

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

12th May 2022

Application No:	SMD/2019/0632 and 0633	
Location	The Royal Oak PH, High Street, Cheadle, ST10 1AN	
Proposal	Full planning application and Listed Building Consent application for the conversion of the existing public house/hotel into 9no apartments.	
Applicant	Mr David Gough	
Agent	Barnett Ratcliffe Partnership	
Parish/ward	Cheadle	Date registered: 11.12.2019
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext. 4123 christopher.johnston@staffsmoorlands.gov.uk		

REFERRAL

The application is before committee as it is locally controversial.

1. SUMMARY OF RECOMMENDATION

APPROVE WITH CONDITIONS

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site lies on the south side of the High Street in Cheadle Town centre within the development boundary Cheadle and is in the centre of the village. It comprises the Royal Oak public house/hotel, a Grade II listed red-brick late-Georgian/early-Victorian three-storey building fronting the High Street and which has been vacant for a number of years. It is attached to other similar buildings from the same era which lie to the west. Oak Street, a narrow one-way street runs down the east side of the building. There are similar buildings on the High Street continuing to the other side of Oak Street and also on the opposite side of the High Street to the north. Many of the buildings on this stretch of the High Street have shops, cafes and other commercial uses on the ground floor. Along Oak Street, there is a row of typical red-brick Victorian terraced dwellings fronting the street on the east side. On the west side is the pub car park, directly to the rear of the building, which now appears to be used as a public car park. The entrance to this is off Bank Street which runs along the rear boundary of the site to the south. There are Victorian terraced dwellings on the south side of Chapel Street. To the west of the car park is a private parking area with a row of terraced buildings facing the site mainly in residential use but there is also a tanning salon. The site is within and surrounded by the Cheadle Conservation Area and the buildings immediately to the west and east of the site fronting the High Street are also listed buildings. The Royal Oak building and adjacent buildings on the High Street, area also with the "Town Centre Boundary" as

shown in the Local Plan maps.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 This is a full planning application and accompanying Listed Building Consent application to convert the whole building including the rear projection, but with the exception of the basement, into nine apartments. There would be no demolition other than a flat roofed garage attached to the back of the building and the removal of metal fire escape staircases at the back of the building. This is an amended scheme which differs with the scheme originally submitted at the end of 2019 which was for thirteen apartments.

3.2 The building would be laid out as follows:

Ground Floor

1 x 3-bed apartment

1 x 3-bed duplex apartment (at the rear and includes part of the first floor)

1 x 1-bed apartment

First Floor

3 x 1-bed apartments

Second Floor

1 x 3-bed apartment

2 x 1-bed apartments

3.3 The first amended scheme, reducing the number of units, was received in May/June 2021. The final amended scheme was received on 28.2.22 which made alterations to the building in response to concerns over some of the proposed works, by the Conservation Officer.

3.4 Eight of the units would be accessed via a shared lobby with adjoining internal staircases. The lobby would have an internal entrance to the side of the rear projection, reached via existing outdoor slab steps. The remaining unit, a 3-bed unit, would occupy most of the ground floor of the main front part of the building and would be accessed via the existing historical main entrance to the former pub, with Tuscan porch, in the middle of the front elevation off the High Street, a main feature of the building frontage which would be retained.

3.5 There will be no external works to the building other than the replacement of a wide window on the side of the rear projection, with a door and window of equal width in order to create the new entrance into the proposed lobby, the same-size replacement of some of the other windows on the rear projection and the widening of an existing very small first-floor modern window on the other side of the rear projection, with other works restricted to "re-decoration", described in the originally submitted Design and Access Statement as follows:

"Timber windows will be repainted white gloss, ironwork including the staircase and support to the hanging sign will be gloss black. Cills and heads to be painted white masonry paint. Entrance doors and frames to be black gloss with white frames as

existing. Cast iron soil and waste pipework also to be black gloss. Black plastic gutters and down pipes to be as existing.”

3.6 The same Design and Access Statement states the following about the internal works:

“Internally there are few architectural features of merit those to be retained, which include the staircase, the oak beams, the fireplace in the new central lobby area plus several stained-glass windows onto the stairs.”

“Internally the basic structural form of the building remains unaltered although on the ground floor the removal of the bar servery and bulkhead over will be a change together with the proposal to divide the existing bar space into two apartments.”

3.7 The proposed works to the grounds of the building include the reconfiguration of the car park to provide 24 spaces, a new boundary wall to enclose a garden/private amenity for one of the apartments at the back (with brick and stone coping to match the existing car park boundary walls) as well as the removal of the metal fire-escapes.

3.8 The original submission was accompanied by a Design and Access Statement with Heritage Appraisal, Transport Statement, Ecology Statement and Energy Statement. The amended plans were accompanied by a Historic Environment Assessment (October 2021) and Bat Activity Survey Report (September 2021).

3.9 The original plans differed to the amended plans in that in addition to the reduction in the number of units from 13 to 9 (and inevitable layout and partition wall changes), the original plans also included the retention and extension of the flat-roofed garage to provide a double garage for resident parking and the removal of some internal features and more changes to the fenestration on the rear projection including an external access to the one of the flats at the back.

3.10 The application files including the drawings and details of the proposal together with consultation responses can be viewed on the Council website at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=131240>

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=131241>

4. RELEVANT PLANNING HISTORY

SMD/2014/0789 and 0796: Conversion of existing public house/hotel into 10 apartments and two (B1) offices on part of the ground floor and demolition of brick lean-to on the rear elevation. Full planning permission and Listed Building Consent granted on 12.10.15. Delegated Decision. Not implemented.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises:

Adopted Staffordshire Moorlands Local Plan - Sep 2020

5.2 The following Local Plan policies are relevant to the application:-

- SS1 Development Principles
- SS7 Cheadle Area Strategy
- H1 New Housing Development
- DC1 Design Considerations
- DC2 The Historic Environment
- T1 Development and Sustainable Transport
- NE1 Biodiversity and Geological Resources
- TCR1 Development in the Town Centres
- C1 Creating Sustainable Communities

National Planning Policy Framework (NPPF).- July 2021

Para 11: Presumption in Favour of Sustainable Development

Section 5: Delivering a Sufficient Supply of Homes

Section 7: Ensuring the Vitality of Town Centres

Section 8: Promoting Healthy and Safe Communities

Section 12: Achieving Well Designed Places

Section 15: Conserving and Enhancing the Natural Environment

Section 16: Conserving and Enhancing the Historic Environment

Other

Cheadle Town Centre Masterplan Supplementary Planning Document (SPD) – March 2014.

6. CONSULTATIONS

6.1 A site notice was posted and displayed outside of the site on 21st January 2020. A press advert was posted in Cheadle & Tean Times (date: 18.12.19) as the applications affect a Listed Building and the site is in a Conservation Area. Letters were sent out to adjacent properties at around the same time. Letters were also sent out to senders of representations to notify that amended plans had been received in June 2021.

Public response to consultation

6.2 In response to the original submission, seven letters of objection were received and the following points were raised:

- The building should be returned to a hotel and pub
- There is a shortage of pubs in Cheadle due to recent closures
- Shortage of hotels for visitors to the area and Alton Towers, so will capitalise on tourism

- More homes will mean traffic problems and strain on local infrastructure and services
- Harm to the High Street and vitality of the town centre
- Harm to the Conservation Area
- Cheadle does not need more “bedsits”
- The building should be made an Asset of Community Value
- Ground floor flats on High Street premises is contrary to planning policies aiming to attract businesses
- There are several flats in the town centre which are unoccupied

6.3 In response to the consultation on the amended plans, two further objections were received, one being from a previous objector. The points raised are as follows:

- The building was meant for pub/hotel usage and not flats
- The ground floor should be a commercial premises in the interests of the vitality of the town centre
- The building should return to pub and hotel use in the interests of the night-time economy and the tourism economy
- Too many unoccupied flats in the High Street

Cheadle Town Council

6.4 It was resolved that the Council objects to the proposed changes to the application, in particular, the changes to the ground floor from offices to accommodation as they feel that this does not comply with policy on primary and secondary street retail protection. Council also indicated their wish that the this being a building of historical importance to the town it should be retained as a hotel as there is very little accommodation in Cheadle for visitors.

SCC Highway Authority

6.5 No objection subject to standard conditions for residential schemes with shared car parks including those relating to car and cycle parking and bin storage/collection. The authority also added the following:

“A Transport Statement has been submitted to support the application. There is no real consideration of the transport aspects of the application. Most of statement considers Policy. However, a Transport Statement would not normally be required for an application of this size.”

Environmental Health

6.6 No objection subject to standard conditions for development and conversions and also requiring noise insulation (details to be submitted and approved beforehand), electric car charging points, bin storage and external lighting.

Staffordshire Wildlife Trust

6.7 A holding objection was initially raised as a Preliminary Bat Roost Assessment was required (especially for the roof void) but not submitted. In response to the bat survey report, the holding objection was removed. No bats were found but it is recommended that bat and bird boxes be installed and also some soft planted areas to encourage night wildlife should also be included to achieve ecology enhancement.

Conservation Officer

6.8 In response to the original submission, the officer had the following comments:

“The building is a prominent Listed Building on the High Street and because of its state of dereliction is on the Council’s Buildings at Risk Register.”

“The submission is substantially lacking in detail – failing to explain the changes from the previous scheme, failing to identify impact on the historic fabric and justifying the changes. Before we can progress this application further we need much more information to identify and explain the changes to the historic fabric of the building – including those above and any that I haven’t spotted. An historic phasing plan and identifying historic/modern walls is also essential. There is no information regarding the works necessary to comply with Building Regulations and safety – means of escape, ventilation of kitchens and bathrooms, loading and sound insulation. All of this will have a significant impact on the special interest of the Listed Building and should be provided prior to determination.”

6.9 In response to the May/June 2021 amendments (comments made in December 2021):

“Overall this still remains a very poor submission based on the level of detail included, commentary on the changes and analysis of impact. The Heritage Appraisal provides a good background to the building’s history but spends very little time commenting on the individual elements of the proposals and assessing impact on the fabric/significance. For example, there is no adequate assessment of the historic interest of the Ground Floor (interior) which will be subject to most change or the impact that the conversion will have on it – only 2 photos in the Heritage Statement. I had suggested that if the change to residential on the ground floor is acceptable then the layout front section should be based on historic divisions and features.”

“I have no issues in principle with the proposed internal alterations to the upper floors, as this has already been in residential use and changed significantly, but it is the changes to the ground floor which are of concern – obviously the guidance on Listing states that the original use is usually the best to help preserve a building’s significance and the conversion from a coaching inn to three apartments on the ground floor is a significant change. There will be no public access and the historic layout and circulation space will be irreversibly harmed. There will be a loss of evidence relating to phasing, development, historic details as well as impact on social history.”

6.10 *“The application lacks the detail necessary to fully assess the change:*

- *No comments on works to comply with Building Regs – fire, acoustic separation thermal upgrading, works to make the main staircase compliant. It mentions upgrading insulation in the attic but has no details despite the area being flagged up as an area of surviving early fabric and historic features. All these matters should be a core part of an LBC application as they go to the heart of the building’s significance.*
- *There are no details of new, replacement windows and doors, or how external doors are to be sealed internally when they directly access a bedroom (eg. Apt 2).*
- *No opportunity taken to improve the design of windows and doors which are currently poorly detailed.*
- *No details of services including soil pipes and ventilation ducts which will need to be routed externally.*
- *No details of repairs to replace missing/vandalised detailing.*
- *Proposals don’t include the unaltered cellar or attic so what is happening to them?*
- *No details of new fire escape or whether the existing one needs replacing.”*

SCC Schools/Education

6.11 The number of units is below the threshold for a contribution towards schools.

Severn Trent Water

6.12 No objection subject to a condition requiring details of foul and surface water drainage

Police Crime Prevention Design Advisor

6.13 Advice on what security measures could be added to the development were given

SMDC Waste Collection Service

6.14 Bin storage not identified with correct number of communal bins.
 “Note: This development would need 4 large trade size bins for Refuse and Recycling.”

7. OFFICER COMMENT AND PLANNING BALANCE

Introduction

7.1 Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) promotes a ‘presumption in favour of sustainable development’. For decision takers 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.

7.2 Paragraph 8 of the NPPF (2021) 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 (2021).

7.3 The building comprises a Grade II Listed Building; a designated heritage asset. Designated heritage assets are listed within Footnote 7 of paragraph 11 of the NPPF (2021) and therefore the application should be approved 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'*.

7.4 The main issues with the proposal are as follows:

- The principle of the development and impact on the town centre
- The impact on the historical value, character and appearance of a listed building
- The impact on the character and appearance of the Conservation Area
- The impact on the residential amenities of existing dwellings in the area and the future residents of the building
- The impact on highway safety
- The impact on the ecological value of the site

The principle of the development

7.5 Planning permission was granted in 2015 for the change of use of the pub and hotel, a historical traditional "Coach Inn", into ten flats and with part of the ground floor converted into offices (ref: SMD/2014/0789). It was commented at the time that the building had been vacant "for a long period of time" and that this was of great concern to the Council as the longer the period of time the building is unoccupied, the greater the chance of further deterioration. Over 6 years on, the building remains vacant with the 2015 unimplemented and those approvals have now expired. There is therefore even greater concern about the deterioration of the building which is one of the more notable and prominent historic buildings in the High Street and within the Conservation Area and which has largely kept its façade and historic features. Ideally, the building should be renovated back into a public house,

hotel or inn and this would be in the best interests of its character and appearance as well as the vitality and viability of the town centre, the appeal of the town centre and which would also contribute to the local tourist industry. However, it is clear given the time the building has remained vacant that it is unlikely to return to its original use in the foreseeable future and it then becomes important to allow a new use in the interests of maintaining the building.

7.6 It is clear that a residential use for the whole building would be the most viable option. The former scheme included some office floorspace on the ground floor but this scheme has not been implemented. In terms of the impact on the High Street, the former scheme with ground floor offices would not be significantly more beneficial to the vitality of the town centre than the current 100% residential scheme. Although offices increase the numbers of people working in town centres, flats also contribute to the vitality and viability of town centres as the number of people resident in town centre increases and this would particularly benefit the night-time economy. Ideally the ground floor should be occupied by shops, food/drink uses or other commercial premises in line with planning policies and the Cheadle Town Centre Masterplan but the former use was as a bar/hotel inside a traditional coach inn and such ground floor uses would be potentially damaging to the historic façade of the building and its historic fabric and overall character.

7.7 It is therefore considered that given the limitations of the building and in the interests of its historic character, that if it can't be returned to a hotel/pub/inn use, then a residential use would be appropriate. The upper floors were in a hotel use in any case and therefore significant changes would not be required to adapt the layout into flats. The ground floor would demand more changes due to the pub layout but at least this would not require changes to the most important elevation of the building i.e. the façade onto the High Street which is largely intact. The proposed alterations to the building are discussed further on in this report.

7.8 The site is in a very sustainable location in a town centre with good access to shops, services, workplaces and public transport and a scheme of nine flats in this location would in any case comply with Policy H1 and the locational strategy for housing set out in the Local Plan.

7.9 There is no requirement to provide any of the units as policy-compliant affordable housing i.e. social-rented, part-owned/part-shared or Starter Units/First Homes as the NPPF only requires this for schemes of 10 units or over.

7.10 The proposal would lead to the more permanent loss of a public house and hotel. However, despite there being some other recent pub closures in Cheadle, there remains other pubs and overnight accommodation options in the town and there is therefore no conflict with Policy C1 (Community Facilities) of the Local Plan.

7.11 Due to the former use as a pub, the building was made an Asset of Community Value (ACV) in April 2020 following an ACV application to the Council from the local community who want it renovated back into its original pub use. This does not prevent planning permission being granted to change the use of the building. The purpose of ACVs is to give the community the right to buy such buildings in the event of the current owner selling them. The grant of planning permission does not put an

obligation on the owner to carry out the approved works and change its use and the ACV status does not prevent the permission from being implemented. The ACV would allow the local community to buy it and return it to pub if the owner chose to sell instead of implementing any planning permission to change its use.

7.12 However it clear that an asset of community value is a material consideration if an application for change of use is submitted. The Policy Statement of September 2011 by Department for Communities and Local Government states:

These provisions (an ACV) do not restrict in any way who the owner of a listed asset can sell his property to, or at what price. They do not confer a right of first refusal to community interest groups (unlike the Scottish scheme). The provisions do not place any restriction on what an owner can do with their property, once listed, if it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites. However, the fact that the site is listed may affect planning decisions. It is open to the Local Planning Authority to decide that listing an asset of community value is a material consideration if an application for change of use is submitted, considering all the circumstances of the case.

This matter will be returned in the planning balance.

The impact on the character and appearance of the listed building and Conservation Area

7.13 A number of concerns were raised by the Conservation Officer in response to the original plans and May/June amendments such as the sub-divisions within the main two front ground floor rooms of the pub, the double garage and external access to the back ground floor flat but these have largely been addressed in the latest amended plans. The only concern from the Conservation Officer listed in her consultation response which was not addressed was the change from a side window of the rear projection into a door with adjoining full height window. However, this is the proposed main entrance to the lobby area. It is not on the frontage and the opening would remain with the same width. It is also accepted that some level of harm would occur to the historical layout of the building, particularly at ground floor which was a largely open pub, but less so to the upper floors which were used as the hotel part. The reduction in units from 13 to 9 helps to maintain as much of the historic layout as possible and no significant original walls or features would be removed on any of the three floors. New dividing walls to some extent are needed in order to change the use of the building to residential but this is avoided on the two main front rooms on ground floor level where the bar and lounge areas were located. It is also accepted that any change of use of a former coach inn would result in some changes and harm including offices, as was approved previously. The most important historic features have been retained including the façade, sash-style windows and Tuscan porch on the building frontage. All new and replacement windows for all elevations would comprise white painted timber and this can be secured by way of a planning condition.

7.14 Overall, it is considered that any harm would be deemed to be “less than substantial”. The NPPF in Section 16 (para 202) states the following:

“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.”

7.15 It is considered that the proposal in helping to safeguard a listed building which has been vacant in the long term and at risk from deterioration, would amount to significant public benefits which would outweigh the particular level of harm identified. The building has been placed on the at risk register and therefore, to some degree will decline further unless an alternative use can be found. A residential use of the building secures the optimum viable use to safeguard and protect the building and without leading to any significant harm and with no changes to the historic façade required.

7.16 The Conservation Officer also considered there was insufficient detail relating to a number of different works required to the building, listed above in this report in the Conservation Officer consultation response and includes specific window design, external service pipes/vents/ducts, any eaves and verge works, works required to achieve Building Regulations compliance etc. However, these matters were dealt with via planning conditions requiring further information to be approved, in determining the previous 2015 scheme and it is not unreasonable to repeat this process for this new proposal. The Conservation Officer also did not consider the Heritage Assessment to be sufficient but the one submitted was an updated version of one approved for the 2015 scheme and it would therefore be unreasonable to request an even more thorough version.

7.17 There would be no changes to the car park other than re-configuration to mark out 24 parking spaces as shown on the site plan. There is also sufficient additional hard-standing space close to the rear of the main part of the building and to the side of the rear projection (which used to contain fencing for an apparent beer garden) which can be used for other purposes such as a bin store enclosure and possible also an area of soft landscaping recommended by Staffs Wildlife Trust. All new boundaries including those for the enclosed private amenity area for one of the flats (next to the car park) would comprise matching red brick with stone coping in line with the existing site boundaries, in keeping with the Conservation Area.

7.18 Overall, only very minor harm would result to the listed building which is unavoidable to allow the least harmful residential change of use and the benefits of bringing the building back into use and prevent deterioration and afford it long-term protection would far outweigh this harm. There would be no harm to the character and appearance of the Conservation Area.

The impact on residential amenity

7.19 It is recognised there are rows of terraced housing to the sides and rear of the site and also possible flats above adjoining buildings on the High Street. The building was formerly a pub and hotel and so the residential conversion would not give rise to any noise and disturbance issues. There would also be no new windows which would overlook any residential properties.

7.20 With regard to the living conditions of future occupants, all but one of the proposed flats meets the space standard thresholds in the government's Nationally Described Space Standards. The smallest flat, a 1-bed unit, has 36 sq.m of floorspace which is just 1 sq.m short of the standard for single-bedroom 1-bed units. However, given that the enlargement of this flat would lead to pressure to remove original walls or features of the historic interior, it would not be reasonable to refuse the applications on this basis alone.

The impact on highway safety

7.21 The local highways authority (SCC) did not consider the traffic generated by 13 flats would be significantly worse to that generated by the pub and hotel and as the scheme has been reduced to 9 flats, this would result in potentially less vehicle movements. The quality of the access into the car park is satisfactory in terms of the visibility from it up and down Bank Street. The parking provision exceeds what the Council parking standards would require for a development of nine flats based on the number of bedrooms (21 spaces) and all but one of the spaces accords with the size standards but as parking standards have been exceeded in any case, the scheme would not lead to any significant pressure to park on surrounding roads. The turning space within the car park is also to standards.

The impact on the ecological value of the site

7.22 Although the site is not in a rural area, there is still potential for bats to be present or roosting in the roofspace of historic buildings even in urban areas. A survey was undertaken at the optimal time of year when bats are present but there were found to be no bats. Policy NE1 of the Local Plan and NPPF Section 15 encourage all development schemes to lead to a "Net Biodiversity Gain". This can easily be achieved in this case by installing bat and bird boxes on the building or elsewhere within the site. A condition can be added requiring this as part of details of the number and position to be submitted for approval to achieve this purpose. Staffordshire Wildlife Trust also recommend an area of soft planting to attract wildlife. However, whilst this may be desirable (and there is also some space for this between the parking spaces and back wall of the main front part of the building next to Oak Street), there are doubts as to how this would be managed/who would manage this shared space and not become overgrown and untidy). As there is no real ecological value at the site, the installation of bat and bird boxes alone would be sufficient to achieve an enhancement to the ecological value of the site.

Other Matters

7.23 A number of letters of objection were received with the loss of a pub and hotel opportunity being by far the main primary concern together with the impact on the town centre and the Conservation Area also being concerns and also traffic generation. All of these matters have been taken account of in this report. One of the letters raised concerns over pressure on local services e.g. schools, doctor surgeries etc. However, it is not considered the provision of nine flats would lead to significant pressures on local facilities and SCC Education Section, consulted on the application, has also not considered a financial contribution towards schools

improvements is required. The number of flats proposed is also below the threshold for the requirement for a contribution towards playing fields, play space and sports facilities.

7.24 The security measures given in the advice from the Staffordshire Police Crime Prevention Design Advisor can be attached to the planning permission as an informative.

8. Conclusion and Planning Balance

8.1 The application site is located within the Development Boundary of Cheadle; a 'town' as identified by Local Plan policies SS2 and SS7. The application site is within a sustainable location. The proposal will result in the loss of a community facility; a former public house, however the application site lies within the town centre, where there are numerous other public houses available to meet the needs of the community.

8.2 The Grade II listed former pub and hotel has been vacant for several years and because of its state of dereliction, it is on the Council's Buildings at Risk Register. The Council therefore considers it important that the building be brought back into use in the near future to prevent further deterioration. Although ideally it should be restored to its original use, one which contributes positively to the vitality of the town centre and as a community facility, especially due to recent closures of other pubs in the town, such an opportunity has not come forward over this considerable amount of time. The change of use to residential would not only be an optimal viable re-use but would also have other benefits for the town centre in increasing its population helping to support town centre shops, businesses and other food and drink uses and would not have significantly different impact than the previous 2015 residential and part ground-floor offices uses approval which was not implemented.

8.3 Although the building is recognised as an Asset of Community Value, which is a material planning consideration, the presence of other public houses within the town centre means that its loss, is supported by Policy C1 of the Local Plan. Moreover, the building remains on the at risk register, therefore alternative uses must be considered in order to ensure the optimum viable use of the heritage asset. In this case, the reuse of the building for alternative uses is considered to be vital in securing the future of the building and these considerations are found to outweigh its listing as an ACV.

8.4 The change of use would largely respect the historic fabric of the building and would not harm the Conservation Area. The main primary elevation, the historic frontage onto High Street would remain intact whereas other commercial changes of use such as shops would lead to pressure to alter the frontage. There is a small level of harm from the internal works required to convert it into flats on the ground floor and to create a lobby entrance at the back but original internal features would be retained. The harm identified amounts to less than substantial harm, and it is recognised that a reuse of the building for residential purposes would secure the longevity and optimum viable use of the building. This amounts to a public benefit which attracts significant weight. There are no other environmental harms identified with this scheme and the proposal would not lead to any traffic or highway safety

issues in relation to the former use as hotel and pub. The applications therefore comply with the Council's Local Plan and the government planning guidance contained in the National Planning Policy Framework. The applications are therefore recommended for approval

9. RECOMMENDATION

A. That the planning permission and Listed Building Consent applications be APPROVED subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:-

To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in complete accordance with the submitted amended plans and specifications as follows:-

Location Plan

Amended Plan: 1422-PL10 Revision B

Amended Plan: 1422-PL11 Revision B

Amended Plan: 1422-PL12 Revision C

Amended Plan: 1422-PL13 Revision B

Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. All new external facing and roofing materials shall match in colour, form and texture those of the existing building and there shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason:-

To ensure that the works harmonise with the existing development and to ensure that the works are in keeping with adjacent development.

4. Notwithstanding the approved plans, all new windows shall be constructed out of timber with a white painted finish only.

Reason:-

In the interest of the historic building

5. Prior to the commencement of development and notwithstanding the approved plans, full drawn details at a scale of 1:10 of all external windows, doors and joinery shall be submitted to and approved in writing by the Local Planning Authority and shall be installed in exact accordance with the approved drawings.

Reason:-

In the interest of the historic building

6. Prior to the commencement of development full details of works required for fire safety, sound attenuation and thermal insulation shall be submitted to and approved in writing by the Local Planning Authority and shall be installed in exact accordance with the approved details.

Reason:-

In the interest of the historic building

7. Prior to the commencement of development full details of new handrails and external stairs shall be submitted to and approved in writing by the Local Planning Authority and shall be installed in exact accordance with the approved details.

Reason:-

In the interest of the historic building

8. Notwithstanding the approved plans the projecting external sign on the front elevation shall be retained. If any alterations are proposed to this sign, they shall be submitted to and approved in writing by the Local Planning Authority prior to the works being undertaken and undertaken in accordance with the approved plans.

Reason:-

In the interest of the historic building

9. Prior to the commencement of development full details of external services including soil pipes and ventilation ducts shall be submitted to and approved in writing by the Local Planning Authority and these shall be installed in exact accordance with the approved details.

Reason:-

In the interest of the historic building

10. Prior to the commencement of development full details of repairs to replace missing/vandalised detailing shall be submitted to and approved in writing by the Local Planning Authority and shall be undertaken in exact accordance with the approved details.

Reason:-

In the interest of the historic building

11. Prior to the commencement of development, details of any works to the attic and cellar/basement shall be submitted to and approved in writing by the Local Planning Authority and shall be undertaken in exact accordance with the approved details.

Reason:-

In the interest of the historic building

12. Prior to the commencement of development, details of all boundary works shown on scale elevational drawings and including finishing materials shall be submitted to and approved in writing by the Local Planning Authority and shall be provided in exact accordance with the approved details before the development is first brought into use.

Reason:-

In the interest of the setting of the historic building

13. Before the building is brought into use, bat and bird boxes shall be installed at the site in accordance with the Absolute Ecology Report submitted with the application and in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason:-

In the interests of achieving an ecological enhancement of the site in accordance with Policy NE1 of the Local Plan.

14. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans. The parking, turning and servicing areas shall

thereafter be retained for the purposes of parking, turning and servicing for the apartments for the life of the development.

Reason:-

In the interest of highway safety

15. The access shall be ungated and remain ungated in perpetuity.

Reason:-

In the interest of highway safety.

16. The development hereby permitted shall not be brought into use until secure cycle parking is provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The secure cycle parking area shall thereafter be maintained for the lifetime of the development.

Reason:-

In the interests of encouraging the use of sustainable modes of transport.

17. Before the proposed development is brought into use, a bin store shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The bin store shall be adjacent to, but clear of the footway to store bins on collection day clear of the footway and to avoid obstruction of the footway. The bin store area shall thereafter be retained for the lifetime of the development.

Reason:-

In the interests of highway safety and to protect the local amenities from unsightly waste, prevention of pest infestation and offensive smells from putrescible materials.

18. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewerage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason:-

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution

19. All construction works and deliveries shall take place between the following hours:

- **08:00 - 18:00 hours (Monday to Friday);**
- **08:00 - 13:00 hours (Saturday)**
- **No working is permitted on Sundays or Bank Holidays.**

Reason:-

To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

20. No development, including demolition works, hereby permitted shall take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include the following details:-

- I. A scheme to minimise dust emissions arising from demolition/construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.**
- II. Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;**
- III. a scheme for recycling/disposal of waste resulting from the demolition/construction works;**
- IV. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;**

Once approved, all relevant activities on the site should be carried out in accordance with Construction and Environmental Method Statement throughout the course of the development. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason:-

To protect the amenities of the area from dust

21. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been prepared, and is subject to the approval in writing of the local planning authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:-

To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

22. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

Reason:-

To protect the amenities of the area.

23. Development shall not commence until a site specific scheme for protecting the proposed residential units from external noise, has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall have due regard to the British Standard BS8233:2014 Guidance on Sound Insulation for Buildings and be designed to achieve noise levels of less than 30db Laeq in bedrooms (23:00 to 07:00) 35 dB LAeq in bedrooms (07:00 to 23:00), less than 40 dBLAeq in living areas (07:00 to 23:00). A report shall be produced containing all raw data and showing how calculations have been made. A copy of such report shall be submitted to the Local Planning Authority for its approval. Any measures recommended in the report shall be undertaken before the development hereby approved is brought into use.

Reason:-

To protect the amenity of future occupiers.

24. The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission should be submitted to and approved by the Local Planning Authority prior to development commencing and shall be installed in accordance with the approved details.

Reason:-

To protect the local amenities of the local residents by reason of excess of illuminance.

25. No development shall be commenced until a scheme for the provision of electric vehicle charging points has been submitted to and agreed in writing by the Local Planning Authority. No property shall be occupied until any approved electric vehicle charging infrastructure associated with that dwelling has been installed in accordance with the approved details.

Reason:-

To promote the use of low emission vehicles and help mitigate the impact of any additional vehicles on local air pollution

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/in formatives/planning obligations or reasons for approval/refusal) prior to the decision being issued,

the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.

Location Plan

