



Appeal Decision

Site visit made on 29 October 2024

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2024

Appeal Ref: APP/M9496/W/24/3344495

Staffordshire Knott Inn, Pown Street, Sheen, Staffordshire SK17 0ET

- 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 Mrs Tracy Cartland-Ward (Travellers Moon Limited) against the decision of Peak District National Park Authority.
 - The application Ref is NP/SM/0723/0844.
 - The development proposed is change the Use of the Existing Pub and residential Accommodation to C1 Use holiday accommodation and Café Use Class E.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted an amended description of development and plans in their appeal documents. It describes the proposal as 'change of use of the existing pub and residential accommodation to C1 use holiday accommodation and public house with expanded food provision'. The 'Procedural Guide – Planning Appeals – England' advises that if an applicant thinks that amending their application proposals will overcome the local planning authority's reasons for refusal, they should normally make a fresh planning application (Annexe M.1.1). If an appeal is made, the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought (Annexe M.2.1).
3. I have considered the new information in this context and, being mindful of the fact that interested parties would not be aware of it or been given the opportunity to comment, I have not taken it into account. My decision therefore responds to the information as it was originally submitted to and determined by the Council.

Main Issue

4. The main issue is whether the proposal would result in the unacceptable loss of a community facility.

Reasons

5. There is a presumption in favour of retaining community facilities in the Peak District National Park Core Strategy 2011 (CS). Public houses are one such facility identified by the CS as having been in decline over a period of time.

Policy HC4 specifically requires that for proposals to change the use of buildings which provide community facilities it must be demonstrated that the facility is no longer needed, available elsewhere within the settlement and can no longer be viable. The wording of the policy is specific in that it requires all of these matters to be satisfied.

6. The evidence is sufficiently clear that the public house has not been trading for some time. The appellant alleges that this was due to declining patronage and cost but there is no evidence pertaining to what those costs might have been and specifically why, as a business, it was unviable to keep it operating. Even if this was clearly the case, in the context of the national situation of declining public house use in modern times, then the appellant has not demonstrated satisfactorily whether the original business could not be taken forwards as a public house or as a going concern. There is mention of the work such a venture might take for an individual or group, but in the absence of the finer details of how that might work, what it might cost or whether any work has gone into marketing or testing interest, this evidence leans on the anecdotal.
7. It is evident some marketing took place in the past. The appellant mentions that the Parish Council referred to such in a previous consultation exercise. In terms of the scheme before me however, I have no detailed information of how it was marketed, whether that was as a going concern, for what price, by what methods and for how long. It is also unclear as to whether a truncated public house might be successful where the existing one might not have been. A café use would also be a different service offer in community facility terms so I remain to be convinced that this would be justified in place of the public house use either in part or whole.
8. With this and the above in mind, the appeal scheme would result in the unacceptable loss of a community facility. It would, consequently conflict with Policies GSP1 and HC4 of the CS and Policy DMS2 of the Peak District National Park Development Management Policies (2019) which together and amongst other matters, seek to ensure that proposals for the change of use of community facilities must demonstrate that the facility is no longer needed, available elsewhere in the settlement or can no longer be viable in the interests of their continued provision.
9. I note that the appellant refers to Policy E6 with regard to the proposed holiday accommodation. This policy is not before me and the Council state that it is not a policy reference within the Local Plan. I have not therefore had regard to this policy in my determination of the appeal.

Other Matter

10. The significance of the CA derives in part from the quality and consistency of large individual gritstone buildings set back from the road (such as the appeal building). The Council do not consider that the proposal would detrimentally impact the character or appearance of the CA or impinge unacceptably on the setting of the nearby listed cottages. From my observations and having regard to the proposed limited changes to the external appearance of the building, I have no reason to disagree.

Conclusion

11. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Senior

INSPECTOR