

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

12th May 2022

Application No:	SMD/2021/0546	
Location	The Swan Inn, Town End, Cheadle	
Proposal	Listed Building Consent for 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 that it be called-in if the Planning Officer was minded to recommend approval. The call-in was on the grounds of there being no provision for any off-street parking to the units and the 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 been closed since mid-2020. 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 terrace properties, set back behind the rear elevation of the public house and elevated above the public house.

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 Listed Building Consent 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 gardens for each of the dwellings, as well as a bin storage area for all three units.

3.3 Details of the application scheme can be viewed at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=151785>

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 Full planning permission is sought for the same development under SMD/2021/0530, 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
- DC1 Design Considerations
- DC2 The Historic Environment

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
- 4: Decision making
- 12: Achieving well-designed places
- 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, all of which objected to the proposed development. Only one comment raised concern with the impact of the development on the Listed Building, stating:

'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

7.2 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

7.3 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.

7.4 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.

7.5 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. Advice on securing a buildings 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.

7.6 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.

7.7 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 an 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.

7.8 Planning Officer's Comment: An amended Heritage Statement was submitted to support the application. Conservation matters are discussed in more detail below.

Ancient Monuments Society

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

7.10 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."*

7.11 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."*

7.12 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.

7.13 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

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

8. OFFICER COMMENT AND PLANNING BALANCE

Policy Context

8.1 Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

8.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in assessing planning applications the Local Planning Authority has a duty to have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest.

Principle of Development

8.3 The principle of development can only be deemed acceptable if the character and appearance of the Listed Building will be preserved or enhanced.

Impact on the Heritage Asset

8.4 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.

8.5 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.

8.6 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.

8.7 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.

8.8 Listed Building Consent is sought for:

(a) Externally:

- The demolition of the single storey toilet block constructed circa 2000;

- The insertion of 1no. door within the front elevation of the public house;
- The replacement of the existing door within the front elevation with a new door;
- The replacement of an existing internal door within the rear elevation with an external door that will be solid to the bottom and glazed to the top;
- 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; and
- The erection of fencing to demarcate the 3no. separate rear yard areas.

(b) Internally:

- The removal of the modern bar;
- The removal of the cellar staircase;
- The construction of 2no. staircases;
- The construction/thickening (for fire prevention purposes) of 3no. internal walls of varying lengths to the ground floor;
- The construction/thickening (for fire prevention purposes) of 2no. internal walls of varying lengths to the first floor;
- The blocking up of 2no. doors – one to the first floor and one to the ground floor;
- The removal of some existing stud partitioning to both the ground floor and first floor; and
- The construction of some stud partitioning to the first floor.

8.9 The revised 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.*

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

9. PLANNING BALANCE AND CONCLUSION

9.1 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.

9.2 The majority of the internal works involve the removal of modern fixtures and fittings. One new staircase will be located in the position of a previously removed staircase. None of the limited number of original features retained within the building will be affected by the proposed works. The replacement of 2no. external doors with new doors is acceptable, providing a condition is attached requiring details to be submitted for approval. These works will therefore not cause any harm to the significance of the Listed Building.

9.3 The insertion of 1no. new staircase, 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.

9.4 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 stood empty, being re-used, preventing any deterioration to the property if it were to remain empty.

9.5 A letter from an estate agent accompanies the planning application that indicates that 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. 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.

9.6 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.

9.7 Subject to conditions requiring the works to be undertaken in accordance with the submitted drawings; for joinery details to be provided of the proposed doors, windows and staircases; and for the windows and doors to be fabricated in timber, it is considered that the proposed development will comply with policy DC2 of the Local Plan (2020) and the NPPF (2021).

10. 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 Section 51 of the Planning and Compulsory Purchase Act, 2004 and Section 18 of the Listed Buildings Act.**
- 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 any work commencing on any of the new or replacement windows and external doors, joinery details to a scale of either 1:10 or 1:20 shall be submitted to and approved by the Local Planning Authority. Details should include: the recess depth of frame within the aperture; moulded timber sections; finish; opening mechanism; and glazing bar subdivision. The development shall be undertaken in strict accordance with the approved details.
Reason:- To maintain the character and integrity of the Listed Building.**

- 5. Prior to the construction of the 3no. staircases, joinery details to a scale of either 1:10 or 1:20 shall be submitted to the Local Planning Authority for the approval of their appearance and materials. The development shall be undertaken in strict accordance with the approved details.
Reason:- To maintain the character and integrity of the Listed Building.**

- 6. Prior to the insertion of any ventilation cowls and ducts, details including location, colour and size shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.
Reason:- To maintain the character and integrity of the Listed Building.**

- 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

