

DELEGATED DECISION REPORT

SMD/2025/0230
Valid 20/05/2025

RED LION COTTAGE
SMITHY BANK
ALTON

**LISTED BUILDING CONSENT
TO TAKE DOWN AND
REBUILD THE TWO
CHIMNEYS IN BRICK
TO THE SAME FORM PROFILE
AS EXISTING.
(LISTED BUILDING CONSENT -
ALTERATION)**

MAIN ISSUES

- Heritage
- Design and appearance

DESCRIPTION OF SITE

Large detached dwelling set back but prominent and centrally located in the Alton village Conservation Area. Grade II Listed. End stack to east gable. West stack originally at the end but large double height 20thC extension has been added. Both stacks are similarly formed in brick and painted off-white.

PROPOSAL

To take down and re-build the chimneys. In an e-mail communication the applicant says the chimneys have crumbling mortar and fracturing brick which they say is falling away. They say no internal work will be part of the chimney work.

In the application form the existing materials are simply stated as 'brick and masonry paint'. The proposed materials are described as 'smooth red brick sand and cement mortar'.

There was considerable confusion in the details as first submitted with much information un-related to the intended proposal. This was clarified through e-mail exchanges.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS8 Larger villages area strategy

DC1 Design Considerations
DC2 The Historic Environment
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows

National Planning Policy Framework (Dec 2024)

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 8 – Promoting healthy and safe communities; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Lengthy planning history not reproduced here due to limited relevance to the application.

CONSULTATIONS

Publicity

Site Notice expiry date: 13.06.25
Neighbour consultation period ends: 11.06.25
Press Advert: 25.06.25

Public Comments

None

Town / Parish Comments

Alton Parish Council – no objections

Historic England

Defer to the Council's in-house specialist.

SMDC Heritage Conservation Officer

The proposed description in the application form only mentions the demolition and rebuilding of two chimney stacks to match the existing. However, the proposed plans indicate alterations to the windows, rooflights, chimneys/flues and roof height of the rear extension as well. In addition, the corresponding Design & Access Statement does not appear to refer to any of the above works and it only mentions replacement

of windows to the front and side elevation of the principal building. Clarification on the extent of works prior to any determination would be required to fully understand the level of impact.

Footpath User Groups

- Peak and Northern Footpaths Society
- Ramblers Association

Alton public footpath right of way number 33 runs alongside the property. Work must not affect the access for path users or their safety during the development.

OFFICER COMMENTS

Principle of Development

Having obtained clarification from the applicant about the nature and extent of the changes applied for and confirming that is it solely about renewing the brick chimney stack the application can be dealt with under LBC and will be acceptable in principle subject to the Council's assessment of heritage impact.

As regards the Listed Building there is a statutory duty placed on the LPA, under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to consider the impact of the proposal on the special architectural and historic interest of the Listed Building affected, and its setting and "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

As regards the Alton Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 places a statutory duty on the LPA in assessing planning applications in respect to any land or buildings in a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In reaching its decision the LPA has to demonstrate that the Section 72 Duty has been applied and discharged. Section 72 (and Footnote 7 of para.11 of the NPPF) creates a strong presumption in favour of the preservation of character or appearance of a Conservation Areas and their setting.

An LPA can only discharge its duty if it has carried out a proper assessment of the impact on a Conservation Area and/or a Listed Building, is conscious of the duty and has demonstrably applied it in assessing the proposal. This assessment extends to setting, the surroundings in which a heritage asset is experienced.

Historic Environment Policy DC2 of the Local Plan is to give protection to designated heritage assets and their settings and non-designated heritage assets as set out in the NPPF.

NPPF paragraph 212 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 213 goes on to say that: "any harm

or loss [to a heritage asset] should require clear and convincing justification.” NPPF paragraph 215 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.”

Design Appearance / Heritage

The work is found justified on basis of evidence supplied about the deterioration of the existing stack. There is understandable concern from the applicant that one of these is over a public footpath. Although the existing stacks are painted this is not found to be a requirement in heritage terms as it is probably not original. The applicant proposes using a brick known as Furness Newby Blend which the Conservation Officer has confirmed to be appropriate and acceptable.

By agreeing this brick in advance of the decision it is not necessary to attach a condition to require materials details to be submitted. A condition to use a lime based mortar should be attached.

CONCLUSION / PLANNING BALANCE

That Listed Building Consent be granted subject to condition.

OFFICER RECOMMENDATION : Approve

Case Officer: Arne Swithenbank
Recommendation Date: 16.10.2025

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council