

DELEGATED DECISION REPORT

HPK/2023/0401 & HPK/2023/0402	1 SPINNERS ARMS MARSDEN STREET HADFIELD	FULL PLANNING & LISTED BUILDING CONSENT FOR PROPOSED CHANGE OF USE OF EXISTING PUBLIC HOUSE TO DWELLINGHOUSE
Valid 21/09/2023	GLOSSOP	
(FULL - MINOR)		

MAIN ISSUES

- Principle of Development
- Design & Conservation
- Amenity
- Parking Provision and Highway Safety

DESCRIPTION OF SITE

The Full Planning (HPK/2023/0401) and Listed Building Consent (HPK/2023/0402) applications relates to the former Spinners Arms Public House, Hadfield. Online research shows that the use as a Public House ceased in 2008, and has been vacant ever since.

The Spinners Arms is a Grade II Listed Building, situated within a prominent location within the built-up area boundary of Hadfield village, and within the Hadfield Conservation Area, at the junction of Queen Street and Marsden Street. Hadfield Road lies a short distance further west which is separated by a small amenity area known as Sparrow Park. This area of the village is home to a number of Listed Buildings and therefore the building is highly sensitive to any change.

The main part of the former Public House comprises a two storey end of terrace, with a simple rectangular form, with an end gable fronting Queen Street.

As a result of permissions granted in 1982 and 1991, extensions (both single and two storey) of an odd form, made up of conflicting roof forms, protrudes outwards from the rear, together with a yard area, bounded from the public highway by a high stone wall.

The building depicts a traditional character and appearance with walls finished in a natural stone, slate tiled roof characterised by a large chimney stack, and fenestration finished in a sage coloured timber, bounded by traditional headers and sills.

PROPOSAL

The applicant seeks Full Planning Permission and Listed Building Consent for the change of use of this former now redundant Public House to a single dwellinghouse, which includes internal alterations, the demolition of existing rear extensions, and re-roofing of existing roofs.

The Floor Plans submitted with the applications show the main part of the former Public House to have a ground floor comprising a Kitchen, Lounge, Dining Room, and Home Cinema. The First Floor of the main part of the house consists of 4no. Bedrooms and a Shared Bathroom.

The two storey annex to the rear is shown to serve a Utility Room and Dry Store beyond, with a fifth Bedroom with En-Suite Bathroom above. Part of the existing flat roof extension would be demolished to create an internal Garden/Yard area. A new flat roof and skylight is shown to be added at ground floor level between the Dry Store and Yard area.

The proposal has been the subject of revised plans further to concerns raised by the Council's Conservation Officer and the Highways Authority (Ref: 003-B, 006-B, 007-B) which are the subject of assessment within this report.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

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.

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- S3 Strategic Housing Development
- S5 Glossopdale Sub-area Strategy
- EQ6 Design and Place Making
- EQ7 Built and Historic Environment
- E4 Change of Use of Existing Business Land and Premises
- H1 Location of Housing Development
- E3 New Housing Development
- CF5 Provision and Retention of Community Services and Facilities
- CF6 Accessibility and Transport

National Planning Policy Framework 2023

Achieving Sustainable Development	Chapter 2
Delivering a Sufficient Supply of Homes	Chapter 5
Promoting Sustainable Transport	Chapter 9
Making Effective Use of Land	Chapter 11
Achieving Well Designed and Beautiful Places	Chapter 12
Conserving and Enhancing the Historic Environment	Chapter 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0001/7371 &
HPK/0001/7576 For Proposed Extensions To Public House And First Floor
Licensees Flat (Approved)

HPK/0003/0113 &
HPK/0003/0114 Kitchen Extension to Public House (Approved 21/01/1991)

HPK/2006/0133 &
HPK/2006/0134 Fascia Boards, Pictorial and Amenity Boards
(Approved 12/04/2006)

HPK/2022/0287 Demolish existing extension, internal alterations, re-roof x2
using original materials and internal works (Withdrawn)

CONSULTATIONS

Publicity

Site Notice expiry date: 29th December 2023
Neighbour consultation period ends: 16th October 2023
Press Advert: 26th October 2024

Public Comments

None

Town / Parish Comments

N/A

Historic England

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

HPBC Conservation Officer

Initial Response:

Before I can provide a sound response I am querying the following:

Firstly, the reasoning behind the need to address the roof in such quantity, when I cannot see an assessment or investigation provided to demonstrate this is required and therefore justified (see drwg ref: MR-001-005-A). This appears to be one of the three proposed elevation drawings to mention this albeit vaguely.

Second, regarding windows... to the rear the proposed drawings show eradication of existing units to 'match' the front however I do not see justification for this. The existing do not 'match' and I assess this to be deliberate in terms of the building's historic development. The proposed rear elevation drawings show a sanitised and odd elevation, as the existing contributes to the humble intricacies of the building. Forcing the reinstatement of an imaged original contravenes SPAB guideline. Further, see final wording of Historic England Listing description below, describing said units wishing to be removed in this project:

"..Rear elevation has bracketed eaves cornice and 2 storey extension, irregular fenestration with a first floor single 16no. pane sash window under deep lintel, single inserted 9 pane casement, two 2 pane casements and 16 pane window with lower 4 panes blocked.."

For completeness an image dated April 2014 is shared with the Case Officer demonstrating said original units.

Regarding setting, I do not feel that it has been thoroughly considered. The inclusion of parking within the setting of both the building and C Area is unnatural, and I do not feel it is an enhancement. The existing condition do not appear neutral in the vicinity, however with a new large void and addition of 'sliding gate' as per proposed Site Plan I am concerned this will exacerbate visual conflict.

Further Response:

(In response to revised plans (Rev B) and Structural Engineers Report)

This is acceptable as it now seems as though they are only addressing a small portion of the roof to the out shots.

Happy to see the listed windows are being retained.

Environmental Health

No observations to make.

Derbyshire County Council Highways

The proposal seeks the change of use an existing public house (Spinners Arms) to a 5no. bedroom. The application site was the subject of a proposal under HPK/2022/0294 to convert the public house into 2no. dwellings, it appears that the application was withdrawn.

Whilst this proposal is for a single dwelling rather than two, previous comments which are as follows still apply:

The access off Queen Street indicated on the submitted plans has severely restricted exit visibility and its formation would not be acceptable to the Highways Authority.

Whilst some off street parking provision for the proposed dwelling would be beneficial, especially as there appears to be a high demand for on street parking spaces in the vicinity of the site, the lack of any off-street parking provision is not considered sufficient to warrant an objection in this instance based on the sites extant use.

In addition to the above there appears to be marked parking spaces fronting the public house which are not included within the red outline boundary, confirmation as to whether these spaces are associated with the Spinners Arms and within the applicants control would be appreciated.

Nonetheless, the Highway Authority recommends that the proposed vehicular access to Queen Street is omitted from the proposal, and that a car free development is considered unless it is the case that the applicant is in control of the marked parking spaces fronting Spinners Arms.

Therefore, it is recommended that the applicant is given opportunity to submit revised detailed in view of the above comments.

OFFICER COMMENTS

Principle of Development

The proposal seeks the change of use to convert a former redundant Public House to a single 5no. bedroom dwellinghouse.

Chapter 5 of the NPPF contains national planning policies aimed to deliver a sufficient supply of housing. Paragraph 70 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and that great weight should be given to the benefits of using suitable sites within existing settlements for homes.

Chapter 11 of the NPPF contains policies aimed to promote the use of previously developed (brownfield) land. Paragraph 124 states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs.

The site lies within the built-up area boundary of Hadfield, which is defined as a Larger Village under Local Plan (LP) S2 which allows for moderate forms of development. LP Policy S3 sets out the strategic housing policy for the Borough which seeks to target the vast majority of housing towards the towns and larger villages.

LP Policy H1 supports the development, including re-use and conversion, of unallocated sites within the built-up area boundary of towns and villages for housing development.

Having regard to the above local and national strategic policies, the principle of new housing development in this location is acceptable, subject to other Local Plan policies and material considerations.

The site comprises a former redundant Public House that ceased trading in the late 2000's. LP Policy CF5 refers to the Provision and Retention of Local Community Services and Facilities and seeks to resist proposals involving the loss of community assets and facilities (including public houses) unless it can be demonstrated that the existing use is no longer financially or commercially viable, and there are no other means of maintaining the facility, or an alternative facility of the same type is available or can be provided in an accessible location.

Whilst the loss of any Public House is undesirable, it is clear that this Public House has not been in operation for over 15 years. As such, and given that there in excess of four other active Public Houses within the village of Hadfield within walking distance of this premises, it is considered that the applicant is on this occasion not required to demonstrate the commercial viability of the buildings' last lawful use as a Public House and that the principle of conversion is acceptable having regard to LP Policy CF5.

Lastly, the proposal relates to a Grade II Listed Building that lies within the Hadfield Conservation Area.

As such, in order to be acceptable, the scheme is required to demonstrate that the proposed change of use and any associated development to facilitate the dwellinghouse will either preserve or enhance the historic fabric and architectural interest of the Listed Building, and the character and appearance of the wider Conservation Area, in accordance with LP Policy EQ7, and restrictive relevant paragraphs contained within Chapter 16 of the NPPF, underpinned by Sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

Design & Conservation

Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.

LP Policy EQ7 has regard to the Built and Historic Environment. It states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.

Chapter 5 of the Design Guide SPD (2018) contains useful guidance relating to conversions, stating that alterations should be undertaken with care, and that the key to a sensitive approach is to take note of what is already there before preparing the design and to work with, and not against, the building's character, with the aim being to revitalise the building without altering its fundamental character.

Paragraph 135 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

Chapter 16 of the NPPF contains the national restrictive policies relating to the Conservation and Enhancement of the Historic Environment. Paragraphs 200-203 set out how a Local Planning Authority should assess the significance of a heritage asset and how to assess the potential impact of development upon that asset. Where a proposal will lead to substantial harm or total loss of a designated heritage asset, local planning authorities should refuse consent unless there are substantial public benefits that outweigh that harm. Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits.

The application relates to a Grade II Listed Building located within a highly sensitive area within the Hadfield Conservation Area, within the setting of a number of nearby Listed Buildings. As such, any change of use to this building and any alterations need to be handled in a sensitive manner.

The application has been supported by a comprehensive Heritage Statement prepared by a suitably qualified heritage consultant, which was lacking previously and led to the most recent application for a change of use being withdrawn.

Other than minor changes that remove the infrastructure associated with the Public House, the historic internal floor layout has been largely retained which ensures that the significance of the structural interior will be retained.

The application as submitted was the subject of concerns raised by the Conservation Officer with regards to the reasoning and justification for works to the roof and design of proposed fenestration. Concerns were also raised with regards to the introduction of off-street parking and sliding gate.

The applicant has taken account of these comments by submitting a detailed Structural Engineers Report that negates and justifies the proposed works to the roof of the existing annex, and has submitted revised plans which shows the omission of off-street parking provision and sliding access gate, which also show changes to the design of fenestration.

In its revised form, the Conservation Officer has confirmed that the proposal is acceptable and ensures that the historic fabric and architectural interest will be preserved, particularly with regards to the retention of existing windows. The removal of what are considered to be unsympathetic rear additions are welcome and will not harm the historic interest of the building.

Having regard to the comments of the Conservation Officer, and revised plans submitted by the applicant, it is considered that the proposed conversion in its revised form with all supporting facilitating development, will preserve the historic fabric and architectural interest of the Listed Building, and by virtue of omitting the new access and retention of existing historic windows, will preserve the character and appearance of the Hadfield Conservation Area, in accordance with LP Policies S1, EQ6 and EQ7, relevant paragraphs relating to the historic environment contained under Chapter 16 of the NPPF, underpinned by Sections 66 and 72 of the Act 1990.

Amenity

LP Policy H3 relates specifically to new housing development and requires all developments to provide a high standard of amenity for future users by virtue of demonstrating compliance with Nationally Described Space Standards (NDSS), which includes minimum standards for residential units as a whole, and bedroom size, based on occupancy.

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes

residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

The High Peak Residential Design Guide SPD requires development to preserve the residential amenity of neighbouring properties, having regard amongst other things to the relationship between existing and proposed development, the positioning of windows, and the change in land levels. A minimum of 21m should be achieved between existing and proposed habitable windows.

Paragraph 135 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The existing Public House benefits from a large interior across two floors including a rear annex, and comfortably exceeds the minimum NDSS for a 5no. bedroom dwellinghouse, including bedroom sizes. The amenity of future occupiers would be further enhanced by virtue of the proposed internal Garden/Yard area. As such, the proposed dwellinghouse would provide a high standard of amenity for future occupiers in accordance with LP Policy H3.

Turning to potential impacts on neighbouring properties, the latest revised plans show that the proposed converted dwellinghouse will work with the existing building and take advantage of existing habitable windows in the front and side elevation.

It is acknowledged that the windows serving the Kitchen and Dining Room at ground floor level, and Bedroom 3 at first floor level fronting Queen Street would directly face habitable windows in principal elevations serving those properties on the opposite side of Queen Street, and fall significantly below the recommended 21m minimum space standard.

Given the precise layout of the window in relation to the rooms they serve, both the ground floor Kitchen window and first floor bedroom window is secondary and as such it is both appropriate and reasonable to ensure that both windows are obscure glazed in the interest of protecting privacy and overlooking. For similar reasons, the En-Suite Bathroom windows in the two storey rear annex should be obscure glazed.

With regards the Dining Room window, this represents the sole source of natural light to this room, but is situated in the far corner (not centrally) within this room. As such, it is considered on balance that it is acceptable for this window to remain in situ without obscure glazing as any loss of privacy would be severely limited, due to the nature of the room, and its size and location relevant to the layout of the room it serves.

Whilst the bedrooms serving the first floor Bedroom 1, and Bedroom 5 have windows that overlook the amenity area associated with the neighbouring property No.3 Marsden Street, it is the case that these rooms already serve habitable room as part of the dwellinghouse above the Public House. As such, the proposed internal layout would not be materially different to the existing context and is acceptable.

In light of the above, it is considered that the proposed development would provide a high standard of amenity of all future occupiers of the dwellinghouse and will satisfactorily preserve the amenity of neighbouring properties, in line with LP Policy EQ6, the Residential Design Guide SPD, and relevant paragraphs under Chapter 12 of the NPPF.

Highway Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan.

Paragraph 114 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users.

Paragraph 115 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The site does not benefit from any off-street parking provision, and prior to being redundant, comprised a ground floor Public House with first floor dwellinghouse above.

In its original form, the application included provision for off-street parking and a new vehicular access on to Queen Street. However, consistent with comments associated with the previously withdrawn application, the Highways Authority have raised significant concerns regarding the introduction of a new access, exit visibility and potential impacts on highway safety.

Owing to these concerns, the revised plans show the omission of this new access and any off-street parking provision. Whilst it is acknowledged that the proposed dwellinghouse would not be served by any off-street parking, and would result in vehicles parking on-street, in conflict with LP Policy CF6, it is important to note that the site already includes a residential unit above the former Public House.

In addition, the site is located within a highly sustainable location within Hadfield village, within easy walking distance of everyday services and facilities, and public transport links.

Taking account of the above, it is considered that the lack of off-street parking provision and minor conflict with parking guidelines and LP Policy CF6 can be justified in this instance, and that owing to the omission of the new vehicular access gate, the proposed development in its revised form would not give rise to any adverse highway safety impacts.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The applicant seeks Full Planning and Listed Building Consent for the proposed change of use of the redundant former Spinners Arms Public House, Hadfield.

A detailed assessment of these applications confirm that the principle of development with regards to the change of use and location of the dwellinghouse is supported, owing to the fact that there are a number of active Public Houses within walking distance of this site and that the pub was last in active use some 15 years previous.

Further to revised plans being submitted, the application has, to the satisfaction of the Local Planning Authority, demonstrated that the proposed change of use would preserve the historic fabric and architectural interest of the building, and preserve the wider setting of the Conservation Area. Moreover the development would subject to appropriate conditions, preserve the amenity of neighbouring properties.

It is acknowledged that the proposed development would fail to provide off-street parking in line with the Council's parking guidelines, and as such there would be a degree of conflict with LP Policy CF6. However, when taking account of the fact that the site already supports a first floor residential unit that does not benefit from any parking and the highly sustainable location of the site, it is considered that the conflict with LP Policy CF6 is not sufficient to warrant a credible reason for refusal and as such the lack of parking is on balance acceptable on this occasion.

In light of the above, the Full Planning (HPK/2023/0401) and Listed Building Consent (HPK/2023/0402) applications are both considered to constitute a sustainable form of development and having regard to LP Policy S1a and paragraph 11 of the NPPF, is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : **Approve Planning Permission and LBC with Conditions**

Case Officer: James Stannard

Recommendation Date: 19th February 2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council