



Appeal Decision

Site visit made on 28 June 2024

by D M Young JP BSc (Hons) MA MRTPI MIHE

an Inspector appointed by the Secretary of State

Decision date: 29th July 2024

Appeal Ref: APP/H1033/W/24/3339248

The George Hotel, 34 Norfolk Street, GLOSSOP, SK13 7QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Steven Bardsley against the decision of High Peak Borough Council.
 - The application Ref is HPK/2020/0557.
 - The development proposed is the conversion of the existing building to 6 dwellings including the demolition of existing rear extensions.
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Decision

1. The appeal is allowed, and planning permission is granted for the conversion of the existing building to 6 dwellings including the demolition of existing rear extensions. at George Hotel, Glossop, SK13 7QU in accordance with the terms of the application, Ref HPK/2020/0557, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: RG259_EX11, RG259_EX12, RG259_EX13 Rev A, RG259_PL10, RG259_PL11 Rev B, RG259_PL12 Rev C, RG259_PL13 Rev A and RG259_PL14 A.
 - 3) No development shall take place until samples of all external materials including window details and have been submitted to and approved in writing by the local planning authority in writing. The development shall be carried out in accordance with the approved sample details.
 - 4) No works authorised by this consent shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation that shall first have been submitted to and approved in writing by the local planning authority.
 - 5) Notwithstanding the details shown on the approved plans, this permission does not relate to the partial demolition of external wall subject to application Ref HPK/2020/0354.

Main Issues

2. The main issues are the effect of the development on, firstly, the character and appearance of the area including the Glossop Norfolk Square Conservation Area (GNSCA) and, secondly, the living conditions of future occupiers.

Reasons

Character and appearance

3. The George Hotel is an attractive, stone built, public house constructed in the 1830s. It occupies a prominent position on Norfolk Street opposite the junction with Howard Street and close to the grade II listed train station. The building itself has evidently been vacant for many years and has been subject to a number of unsympathetic alterations. The result is a building with a somewhat forlorn appearance, something acknowledged by the previous Inspector. The Council accepts the Appellant's position that the public house use is no longer viable.
4. The Council accept that the principle of converting the building to a residential use is acceptable. Indeed, there is no evidence before me to suggest an alternative 'optimum viable use'. According to the Council, the proposed conversion would result in a "*visually discordant and dominant feature which would result in an incongruous addition to the streetscene*" which would result in less than substantial harm to the host building (a non-designated heritage asset) and the GNSCA.
5. These concerns appear to rest on comments from the Council's Conservation Officer whose main concern with the scheme is the proposed rooflights to the front elevation. As the Council acknowledges, the removal of the rooflights would result in the loss of accommodation from the top floor of the building. In all likelihood, this would make the appeal scheme and probably any residential conversion unviable. Therefore, without the rooflights, I find it likely that the building would remain vacant and continue to deteriorate and detract from the GNSCA.
6. Notwithstanding the above, it is important to highlight that the host building is not statutorily listed and as the Appellant highlights, rooflights are not an uncommon feature in the local area. To that end, a number of planning permissions have been brought to my attention where the Council took a different view on the acceptability of rooflights within the GNSCA. This lack of consistency cannot be adequately explained by "*each application on its merits*".
7. In this case the 'conservation style' rooflights to the front elevation would be small and unobtrusive. They would occupy a small percentage of the roof plane. The suggestion that they would harm the public's appreciation of the host building or wider GNSCA is simply not credible particularly given the prevalence of rooflights in the immediate area.
8. Although raised in the Council's Statement of Case, the Conservation Officer did not object to the reinstatement of the blocked doorway (Door A) or the conversion of a window to a doorway (Door B) subject to the use of appropriate materials, something which could be addressed by a suitably worded planning condition. To that end, it is not clear why the issue of the doorways has been raised at the appeal stage.
9. In my view, there can be no dispute that the blocked doorway (Doorway A) is visually detractive. Its replacement with a new doorway with original detailing must therefore be seen as an enhancement¹ to the facade. The formation of

¹ The Council previously approved a scheme in 2019, which included the replacement and upgrade of Door A. LPA ref: HPK/2019/0043

Door B would result in the loss of a very small area of stonework below the existing window opening. Again, subject to careful detailing and the use of appropriate materials, I concur with the Conservation Officer that this would not harm the significance of the host building or the GNSCA.

10. Good planning requires a careful assessment of benefits and harms. In this instance a number of heritage benefits are set out in the Heritage Assessment that accompanied the application. In addition to the enhancement to the facade through the replacement of doorway A discussed above, I consider the reinstatement of the railings along the rear boundary and removal of the unsympathetic rear extension would enhance the setting of the listed back-to-back cottages at 3-9 Ellison Street. These elements were not acknowledged by the Council but in my view are benefits that weigh in favour of the scheme.
11. Overall, I do not consider that the rooflights would harm the character and appearance of the area or the significance of the relevant heritage assets. Consequently, there would be no conflict with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 (the LP). Even if I had found harm, this would be clearly outweighed by the heritage betterment associated with door A, the listed buildings to the rear as well as the securing of the building's optimum viable use. Accordingly, there is no need for me to carry out the balancing exercise required by paragraph 208 of the National Planning Policy Framework.
12. Even on the Council's case, the less than substantial harm would be clearly outweighed by the public benefits associated with the provision of six new dwellings in a highly sustainable location within the context of a national housing crisis.

Living conditions

13. There are two issues raised by the Council, the first relates to the rear shared courtyard and the potential for users of this area to look into rear facing windows in units. The second issue pertains to the lack of outdoor amenity space for future occupiers of the units. There is a general point here which is that the conversion of historical buildings invariably requires compromise of one sort or another. In this case I accept there might be some potential adverse effect on future occupiers in terms of privacy. However, it is unreasonable to expect a scheme of this kind to be able to comply with the standards one might expect with a modern residential development.
14. There can be no argument that the proposed layout would result in the potential for overlooking to/from the rear courtyard to a number of the units. However, that is to be expected and is not uncommon in a built-up residential area such as this. It is also germane that prospective purchasers of the units would be well aware of the courtyard and its relationship to their potential home and would be able to exercise consumer choice in these matters. That is very different to a scenario where a development proposal would deprive existing occupiers of privacy they currently enjoy.
15. In terms of the lack of outdoor amenity space, I consider the rear courtyard would just about be sufficient for essential activities such as sitting out and drying clothes. Although constrained, the amount of amenity space does not appear materially different to other residential units in the area for example those immediately east of the appeal site on Ellison Street. The appeal site is also located reasonably close to areas of public open space and parks.

16. The reality of the situation is that if prospective purchasers want a property with a more generous offer of outdoor amenity space, they will look elsewhere. I do, however, accept the Appellant's point that the proposed units are likely to appeal to a wider demographic than just families. Examples are provided and I can see nothing unreasonable in the suggestion that there are various groups of people that for whatever reason do not require, or desire, a generous amount of outdoor amenity space and would instead prefer the convenience the appeal site offers in terms of rail connectivity and town centre living.
17. For the above reasons, I do not consider that the proposed development would unacceptably harm the living conditions of future occupiers. It would not therefore conflict with LP Policy EQ6 and the High Peak Residential Design Guide SPD. Collectively these seek development that does not result in unacceptable effects on the amenity of the area.

Conditions

18. The Council has not provided a list of suggested conditions. I have therefore imposed conditions specifying the approved plans as well as a standard time limit condition to provide certainty. A materials condition is necessary to ensure the alterations to the facade of the building are acceptable. I have imposed a condition to ensure a scheme of historic building recording is secured.
19. The Council has drawn my attention to a previous appeal decision² which related to the removal of part of a wall at the appeal property. However, in the absence of an explanation to the contrary, this does not appear relevant to my determination of the current scheme. For the avoidance of doubt, I have also imposed a condition which makes clear that this permission does not approve the alteration to the front wall covered by the previous appeal decision.

Conclusion

20. For the reasons given above the appeal should be allowed.

D M Young

INSPECTOR

² PINS Ref: APP/H1033/W/23/3327936