

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

12th May 2022

Application No:	SMD/2021/0530	
Location	The Swan Inn, Town End, Cheadle	
Proposal	Conversion of former public house to 3no. residential units	
Applicant	Mr Stephen Holt	
Agent	JMI Planning	
Parish/ward	Cheadle	Date registered: 17 th August 2021
If you have a question about this report please contact: Ailsa Berry, tel: 07583122644, email: ailsa.berry@highpeak.gov.uk		

1. REFERRAL

1.1 The application is before committee as Cllr Plant requested it be called-in if the Planning Officer was minded to recommend approval. The grounds for the call-in was: no provision of any off-street parking to the proposed units and a lack of car parking in and around the area of the application.

2. SUMMARY OF RECOMMENDATION

APPROVE subject to Conditions

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The site comprises a former public house that has since closed. The building is Grade II Listed and is located on the northern side of Town End (the A521), within the Development Boundary of Cheadle.

3.2 The building is rendered and painted white with a double pitched roof with a valley in the middle, covered in Staffordshire Blue clay tiles. The building is sited on the back edge of the pavement and is attached to a dwellinghouse to the east. To the west is a terrace of dwellinghouses, with a yard/parking area separating them from the public house. A detached three-storey dwellinghouse is located between the public house and the row of terraced properties, set back behind the rear elevation of the public house and sited in an elevated position.

3.3 To the rear of the public house is a single storey extension constructed circa 2000 that houses the toilet block. A tiered garden area that was formerly used as the public house's beer garden lies behind the toilet block. Beyond the beer garden are dwellinghouses that front onto Park Lane Close. The area surrounding the application site is predominantly residential.

4. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

4.1 Full planning permission is sought to change the use of the public house into 3no. dwellinghouses.

4.2 The scheme has been revised during the course of the application due to concerns raised by the Planning Officer in respect of the development's impact on the amenity of future occupiers. The number of units has therefore been reduced from four to three. The fourth unit was to be contained within the existing single storey modern toilet block, but it is now proposed to demolish this building and in its place, create individual yards for each of the dwellings with private access to the gardens beyond, as well as a bin storage area for all three units.

4.3 Details of the application scheme can be viewed at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=151584>

5. RELEVANT PLANNING HISTORY

5.1 Planning and Listed Building Consent applications have previously been determined for the erection of signage and the construction of a toilet block, with the toilet block approved in April 1999.

5.2 Listed Building Consent is sought for the same development under SMD/2021/0546, which is also present on the agenda.

6. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

6.1 The Development Plan comprises the Local Plan Development Document (adopted September 2020).

6.2 The following Local Plan policies are relevant to the application:

- SS1 Development Principles
- 1a Presumption in Favour of Sustainable Development
- SS2 Settlement Hierarchy
- SS Cheadle Area Strategy
- H1 New Housing Development
- DC1 Design Considerations
- DC2 The Historic Environment
- T1 Development and Sustainable Transport
- NE1 Biodiversity and Geological Resources
- C1 Creating Sustainable Communities

National Planning Policy Framework (NPPF) Revised (2021)

6.3 The following sections of the NPPF (2021) are particularly relevant to this application:

- 2: Achieving sustainable development
- 5: Delivering a wide choice of high quality homes
- 4: Decision making
- 9: Promoting sustainable transport
- 12: Achieving well-designed places
- 15: Conserving and enhancing the natural environment
- 16: Conserving and enhancing the historic environment

7. CONSULTATIONS

Public response to consultation

7.1 14 comments have been received in respect of the application.

7.2 One comment stated that in principle, the development would be a good use of the property, but raised concerns regarding the parking of occupier's vehicles.

7.3 The remainder of the comments objected to the proposed development and raised the following concerns:

a) Highways:

- The car parking of residents cars has not been satisfactorily addressed, as the bus stop layby is constantly occupied and also the surrounding grass verges and the turning point at the top of Lid Lane. Also cars park just below the yellow lines on Lid Lane, which means that to leave Lid lane one has to overtake on the wrong side of the road, and if another vehicle turns in (because there are shrubs obscuring the view down the road) there is potential for a collision. Parking outside the property on the main road will cause considerable congestion to traffic passing through.
- To say that residents will not have cars is rather short sighted and optimistic, as some invariably will have cars, vans etc.
- We all at Town End need a car and a space to park as there is inadequate public transport and no local amenities, therefore, we must travel for theatre cinema etc.

b) Loss of Public House:

- Cheadle used to be a very vibrant friendly place with lots of small friendly public houses. We don't therefore want to lose yet another place. If not a pub, it could be used by locals as a meeting hall/community hub.
- The pub would make a good tourist info/art gallery/tea room, providing much needed local employment as well as somewhere to meet friends.
- The conversion of The Swan into residential units will result in the loss of another vital community facility.
- This public house has always been a viable business and could continue to be so.

- In view of the Cheadle Masterplan, this proposed plan to develop yet more residential accommodation negates the 'big picture' plan for Cheadle.
 - The Swan fulfilled a unique role in Cheadle. It was used for matches in local pool, cribbage and darts leagues, as well as for meetings of community groups such as Cheadle in Bloom and the Cheadle Allotment Society. Although there are many other pubs in Cheadle, they do not fulfil a similar role to that performed by The Swan.
- c) Need for Housing in Cheadle:
- Do we need more housing in Cheadle with all the developments currently being built?
 - Cheadle doesn't have the doctors, schools, amenities to support more housing.
- d) Amenity:
- Loss of privacy for those living on Park Lane if the rear of the plot is divided into gardens.
- e) Impact on Listed Building:
- I fail to see how this property can be converted into dwellings without altering the main frontage to add extra entrances and change the fabric of what is a Listed Building.

Cheadle Town Council

7.4 It was resolved that the Town Council has strong objections to this application on the grounds that the town would be losing another community building, overdevelopment and the impact on the local community.

Conservation Officer

7.5 The List description suggests that this early 19th century building was built as a pub, built in conjunction with the improvement of the turnpike roads and toll cottages. An important part of the building's significance is therefore its design and function as a public house as well as its historical social value within the community. The Heritage Statement is very weak and for such a substantial proposed change it does not have assessment and analysis of significance/heritage values by a heritage specialist – no analysis of historic mapping, documentary research or analysis of the historic building fabric or assessment of impact. The application cannot be determined on the basis of the information submitted.

7.6 There is no account of the physical changes necessary – demolition of the link at the rear, works to sever the ground floor into several units, new staircases, alterations to room proportions, the plans are not clear where interventions are taking place (such as blocked doorways), no information regarding Building Regs works to make compliant with fire and noise separation, and no understanding of historic floorplan and circulation routes.

7.7 Before any physical changes are considered we need to explore why the original use (which is so important to the building's significance) cannot be maintained.

7.8 Advice on securing a building's optimum viable use is given in the PPG on Heritage – this guidance states that *'the optimum viable use is not necessarily the most economically viable one'*. They need to submit marketing evidence and, if a case can be made for redundancy, alternative uses which may have less impact on significance need to be considered.

7.9 The application needs to be refused or withdrawn to allow the preparation of a detailed Heritage Statement to understand the building's significance and this then needs to feed into the future proposals.

7.10 On the basis of the current, limited information and lack of understanding, the application represents harm to the significance of the building. Although the exterior of the building will largely remain unchanged, the interior will be so altered that this will represent substantial harm (significance is not just about the building's exterior, the entire legibility of the building as a historic pub will be lost internally). In accordance with the NPPF, applications proposing substantial harm should be refused unless there are substantial public benefits that outweigh the harm or that there is no viable use that will enable its conservation or the harm, or loss is justified by the benefit of bringing the site back into use.

7.11 Planning Officer's Comment: An amended Heritage Statement was submitted by the applicant to support the application. Conservation matters are addressed in further detail below.

Ancient Monuments Society

7.12 The Ancient Monuments Society has no objection to the principle of the change of use, however they have concerns about the lack of detail provided to support the application.

7.13 The NPPF (2021) at paragraph 199 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."*

7.14 Paragraph 194 states 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."*

7.15 The accompanying plans and statement provide almost no detail about the historic and architectural significance of the internal areas of the building, particularly those features that are to be removed or altered, such as cornices, doors, etc. For example, is the stair to be removed an original feature? If so, suitable justification should be provided for its replacement. Likewise details how the installation of acoustic and fire separation and other M&E services may affect historic building fabric.

7.16 We would recommend a detailed historic building report is prepared by a suitably qualified conservation professional to identify and features of significance. We would also refer you to Historic England's guidance on Statements of Heritage Significance

7.17 Planning Officer's Comment: An amended Heritage Statement was submitted by the applicant to support the application. The Ancient Monuments Society were re-consulted, but no further response was received.

Severn Trent Water

7.18 No objection and do not require a drainage condition to be applied.

AES Waste

7.19 There are no issues regarding waste collections. Note: No bin storage identified.

7.20 Planning Officer's Comment: The revised proposals now include the provision of a bin storage area to the rear of the building.

SCC Highways

7.21 There are no objections to the proposed development and do not request any conditions to be attached.

Staffordshire Wildlife Trust

7.22 Any recommendations and requirements within the ecology reports should be secured via conditions.

7.23 You may wish to seek further details regarding a drainage scheme if not provided, as these can present further impacts or opportunities outside of the application boundary. Detailed drainage plans incorporating sustainable surface water drainage methods should be secured.

7.24 Policy NE1 in the Staffordshire Moorlands Local Plan Adopted September 2020, expects that '*all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development.*' We recommend securing net gain through a good quality landscaping scheme which incorporates native planting and habitats such as hedgerows, flower-rich grassed areas, wetlands and trees suitable to the site, as well as species enhancements such as bird and bat features.

7.25 Planning Officer's Comment: Severn Trent Water has advised that a drainage condition is not required and due to the topography of the land, any drainage will not affect the rear garden areas. A drainage condition is therefore not required.

8. OFFICER COMMENT AND PLANNING BALANCE

5 Year Housing Land Supply

8.1 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.

8.2 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).

8.3 The Council currently does not have a 5-year housing land supply; it currently stands at 4.21 years. The housing policies contained within the Local Plan are therefore considered out-of-date.

8.4 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'*.

Principle of Development

8.5 The application site is located within the Development Boundary of Cheadle; a 'town' as identified by Local Plan policies SS2 and SS7. Policy SS7 comprises the Area Strategy for Cheadle which seeks to expand the role of Cheadle as a significant service centre and a market town. To do this, one of the policy's aims is to *'Expand the housing market area and community provision by increasing the range of available and affordable house types and higher market housing, including for first time buyers and families'*.

8.6 The application proposes the conversion of a former public house to 3no. open market dwellings within the Development Boundary of Cheadle. The dwellings will comprise 2no. two bedroom houses and 1no. 3 bedroom house, which will suit first time buyers or those looking to downsize. The application site is on a bus route and Cheadle town centre is approximately a 5 minute walk away. The application site is therefore within a sustainable location and will meet one of the aims of the Cheadle Area Strategy. The proposed development is therefore considered acceptable in principle and will comply with policies SS2 and SS7 of the Local Plan (2020).

Housing Policy

8.7 Policy H1 of the Local Plan (2020) outlines the approach to new housing within the District. The policy states at (4) that *'housing development on sites not allocated for such purposes in Policy H2 will be supported as follows: (a) Within the Development Boundaries of the towns and larger villages, residential development and development on unidentified (windfall) sites will be permitted, subject to compliance with the Spatial Strategy and wider Local Plan policies'*.

8.8 The application site is located within the Development Boundary of Cheadle and comprises a small-scale 'windfall' housing site. The proposed development will therefore comply with policy H1 of the Local Plan (2020).

Loss of Community Facility

8.9 Policy C1(3) of the Local Plan (2020) seeks to resist proposals involving the loss of community facilities unless: (a) an alternative facility of the same type and quality meets the needs of the community or (b) a viability appraisal including a marketing exercise demonstrates there are no options for continued or shared use as any type of community facility.

8.10 The proposed development will result in the conversion of a former public house (a community facility as defined by paragraph 7.100 of the Local Plan, 2020) to 3no. open market dwellinghouses. The existing public house has been closed since mid-2020 and was marketed for sale. The applicants are the second purchasers of the property, after the initial purchasers put it up for auction.

8.11 The application site is within the town of Cheadle, within 5 minutes walking distance of the town centre, where there are numerous other public houses available to meet the needs of the community. The nearest public house to the application site is JD Wetherspools which is 480 metres east, along the same road. The loss of the public house will therefore comply with part 3a of policy C1 of the Local Plan (2020).

Design

8.12 Policy DC1 of the Local Plan (2020) 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, density, layout, siting, landscaping, character and appearance.

8.13 Paragraph 130 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. The Council's Design Guide SPD outlines the Council's expectations in respect of design.

8.14 Full planning permission is sought for the conversion of the former public house into 3no. dwellinghouses. The building will be sub-divided vertically and will result in the creation of 2no. two bedroom dwellings and 1no. three bedroom dwelling. No extensions are proposed to the existing building.

8.15 The existing single storey toilet block located to the rear of the building will be demolished and the area vacated by the building will be divided to provide a yard for each of the dwellinghouses and a communal bin storage area. Each yard will have a separate access to the tiered former beer garden beyond, that will be subdivided to provide a separate garden for each of the dwellings.

8.16 Minor works are proposed to the external appearance of the existing building, including:

- The insertion of 1no. door within the front elevation of the public house;
- The lowering of a ground floor window cill in the rear elevation and the insertion of French doors, with no widening of the existing opening;
- The erection of fencing to demarcate the 3no. separate rear gardens;
- The provision of two sets of external steps, so access can be gained from the rear yards into the gardens; and
- The provision of a communal bin storage area.

8.17 A new door will be inserted into the front elevation of the building. It will be positioned centrally between the first two windows on the western half of the building, matching the existing arrangement on the eastern half of the building. The insertion of the door will result in the building appearing as a pair of semi-detached dwellings when viewed from the street scene and will not detract from the building's character or appearance.

8.18 The remainder of the changes are to the rear of the application site and therefore they be not be highly visible from the street scene. The lowering of the window cill and the insertion of French doors is minor and will not detract from the character or appearance of the existing building. The construction of the bin storage area and the subdivision of the yards/gardens can be conditioned to ensure that the proposed materials are acceptable.

8.19 It is considered that the proposed housing development will reflect the character and appearance of the surrounding area and will comply with policy DC1 of the Local Plan (2020), the Design Guide SPD and the NPPF (2021) in respect of design.

Heritage

8.20 Policy DC2 states that the Council will safeguard and where possible, enhance the historic environment by resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and

villages and those interests of acknowledged importance; promoting development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area; and preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area through appropriate re-use and sensitive development.

8.21 Paragraph 199 of the NPPF (2021) 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

8.22 Paragraph 200 of the NPPF (2021) states 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 should be exceptional.

8.23 Paragraph 202 of the NPPF (2021) states that where a 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.

8.24 The Heritage Statement that has been submitted with the application is very comprehensive and includes a lot of history regarding the building. In summary, the salient points are:

- *The Swan Inn was first listed (Grade II) on 8/8/1986, and the list description is as follows:*
 - 'Inn, probably built as such. Circa 1830. Rendered brick; tiled roof on dentilled eaves course; end and centre ridge stack. Two-storey, four-window front; glazing bar sashes with painted lintels. Entrance to left of right hand window; overlight and C20 part-glazed door; large wrought iron sign bracket over. One of a number of inns close to Cheadle built in conjunction with the improvement of the turnpike roads and including the construction of toll cottages (qv).'*
- *The Inn is also included on the Staffordshire Historic Environment Record (HER) ref. MST10420 by virtue of its listed status.*
- *It is clear from the beginning that this building has been misunderstood. The list description, and the Conservation Officer comments on the proposal as submitted, both make statements that subsequent research has revealed to be untrue. The main points may be summarised as follows:*
 - *The building has evolved from a timber-framed building on the site, of which only an insignificant fragment now remains, and was almost entirely rebuilt between 1842 and 1861, probably in the mid-1850s.*
 - *The building was already a public house called The Swan by 1751 and thus pre-dates the first mention of the turnpike road in 1762. The pub*

may well have benefited from the turnpike traffic, but apparently does not owe its existence to the turnpike as has been supposed.

- *The building was not originally all in use as public house; the eastern part was the public house and the western part was a separate dwelling that was incorporated into the public house at a later date, probably in the late 19th century.*
- *In light of the above, it may be appreciated that the building was not purpose-designed as a pub in the early 19th century, and therefore its internal plan form does not have the significance claimed for it.*
- *The building has no special architectural or historic interest either internally or externally, and appears to have been listed on false assumptions. It is not an example of a purpose-built early 19th century public house, and is mostly a generation later in date than the list description states. In fact it mostly belongs to the post-1850 period when eligibility for listing is increasingly more selective, and in my opinion does not “make the grade” for listing.*
- *Date of construction aside, the building is not “pure” as an architectural example of a public house, as it evolved from an earlier building and then expanded into an adjacent house. It is thus an “improvised” building that does not tell us much about the principles of planning a 19th century public house. Modern opening-up of the interior has been accompanied by the loss of period detail, which may always have been of modest character.*
- *In my opinion, a request to de-list this building would have a high chance of success. It is only its distinctive use as a public house that makes it stand out from the crowd, which would be the case whether it was an old building or a modern one. I note that the Ancient Monuments Society “has no objection to the principle of the change of use.”*
- *That said, if the case for a change of use is accepted, the proposed changes are not so radical or sensitive as the Conservation Officer suggested, and will have little impact on the low level of significance of the building. In my view the proposals would be suitable for the grant of listed building consent anyway, subject to detail and conditions. The proposed changes are not extensive or overly-intrusive. For example, one of the proposed staircases is where a former staircase of the same configuration formerly existed and the principal intervention is of a new dividing wall between the two eastern properties.*
- *Many of the historic windows survive, but surviving period detail internally is very scarce. There are a few 19th century doors downstairs and a plain elliptical arch next to the bar. Upstairs there are cast iron fireplace of Edwardian character to two front bedrooms as noted in the previous paragraph, and some tongued and grooved partitioning. There is nothing else, and even the staircase has been shorn of its original balustrades and handrail.*

- *The building is now linked to the rear outbuildings by a modern link, and the outbuildings are themselves a modern rebuilding, with only their rear retaining wall surviving from the previous structures there. These rear structures are of no intrinsic interest at all, and are given over to storage and WCs, as the previous ones were.*
- *The western half of the pub would revert to a single house as it formerly was, with three bedrooms. The three internal doorways that link it to the remainder of the building would be walled up, and a small alteration is required to form the secondary bathroom. The party wall on the east side of the house would need to be thickened in some areas, but that is all. No historic architectural detailing is affected by any of these changes.*
- *The eastern half of the pub would be divided into two houses, each with two bedrooms. This requires some new walling to make a structural division, and two new staircases, one of which is on the site of a previous one. Little other alteration is involved apart from partitioning on the first floor to create the bathrooms. The partitioning does not affect any interiors of value.*
- *The rear outbuilding is of no sensitivity except for its roof form and volume in relation to the main building. There would be no harm in altering its elevation to the yard in the event that this was felt to be desirable.*
- *In the absence of a detailed assessment of the building, and without the benefit of examining the building in person, the conservation officer's initial response was that the interior of the building would suffer "substantial harm" by loss of its legibility as a historic pub layout.*
- *The physical impacts on the building are in fact minor.*
- *The subdivisions are vertical, which avoids the need for sound and fire upgrading between floors, and the interiors of the building are not sensitive.*
- *Although delisting is not to be pursued at present, the principles of listing are relevant in considering and assessing the building's level of sensitivity.*

8.25 Having reviewed the information contained within the revised Heritage Statement and having undertaken an internal and external inspection of the property, the conclusions of the Heritage Statement are supported.

8.26 The demolition of the rear modern toilet block will enhance the appearance of the Listed Building by removing an uninspiring modern building and revealing the original rear elevation of the building. This will not cause any harm to the significance of the Listed Building.

8.27 The replacement of 2no. external doors with new doors is acceptable and will cause no harm to the Listed Building, providing a condition is attached requiring details to be submitted.

8.28 The insertion of a new opening within the front elevation to create a door, the lowering of a window cill and the insertion of French doors within the rear elevation; and the subdivision of the rear yard into 3no. gardens with fencing will all result in some harm to the significance of the Listed Building. The level of harm will be 'less than substantial' and therefore this harm should be weighed against the public

benefits of the proposal including, where appropriate, securing its optimum viable use.

8.29 The proposed change of use, from what was originally part public house, part dwellinghouse and most recently wholly a public house, to 3no dwellings will result in the provision of much needed new housing for the public at a time when the Council cannot demonstrate a 5-year housing land supply. The proposed dwellinghouses will comprise 2no. two-bedrooms and 1no. three-bedroom houses, providing a mix of housing for the public and the potential for first-time buyers to get onto the housing ladder, or for people to downsize. The housing will be in a highly sustainable location, within a short walk of Cheadle town centre. The proposed change of use will result in a Listed Building, that is currently vacant and has been since 2020, being re-used, preventing the deterioration of the Listed Building.

8.30 A letter from an estate agent accompanies the planning application that indicates there is no demand to re-establish the public house, particularly due to the proximity of other public houses and the site's location adjacent and attached to residential properties.

8.31 The proposed development can be secured with limited alterations to the historic fabric of the existing Listed Building and it will result in part of the Listed Building returning to its original use as a dwellinghouse. The proposed change of use from public house to 3no. dwellinghouses is therefore considered to secure the optimum viable use of the building.

8.32 The public benefits associated with the proposed development, including securing its optimum viable use, when weighed against the *'less than substantial'* harm created by the minor amendments to the historic fabric of the Grade II Listed Building, are considered to outweigh the identified harm.

8.33 It is considered that the proposed development will comply with policy DC2 of the Local Plan (2020) and the NPPF (2021).

Amenity

8.34 Policy DC1 and paragraph 130(f) of the NPPF (2021) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

Neighbouring Properties

8.35 Attached to the east of the building is No. 34 Town End; a two-storey cottage that is set back from the road by a small area of off-street parking. No alterations are proposed to the eastern side elevation of the existing building which comprises a flank elevation. To the rear, a single storey flat roofed extension belonging to No. 34 Town End, forms the boundary treatment between the two properties, which leads to a dwarf wall with a closed boarded fence above and then vegetation. The rear gardens of the proposed dwellings will be in-line with the rear garden of No. 34 and suitable boundary treatments can be conditioned accordingly. No. 34 Town End will benefit from an improvement in their amenity from the change of use, as they will no

longer have to deal with the noise associated with the public house or the beer garden. It is for these reasons that the proposed development will not adversely affect the amenity of this property.

8.36 To the west of the application site is an off-street yard area that provides access to No. 36, No. 38 and No. 42 Town End. No. 36 Town End is sited to the rear of the former public house, elevated, and in line with the former beer garden. No. 36 comprises a three storey detached dwellinghouse. The eastern elevation of the dwellinghouse contains no windows and dense vegetation forms the boundary between the two properties. The windows within the rear elevation of the former public house will have an oblique view towards the windows in the front elevation of No. 36 Town End; the ground floor windows are at a lower ground level; and the first floor windows previously served the public house's living quarters. Therefore there will be no impact on the amenity of No. 36 Town End from the proposed change of use. The boundary treatments to the former beer garden can be conditioned accordingly, to ensure that the privacy of No. 36 is not affected. As with, No. 34 Town End, No. 36 will benefit from the proposed change of use as the rear garden area will no longer be used as a beer garden. It is for these reasons that the proposed development will not adversely affect the amenity of this property.

8.37 No. 38 & 42 Town End are located to the west of the application site. No. 38's front elevation faces east towards the western side elevation of the former public house. No. 42 Town End is attached to No. 38, it fronts onto the road, but has its front door and 2no. secondary windows within its eastern side elevation. No changes are proposed to the western side elevation of the former public house and the existing first floor side window will serve a hallway and stairs (as it currently does). It is for these reasons that the proposed development will not adversely affect the amenity of either No. 38 or No. 42 Town End.

8.38 To the rear of the application site is a pair of semi-detached dwellinghouses (No. 6 and 7 Park Lane Close). The rear gardens of these properties adjoin the rear (northern) boundary of the application site. The rear of the application site rises steeply upwards towards No. 6 & 7 Park Lane Close and therefore the windows in the rear elevations of the proposed dwellinghouses will directly face the rear gardens, with no direct view towards these properties. A separation distance of approximately 48 metres will also be maintained, significantly exceeding the distance specified in the Space About Dwellings SPG. It is for these reasons that the proposed development will not adversely affect the amenity of No. 6 or No. 7 Park Lane Close.

8.39 The front of the building does not directly face any dwellinghouses on the opposite side of Town End.

8.40 For the reasons outlined above, the proposed development will not have a detrimental affect on neighbouring amenity and it will comply with policy DC1 of the Local Plan (2020) and the NPPF (2021).

Future Occupiers

8.41 Part (3d) of policy H1 of the Local Plan (2020) states that *'all new dwellings should aim to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space Standards...'*

8.42 Each of the 3no. proposed dwellings will exceed both the overall minimum internal size dimensions and the minimum internal bedroom sizes detailed within the Government's Nationally Described Space Standards. The proposed dwellings will therefore be of a size that allows future occupants to enjoy a good standard of living accommodation.

8.43 The Space of About Dwellings SPG details a minimum garden size for new dwellings. Each of the 3no. proposed dwellings will benefit from a private yard area immediately to the rear, with the former beer garden subdivided into a garden for each of the dwellings. The yard and garden areas for each dwelling exceeds the minimum requirement of 65m². Each of the proposed dwellings will therefore benefit from a high level of external private amenity space.

Conclusion

8.44 The proposed conversion will not adversely affect neighbouring amenity or the amenity of future occupiers. It will therefore comply with policy DC1 of the Local Plan (2020) and the NPPF (2021).

Highways

8.45 Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves.

8.46 The proposed development will result in the creation of 3no. dwellinghouses; two with 2-bedrooms and one with 3 bedrooms. According to the Parking Standards contained within Appendix 2 of the Local Plan (2020), each dwellinghouse is required to provide one off-street parking space; a total of three parking spaces.

8.47 No off-street parking is proposed for the 3no. dwellinghouses. The building is sited on the back edge of the pavement, with no land to either side falling within the applicant's land ownership. The former public house did not have a car park.

8.48 Concern has been raised by members of the public in respect of the lack of parking provided by the development and the effect additional vehicles will have in an area where the parking of vehicles is, in their opinion, already difficult.

8.49 Paragraph 111 of the NPPF (2021) states that:

'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

8.50 The Highways Engineer has assessed the application and raised no objection. In forming his response, the Highway Engineer made the following comments:

'No parking is proposed for the dwellings. However, no parking was available for the previous use as a public house.

The red line is drawn to match the front and side walls of the building. This appears to mean the future occupants of plots 1, 3 and 4 will need access over third party land.

The site is located just outside of Cheadle town centre. The site is on a bus route. There are bus stops opposite (eastbound) and within 70m (westbound). On street parking is available, but this appears to be already in high demand.

Given the sustainable location and lack of parking associated with the former commercial use, it would be difficult to argue that the effect on the highway could be considered severe.

Future residents will be aware that there is no formal parking available with the dwellings and should take this into consideration.'

8.51 Due to the application site's sustainable location, the occupants of the proposed dwellinghouses will be within walking distance of public transport, Cheadle town centre with its shops and services, local supermarkets, schools, doctor's surgeries etc. Future occupants can therefore reside within the proposed dwellinghouses without needing to rely on a car. A reduction in the parking standard detailed within Appendix 2 of the Local Plan (2020) is therefore acceptable in this instance.

8.52 The concerns of the public have been taken into account in respect of the lack of parking and the problems they currently face. However, in order to refuse an application on highway grounds, the application would either need to be *'unacceptable on highway safety'* or the *'residual cumulative impacts on the road network would be severe'*. The Highways Engineer has concluded that this would not be the case for the proposed development. Therefore the proposed development will not have a detrimental effect on highway safety and it will comply with policies DC1 and T1 and the NPPF (2021).

Ecology

8.53 Policy NE1 outlines that the biodiversity of the District will be conserved and enhanced by positive management and the strict control of development by (1) protecting and enhancing habitats and species of principal importance for conservation; (2) ensuring development produces a net gain in biodiversity and; (3) any unavoidable impacts are mitigated.

8.54 The planning application is accompanied by a Bat Survey Report produced by Fauna Forest Ecology that was subsequently updated when the application was amended from four dwellinghouses to three. It should be noted that no works are

proposed to the roof of the former public house and the survey was undertaken on this basis.

8.55 The updated survey concluded that:

- Public house: There is ample access for bats to enter the building, either via gaps leading beneath the raised tiles or from beneath the ridge tiles or lead flashing. In addition to this, each of the loft voids provide a suitable environment for bat species known to occupy loft voids. A small number of relatively old bat droppings were discovered near the loft hatch of the northern loft void during the daytime building examination. These droppings were collected. No bats were seen during the visit.
- Toilet Block: In terms of the building's suitability for roosting bats, very many of the roof tiles are raised and/or dislodged, providing either suitable roosting space for roosting bats, and/or a means of access into the loft or between the tiles and the bitumen felt. The loft void was heavily cobwebbed during the site visit which suggests no bats had recently used the loft void to fly within. Furthermore, no evidence of bats was discovered in any part of the toilet block building during the daytime building examination.
- The former public house building is suitable for use by common nesting birds, particularly at eaves level and inside the roof area. No evidence of bird nesting was found during the surveys.
- The proposals are considered small scale. It is understood the proposed works will only impact the toilet block to the rear of the main building.
- Results from the nocturnal bat surveys highlight the importance of the dark garden area north of the toilet block, which during the nocturnal surveys, pipistrelle bats frequently utilised as commuting and foraging grounds.
- Care should be taken not to inappropriately illuminate the garden area, as light spill over the garden may result in a reduction of bat activity. This also applies to the main former public house building (because bat droppings were discovered in the loft, therefore this building is likely to support roosting bats). If lighting is required, impacts to nocturnal animals (namely bats in this instance) should be appropriately mitigated. In addition to this, noise should also be considered. In view of this, the following recommendations have been made:
 - Light spill is to be controlled and if lighting is required at night, hooded shields are to be fitted to prevent spill onto nearby habitats such as the rear garden area. If there is risk of light spill over the garden, then a specialist lighting engineer should be appointed with a view to design a lighting scheme that will cause minimal impact on nocturnal animals. This would then ideally be reviewed by the Local Planning Authority ahead of installation.
 - During the construction phase, works should not be carried out after dusk and do not commence until after dawn.
 - It is recommended that generators and machinery that emit significant noise levels are not left to run through the night.

- No additional nocturnal surveys are recommended, however the construction team should be mindful of bats throughout the entirety of the project. If in the unlikely event bats are discovered during the works, then contractors must stop work immediately and contact Fauna Forest Ecology Limited, who will either provide an appropriately licensed bat worker to the site or provide a member of staff who will liaise directly with the contractor. Actions will then be taken following advice given.
- The building (and surrounding garden area) is suitable for use by a number of common bird species. If works must commence within the bird nesting period (February to September), it is recommended that a suitably qualified ecologist is appointed to inspect the site for nesting activity ahead of works commencing. Works should not be initiated until the ecologist has confirmed that no nesting birds exist within the area of impact. If an active nest is discovered, an exclusion zone should be established, and works must be halted in that area until the nest is no longer active. Works should not commence without confirmation from a suitably qualified ecologist that no nesting birds exist within the area of impact.

8.56 The conclusions of the Bat Survey Report are accepted. Therefore, subject to a condition being attached that requires the development to be undertaken in accordance with the report's recommendations, it is considered that the proposed development will not adversely affect protected species or their habitats.

8.57 To gain a net increase in biodiversity, Staffordshire Wildlife Trust recommends the inclusion of bat features and bird boxes and for a good quality landscaping scheme which incorporates native planting and habitats such as hedgerows, flower-rich grassed areas, wetlands and trees suitable to the site. These can be conditioned accordingly. Subject to such conditions being attached, it is considered that the development will achieve a net gain in biodiversity.

8.58 It is for these reasons that the proposed development will comply with policy NE1 of the Local Plan (2020) and the NPPF (2021).

9. PLANNING BALANCE AND CONCLUSION

9.1 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 and will meet one of the aims of the Cheadle Area Strategy. The proposed development is considered acceptable in principle and will comply with policies SS2 and SS7 of the Local Plan (2020).

9.2 The proposal will result in the loss of a community facility; a former public house. The application site is within the town of Cheadle, within 5 minutes walking distance of the town centre, where there are numerous other public houses available to meet the needs of the community. The nearest public house to the application site is JD Wetherspoons which is 480 metres east along the same road. The loss of the public house will therefore comply with part 3a of policy C1 of the Local Plan (2020).

9.3 No objection is raised to the proposed design of the external alterations and the development will not adversely affect amenity or ecology, subject to conditions.

9.4 No off-street parking to proposed for the 3no. dwellinghouses and concern has been raised regarding the lack of parking provision in the vicinity and the issues experienced by existing residents. However, the application site is located within a sustainable location, within walking distance of shops, schools, places of employment and services. The proposed accommodation will suit first time buyers or people downsizing and buyers will be aware that no parking is available when they decide to occupy the dwellings. The Highways Engineer is aware of the issues raised but does not consider the impact will be 'severe'; the bar that a development needs to meet for it to be refused on highway grounds. On this basis, the application is considered acceptable in terms of highway safety.

9.5 The demolition of the rear modern toilet block will enhance the appearance of the Listed Building by removing an uninspiring modern building and revealing the original rear elevation of the building. This will not cause any harm to the significance of the Listed Building. Equally, the replacement of 2no. external doors with new doors is acceptable providing a condition is attached requiring details to be submitted. These works will therefore not cause any harm to the significance of the Listed Building.

9.6 The insertion of a new opening within the front elevation to create a door, the lowering of a window cill and the insertion of French doors within the rear elevation; and the subdivision of the rear yard into 3no. gardens with fencing will all result in some harm to the significance of the Listed Building. The level of harm will be '*less than substantial*'.

9.7 The proposed change of use from what was originally part public house, part dwellinghouse and most recently, wholly a public house, to 3no dwellings will result in the provision of much needed new housing for the public at a time when the Council cannot demonstrate a 5-year housing land supply. The proposed dwellinghouses will comprise 2no. two-bedrooms and 1no. three-bedroom houses, providing a mix of housing for the public and the potential for first-time buyers to get onto the housing ladder, or for people to downsize. The housing will be in a highly sustainable location, within a short walk of Cheadle town centre and public transport. The proposed change of use will result in a Listed Building, that is currently stood empty, being re-used, preventing its deterioration if it were to remain empty.

9.8 The proposed development can be secured with limited alterations to the historic fabric of the existing Listed Building and it will result in part of the Listed Building returning to its original use as a dwellinghouse. The proposed change of use from public house to 3no. dwellinghouses is therefore considered to secure the optimum viable use of the building.

9.9 The public benefits associated with the proposed development, including securing its optimum viable use, when weighed against the '*less than substantial*' harm caused by the minor amendments to the historic fabric of the Grade II Listed Building, are considered to outweigh the identified harm.

9.10 In conclusion, the Council does not currently have a 5-year supply of housing and therefore the policies contained within the Local Plan (2020) in respect of housing are out-of-date. The application should therefore be approved, unless the

application of policies in respect of heritage assets provide a clear reason for refusing the development proposed. As outlined above, the public benefits associated with the proposed development will outweigh the less than substantial harm caused to the Listed Building. On this basis, the application is recommended for approval.

8. RECOMMENDATION

A. That planning permission be APPROVED subject to conditions:

- 1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.
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 permitted shall be carried out in accordance with the following approved plans:
- 2021/691/000
- 2021/691/001
- 2021/691/002E
- 2021/691/003C
- 2021/691/004C
Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.**
- 3. The windows and external doors of the development hereby approved shall be painted timber and shall be retained in such a form thereafter.
Reason:- To maintain the character and integrity of the Listed Building.**
- 4. Prior to the construction of the dwellinghouse hereby approved, samples/details of types and colours of all roofing and facing materials and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason:- To ensure that the external appearance of the development is satisfactory.**
- 5. The development hereby approved shall be undertaken in accordance with the recommendations detailed within chapter 4 of the Bat Survey Report produced by Fauna Forest Ecology dated April 2022
Reason:- In order to ensure the protection of protected species.**
- 6. Prior to the occupation of any of the dwellinghouses hereby approved, details of both bat features and bird nesting boxes and their precise locations shall be submitted to and approved in writing by the Local Planning Authority. The approved features/boxes shall be erected prior to the occupation of any of the dwellinghouses hereby approved and shall be retained thereafter.
Reason: To ensure the development achieves a net gain in biodiversity.**

- 7. Prior to any works to subdivide the rear garden areas, a comprehensive landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of all new trees, shrubs and any other planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. Details shall also be included that indicate how the landscaping will achieve a net gain in biodiversity.**

The hard landscaping so approved shall be fully implemented prior to the occupation of the dwellinghouse. The soft landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved.

The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason:- In the interests of the visual appearance of the development, the amenities of the area, to achieve a net gain in biodiversity and to protect the existing bat habitat.

- 8. Prior to any works to subdivide the rear garden areas, details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason:- In the interests of the visual appearance of the development and the amenities of the area.

- 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/informatives/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.**

Site Location Plan

