

Application No: 21/5804M

Application Type: Listed Building Consent

Location: Frank R Marshall And Co, Marshall House Church Hill, Knutsford, Cheshire East, WA16 6DH

Proposal: Listed Building Consent to (1) Change of use of former auctioneers and valuers office/sales room to be used for flexible use purposes to allow weddings, celebratory events, conferencing, offices, bar and restaurant (sui generis) (2) Part single storey and part two storey rear and side extension (3) Internal and external alterations to listed building in association with the proposed change of use (4) Associated external works including to landscaping, garden area, car parking and servicing

Applicant: Peter Smith One London Road Ltd,

### Summary

The proposal is for change of use of a Grade II listed former school within Knutsford Town Centre Conservation Area to a flexible use for weddings and events. Proposals would include extensions to the rear and side of the building. There has been harm identified to the designated heritage assets; however this harm is considered to be less than substantial harm, balanced by public benefits of the scheme putting a currently disused listed building back into a viable suitable town centre use.

**Summary recommendation** Approved subject to following conditions

## 1. REASON FOR REFERRAL

1.1. The application has been referred to the Northern Planning Committee by the Head of Planning due to the nature of the issues that are raised.

## 2. DESCRIPTION OF SITE AND CONTEXT

2.1. The application building is a former late Victorian school grade II listed building. It is listed under the name of "Former Egerton Church of England School". The building is understood to date from the 1890s, built of brick with terracotta details and slate roof, in the Gothic Revival style. The Egerton family of Tatton Park were one of the original landowners of what now makes up much of Knutsford.

2.2. The building lies within the Knutsford Town Centre conservation area, and adjacent to the Grade II listed former Town Hall (now “Lost and Found” restaurant) and opposite Grade II\* St John the Baptist Church within spacious grounds. There are several other listed buildings in close proximity. It is also within an area of archaeological potential as identified on the adopted policies map. The site fronts onto Church Hill, which links two of the main routes through the Town Centre, Princess Street and King Street. There is access via a pathway also adjacent to the rear boundary of the site. To the east of the site are several residential properties. The site also lies within a primary shopping area as identified on the adopted policies map.

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

3.1. This application seeks Listed Building Consent for the change of use of the existing building from an auctioneer and valuers office / sales room to a flexible use to include weddings and events, conferencing, offices, bar and restaurant with a two storey side and single storey rear extension plus internal alterations and landscaping.

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

An accompanying application for full planning permission appears elsewhere on the agenda alongside this application for LBC – ref: 21/5803M.

09/4015M Location of three metal storage containers. Approved with conditions 18/03/10 (two year permission)

05/2212P Provision of disabled access & single storey rear extension. Approved with conditions 10/10/05

05/2211P Provision of disabled access & single storey rear extension. Approved with conditions 10/10/05

97/0907P Alterations and insertion of mezzanine floor to part. Approved with conditions 16/07/97

97/0906P Alterations and part change of use from sale room to offices with property sales (A2). Approved with conditions 23/07/97

97/0904P Demolition of detached former toilet block. Approved with conditions 16/07/97

25448P Demolition of existing derelict toilet block and erection of single-storey furniture & household goods store (listed). Approved with conditions 11/03/81

24218P Erection of furniture & household goods store. Approved with conditions 14/01/81

### **5. NATIONAL PLANNING POLICY**

5.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.

## 6. DEVELOPMENT PLAN POLICY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

### 6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

#### **Cheshire East Local Plan Strategy (LPS)**

MP1 (Presumption in Favour of Sustainable Development)

SD1 (Sustainable development in Cheshire East)

SD2 (Sustainable development principles)

SE 1 (Design)

SE 7 (The Historic Environment)

#### **Site Allocations and Development Policies Document (SADPD)**

HER 1 (Heritage assets)

HER 4 (Listed buildings)

### 6.3. Neighbourhood Plan

Policies of the Knutsford Neighbourhood Plan relevant to the application are:

D1 The Knutsford Design Guide

D2 Local Distinctiveness

HE1 Landmarks, Views, Vistas and Gateways

HE2 Heritage asset

HE4 Re-use of Historic Buildings

## 7. Relevant supplementary planning documents or guidance

7.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

7.2. Knutsford Town Centre Conservation Area Appraisal (2005)

7.3. List description:

*SJ7478 CHURCH HILL 792-1/3/15 (North West side) 13/02/73 Former Egerton Church of England School (Formerly Listed as: CHURCH HILL Egerton Church of England School)*

GV II

*School, now in commercial use. c1880. Brick with terracotta dressings and Welsh slate roof. PLAN: main range with recessed entrance wings each side, and parallel range to rear. EXTERIOR: 2-storey, 5-window, range, the principal storey to the first floor with trefoiled*

*mullioned and transomed windows, those each side of centre beneath tall gabled dormers. Ground floor has segmentally-arched mullioned and transomed windows. Moulded eaves cornice, steep roof with ridge cresting, slate hung spirelet, and end wall stacks. Entrances in lower recessed wings each side. Boys' entrance to left, with hipped roofed pavilion block beyond. Girls' entrance to right, in pavilion block. Both have gabled porches with deeply moulded arches, and lettering in low-relief terracotta work above the arch. INTERIOR: not inspected.*

## 8. CONSULTATIONS

**Knutsford Town Council** – comments on initial design: While the council welcomes the application, it is felt the proposal would benefit from some alterations.

The manner in which the extension joins or 'breaks through' into existing building, to ensure the protection of the archaeology of the building.

The design of the front elevation would be complimented by the addition of glazing bars found in the existing building.

The rear elevation would benefit from some architectural alterations which might create more visual interest, and whilst this is a rear elevation, it is still visible from another neighbouring street.

Cycle provisions to meet policy T2 of the Knutsford Neighbourhood Plan.

Restrictions for disposal of operational waste

Following revisions the Town Council raised no objections subject to addressing cycling provision

## 9. Representations

3 letters of representation have been received. The key points are summarised below:

### 9.1. Objection from a local resident regarding initial proposal:

- Supports principle of change of use which can underpin restoration works and ensure structural and economic sustainability.
- NPPF requires that great weight should be given to conserving the asset and sustaining its significance. The impact of the proposed development on the setting will also require assessment.
- Historical background of the building provided
- Historic significance of former school, setting also contributes to its significance, close visual, spatial, architectural and social relationship with listed former town hall (II) and St John's parish church (II\*)
- No pre-application advice sought.
- Revised heritage statement provides historical analysis. Concludes negligible impact – not borne out by plans submitted.
- Accepts that external works will have a positive impact on the street scene
- Relationship with Lost and Found changes radically, not proven that development as a whole will have a positive impact on the setting of listed buildings and character of the conservation area.
- Layout of the building and hierarchy of spaces is not analysed. No justification for location of proposed extensions in relation to these elements. Extensions lead to irreversible invasive intrusion into external fabric, seriously compromise the historic fabric, contrary to claim of negligible impact.
- Structural changes to four ground floor windows on northern elevation to provide access to rear extension are particularly damaging to visual and architectural integrity of the building. KNP HE4 – Planning applications which result in the loss of, cause unacceptable

harm to, or negatively impact on, the significance of heritage assets (designated or non-designated) will be resisted.

- KNP D1 to preserve nationally and locally listed buildings, also to enhance setting and significance and give them new roles and purposes whenever possible in the economic, social and cultural life of the town – only partially achieved. HE 4 lays out criteria to be met, including that external alterations are minimal and do not significantly alter the appearance of the building. Design Guide and policy D2 indicate how applications might respond, for example – reinforce local character and identity through locally distinctive design and architecture.
- Planning Statement sets out architectural approach to design of extensions asserting that they are subservient and have a mass approximately one third of the existing, therefore minor impact and less than substantial harm.
- Proposals constitute harm – increase in floor area from 647.6 sqm to 969.6 sqm, 49.72% - no justification or business case. In contrast ref 15/3019M for change of use from retail to restaurant bar - Lost and Found – involved no external extensions to floor space of 750 sqm.
- Two storey side separated by narrow glass strip. Mass and form neither physically or visually subordinate to main building, nor sympathetic to character which has prominent symmetrical façade. Balcony introduces further discordant addition – a void bereft of structural vertical features.
- Distinctive Victorian features of western elevation lost behind the two storey extension. Although set back new frontage will partially obscure two architecturally significant windows of the main building when viewed from the west.
- Extension will hide symmetry and obscure four Victorian ground floor windows to north. Extensions form a bland, featureless brick structure despite introduction of some panels of corten cladding.
- All facades of listed buildings are important to historic significance. Dominant and unsympathetic form of the proposed extensions will drastically alter two elevations of the former school, fail to meet criteria 1 of KNP HE4.
- Question over whether building can accommodate the requirements of the use without seriously compromising historic fabric and setting.
- 3 Questions: - whether extensions are of sufficient architectural quality to respect the historic buildings and enable significance to be better appreciated and understood – not a debate on whether a traditional or modernistic design is appropriate. A modern design is accepted as appropriate to distinguish old from new,
- Whether proposed change of use requires the large extra floor space – can additional space be provided for catering, cloakroom but less for bar and private dining. Extensions adds to costs requiring a high volume of use as yet unproven in Knutsford.
- Extent of whether the changes and harm is offset by public benefit. Insufficient information to set out the activities for night time economy.
- Exemplifies an approach to solving problem of a disused and declining building characteristic of an important era of Knutsford. Insufficient evidence for answers to questions above. Request refusal until consultation with relevant stakeholders undertaken and revised plans prepared.

## 9.2. Comment from member of the public for initial proposals, considered relevant also to the full planning:

- General observation

A permanent long term use for this iconic building is welcome. However proposed elevations look as if a throwback from 1960s, in no way blend with existing structure and immediate neighbours. Should be more sympathetic with the existing building.

## 9.3. Comment on behalf of Knutsford Conservation and Heritage Group on initial proposals, received under the full planning application, also relevant to the LBC:

- Provides historical background to the building, and significance.

- West end too close to rear of Lost and Found (Old Town Hall).
- Victorian society should be consulted
- Proposals –detrimentally affect the grade 2 listed building (photo to illustrate):
  - remove brickwork to create large entrance to new extension.
  - Remove two important upper floor windows, on to widen for a door.
  - Remove part of wall in upstairs office
  - Remove exit door from office in east end elevation
  - Project part way in front of windows of main building
  - Demolish four listed buildings at rear for access into extension
  - Fit a lift - first floor forms part of listed structure
  - West end elevation lost to view as inside two storey extension. Interior view split in two halves because of first floor of extension. Would cladding internally hide the Accrington brickwork? Marshall House should be visible complete not obscured by extensions which are unsuited to the Grade 2 listed building

## 10. OFFICER APPRAISAL

- 10.1. The site comprises a grade II listed building, in close proximity to other listed buildings including the Grade II\* listed church opposite and is within a Knutsford Town Centre Conservation Area. The Planning, Listed Buildings and Conservation Areas Act 1990 requires the Council to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Heritage policies within the SADPD, CELPS and Knutsford Neighbourhood Plan also apply, as well as the NPPF. KNP policy HE 4 (Re-use of Historic Buildings) seeks for external alterations to be minimal and not to significantly alter the appearance of the building, preserving internal fabric where possible, using high quality materials and respecting the setting through carefully considered landscaping. KNP HE3 sets out design principles for development within the town's conservation areas.
- 10.2. The building is a former school building and retains much of the original floor plan on both floors with classroom walls and staircases. There are a number of original features within the building internally as well as externally. The proposal would result in a loss of some features and historic fabric including alterations to the rear and side elevations to accommodate the new extensions. The proposed side extension would be the most noticeable alteration to the building, with a single storey extension also to the rear. Materials are proposed to be facing brick with corten steel detailing. It is noted that some localised underpinning is proposed, a method statement for details can be required by condition.
- 10.3. The design officer, in consideration of the initial proposal, considered the massing could better respond to the existing building to be subservient, particularly as it was initially proposed forward of the building line of the side element of the original, as well as above the adjacent eaves line. The initial building line resulted in a 'boxing in' of the entrance ramp. Suggestions were also made in relation to the front glazing to the extension, balcony area, west elevation and rear. The Conservation Officer raised concerns that a substantial extension could cause harm to the significance of the listed building and setting of adjacent listed buildings within a conservation area.
- 10.4. Officers worked with the agent to make some amendments to the design to allow a wider glazed element for visual separation and set back between the original building and the new brick element on the frontage. An additional window has been added to the proposed side extension at first floor. It is noted that the rear extension would be a service area and would also face towards an external boundary wall providing some degree of screening to the back of the building particularly at ground floor level.

- 10.5. The proposed mass form and height of the two-storey side extension was considered by the Conservation Officer to be too bulky, undermining the symmetrical appearance of the French Gothic style building and the significance of the boys entrance feature located in the recessed wing. The gap between this building and the adjacent listed building now known as Lost and Found would be reduced, considered by the Conservation officer to create a cramped appearance. Internally the ground floor spaces are proposed for retention on the whole and following discussion the application has indicated retention of sliding timber doors, albeit not in their original position. Costings involved for purchase and repair of the existing school and proposed extensions were provided. The Conservation Officer considered that the building could have potential to be used for weddings/functions and as such fulfil the requirement under the NPPF in terms of securing optimal viable use for a listed building without harm. A single storey extension may be acceptable to house services, more discretely placed without the need for cutting through all the rear windows of the former school. The proposal including both side and rear extensions was considered to be harmful to the architectural significance of the listed building.
- 10.6. The harm was assessed as being 'less than substantial harm'. Under paragraph 215 of the NPPF, where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. (It should be noted that there has been some renumbering of paragraphs in the December 2024 update to the NPPF, from those referenced in comments on the application).
- 10.7. The nature of the internal layout of the existing building means that there are some constraints on the types of uses, without significant subdivision of large internal spaces and retention of significant areas for communal use. This means that viability for a number of uses is less straight forward due to the constraints of the listed building. It is recognised also that refurbishment and ongoing maintenance of an historic building requires significant financial investment. The building's architectural and historic interest and its listing relates to the building internally as well as externally. The proposal for wedding and event uses would enable retention of some of the larger internal spaces.
- 10.8. In response to the Conservation Officers comments an exercise was undertaken by the applicant with updated figures and viability report considering three options:  
Option 1 – Refurbishment of the existing building.  
Option 2 - Refurbishment of the existing building with rear extension.  
Option 3 - Refurbishment of the existing building with rear and side extension  
An independent assessment has subsequently been undertaken of the applicant's viability report by consultants appointed by the Council. Additional information was then provided by the applicant to clarify initial queries raised by the Council's consultant. However, not all matters were agreed between the applicant and the Council's consultant. One major difference of opinion was with regard to land value, where there was a significant difference between the parties.
- 10.9. This application has been put forward as a development by the applicant for their own occupation, and as such the appraisal in the independent review report for the application proposals included a reasonable management fee at 6% of cost. However, if this was a speculative development being marketed and then let or sold to a third party, then a profit at 15% of cost would be reasonable. Taking the independent consultant's approach to land value, their financial appraisal based on the application scheme proposals resulted in a residual land value of more than double the benchmark land value (BLV). This demonstrates that as a property development for owner occupation, the proposed scheme is viable. For completeness the appraisal was also carried out with a full speculative developers profit at 15% of cost. On this basis the outturn residual land value was 41% greater than the BLV, which indicates that on this basis the application proposals as a property development scheme

would also be viable. Finally, it was noted that the outcome of the independent consultant's appraisal for option 2 with a rear extension only, was a residual land value of 56% greater than the BLV. The independent consultant advises that as the residual land value is also greater than the BLV, it indicates that this option "might" also be viable on the basis of owner occupation.

10.10. Notwithstanding, the potential viability of option 2 on an owner occupation basis, the proposal relates to option 3 – specifically the side and rear extensions, and the use, as proposed. The applicant represents a willing landowner ready to develop the site viably as proposed. The applicant's viability report identified the proposal (option 3) as the only viable option for the redevelopment of the site, and there is no indication that they would have any interest in developing the site on a less viable (or even unviable) basis, nor any incentive for them to do so. As such, option 2 would introduce uncertainty, and further delays in bringing the building back into active use. The Planning Practice Guidance advises that *"it is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset"*.

10.11. The building has been largely unused for some time and finding a viable new use is an important consideration in the assessment. The proposal would result in alterations to the historic fabric, most notably to one side and the rear, and would also result in extensions visible in the public realm. The extensions would on balance be subservient in scale overall and offer a contemporary approach in materials that complement but which would not be a pastiche of the original. Alternatives to a flat roof have been discussed, however it was considered that a pitched roof would be likely to undermine the subservience of the proposal in relation to the original building.

10.12. In its wider context and setting, the gap between the extension and Lost and Found has been noted as being reduced. Lost and Found's main prominent frontage faces towards Princess Street, with a plainer, although still historically and architecturally significant rear elevation facing into the application site. The set back of the building line to the proposed extension would mean that a significant part of the rear elevation to Lost and Found would remain visible particularly when approaching along Church Hill. The side elevation to Lost and Found forms a strong visual feature around the corner into Church Hill, set forward of Marshall House. St Johns Church opposite is set within spacious grounds with trees which help to provide some screening of the application site when viewed from Toft Road. The main front entrance of St Johns is opposite the eastern end of Marshall House, the area which would be less impacted by the proposals. In this context the set back of new elements of the proposals would allow the surrounding historic buildings to remain the prominent features in the street scene to Church Hill. The rear of the application site as noted above would form largely a service area to the new use, facing towards a carparking and access which itself comprises parking and service areas and a secondary route to surrounding streets and buildings. An existing large timber shed at the rear of the site would be removed to accommodate the proposals.

10.13. Overall, the proposed development is considered to result in less than substantial harm to the architectural significance of the listed building, and the setting of adjacent listed buildings and the conservation area. Consequently, paragraph 215 of the NPPF requires this harm to be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In terms of benefits, most notably, the proposal would bring back an important listed building within the Town Centre Conservation Area back into active use, thereby securing its future for years to come. The proposal would also result in required maintenance and repairs to the existing building being carried out. There will be economic benefits such as supply chain impacts, 20-30 construction jobs with associated apprenticeship roles, and 30-40 staff employed within the venue when operational. Both



contractors and operation staff will in turn contribute to the to the local expenditure within shops, restaurants, bars and other services, adding additional spending power to the local economy within Knutsford town centre. Similarly, visitors to the venue will visit local shops bars, restaurants and hotels. The applicant also states that the development will improve the thermal efficiency and sustainability credentials of the existing building.

- 10.14. It is considered on balance that the proposed scheme as amended has been demonstrated to be a viable use which offers significant public benefits in the continued active use of an important listed building within the town centre. The proposals would be in contrast to the existing and also result in less than substantial to the designated heritage asset, but the stated substantial public benefits are considered to outweigh the identified harm to the Listed Building.

## **11. PLANNING BALANCE/ CONCLUSION**

- 11.1. The proposals are for a change of use with extensions and alterations, identified as resulting in harm to a grade II listed building. This harm has been assessed as less than substantial harm to the designated heritage asset. It is considered on balance that the benefits of a new use for the building would present public benefits to balance in favour of the proposals as amended as assessed under the requirements of NPPF paragraph 215. There are not considered to be other material considerations that would result in conflict with the development plan. As such on balance the proposals as amended are recommended for approval.

## **12. RECOMMENDATION**

**Approve subject to conditions:**

- 1. Time limit for implementation – 3 years**
- 2. Development to be in accordance with approved plans**
- 3. Materials samples to be submitted**
- 4. Sample panel brickwork to be submitted**
- 5. Window and door details to be submitted**
- 6. Method for protection of internal historic features and surfaces to be submitted**
- 7. Details of historic features to be left in situ to be submitted**
- 8. Retained fabric to be made good – details to be submitted**
- 9. New services details to be submitted**
- 10. Details of underpinning to be submitted**
- 11. Method statement for cleaning and repair of historic brickwork to be submitted**
- 12. Details of treatment of historic fabric abutting extensions to be submitted**
- 13. Details of retention of internal screens to be submitted**

*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 Planning has delegated authority to do so in consultation with the Chair the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*

