

**8. FULL APPLICATION: CHANGE OF USE FROM PUBLIC HOUSE TO RESIDENTIAL DWELLING WITH ALTERATIONS AND DEMOLITION OF EXISTING REAR EXTENSIONS AND REPLACEMENT WITH NEW AT THE HORSESHOE INN, MARKET PLACE, LONGNOR (NP/SM/0917/0958, P7321, 408822/364938, 06/10/2017/ALN)**

**APPLICANT:** MR ANDY HOWE

**Site and Surroundings**

The Horseshoe Inn is located in a prominent position in the centre of the village of Longnor, on the western side of the Market Place at the junction of Leek Road and Buxton Road. The property is a grade II listed building and is within the Longnor Conservation Area.

The building has three storeys and is constructed in coursed natural gritstone under a stone and blue clay tiled roof. The principle elevation faces south towards Leek Road. To the rear are a number of later extensions and a small yard, enclosed by a high boundary wall.

**Proposal**

Planning consent is sought for the change of use of the public house to a single 6-bedroomed open market dwelling. To facilitate the change of use it is also proposed to demolish the later rear extensions and replace them with new part single-storey and part two-storey lean-to extensions. The new extensions would provide a kitchen and en-suite on the ground floor and wet room on the first floor.

**RECOMMENDATION:**

That the application be **APPROVED** subject to the following conditions:

1. 3 year implementation time limit.
2. Adopt amended plans.
3. Residential curtilage to be limited to area edged red. Existing picnic tables to be removed before dwelling is first brought into use.
4. Remove permitted development rights for alterations, extensions, outbuilding, gates, fences and walls.
5. Details drawings (1:2 scale) of joinery details, including finish to be submitted and agreed prior to commencement of any joinery.
6. Details of tile vent terminals to be submitted and agreed prior to insertion of any vent terminals.
7. Details of rainwater goods to be submitted and agreed.
8. Agree sample panel of new stonework (including head and cills to windows) and sample of stone slates/clay tiles.
9. Existing rear boundary wall to be lowered in accordance with approved plans without demolition and re-build and any infilling to use reclaimed stone from the wall only.
9. Details of any external lighting to be submitted and agreed.

## **10. Minor design details.**

### **Key Issues**

1. Whether the principle of the loss of the community use is acceptable.
2. Whether the principle of conversion to an open market dwelling is acceptable.
3. Impact on the designated heritage assets.
4. Impact on amenity.
5. Highway and Parking Issues.

### **History**

1981 – planning permission granted for new toilets to public house.

1988 – listed building consent granted for replacement sash windows.

1995 – planning and listed building consent granted for alterations and rear extensions.

1997 – planning and listed building consent granted for alterations to provide additional letting accommodation.

January 2017 – enquiry with Built Environment Team with regard to conversion of pub to a residential dwelling.

### **Consultations**

Highway Authority – no objections. The current use of the building is as a pub with no off street parking. A pub is likely to have greater parking demand than a private dwelling. If it were to remain as a pub there would be more of a parking issue than if it were a dwelling. There is on street parking available and the car park in the village centre. Any purchaser of the building would purchase it in the knowledge that there is no dedicated parking available.

District Council – no response

Parish Council – strongly objects on the following grounds:

- The application incorrectly states that there is sufficient parking available – Longnor regularly experiences a severe overload of parked cars.
- Proposals would significantly change the external appearance of the Grade II listed building which would change the character of the centre of the village.
- Road safety issues – children living there could not play safely – site is surrounded by roads and loading areas.
- Local people disagree with the assertions made regarding the previous use and history of the building.
- The village needs publicly accessible buildings to welcome visitors. Permanent removal of a public amenity should not be done without proper consultation.

Authority's Conservation Officer – concerns raised with regard to the submitted scheme and its impact upon the fabric of the listed building. No objections to the amended plans subject to conditions regarding the submission and agreement of design and finish of joinery, tile vent terminals and rainwater goods.

## **Representations**

Six letters of objection have been received from local residents on the following grounds (in summary – full details are available on the public file):

- Concerns about impact upon the designated heritage asset.
- Concerns about possible ‘privatisation’ of the public area in front of the property.
- Submitted Heritage Statement is inaccurate with regards to the length of time the pub has been closed.
- The accommodation may be used as a guest-house/hotel, for which there is no requirement in the village.
- No off street parking is proposed and the site is in an area where there is already congestion.
- The pub is a community asset and the statement that there is ‘no commercial interest’ in it is premature. It has the potential to be a successful pub business.
- The Grapes has recently re-opened and is a thriving pub in the community.
- The current owners have made no effort to market the building to the licensed trade.
- The proposals are for a large house but with limited outdoor amenity space for children to play in.
- Any new housing in the village should be affordable housing for local people.
- Doubt expressed that the building was ever a residential dwelling.

## **Main Policies**

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L3, HC1, HC4.

Relevant Local Plan policies: LC4, LC5, LC6, LC8, LT11, LT18

## **Development Plan**

Core Strategy Policy HC4 C states that proposals to change the use of buildings or sites which provide community services and facilities including shops and financial and professional services to non-community uses must demonstrate that the service or facility is:

- I. no longer needed; or
- II. available elsewhere in the settlement; or
- III. can no longer be viable.

Wherever possible, the new use must either meet another community need or offer alternative community benefit such as social housing. Evidence of reasonable attempts to secure such a use must be provided before any other use is permitted.

HC1 states that provision will not be made for housing solely to meet open market demand but that exceptionally, new housing can be accepted where it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings.

L3, LC5 and LC6 require that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance or special interest.

LC8 allows for the conversion of building of historic or vernacular merit to other uses provided the new use can be accommodated without harm to its character.

LT11 and LT18 require development to be served by a safe access and that the design and number of parking spaces must respect the valued character of Conservation Areas.

## National Planning Policy Framework

The National Planning Policy Framework (the Framework) is a material consideration in the determination of any planning application. Paragraph 115 within the framework says that great weight should be given to conserving landscape and scenic beauty in National Park which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage should be given great weight in the National Park.

Paragraph 28 states that planning policies should promote the retention and development of local services and community facilities in rural villages (including public houses).

Part 12 of the NPPF addresses the historic environment in detail. Paragraph 129 sets out that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal. The NPPF defines significance as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic.

Paragraph 132 goes on to set out 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. The more important the asset, the greater the weight should be. Any harm or loss should require clear and convincing justification.

Paragraph 134 establishes that when a development proposal will lead to "less than substantial harm" to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Overall the Development Plan is considered to be in accordance with the policies in the Framework when taken as a whole because both documents seek to support the prosperity of rural communities, and promote the retention and development of local service provision, including local shops and public houses. Both documents also seek to secure high quality design that would conserve the valued characteristics of the National Park.

## **Assessment**

### Issue 1: Whether the principle of the loss of the community use is acceptable.

Policy HC4 C seeks to protect community facilities by requiring that any applications to change the use of such facilities to other uses must demonstrate that the service is no longer needed; or is available elsewhere in the settlement; or can no longer be viable.

Public houses are recognised as community facilities within the National Planning Policy Framework, as it is acknowledged that they can enhance the sustainability of communities and residential environments. Currently there are two public houses trading within Longnor village - the Cheshire Cheese and the recently re-opened Grapes Inn. The former Crewe and Harpur Hotel was converted to self-catering holiday accommodation in 2010.

As submitted, the details provided with regard to the background to the closure of the Horseshoe Inn were inaccurate. During the course of the application correspondence from the brewery has been received which confirms that the public house was put on the market in January 2012, although it continued to trade under short term tenancies until May 2015, when it closed. The submitted Design and Access statement states that declining sales was a reflection of National trends in rural pubs attributed to the success of the drink driving campaign and the impact of supermarket and discount retail operations and states that the available trade in Longnor may be insufficient to cover the costs of three public houses in the village.

A letter has also been received from one of the companies that marketed the pub. The letter states that the pub was marketed for 4½ years using mailshots, website advertisement, in-house

magazines and a for sale board at the property. The letter states that 3,024 requests for details were received with 20 formal viewers. It goes on to say that whilst these are healthy figures the level of 'secondary' or follow up interest and offers was negligible.

Therefore whilst no detailed information has been provided with regard to the viability of the public house, it appears that reasonable attempts have been made to market it as a going concern. However notwithstanding any marketing attempts the key fact is that only one of the three criteria in policy HC4 is required to be met. In this case whilst the concerns of the Parish Council and local residents are fully recognised, it is considered that there is a reasonable offer of other public houses (both serving food) within the village to serve the local community and therefore whilst the loss of the Horseshoe Inn as a public house is regrettable, community life would not be significantly impacted by its loss.

With regard to the second part of HC4 C, which relates to alternative uses, the Parish Council has not come forward with any other suggested community need that is not currently being met within the village and due to the listed status of the building, it is considered that subdivision to create multiple smaller local needs units would be likely to lead to harm to the special qualities of the heritage asset. As such, an alternative use as social housing is not considered to be appropriate in this instance.

#### Issue 2: Whether the principle of conversion to an open market dwelling is acceptable.

Core Strategy policy HC1 states that provision will not be made for housing solely to meet open market demand but that exceptionally, new housing can be accepted where it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings.

The Horseshoe Inn is a grade II listed building and according to the Historic England List Entry it was originally a house. The building dates from the early 19<sup>th</sup> century and is an attractive building that occupies a prominent position in the centre of the village. It can be argued that restoring the building to the use for which it was originally designed would secure its optimal viable use in accordance with the National Planning Policy Framework (NPPF). The listed building is falling into disrepair and therefore the principle of conversion to a single open market house is acceptable provided that it can be demonstrated that the proposed scheme achieves conservation and/or enhancement of the listed building and its setting.

#### Issue 3: Impact on the designated heritage assets.

Policies L3, LC5 and LC6 require that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance or special interest. The NPPF sets out that great weight should be given to the conservation of designated heritage assets.

The scheme as amended shows the creation of a lounge/diner, kitchen, en-suite disabled bedroom, wetroom and utility on the ground floor, three bedrooms each en-suite on the first floor and two further bedrooms and bathroom on the second floor. As submitted the plans showed the lowering of floor levels in the rear wing of the building which resulted in the destruction of a cellar vault and the infilling of the cellar. The Conservation Officer was also concerned that the reduced floor levels would spoil the proportions of the fireplace openings in the former kitchen, leaving them suspended above floor level. Following negotiations amended plans have been received showing floor levels and the cellar left unaltered and the positions of the kitchen and disabled bedroom swapped to give level entry from the main reception rooms of the house.

The plans show the subdivision of a large room at the front of the building at first floor level to provide two bedrooms and associated wetrooms. It is considered that the subdivision resulted in less than substantial harm to the listed building mainly because of the necessity to modify the

second floor structure and because it would no longer be possible to appreciate the original function of the space, but it is considered that in accordance with para 134 of the NPPF the public benefit of finding an optimum viable use for the building outweighs the harm.

As initially submitted the plans showed unacceptable alterations at second floor level including the provision of stairs within each of the two bedrooms to provide acceptable head height under two trusses. Amendments have now been made in consultation with the Conservation Officer which omit the stairs.

Externally initial plans to insert a number of Velux rooflights have been amended to omit them and improvements to fenestration details have been made.

The later extensions to the rear of the building have been built in an ad-hoc fashion in a way that causes harm to the significance of the designated heritage asset. Their demolition and replacement with more sensitively designed lean-to extensions is therefore welcomed in principle. The submitted plans showed the introduction of a 2.7m wide opening on the rear elevation, coupled with the reduction in height of an existing 2.5m-3m high rear boundary wall to 1.2m high. Officers consider that the boundary wall contributes to the character of the Conservation Area by creating a sense of enclosure to the narrow lane to the rear of the property. The proposed reduction in height of the wall would open up the streetscene and therefore cause harm. In addition as a consequence of its reduction in height the large glazed opening, which was out of keeping with the character of the property, would be clearly visible from the lane. It is appreciated that some reduction in the height of the wall is justified to improve the amenity to the rear yard and to improve light levels to the rear rooms. Following negotiations amended plans have been received showing the wall reduced to between 1.5m and 2.3m in height and the large glazed opening replaced with a more traditionally proportioned window.

As amended it is considered that the scheme would conserve and enhance the character of the listed building and its setting within the Conservation Area in accordance with policies HC1, L3, LC5 and LC6 and the guidance contained within section 12 of the NPPF.

#### Issue 4: Impact on Amenity

Core Strategy policy GSP3 and Saved Local Plan policy LC4 require that attention must be paid to the impact on living conditions and communities.

One of the issues raised by objectors is that the proposed dwelling would have only a very limited residential curtilage and therefore it is more likely that the property would be rented out as holiday accommodation or a hotel or 'party house'. It is acknowledged that if permission were granted for the current proposals, the resulting 6-bedroomed dwelling would be served by a very limited residential curtilage in the form of an enclosed rear yard measuring approximately 23 sqm in area. This lack of space would not prevent the property from being used as a single, permanent dwelling, but it is recognised that it might be attractive to the owner to let it out as a single holiday cottage. If permission were granted there would be no restrictions to this use (in the same way as any other open market dwelling could be sold or rented as a second home or holiday unit) and it is not considered that such a use would create any additional impact on amenity over and above a permanent dwelling. If however, the applicant wished to use the property as a hotel or as a 'party house', then depending on the level and nature of that use, it would constitute a material change of use that would require separate planning permission.

For clarity, the area in front (south) of the building, which has been laid out with picnic tables in association with the pub, does not form part of the application site edged red and forms part of the public highway. Any incursion into this area could be dealt with by the Highway Authority as landowner and would also constitute a change of use. A condition to remove the existing picnic tables is considered to be necessary and reasonable.

With regard to the impact of the proposals upon the residential amenity of neighbouring properties, there are residential properties on the opposite side of Leek Road to the south. Principle windows on one of these properties are around 11m away from the front elevation of the application building. This is below the usual threshold for facing principle windows but given the existing use as a pub (where rooms on upper floors could have been used as letting rooms) and the presence of the intervening road, it is not considered that the impact on amenity would be more harmful in terms of opportunities for overlooking. Properties to the rear (north) – 1 and 3 Carder Green are separated from the rear elevation of the pub by the existing boundary wall and fencing and are also set back from the road frontage such that it is not considered that there would any significant opportunities for overlooking.

Given the established use as a public house it is considered that any impacts as a result of noise and general disturbance from a private house are likely to be less significant than at present.

#### Issue 5: Highways and Parking

There is no off-street parking provision currently associated with the application site and none is proposed. Residents of the property would be required to park on the surrounding highway. Whilst this is not ideal, the Highway Authority has raised no objections on the basis that a public house is likely to generate greater parking demand than a private dwelling and that there is unrestricted on-street parking in close proximity to the site. Consequently a refusal of planning permission based on the lack of off-street parking provision would not be sustainable.

The proposals therefore accord with the NPPF and Saved Local Plan policies LT11 and LT18 in these respects.

#### Conclusion

Whilst the value placed on this public house as a community facility by members of the village is appreciated, the concerns expressed about its loss do not outweigh the fact that there are two other public houses within the village which can serve the ongoing needs of the community in accordance with adopted policies. It has been demonstrated that, as amended, the scheme would conserve and enhance the designated heritage asset and that an open market use is required, in the terms of policy HC1. Any impacts on amenity and highways and parking would be no more than significant than from the established use of the building as a public house. The application is therefore recommended for conditional approval.

#### Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

#### List of Background Papers (not previously published)

Nil