

Application No: 17/0837M

Location: THE STAGS HEAD HOTEL, MILL LANE, LITTLE WARFORD,
ALDERLEY EDGE, SK9 7TY

Proposal: The erection of an annex to create ten bedrooms, along with alterations to existing public house including the conversion and extension of existing barn to form new restaurant and 4 hotel bedrooms.

Applicant: Ribble Valley Inns Ltd

Expiry Date: 11-Apr-2017

SUMMARY

This application seeks full planning permission for the construction of a detached building to house 10no. bedroom to be used ancillary to the restaurant/public house.

The development represents an inappropriate form of development within the Green Belt for which very special circumstances must be demonstrated that clearly outweigh the harm.

The development would provide some economic benefits in the form of increased revenue and a slight increased number of people employed over and above the approved scheme. However the social benefits provided by the applicant have not been sufficiently demonstrated.

The environmental harm in the form of the harm to the Green Belt and the character of the area would clearly outweigh any economic benefits the scheme would provide and so for the application is recommended for a refusal.

RECOMMENDATION: Refuse

REASON FOR REPORT

The application is to be presented at Northern Planning Committee because it has been 'called-in' to committee at the request of Cllr Jamie Macrae on the 20th February due to the following concerns:

"The proposed development in addition to extant permission 16/4079M (Nov 2016), is in conflict with green belt policy GC1 and emerging policy PG3 of the emerging CEC LP. The

size and siting of the additional buildings could result in conflict with DC1 & DC3 of the adopted LP and cause harm to properties in the immediate vicinity.”

DESCRIPTION OF SITE AND CONTEXT

The site to which the application relates is a Public House (The Stag's Head, Mill Lane, Little Warford) and associated outbuildings and grounds. The site is located within the Green Belt, as defined in the Local Plan.

The site is relatively isolated. There is a residential dwelling across the road from the site and the nearest other properties are approx. 80m to the east and 130m to the west. Other than these neighbouring properties the site is surrounded by open countryside.

DETAILS OF PROPOSAL

Full planning permission is sought for the erection of a new building to create an additional 10no. bedrooms ancillary to the pub. The site benefits from a recent approval which included the refurbishment and extension of the existing pub into the existing adjacent barn to form a new restaurant and 4no. hotel bedrooms. This was not included in the description of works on the application form, however is included in the proposed plans so has been mentioned in the description of works for the current application.

RELEVANT HISTORY

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| 16/4079M | Alterations to existing public house including the conversion and extension of existing barn to form new restaurant and 4 hotel bedrooms.
Approved 14 November 2016 |
| 14/2290M | Alterations to existing public house and conversion and extension of existing barn to form new restaurant and letting bedrooms (Resubmission)
Approved 03 July 2014 |
| 14/0167M | Alterations to public house and conversion and extension of barn to form restaurant and letting rooms.
Withdrawn, 07.04.2014 |
| 03/1893P | Conversion and extension of barn to eight bedroom accommodation and meeting room.
Approved, 03.09.2003 |

POLICIES

Macclesfield Borough Local Plan – saved policies

- BE1 (Design principles for new developments)
- DC1 (High quality design for new build)
- DC2 (Design quality for extensions and alterations)
- DC3 (Protection of the amenities of nearby residential properties)
- DC6 (Circulation & Access)

DC8 (Landscaping)
DC9 (Tree protection)
DC35 (Materials and Finishes)
DC38 (Guidelines for space, light and privacy for housing development)
H13 (Protecting residential areas)
RT13 (Tourism)
GC1 (New buildings)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Framework (NPPG)

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs 1, 3, 4, 7, 9, 10 and 12.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 (Presumption in Favour of Sustainable Development)
PG3 (Green Belt)
SD1 (Sustainable Development in Cheshire East)
SD2 (Sustainable Development Principles)
SE1 (Design)

CONSULTATIONS (External to Planning)

Arboriculture and Forestry: no objections

Highways: no objection subject to conditions

Environmental Health: no objection subject to conditions

Nature Conservation: no objections subject to conditions

VIEWS OF THE PARISH / TOWN COUNCIL

Prestbury Parish Council:

None received to date.

OTHER REPRESENTATIONS

Representations from 45no. different properties have been received. The majority of comments received are in support of the pub reopening; however there is little mention of the additional 10no. rooms associated with this application. A summary of the relevant points in support can be viewed below:

- *“The additional 10 room annex seems the only way to provide a sustainable financial future for the Stag Inn.”*
- *“The pub is a highly valued local amenity, however, because the village is small providing limited custom, the ability to provide accommodation through an appropriate development is critical to the financial success of a pub in this location.”*
- The job opportunities would benefit the locality.
- The proposal is in keeping with the main building.
- It will enhance the tourist visitors to this part of Cheshire East.

Two comments were received containing objections/reservations to the proposal, notably from the residents closest to the application site. Below is a summary of these comments:

- The new building would result in an overdevelopment of the site.
- The new building would replace a piggery with a footprint of 3m x 3m.
- Vehicular access should be restricted to the car park, not on Mill Lane or at the gateway to the old piggery.
- The waste/refuse bins should be in the car park, and the extraction ducts from the kitchen should be clarified.
- *“Currently Mill Lane is used as an ambulance route to the David Lewis Centre, and there is concern that cars parked on the road would cause danger and delays.”*
- Concerns over the level of parking provision.
- The owners claim the business is not viable with 4no. bedrooms, would a different company have come up with a different answer?

OFFICER APPRAISAL

Key Issues

- Principle of Development in the Green Belt
- Impact on the character of the area,
- Impact on trees,
- Impact on the amenity of neighbouring properties,
- Highway safety implications

Principle of Development

The site lies within an area of Green Belt within the adopted Macclesfield Borough Local Plan. Para 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate. One of the stated exceptions to this is *“the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”*.

Within Annex 2 (Glossary) of the NPPF, previously developed land is defined as follows:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

This excludes: land that is or has been occupied by agricultural or forestry buildings.

The key issues arising from these policy requirements are discussed below.

ENVIRONMENTAL SUSTAINABILITY

Green Belt

It is claimed by the applicant that the proposal provides a redevelopment of a previously developed site as there is currently a pig shed on site that would be replaced.

As mentioned above the definition of previously developed land specifically excludes land that has been used for agriculture. Notwithstanding this for redevelopment to be acceptable the proposal should not have a greater impact on the openness of the Green Belt than the existing development. The small piggery building is single storey with a footprint of approx. 21m² with a minimal impact on the openness of the Green Belt, while the proposed building would be two storeys with a footprint of approx. 173m². Clearly the proposal would have a much greater impact on the openness of the Green Belt than the existing buildings.

The positioning of the proposed building also increases the impact of the building on the Green Belt with the built development spreading north and west, which particularly increases the bulk when travelling east along Mill Lane.

The proposal would also be situated on land outside of the existing and approved curtilage for the pub. The land appears to be agricultural or paddock land therefore, while not adhering to the definition of previously developed land; the proposal would also involve encroachment into the countryside and would therefore represent inappropriate development in the Green Belt for which very special circumstances must exist that clearly outweigh the harm to the Green Belt.

The applicant has put forward 'very special circumstances', which it is claimed outweigh the harm to the Green Belt caused by the development. These are listed as follows:

- Economic benefits – *"the scheme would contribute towards a strong, competitive local economy whilst providing jobs for local people and supporting local businesses"*.
- The proposal would prevent the loss of community facility – the site would not be financially viable without the new building.
- The scheme has been designed to be in keeping with the surrounding landscape.
- It reflects the needs of the local people.
- Tourism benefits.
- Sustainable development.

Each of these points will be discussed in more detail below:

Economic benefits

The implementation of the existing permission would equate to 33 FTEs being employed with the addition of the new building only equating to an additional 4 FTEs. This does not seem a significant number in the context of the development. The 33 FTEs that would be employed does however seem a significant number of staff and demonstrates that the economic benefits to the local area would be there without the new building.

It is stated that over a ten-year period, the contribution of gross valued added (GVA) of the implementation of the existing permission has been estimated at £10.5m, while with the proposed new building it is estimated to generate an additional £3.2million GVA.

This would be given a medium amount of weight.

Community facility

The site was purchased by the applicants soon after the pub closed down from the previous owner in 2013. No marketing from that time has been evidenced and no marketing of the site has been carried out since. The applicant's assertion that the site is not viable as a pub alone has therefore not been sufficiently justified. It may not be viable for the applicant, but may be for another user. Without a sufficient marketing exercise there is not sufficient evidence to suggest that the site is only viable with a 10 bedroom annexe.

It is stated that Ribble Valley Inns (the applicants) were the only party interested in purchasing the Stag; however there is no evidence of the premises ever being marketed so again this can be given little weight. Even if evidence had been provided that there was no interest in the site at the time of the purchase by the applicants the premises now has a planning approval for a significant extension and conversion of the existing barn and so is potentially much more attractive to potential purchasers. It is this evidence that is lacking and without it we can not give significant weight to the proposed economic benefits the site would bring over and above the approved scheme.

Reference has been made to section 3 of the NPPF and particularly the retention of community facilities. As mentioned above there is not sufficient evidence provided in order to show that the facility would be lost if the proposal is refused. It could also be argued that the approval of the conversion would involve the loss of a community facility as the definition does not include restaurants, only public houses. The description of the approved permission is for a new restaurant.

An email from the previous owner is included with the application. It is claimed that the business had not been viable for a number of previous tenants and he had initially bought it as an investment opportunity for housing. When this was not successful he was forced into running the premises as a pub, despite having no previous experience of pubs.

There is however no evidence provided regarding the previous owners so little weight can be given to this. There is also no history of an application ever being submitted for housing on the site. In terms of the previous owner, he has admitted that he had no previous experience of running pubs so it is not known whether somebody with experience would have been able to make a profitable business out of the premises.

Even if sufficient evidence is provided to show that the premises is not viable without the addition of a 10 bedroom annexe it is questionable whether the Council should encourage this type of development in the Green Belt. There are many rural pubs in the borough and many of these are failing. It is not feasible for the Local Planning Authority to approve a 10no. bedroom annexe for each of these in order to make them viable.

With the evidence submitted there can be little weight granted to the potential loss of the community facility.

Design

It has been stated that the building would reflect the character of the area. This is the minimum that would be expected of any new development and can be given little weight in the justification of inappropriate development in the Green Belt.

Local needs

It is stated that the local people support the reinstatement of the community facility and this is not in dispute which is evidenced by the many comments wishing the pub to reopen.

However the comments almost all related to the reopening of the pub with the only comments referencing the hotel building stating that if this is the only way to make the pub financially viable then they would be in support. Nobody solely supported the approval of the new building. As mentioned above the need for the new building in order to make the premises financially viable has not been fully evidenced and so this can only be given limited weight. There is an existing permission for the refurbishment of the pub, which from the comments received is what the residents would like to see happen.

In fact the two closest properties to the site raise many concerns with regard the new building.

A lot of comments have also raised concerns over the increasing deterioration of the pub and this should be used as a reason for approval. While this may be the case the pub has been under the ownership of the applicants since the closure and any deterioration is purely the responsibility of the owners and would not be given any weight when considering the current proposal. The owners have had an approval in place since 2014 and have not either marketed the premises or started implementing the approval.

Tourism benefits

Policy RT13 of the Local Plan states that the borough will encourage the provision of new tourist attractions provided that amongst other things, there is no conflict with the Green Belt, countryside and conservation policies of the Local Plan. As mentioned above the development is inappropriate development in the Green Belt and so clearly conflicts with Green Belt policy.

A table of 'local' attractions has been provided by the applicants. It can be seen that the property is not very close to any of Cheshire East's tourist attractions with the closest significant attraction at Alderley Edge which is 3.9m away from the site. Links from the site in

the form of public transport and roads are not ideal with the nearest A road approx. 2miles away.

Limited weight should be given to the tourism benefits of the scheme.

Sustainable development

The site is positioned approx. 1.2 miles from the nearest bus stop and 2.2 miles from the nearest train station at Chelford. Clearly public transport is not an option for the majority of visitors.

The site is not classed as sustainable and so limited weight is given to the sustainability of the site. Furthermore, there is not a presumption in favour of sustainable development within the Green Belt.

Design

The new building would be positioned perpendicular to the existing barn with similar dimensions to the approved barn. As mentioned above the positioning would make the new building prominent, particularly in views from the west. The sides and rear elevations show a relatively agricultural looking building, however the front elevation contains many openings with the timber balcony not characteristic of an agricultural type building. Considering this view would be visible from public vantage points it is considered that the character and appearance would not be in keeping with the countryside location contrary to BE1 and DC1 that encourage new development to reflect the character of the environment.

Amenity

Local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearly residential properties through a loss of light, overbearing effect or loss of sunlight/daylight.

The alterations to the main building remain as approved and so no objections are raised to that aspect.

The new building would be positioned a sufficient distance away from neighbouring properties to ensure that no significant adverse impacts are felt by the closest neighbours.

The proposal is therefore considered to meet the stipulations of policies DC3, DC38, DC41 and H12 of the Local Plan and guidance contained within the NPPF.

Highways

As with the previous application, this is a redevelopment of the existing site with additional hotel rooms, including an additional 10 rooms over what has been approved.

Existing vehicle accesses will be utilised and the existing car park will be expanded and will reflect what has previously been approved. The impact of what has been approved will be minimal.

The western most access should also not be used by vehicles as there is no turning area to allow them to enter and exit in a forward gear. Deliveries and refuse collection can take place from the road.

No objection is raised by our Strategic Highways Manager, with the condition to aid visibility, that any boundary treatment such as hedging should be set back 2.4m from the carriageway edge and/or its height should not exceed a height of 1m.

An additional condition should be imposed on any approval which prevents the use of the westernmost access to be used at any point by any vehicle type.

SOCIAL SUSTAINABILITY

It is claimed that the proposed development is required in order to reinstate a village pub, which forms the heart of the village. As mentioned above it is considered that insufficient evidence has been provided to demonstrate this and so is given limited weight.

ECONOMIC SUSTAINABILITY

There would be an additional 4 FTEs employed with the creation of the new building, over and above the 33 FTEs employed with the implementation of the approved scheme.

In addition the revenue created by the business would be increased and the scheme would contribute to tourism within Cheshire East. This is given some weight.

PLANNING BALANCE

The development represents an inappropriate form of development within the Green Belt for which very special circumstances must be demonstrated that clearly outweigh the harm.

The development would provide some economic benefits in the form of increased revenue and a slight increased number of people employed over and above the approved scheme. However the social benefits provided by the applicant have not been sufficiently demonstrated.

The environmental harm in the form of the harm to the Green Belt and the character of the area would clearly outweigh any economic benefits the scheme would provide and so for the reasons mentioned the application is recommended for a refusal.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Refuse for the following reason(s)

1. The proposal is an inappropriate form of development within the Green Belt, for which very special circumstances do not exist. The development is therefore contrary to

guidance within the National Planning Policy Framework and policy GC1 of the Macclesfield Borough Local Plan and would cause harm to the objectives of those policies, and conflict with the purposes for including land within the Green Belt by way of encroachment.

