear and convincing justification for the level of harm (par.213 of NPPF) and there would be no heritage-related public benefits that would arise from the proposed development (par.215 of NPPF). Great weight should be given to the conservation of a designated heritage asset's significance (par.212 of NPPF). We object to the proposal from a conservation perspective and would recommend it is refused.

OFFICER COMMENTS**Impact on the Green Belt**

The site is in the Green Belt where development is inappropriate and, by definition, harmful unless it is provided for by one of the exceptions that appear in the closed lists at chapter 13 of the NPPF. Substantial weight should be attached to any harm to the Green Belt and planning permission should not be granted unless there are other considerations, amounting to 'very special circumstances' that clearly outweigh the harm to the Green Belt and any other harms resulting from the proposal.

None of the exceptions apply to, or provide for, the development that has been carried out in this case. The application statement suggests that the exception for the provision of appropriate facilities, including buildings, for outdoor recreation, is applicable. The exception only applies where the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

In this case the land is currently enjoyed recreationally as a beer garden where food and drink is served inside the PH and carried for consumption outdoors. The facilities appropriate and necessary for that recreational use are limited to an arrangement of moveable outdoor furniture, tables and chairs, across a wide area. The tipi, however, is a structure from which food and drink is likely to be served, taking the primary indoor activity of the PH further into the open land at the rear of the premises. If the tipi is used by customers during inclement weather, their activity is essentially indoor. The tipi represents an extension of the pub's primary indoor use placed further out into the land at the rear. Moreover, in a largely open area of land to the rear of the PH the beer garden has the character of a small field or paddock, save for the arrangement of moveable furniture, the land was free of structures or other development. In these regards, the tipi structure does not preserve openness and it represents encroachment. The development is harmful to the openness of the Green Belt in both physical and visual terms.

The development is not provided for by the exception and it is inappropriate development in the Green Belt and is harmful to the Green Belt.

Impact on the Character and Appearance of the Area

The development is harmful to the character and appearance of the area. It introduces visual clutter within views out from and towards the Knott Inn, particularly apparent from the adjacent former railway line that connects Rudyard to Rushton.

The structure in terms of its form, use of materials and colouration is at odds with the rural character of the surrounding area and the vernacular architecture in the locality. The tipi is a bulky structure and of a light whiteish colour that is bright and stark against the green and leafy landscape. The tipi is located in open land that has the character and appearance of a small field or paddock within an ancient slope and valley farmland landscape. The tipi is neither reflective of the architecture of the nearby historic buildings or the adjacent dwelling that is nearing completion, neither does it have an agrarian character or appearance.

In these regards the development causes a prominent intrusion into the countryside and is harmful to the character of the ancient slope and valley farmland landscape. There is conflict with policies DC1 and DC3 of the SMDC Local Plan 2020 and the terms of the NPPF.

Impact on the setting of the Listed Buildings

The proposed marquee would be a bulky structure. Its tipi form would contrast with the shape and appearance of the more traditionally constructed buildings surrounding the site. In addition, the palette of materials would not be sympathetic to the overriding historic character of the immediate surroundings and the colour of the marquee would exacerbate the visual starkness of the conical shaped structure.

The siting of the structure within the verdant part of the listed building's setting would diminish some of the rural setting of the listed pub, which makes a positive contribution to its significance.

The site to the rear is quite visually open and there are views looking south from Station Lane towards the proposed development. As noted above, this would be a visually distracting feature, and it would be quite a prominent structure in a key vista of these two Listed Buildings from Station Lane. Due to the openness, it is unlikely that relocation elsewhere within the site would minimise or reduce this heritage harm.

In summary, the proposal would result in a moderate degree of harm to the setting of the two Listed Buildings. This would fail to satisfy the requirements of s.66 of the Act. With reference to the planning policies, this would be 'less than substantial harm' to the designated heritage assets (par.215 of NPPF and policy DC2 of the local development framework). There does not appear to be clear and convincing justification for the level of harm (par.213 of NPPF) and there would be no heritage-related public benefits that would arise from the proposed development (par.215 of NPPF). Great weight should be given to the conservation of a designated heritage asset's significance (par.212 of NPPF). The Council's conservation team object to the proposal from a conservation perspective and would recommend it is refused.

Impact on Amenity

An infill dwelling adjacent to the site is nearing completion. The tipi has been placed toward the shared boundary flanking the dwelling's back garden and rear elevation. Glimpses of the tipi would, through gaps in the hedge and tree line, be apparent from the dwelling and its back garden.

The application statement suggests that because the tipi is located within an existing beer garden that already has proximity to the neighbour's garden, the tipi would not have additional impact on the resident's amenity. I do not agree with that premise. The weather and day light hours naturally regulate the extent and frequency to which the beer garden can be enjoyed. Activity is limited to the enjoyment of food and drink that is served and carried from the PH and it is enjoyed across a wide area.

The tipi however, encourages a concentration of activity in one place, in this case toward the boundary of a residential neighbour. The application evidence is that the tipi would extend the use of the beer garden and allow it to be used during inclement weather - times when the beer garden might not otherwise be in use and there is respite for the neighbour. It is likely that artificial lighting would also encourage use into the hours of darkness.

Where food and drink are currently served and carried from the PH, it seems likely that food and drink would be served from the tipi meaning that, outdoors, drinks could be served and consumed more quickly, in an area of concentrated congregation. In these respects, the application confirms that the tipi could be booked for social occasions and celebrations.

Overall, the tipi would introduce, within proximity of a neighbour's garden, the regular and frequent concentration of activity and elevated noise that is normally associated with celebration and/or alcohol consumption. This would have an unacceptable impact on the neighbour's residential amenity and living conditions and there would be conflict with policy DC1 of the SMDC Local Plan 2020 and the terms of the NPPF.

CONCLUSION / PLANNING BALANCE

The development is inappropriate in the Green Belt, it is not provided for by any of the exceptions at Chapter 13 of the NPPF. The development would not preserve openness and would cause encroachment into the countryside. There are no other considerations that amount to 'very special circumstances' that clearly outweigh the harm to the Green Belt and the other harms that result from the development.

The development is harmful to the character and appearance of the area. It introduces visual clutter within views out from and towards the Knott Inn, particularly apparent from the former railway line that connects Rudyard to Rushton. The structure in terms of its form, use of materials and colouration is at odds with the rural character of the surrounding area and the vernacular architecture in the locality. In these regards the development causes a prominent intrusion into the countryside and is harmful to the character of the ancient slope and valley farmland landscape. There is conflict with policies DC1 and DC3 of the SMDC Local Plan 2020 and the terms of the NPPF.

The development results in a moderate degree of harm to the setting of the two Listed Buildings. This fails to satisfy the requirements of s.66 of the Act. With reference to the planning policies, this would be 'less than substantial harm' to the designated heritage assets (par.215 of NPPF and policy DC2 of the local development framework). There does not appear to be clear and convincing justification for the level of harm (par.213 of NPPF) and there would be no heritage-related public benefits that would arise from the proposed development (par.215 of NPPF). Great weight should be given to the conservation of a designated heritage asset's significance (par.212 of NPPF). We object to the proposal from a conservation perspective and would recommend it is refused.

The use of the development has the strong potential to cause an unacceptable impact on the amenity and living conditions of the adjacent residential neighbour. The development is likely to cause a concentration of activity, over extended periods and with increased frequency, that would result in elevated noise levels within proximity of the neighbour's garden and rear elevation. There is conflict with policy DC1 of the SMDC Local Plan 2020 and the terms of the NPPF.

The proposal to retain a tipi structure within the setting of the listed building does not involve work to be carried out to the fabric of the listed building. It would not in those regards affect the special architectural or historic interest of the listed building and should not therefore require listed building consent. However, for the avoidance of doubt, the application is determined and the local planning authority refuses to grant listed building consent for the development described.

OFFICER RECOMMENDATION : REFUSE PLANNING PERMISSION AND LISTED BUILDING CONSENT

Case Officer: Ben Hurst

Recommendation Date: 01/08/2025

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council