

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**28<sup>th</sup> March 2024**

<b>Application No:</b>	SMD/2023/0147	
<b>Location</b>	Former New Inn, Denford Lane, Longsdon	
<b>Proposal</b>	Demolition of existing public house and erection of farm shop and cafe/restaurant with associated works including change of use of adjacent field to car park, upgrading and improvement to existing field access and hard and soft landscaping.	
<b>Applicant</b>	Upperdales Developers Ltd	
<b>Agent</b>	Sammons Architectural Ltd	
<b>Parish/ward</b>	Longsdon / Horton	<b>Date registered</b> 20 <sup>th</sup> April 2023
<b>If you have a question about this report please contact:</b> Arne Swithenbank tel: 01538 395578 or e-mail <a href="mailto:arne.swithenbank@staffs Moorlands.gov.uk">arne.swithenbank@staffs Moorlands.gov.uk</a>		

**REFERRAL**

The application is a Full – Minor and is referred to the Planning Applications Committee at the request of Cllr Worthington and also because the applicant is related to Cllr Oliver Pointon.

**1. SUMMARY OF RECOMMENDATION**

<b>Refuse</b>
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**2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 2.1 The Location is in the Green Belt. The application site includes the former New Inn and its curtilage, along with additional field land beyond. The New Inn and its curtilage received planning approval on the 21<sup>st</sup> January 2011 for conversion to two dwellings. This followed a marketing exercise which had shown the premises to be un-marketable as a public house.
- 2.2 In November 2012 approval was granted once again to convert the pub to two dwellings but this time the scheme also included two additional detached dwellings to be erected alongside. This approval was carried forward following a re-submission in 2016. The development included consent for demolition of an outbuilding and this has taken place. There were no requirements for pre-commencement submissions and it can be accepted that with the demolition of the outbuilding having taken place this development has commenced.

- 2.3 The New Inn ceased trading in December 2008 and the building has since deteriorated year on year to now a semi derelict state, widely regarded as an eyesore. As noted, a marketing exercise was carried out in support of the 2010/11 consent which was accepted as demonstrating the site was unviable as a public house.
- 2.4 With the commencement of the 2016 consent the current proposal site has acquired residential planning status for that part of the site covered by that earlier consent. The area of the approved development was stated as being about 0.12 hectares but scales more accurately from plan as 0.15 hectares. The current proposal now under consideration (amended drawing 01 F) extends to 0.41 hectares. The proposal thus adds 0.29 hectares of land with no previous planning status beyond being agricultural. As first submitted the current scheme had a proposed site area of c.0.55 hectares.
- 2.5 The deteriorated condition of the former pub has been noted. The building is two storey with a typical ridge height of about 5.6m. It stands on an L plan layout with its eye-catching main front of length 14m facing on to Denford Road. The side elevation to Leek Road runs 17m along the roadside with a series of diminishing outriggers and is notable for its plain simplicity and having few windows. The building has a prominent roadside position and is the first seen on entering towards Longsdon from the west. It appears at first an isolated building against a green back drop of fields and wooded, more distant higher ground. The location is pre-eminently rural in character. Once alongside the former pub, the Grade II\* Listed St Chads church and some traditional-appearance brick dwellings of the village are seen with it. The New Inn is recorded in the Staffordshire Historic Environment inventory as having been established by 1817.

### **3. DESCRIPTION OF THE PROPOSAL**

- 3.1 This is a full application for the demolition of the former pub building and its replacement with a significantly larger two storey building, again on an L plan layout with elevations facing on to Denford Lane and Leek Road but flared apart to greater than 90 degrees. In revised drawing 03B the main roof ridge height would be set at 7.6m. The building would have a length of 30m alongside Leek Road and 30m alongside Denford Road. The materials chiefly would comprise red brick and blue plain tiles with some use of coursed natural stone in part.
- 3.2 All access would be off Denford Road at the south end of the building and would lead to an 80 vehicle car park.
- 3.3 The application is stated as having a proposed gross internal floor space of 524m<sup>2</sup>. Taking into account the stated former pub floor space of 265m<sup>2</sup> this would represent a 259m<sup>2</sup> net increase in floor space.

- 3.4 The application is accompanied by a Heritage Assessment (16pp); Contamination and pollution assessment / remediation reports; and Ecology Surveys. There is no Design and Access Statement to accompany the application and this has been raised with the applicant's planning agent a number of times (eg 3<sup>rd</sup> and 31<sup>st</sup> May 2023 and more recently). The application therefore does not provide any documented information to explain why the development is justified in planning policy terms and in particular does not address the Green Belt.

#### **4. RELEVANT PLANNING HISTORY**

- 4.1 SMD/2009/1078 [09/00879/FUL] – Demolition of Public House and erection of three detached dwellings – withdrawn.
- 4.2 SMD/2010/0417 [10/00350/FUL] – Conversion of Public House (A4 use) to form two dwellings (C3 use) – withdrawn.
- 4.3 SMD/2010/0839 [10/01055/FUL] – Conversion of vacant Public House (A4) to form 2No. dwellings (C3) – approved (21<sup>st</sup> Jan 2011).
- 4.4 SMD/2011/0409 [11/00216/FUL] – Redevelopment of site to replace existing public house and flat above with 2No. dwellings – withdrawn.
- 4.5 SMD/2012/0669 [12/00872/FUL] – Conversion and extension of former public house and erection of two dwellings – approved.
- 4.6 SMD/2016/0542 – Conversion and extension of former public house into residential and erection of two dwellings (resubmission of 12/00872/FUL) – approved.

#### **5. PLANNING POLICIES RELEVANT TO THE DECISION**

##### **5.1 Local Plan (adopted 9<sup>th</sup> September 2020)**

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS3 Future provision and distribution of development
- SS10 Other Rural Areas Area Strategy
- E1 New Employment Development
- E4 Tourism and Cultural Development
- TCR3 Retailing and other town centre uses outside town centres
- DC1 Design Considerations
- DC2 The Historic Environment
- DC3 Landscape and Settlement Setting
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport

**National Planning Policy Framework December 2023**

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 5 – Delivering a sufficient supply of homes; 6 – Building a strong and competitive economy; 8 – Promoting healthy and safe communities; 9 – Promoting sustainable transport; 11 – Making effective use of land; 12 – Achieving well designed and beautiful places; 13 – Protecting Green Belt land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

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

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

**Local Plan Supporting Evidence Documents:**

- Landscape and Settlement Character Assessment (2008)

## **6. CONSULTATIONS CARRIED OUT**

### **Public**

6.1 The latest consultation expiry date was 6<sup>th</sup> June 2023 (site notice). A total of five neighbouring dwellings were notified directly by letter.

6.2 In response to the neighbour / site publicity 11 representations received with nine raising objections though some identifying some points in favour; a further two expressly in support. Issues of concern / objection as follows:

- risk of drainage from the development leading to pollution of ground water supplies and springs
- loss of heritage through demolition of the pub
- change of green field to car park in the Green Belt
- increased traffic and safety risks exiting from Denford Road on to A53
- there need to be associated traffic calming measures
- there needs to be associated street lighting to Denford Road
- overflow parking should have grass with matting system
- car park development is inappropriate in the Green Belt
- housing as previously proposed was acceptable but this would generate excessive traffic
- this is a 'stand-alone' shop that is not on a farm
- shop and restaurant would be out of character with the area which is predominantly housing
- where is the demand compared with the need for housing
- the area should remain residential
- being a continuous two storey construction the building will give a solid impression on the junction detracting from the openness of the green belt setting. The previous application for residential houses would have allowed for views through and to the green belt.
- extends beyond the original New Inn boundaries and onto agricultural, green belt land with no good reasons for this

- no indications given as to hours of opening

6.3 The two representations in support raise the following:

- The development would remove the current eyesore
- Would also vastly improve road danger of the junction
- if approved SMDC should insist on a very early start and prompt completion this project, as previous applications have been passed but not proceeded resulting in the current state of the building.
- Shop for the area would be welcome
- good social meeting point for locals

### **Longsdon Parish Council**

6.4 No objection in principle but – concerned the application mentions access to a mains sewer but there is no mains sewer in Longsdon; – within the scheme, there should be a very early start to the demolition of the extremely dangerous existing building on the site.

### **SCC Highways**

6.5 The following is the Highways Authority consultation response.

Recommendation Summary: Conditional

Site visit conducted on 3<sup>rd</sup> May 2023

#### **CONDITIONS**

1. Before the proposed development is brought into use details of a minimum 2.0m wide kerbed footway between A53 Leek Road to the proposed pedestrian access off Denford Road, generally as indicated on 2021-2631-01 D, but subject to technical approval, shall be first submitted to and approved in writing by the local planning authority and shall thereafter be constructed in accordance with the approved plans.

2. Before the proposed development is brought into use details of the junction improvement at Denford Road/Leek Road, and site access improvement generally as indicated on 2021-2631-01 D, but subject to technical approval, shall be first submitted to and approved in writing by the local planning authority and shall thereafter be constructed in accordance with the approved plans.

3. The development hereby permitted shall not be brought into use until the visibility splays of 2.4m x 70m at the site access shown on plan ref. no 2021-2631-01 D have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

4. The development hereby permitted shall not be brought into use until the visibility splays of 2.4m x 120m at the Denford Road/Leek Road junction shown on plan ref. no 2021-2631-01 D have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

5. 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 plan 2021-2631-01 D. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.

6. The development hereby permitted shall not be brought into use until a surface water drainage interceptor, connected to a surface water outfall, has been provided across the access immediately to the rear of the highway boundary unless otherwise agreed in writing by the Local Planning Authority.

#### REASONS

ALL To comply with NPPF Paragraph 110; to comply with SMDC Local Plan Policy DC1; in the interests of highway safety.

1. To comply with NPPF Paragraph 112; to comply with SMDC Local Plan Policy T1 and T2; in the interests of pedestrian safety.

6. To prevent surface water flowing onto the highway.

#### IMPORTANT INFORMATIVES TO BE INCLUDED ON DECISION NOTICE

The conditions and proposals requiring highway works of provision of footway with full height kerb and junction improvements shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to ([road.adoptions@staffordshire.gov.uk](mailto:road.adoptions@staffordshire.gov.uk)). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.

<https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx> Highways Agreements - Staffordshire County Council

#### Note to planning officer:

Application is to demolish existing pub and construct farm shop and restaurant.

Existing pub building obstructs visibility to the north east. Demolition of the pub building would be an improvement in itself. Application proposes to set proposed buildings back to provide 4.5m x 120m visibility which is a significant improvement and is acceptable to Highways. This could be reduced to 2.4m x 120m. Visibility is also proposed to be improved to the south west to provide 4.5m x 120m. The brow of the hill would prevent full provision but clearance of vegetation and wall on the splay line would be an improvement and maximise available and achievable visibility. This also could be reduced to 2.4m x 120m.

The junction is within 40mph speed limit zone. Junction is proposed to be improved to provide greater radius to ease turning into Denford Road. This would be beneficial for deliveries to the farm shop/restaurant and an improvement in highway safety.

81 parking spaces are proposed. Considering parking standards, based on number of seats illustrated in restaurant, 31 spaces are required for restaurant. 50 FTE staff are proposed, which for the restaurant use would be a maximum of 25 spaces - but not all employees will be in the restaurant. Based on GFA of the farm shop, up to 11 spaces may be required if food use is applied. Parking requirement of 62 spaces would be required. 81 spaces are proposed appears to be reasonable and appropriate for the location.

Considering trip generation, a stand-alone restaurant of this size would be expected to generate 12 trips at peak hour. An A1 use of this would be expected to generate 10 trips in peak hour. However, restaurant is not standalone and farm shop is not a convenience store. 22 peak hour trips would be an extremely robust assessment and likely beyond that generated. Even 22 trips could not be considered severe in the context of A53 flows.

There are bus stops close to the site and footway on A53. This footway is to be extended to the pedestrian access point under this proposal. A53 has streetlighting.

Condition is recommended for drainage interceptor to prevent surface water flowing off the site onto the highway. This could also be addressed by laying the car park to levels to direct water away from highway onto grassed areas.

Current records show that there was 1 personal injury collision (PIC) on Leek Road within 120 metres either side of the Denford Road in the previous five years. Although all PICs are regrettable, the overall volume of collisions does not suggest there are any existing safety problems that would be exacerbated by the proposed development.

### **Severn Trent Water**

- 6.6 No issues regarding waste collections.

### **SMDC Environmental Health**

- 6.7 No outright objection; notes absence of Planning Statement and omission of details for example for hours of opening or any on-site plant and machinery or likely processes.
- 6.8 Twelve conditions recommended in total: limits on timing of noisy activities during development work; measures to limit pollution during construction; control of artificial lighting; up-dated site risk assessment for contamination prior

to development with report to be submitted to LPA plus remediation strategy if pollution found and verification report to confirm complete; measures in the event of encountering unexpected contamination; no top soil to be imported until tested and confirmed suitable in accordance with a methodology to be first submitted and agreed; control of plant and machinery noise; regulation of delivery timings; no amplified music shall be played outside the buildings; prior to commencement full details of arrangements for internal air extraction, odour control, and discharge to atmosphere from cooking operations, including any external ducting and flues, shall be submitted to and approved in writing by the LPA, all to be installed and operational prior to coming into use of the development and thereafter retained; drainage measures including oil interceptor to separate car park pollution from water run-off; opening hours. Attach informative.

### **Severn Trent Water**

- 6.9 No objection subject to condition that the development hereby permitted shall not be commenced until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority, and that the scheme shall be implemented in accordance with the approved details before the development is first brought into use. Reason: This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution. Also to note: would not permit a surface water discharge into the public foul sewer, and recommend the applicant seeks alternative arrangements – please note, would insist soakaways and other SUD techniques are investigated before considering a discharge to the public surface water sewer with restricted rates.
- 6.10 IMPORTANT NOTE: This response only relates to the public waste water network and does not include representation from other areas of Severn Trent Water, such as the provision of water supply or the protection of drinking water quality.

### **Staffordshire Police**

- 6.11 Comments are made with particular reference to the Police CPI's Secured by Design guidance and in accordance with the recognised principles of Crime Prevention through Environmental Design.
- 6.12 - the parking area will not have 'natural' surveillance due to it be at the rear and screened from the road by the buildings  
- important therefore to restrict unauthorised access out-of-hours  
- ensure strong secure exterior doors to stock storage and kitchen access  
- recommends specific 'accredited' exterior doors and windows / glazing  
- makes detailed recommendations about CCTV installation and operation



- 6.13 Requests informative in the event of permission to provide document references to site security advice publications.

### **SMDC Regeneration – economic development response**

- 6.14 Economic impact of the scheme has been assessed by reference to HCA Employment Density Guide 3rd edition and using the Council's approved multipliers.
- 6.15 The Employment Density Guide adopts a range of one FTE per 15-20 sq metres. The proposed gross internal area of 524sq metres therefore would represent an estimated FTE employee number in the range of 26 FTE (based on 20sq metres per individual FTE) to 35 FTE (based on 15sq meters per FTE).
- 6.16 Between 4.5 and 9% of employees overall household spend is spent within 2-3 miles of their place of employment. In Staffordshire Moorlands this would equate to £1394 per annum. Based on creation of between 26 and 35 full time equivalent roles the proposed scheme could generate an additional uplift in spending per annum ranging from £36,244 to £48,790 for local shops and traders.
- 6.17 It is recognised by the Council that economic investment in the district, such as through the creation of new businesses and investment in new premises, has positive wider impacts on the local economy, including through stimulation of the supply chain. Additionally the council would benefit from NNDR from the development. In conclusion, there would be a positive economic benefit from the proposed development which should be considered in line with planning policy. Response notes no planning statement accompanying the application.

### **SMDC Planning Policy Team response**

- 6.18 Response uses a 0.52 ha site area derived from the initial submission. Notes Longsdon is a 'smaller village' with limited facilities approximately three miles west of Leek. Cites NPPF paragraphs: 11 – presumption in favour of sustainable development; 61 – a range of size, type and tenure of housing is needed for different groups in the community; 84 – decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside; 85 – decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land... should be encouraged where suitable opportunities exist. Paragraph 174 – decisions should contribute to and enhance the natural and local environment by: - protecting and enhancing valued landscapes (etc).

- 6.19 Cites Local Plan policies SS1; SS10; SS11; E4; DC1; DC3; T1. Notes: There is no planning support statement to accompany this application and no evidence from the applicant to demonstrate very special circumstances. The site lies within the Green Belt within the open countryside.
- 6.20 In terms of the planning history, the rationale for allowing the two dwellings in the Green Belt were enabling development to enable the pub to be restored. These dwellings were not built and no efforts have been made to restore the pub. The pub itself is not listed, nor is it a non-designated heritage asset despite dating back to at least 1817. It is not clear, in the absence of a planning statement, why the farm shop and café/restaurant could not be created through the restoration of the existing building.
- 6.21 Nonetheless, the proposal could make use of the existing footprint of the pub, once demolished in accordance with the NPPF guidance on redevelopment of land in the Green Belt where it would not have a greater impact on the openness of the Green Belt. It is understood that the proposal is double that of the existing pub footprint and is not supported. No information has been provided to consider the impact of openness.
- 6.22 It is not clear which farm(s) is linked to this application to support the farm-shop.
- 6.23 If the applicant wishes to cite very special circumstances to support this application, then the information provided to date is inadequate and the job creation needs to be substantiated. Further information is required on the farm-shop and source of products. There is little evidence to justify this proposal and on the basis of the information to date, this application is not supported.

## **7. POLICY AND MATERIAL CONSIDERATIONS / PLANNING BALANCE**

### **Principle of Development and Main Issues**

- 7.1 In its general approach, in accordance with policy SS1, the Council expects the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in the Local Plan shall be approved without delay, unless material considerations indicate otherwise.

#### Green Belt Principle

- 7.2 The site is located within the Green Belt and outside of the Local Plan development boundaries. A portion of the site – about one third – benefits from a live consent for housing (SMD/2016/0542 – for four dwellings) and therefore in principle residential development is accepted on that part. The proposed

new building – which is not residential – is contained within this part of the site along with the proposed access.

- 7.3 The further additional land of the current application representing about 70% of the application site has no development status. It is agricultural land. The new 80 vehicle car park is largely located on this part of the site. There is some evidence of disturbance to parts of this area, perhaps to improve access by importation of hardcore
- 7.4 The planning assessment must start with policy SS10. As the land is in the Green Belt Policy SS10(6) applies which says that strict control will continue to be exercised over inappropriate development allowing only for exceptions as defined by Government Green Belt Policy.
- 7.5 Government Green Belt Policy is set out in the NPPF at section 13 with the approach to decision making in the Green Belt set out at paragraphs 152 to 155.
- 7.6 In relation to the proposed new building (restaurant and retail) there are two potential Green Belt exceptions to consider but neither can be found to apply. NPPF 154(d) allows for *“the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”*. However this is not applicable because the new proposal would not be in the same use as the approved housing scheme that it would replace. It would also fail in being materially larger.
- 7.7 Alternatively it may be considered whether NPPF 154(g) should apply. This provides for *“limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or [the second part is not applicable as it relates to schemes that meet “an identified affordable housing need” which obviously this scheme does not].*
- 7.8 Some 70% of the land in this proposal – and this is land which the scheme ‘depends upon’ for its parking provision – is not previously developed. The proposal therefore cannot comply with the exception at 154(g).
- 7.9 The proposal is therefore inappropriate development in the Green Belt. Such development is harmful by definition. There would also be harm to openness, one of the essential characteristics of the Green Belt. This would be caused in particular by the replacement of field land with a car park and also because the singular solid mass and scale of the proposal building would significantly exceed the more diminutive former pub (otherwise to be converted) and would not have the gap spacings which would arise from the two detached houses and converted pub which would otherwise form three separated elements.
- 7.10 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The proposal would also conflict with one of the main

purposes of including land within the Green Belt namely that of safeguarding the countryside from encroachment.

- 7.11 The totality of Green Belt harm is significant. The NPPF says that LPA's should attach substantial weight to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations.
- 7.12 Although no case for very special circumstances is made in the application, it is known from verbal discussions with the applicant and his agent and representatives (eg meeting 8<sup>th</sup> Aug 2023) that he sees a number of benefits from the proposal. These are that the development would remove a derelict building that has become an eyesore; it would create jobs and contribute to the local economy; it would enable improved junction visibility onto Leek Road; it may draw people to the area and encourage local tourism.
- 7.13 Briefly in response to these points, (i) the extant permission would remedy the derelict building eyesore by its conversion to a dwelling; (ii) the claimed 50 fte jobs is un-substantiated and there is no supporting evidence provided to explain this number – the Council's Regeneration Officer puts the figure somewhere in a range at between possibly 26 and 35 fte; (iii) the scheme would enable some improvement to junction visibility but the current state has been made worse with the temporary high security hoarding which surrounds the roadsides of the building – this would be removed on completion of the approved conversion and commensurate junction visibility improvements are a condition of that approval; (iv) this is not a specifically identified location for tourism development and policy E4(2)(B) would apply.
- 7.14 Not admitted or taken into consideration by the applicant in the submission is the value both economic and social of the four dwellings which the approved housing development would provide. In circumstances of a significant housing shortfall in the District (3.58 years at 1<sup>st</sup> April 2023) and the continued pressure faced by the Council to release greenfield sites outside of development boundaries, the loss of even 4 houses weighs against the application. Nothing has been put forward in the application as to why this existing approved scheme cannot be continued with.
- 7.15 It should also be noted that although the development is 'branded' as a farm shop there is nothing in the application that ties the development to a farm. The plans show the building to be divided between restaurant (predominantly) at 145m<sup>2</sup>; café / takeaway 80m<sup>2</sup>; and a retail unit floor area of 100m<sup>2</sup>. The 'farm-shop' description appears to be a reflection of an intentional marketing image. There are no suggestions that the development is aimed at adding support to an existing farm business plan.
- 7.16 As concluded in paragraphs 7.9 to 7.11 the proposal represents 'inappropriate development' in the Green Belt. No case for very special circumstances has submitted with the application albeit the applicant's intentions so far as they have been gleaned verbally are discussed above (7.12 to 7.13). These

considerations however either individually or collectively do not amount to the very special circumstances necessary to clearly outweigh the harm to the Green Belt identified and other harm discussed elsewhere. As such there is conflict with Policy SS10 and the NPPF. The proposal is not acceptable in principle.

### Heritage

- 7.17 There has been some heritage status ascribed to the New Inn in previous planning assessments and indeed, fundamentally it was on this basis that justification for the new dwellings in the Green Belt was accepted in the 2012 / 2016 consents as those schemes would retain and restore the existing building. The building was added to the Staffordshire Historic Environment Record in August 2012. The building however is not Listed, is not in a Conservation Area and does not appear on a local list. In the Heritage Statement (August 2020) accompanying the current application the applicant's appointed heritage specialist nevertheless defines the former New Inn as a 'non-designated heritage asset' chiefly for reasons of social history based on recognising that it was "for almost 200 years in use as a public house". The proposed demolition must therefore be assessed by reference to NPPF 209 where it says: "In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".
- 7.18 As the proposal is to demolish the building the scale of the loss would be 'total' and accordingly the submitted heritage statement is thorough and detailed. The report says: *"The front elevation of the New Inn is not of architectural interest but the building retains the carcass / building envelope of a building of 1817, with door and window openings still in their original location, with some areas of original graduated roofing slate. It was significantly altered, probably in the 1930s, with loss of original doors and windows, loss of original elevational treatments to all primary elevations. It also has a large flat-roofed extension to the side and rear which further spoils its setting. All of the ancillary buildings which might provide evidential value of how it was used have also been demolished"*. Alterations in the 20<sup>th</sup>C are found to have led to *"a significant loss of historical and evidential value"*. The report concludes the building has *"moderate historic interest; low architectural and artistic interest; low archaeological interest"*.
- 7.19 The proposal would lead to the total loss of the building. Policy DC 2 in accordance with the NPPF requires a 'balanced judgment' (para 209) when dealing with non-designated heritage assets. Given there is scope to retain the existing building through the extant consent for its conversion to housing and given there are other factors that militate against this new proposal there is no strong cause to permit its loss. The applicant's submitted assessment ascribes moderate and low interest values but these are not zero. In reaching a balanced judgement there should at least be a supportable case for accepting the loss even if the values are low. In the absence of a justified requirement the total loss of this non-designated heritage asset weighs against

the application particularly when there is an approved scheme which retains and reuses it.

#### Design – impact on character and appearance

- 7.20 The building would be a very dominant imposing structure against the roadside junction corners. It would greatly exceed the impact and presence of the current building. Materials proposed would be of traditional style – brick, stone, and clay tiles and to that extent in keeping. The elevations on the inside of the courtyard layout appear reasonably un-problematic. In response to the first submitted scheme the applicant was urged to simplify the roadside elevations to reduce the over-dominance. The revision partially succeeds eg in re-positioning a barn door style ground to eaves opening but the large number and size of other openings is tending to the domestic which makes for a contradiction and inconsistency in the architectural theme. Whilst these are matters that could potentially be resolved by further discussion the proposal overall does not comply with policy DC1 chiefly on account of the large scale and dominance of the new building and due to the considerable expansion of car parking into the rural landscape. On the scale proposed the development would be wholly out of keeping with this location.

#### Amenity

- 7.21 The nearest neighbours are The Old Smithy and Kinraig which are about 45m and 85m from the proposed building. Critical to managing the amenity impacts upon these occupiers and other slightly further neighbours would be to condition opening hours, external lighting and management of the car park. SMDC EH make detailed comments in relation to noise and other matters including cooking odours and delivery timings and recommend various conditions as being necessary. With these in place there is compliance with relevant parts of DC1 and SD4 which seek to protect residential amenity.

#### Highways

- 7.22 The Highways Authority supports the application in Highways terms subject to the attachment of their recommended conditions. Referring to the visibility to the left when turning out from Denford Road on to Leek Road the Highways advice is that *“The brow of the hill would prevent full provision but clearance of vegetation and wall on the splay line would be an improvement and maximise available and achievable visibility”*. The plan shows the wall being re-aligned further into the field and a hedge being planted behind. The boundary work would need to be required through a condition.
- 7.23 Regarding visibility to the right the Highways Officer states that the: *“Application proposes to set proposed buildings back to provide 4.5m x 120m visibility which is a significant improvement and is acceptable to Highways”*.
- 7.24 With conditions in place there is no objection on highway grounds and compliance with relevant parts of Policies DC1 and T1 can be achieved.

## **Other matters**

- 7.25 The application includes a range of ecological survey reports including recommendations to ensure appropriate avoidance measures and mitigations and these could be satisfactorily managed by imposed conditions.
- 7.26 Drainage and potential pollution have been raised as concerns by residents. The site however is not in a designated Ground Water Protection Zone and whilst drainage and foul water treatment measures would need to be secured by condition the area of land available to this applicant would seem likely to mean that appropriate environmental controls could be achieved.

## **8. Conclusion and Planning Balance**

### Green Belt Harm

- 8.1 The proposal has been found to be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. There would also be harm to openness, one of the essential characteristics of the Green Belt by replacing field land with a car park. This would create development by the physical overlaying of the undeveloped land with the car park and road surface structure and it would bring a significant impact including loss of openness by its continual use with numbers of vehicles – potentially up to 74 parking on this part. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The development would have an expansive urbanising effect. The proposal would also conflict with one of the main purposes of including land within the Green Belt namely that of safeguarding the countryside from encroachment. The totality of the Green Belt harm is significant and substantial weight must be given to this harm (para 153 of the NPPF).

### Other harm

- 8.2 In addition to this Green Belt harm and as discussed above there would be harm from the design, appearance, scale and impact on the character of the location and conflict with Policy DC1. The proposal would also result in the total loss of a non-designated heritage asset and this weighs against the application particularly given that there is an extant permission in place which retains and re uses this former pub. Furthermore this extant permission also delivers 4 new homes which would be lost in the current scheme. This also weighs heavily against the application in circumstances where the District faces a significant shortfall in housing supply (3.58 years at 1<sup>st</sup> April 2023) and continued pressure to release greenfield sites. Finally Policy TCR 1 seeks to protect the vitality and viability of Leek town centre by focusing and promoting town centre uses such as retail and leisure within the town centre. There is concern that the application represents a relatively large scale offer within a 4km travel distance of Leek town centre. Moreover and somewhat perplexingly,

the proposal comes against a background in which the site was established to be unviable as a public house.

### Benefits

- 8.3 The verbal points raised by the application include the fact that the development would remove a derelict building that has become an eyesore; it would create jobs and contribute to the local economy; it would enable improved junction visibility onto Leek Road; it may draw people to the area and encourage local tourism. As noted above however the extant permission would remedy the derelict building eyesore by its conversion to a dwelling. The claimed 50 fte jobs is un-substantiated and there is no supporting evidence provided to explain this number – the Council's Regeneration Officer puts the figure somewhere in a range at between possibly 26 and 35 fte. The scheme would enable some improvement to junction visibility but the current state has been made worse with the temporary high security hoarding which surrounds the roadsides of the building – this would be removed on completion of the approved conversion and commensurate junction visibility improvements are a condition of that approval. Whether or not this would encourage tourism and draw people into the area is debateable. No evidence is put forward to support this assertion.

### Conclusion

- 8.4 Policy SS10 and the Framework states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. For the reasons above in this case the harm to the Green belt to which substantial weight must be given and other harm identified above is not clearly outweighed by the other considerations verbally put forward by the applicant. A recommendation of refusal is therefore made.

## **9. RECOMMENDATION**

### **A. Refuse for the following reasons:**

- 1. The site is in the North Staffordshire Green Belt. Part of the site is previously developed with a single former public house disused since 2008 and now dilapidated. This part of the site is subject to an extant permission to be developed into four dwellings by erection of two new-build open-market detached dwellings in the pub curtilage and conversion of the pub building. A further 70% of the site lies beyond the approved housing scheme land on un-developed field land in the Green Belt in which it is proposed to layout a car park to provide 74 of the 81 spaces proposed for the development. In its totality the proposal would have a greater impact on the openness of the Green Belt than the**



existing development or the extant permission and thereby represents inappropriate development. The proposal cannot benefit from any of the exceptions set out at either paragraphs 154 or 155 including with regard to 154(d) or 154(g). Inappropriate development in the Green Belt is harmful by definition. The development would, in addition compromise openness by replacing open field land with the urbanising effects of a large car park. Openness and permanence are, the NPPF confirms, the essential characteristics of the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Furthermore there would be conflict with one of the main purposes of including land within the Green Belt namely that of safeguarding the countryside from encroachment. The totality of the Green Belt harm is significant and Local Planning Authorities are required to give substantial weight to any harm to the Green Belt. It is not considered that the other considerations put forward by the applicant amount to the very special circumstances to clearly outweigh the harm to the Green Belt and other harm. It is for these reasons that the proposal is contrary to Policies SS1, SS2 and SS10 of the Staffordshire Moorlands Local Plan and contrary to the advice in the National Planning Policy Framework.

2. The proposal would lead to the loss of four market-value dwellings allowed under a 2016 planning consent which has been commenced but not progressed. At a time of significant shortfall in the local housing supply (3.58 years at 1st April 2023) the loss of even 4 houses weighs against the application. Development of four houses would itself also bring economic benefits; would deal with the building dilapidation and would allow some highway visibility improvement to be realised. For this reason the proposal is found contrary to Policies SS1; SS2; SS3; SS4 and SS10 and to the NPPF.

3. In terms of design and visual impact on the character of the area the proposal would result in a large and visually dominant structure in a publicly prominent position which despite using traditional materials would be an obviously modern development with little functional legibility in its roadside elevations and on account of the large scale and dominance of the new building and due to the considerable expansion of new car parking into the rural landscape would be wholly out of keeping with this location. It is therefore found contrary to Policies SS1; SS10; DC1 (as supported by the Council's adopted Design Guides); and DC3 and to the NPPF.

4. The loss of the existing former pub building which is recorded in the Staffordshire Historic Environment Record and considered a non-designated heritage asset is not justified given that there is an extant approval for its conversion to residential use and notwithstanding that the surviving interest held by the building is limited the total loss of the building is found un-necessary so that in reaching a balanced judgement the loss is found contrary to Policies SS1; SS10; and DC2 and to the NPPF.

## **Informative**

- 1. This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area but ultimately the in-principle concerns cannot be resolved.**

**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**

## **10. APPENDICES TO THE REPORT**

**10.1 The link below to the Council's website is where the detail of this application can be viewed.**

**<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=169264>**

## 10.2 – location plan

