

CROWN INN, BROOK STREET, SILVERDALE
MR JOHN NORFOLK

26/00022/FUL

Full planning permission is sought for a change of use of a public house known as The Crown Inn, Silverdale, to a 12-bedroom HMO. The application site is located within the urban area of the Borough as indicated on the Local Development Framework Proposals Map. The building is also locally listed.

The application has been called into committee for determination by Councillor Rupert Adcock due to concerns over concerns around parking, highways, access, road safety, unsuitability of this property for use as an HMO and the density of HMOs already in Silverdale.

The statutory 8-week determination period for this application expired on the 24th March 2026, however an extension of time has been agreed until 3rd April.

RECOMMENDATION

PERMIT the application subject to conditions relating to the following matters: -

- 1. Time Limit**
- 2. Approved Plans**
- 3. Materials**
- 4. Glazing on lower section of ground floor bedroom windows**
- 5. Construction hours**
- 6. Internal noise limitations**
- 7. Bin storage**
- 8. Cycle storage**
- 9. Floor levels to be retained as per existing arrangement**

Reason for recommendation

There are no objections in principle to the proposal, and the plans demonstrate that there would be no adverse impact on residential amenity. In the absence of any objections from the Highway Authority and given the existing current shortfall of parking provision for the lawful use of the property, it is not considered that a refusal on highway safety grounds could be sustained. The proposed development is therefore considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with this application

The proposed development is considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework and therefore no amendments were requested.

KEY ISSUES

Full planning permission is sought for a change of use of a public house known as The Crown Inn, Silverdale, to a 12-bedroom HMO, with some minor external alterations. The application site is located within the to the settlement of Silverdale as indicated on the Local Development Framework Proposals Map. The building is also locally listed.

The Newcastle-under-Lyme Borough Council Final Draft Local Plan (Regulation 19 version) and its supporting documents were submitted for public examination on the 20 December 2024. Following the examination hearings, the Council consulted on several main modifications to the emerging Local Plan in late 2025. Responses to the consultation on the modifications proposed have now been shared with the Inspector and the Council awaits further information on the next steps of the examination process.

Policies, alongside the schedule of Main Modifications, in the emerging Local Plan are a material consideration in decision taking on planning applications. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 49 of the National Planning Policy Framework, as follows:-

“49. Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”.*

As the Local Plan is at an advanced stage with a focused consultation on Main Modifications from the examination process then moderate to significant weight can be attributed to individual policies dependent on the extent of changes to the Local Plan.

The Lead Local Flood Authority has confirmed that they raise no objections to the proposal, subject to a condition requiring that the existing floor levels of the building are retained as per the exiting arrangement. The key issues to consider in the determination of the application are therefore;

- Is the principle of development acceptable?
- Design and visual impact,
- Impact on neighbouring properties,
- Parking and highway safety,
- Planning balance,
- Other matters.

Is the principle of development acceptable?

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.”

Paragraph 12 of the NPPF states that “Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

Paragraph 124 of the Framework states that Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The application site falls within a central location of Silverdale.

CSS Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods with General Renewal Areas and Areas of Major Intervention, and within the identified significant urban centres. It goes on to say that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling.

Policy H1 of the Newcastle Local Plan (NLP) seeks to support housing within the urban area of Newcastle or Kidsgrove or one of the village envelopes.

CSS Policies SP1 and ASP5, and Local Plan Policy H1 are concerned with meeting housing requirements, and Inspectors in a number of previous appeal decisions, have found that these policies do not reflect an up to date assessment of housing needs, and as such are out of date in respect of detailed housing requirements by virtue of the evidence base upon which they are based.

As referred to above, the Council's Draft Local Plan has now reached the main modifications stage of the examination process. The policies from the emerging plan most relevant in determining this application are considered to be Policies PSD1, PSD2 and PSD3.

Policy PSD1 (Overall Development Strategy) of the emerging Local Plan sets out the housing targets for the Borough over the plan period of 2020 to 2040, with a target of 8000 homes in total equating to 400 dwellings per annum. Policy PSD2 (Settlement Hierarchy) notes that the town of Newcastle-under-Lyme is the key strategic centre of the Borough containing the largest range of services and facilities, retail, sport and leisure, economic and residential areas, sustainable transport connections and accessible public open space. Further to the above the policy notes that development proposals should maximise the use of existing resources and infrastructure to allow jobs, homes and other facilities to be located close to each other and be accessible by public transport. Development proposals should recognise the distinct character of individual areas within the town. As the strategic direction of these policies has already been established in principle, the policies can be given significant weight in the determination of current planning applications.

Policy PSD3 (Distribution of Development) sets out the level of Distribution for housing development within the Borough and identifies that the strategic centre of Newcastle-under-Lyme is expected to accommodate in the order of 5,200 new homes. This policy has been amended to take account of allocations removed from the Local Plan by the Inspector; moderate weight should therefore be applied to this policy.

Paragraph 11 of the Framework states that Plans and decisions should apply a 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:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. 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.
- (Para 11(d))

The application site is located within a central location of Silverdale and would make use of an existing building whilst also providing a good contribution to the Council's housing supply and would therefore conform with the requirements of policies PSD1, PSD2 and PSD3 of the emerging local plan, and policy SP1 of the Core Spatial Strategy.

Whilst the proposal is considered to be in a sustainable location for residential development, as the site would result in the loss of a community facility then saved policy C22 of the 2011 Local Plan and Policy IN5 of the emerging Local Plan must be considered.

Saved Policy C22 states that when considering applications for development that would involve the loss of an important community facility, the need for the facility and the likelihood of its being able to be replaced will be a material consideration. Where the community facility is a commercial enterprise, planning permission for alternative use may not be given unless the applicant can demonstrate that the business is not commercially viable.

Policy IN5 of the emerging Local Plan notes that development resulting in the loss of an existing community facility, or land allocated for such purpose, will be assessed on merit and only be permitted where:

- a. the buildings or land are no longer fit for the purpose which they were being used due to size, layout, design and condition and that no alternative community use can be found;
- b. there is no longer a need or demand for the facility or it's no longer viable;
- c. where there is recognised need, alternative provision can be made on another site to the same or higher standard in terms of quantity, quality and community benefit; or
- d. the current use will be retained and enhanced by the development of a small portion of the development site.

Following the examination period the addition of a new criterion requiring developer contributions resulted in a substantive change to this policy, and so the modified policy carries moderate weight only.

Details provided with the application note that the public house has fallen into decline in the last few years due to a combination of issues such as business competition, changes in social habits nationally and the cost-of-living crisis. The public house has been fully marketed for 2 years but no sale has been secured. Officers accept that the evidence provided with the application demonstrates that the use of the property as a public house is no longer viable.

Silverdale does contain a number of other public houses such as The Bush, the Vine Inn and The Roebuck, which are all within accessible locations within the settlement. Given that the use of the site as a public house is no longer viable, and the fact that there are other public houses within traveling distance from the site which can offer similar services to the previous use of the site, then the proposal is considered to meet the requirements of saved Policy C22 of the LP and Policy IN5 of the emerging Local Plan.

The proposed development is therefore considered acceptable in principle subject to any benefits outweighing any identified harms.

Design and visual impact

Paragraph 131 of the National Planning Policy Framework (the Framework) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the framework lists 6 criteria, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be

visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy CSP1 of the Council's Core Spatial Strategy 2006-2026 requires that the design of the development is respectful to the character of the area.

Policy PSD7 (Design) of the emerging Local Plan requires that development proposals should accord with the National Design Code, National Design Guidance, and any adopted local design guide or code. Further to the above the policy requires that developments should contribute positively to an area's character and identity, creating or reinforcing local distinctiveness and sense of place in terms of:

- a. Height, scale, form and grouping;*
- b. Choice of materials;*
- c. External design features*
- d. Massing of development*
- e. Green infrastructure; and*
- f. Relationship to neighbouring properties, street scene, and the wider neighbourhood*

Following the public examination hearings, only minor modifications have been made to these policies, however given the fact that these policies may be modified before the Local Plan is fully adopted, only moderate weight can be given to the requirements of this policy.

Policy SE9 – Historic Environment – states that:

- 1. "Proposals will be supported where they conserve and, where appropriate, enhance the significance of the Borough's heritage assets and their settings. Great weight will be given to the conservation of designated heritage assets.*
- 2. Proposals that will lead to harm to, or loss of the significance of, a designated heritage asset will require clear and convincing justification.*
- 3. Where a proposal will result in less than substantial harm to a designated heritage asset, this harm will be weighed against the public benefits of the proposal. Substantial harm to, or the total loss of significance of, a designated heritage asset will be refused unless this harm or loss is outweighed by substantial public benefits, or the specific criteria in NPPF paragraph 207 apply.*
- 4. The effect of a proposal on the significance of non-designated heritage assets will be considered. In weighing applications, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset."*

Policy SE9 and its supporting text have been completely replaced. As such, only *limited* weight can be afforded to this Policy.

The application property is a two storey traditionally designed and attractive red brick detached building which sits close to the highway of Crown Street. A more modern single storey extension has been added to the western elevation of the building which runs adjacent to Silverdale Park. The building is locally listed and in its current form adds to the quality of the street scene and local area.

The only external changes proposed are the resizing of the windows on the west (courtyard) elevation, which is being proposed to allow for an improved internal layout. The changes proposed are considered to be modest and would not result in any noticeable change to the building's character and appearance. The Conservation Officer notes that they have no objections in principle to the proposal and notes that whilst it would be beneficial to retain any historic murals or signage regarding the pub, these appear to have already been lost.

To conclude, the visual impacts of the proposal are considered to be acceptable and to conform with the requirements of Policy CSP1 of the Core Spatial Strategy and Policy PSD7 of the emerging Local Plan.

Impact on neighbouring properties

Criterion f) within Paragraph 135 of the National Planning Policy Framework states that development should create places that are safe, with a high standard of amenity for existing and future users.

Policy PSD6 (Health and Wellbeing) of the emerging local plan notes that the council will support development that fosters safe, healthy and active lifestyles and that new housing should provide opportunities for healthy living and maintained independence and promote mental wellbeing through the encouragement of safe and accessible walking and cycling, access to services. Moderate weight can be applied to the policy.

Policy HOU3 (Housing Standards) of the emerging local plan requires that all new residential homes (including conversions) will be provided to Part 4(2) standard (Accessible Adaptable Dwellings) set out in Building Regulations and the Nationally Described Space Standards (NDSS) (size) or the Building Control space standard relevant at the time of determining the application. Significant weight can be given to this policy.

Policy HOU7 (Homes in Multiple Occupation) of the emerging local plan sets out a number of criteria which new HMO's must adhere to such as the requirement for them to provide appropriate space standards, amenity areas and parking cycle facilities. Significant weight can be given to this policy.

Policy SE12 (Amenity) of the emerging local plan notes that development proposals should demonstrate they will not result in unacceptable harm to the amenities of existing or future residents, businesses, or sensitive uses in the vicinity. Development that would have an unacceptable adverse impact on existing amenity will not be permitted. Following the local plan examination process, amendments have been made to the wording of this policy and therefore it can be given moderate weight only at this time.

Supplementary Planning Guidance (SPG) Space Around Dwellings provides guidance on new dwellings including the need for privacy, daylight standards, and environmental considerations.

The proposed kitchen and bedrooms would be of an appropriate size in terms of floor space and would exceed the minimum size requirements per unit as required by national standards. All bedrooms would also have an acceptable level of daylight and those positioned adjacent to the north and east elevations of the property would have a good level of outlook onto Crown Street and Brook Street, with windows on the east facing onto Silverdale Park. There are no bedrooms which would face towards the neighbouring residential properties to the south of the site.

With regards to privacy, all bedroom windows on the first-floor level would not be at risk of overlooking from nearby properties. Whilst the ground floor bedrooms would have a lesser level of privacy due to the adjacent highways and park, a condition can be used to ensure that the lower halves of the windows are obscure glazed, which would offset any disturbance from pedestrian movements.

The HMO would benefit from a small private outdoor amenity area, and it is located directly adjacent to Silverdale Park.

Noise and anti-social behaviour are not inherent with the type of use proposed, and no evidence has been provided to demonstrate why the proposal would generate adverse levels of noise or cause issues relating to anti-social behaviour in the area. Furthermore, the property is detached and set away from nearby properties allowing for a good level of separation distance which would soften any potential noise from the property. Significant weight must also be given to the fact the lawful use of the property as a public house has a far greater potential to generate both noise and anti-social behaviour than the use proposed in this application.

Whilst Staffordshire Police have requested that a condition is applied requiring that the HMO is not used as probation housing, it is not considered that this is relevant to planning and therefore falls beyond the scope of this report.

Member's attention is brought to an appeal against an 8 bedroomed HMO on Underwood Road in Silverdale which was refused in 2023 on the grounds of impact of nuisance. The appeal was allowed with an associated costs award on the grounds that the Inspector considered that the LPA had failed to provide any evidence to demonstrate why a HMO would cause issues of noise or other forms of nuisance simply due to the nature of the use.

The Council's Environmental Health Team have raised no objections to the development subject to a condition which would secure appropriate internal and external noise levels at the property, in accordance with the mitigation methods proposed in the submitted Noise Impact Assessment. Subject to this condition it is considered that the proposal is acceptable in respect of amenity.

Whilst the Environmental Health Team has requested that details of bin storage areas be provided prior to first occupation, the proposed plans have already demonstrated where this area would be within the site. A condition will however be used to ensure that the storage area be retained for the lifetime of the development and be provided prior to the first occupation of the scheme.

Parking and highway safety

At paragraph 115 the NPPF indicates that development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy IN2 (Transport and Accessibility) of the emerging plan sets out that new development should make appropriate provision for access by sustainable modes of transport to protect the integrity of the highway network and the Council will work with developers to ensure that development proposals which contribute towards an accessible, efficient and safe transport network that offers a range of transport choices and improves accessibility through sustainable modes of travel will be supported. Moderate weight can be given to this policy at this time.

Policy IN3 (Access and Parking) of the emerging local plan states that appropriate levels of parking provision should be made in accordance with the standards contained within Appendix 3 (Parking Standards), but the policy also recognises that a departure from these standards may be justified on a case by case basis. The policy does not require any changes following the local plan examination period and can therefore be given significant weight.

The Council's parking standards require that for HMO use, 0.5 spaces should be provided per bedroom, meaning that the proposals should provide 6 off street parking spaces. Whilst the site has no dedicated parking, it is important to note that the use of the site as a public house would also have had no parking provision and that parking standards for public houses are set as 1 space per 6m² which would equate to a far higher parking requirement than the 6

needed for this proposal. Furthermore, there is ample street parking available in the surrounding area, particularly along Brook Street which is a highway leading to Silverdale Park which does not serve any other nearby properties.

The Highway Authority has requested that details of cycle storage areas be provided prior to first occupation which can be secured through a condition. They have raised no objections to the proposal on highways grounds. The application site lies within a highly sustainable area which has good access to a number of car parks and public transport services, and whilst the lack of off-street parking weighs against the proposal, the existing lawful use of the property could generate similar, if not greater levels of vehicular movements, than the proposed HMO use.

Due to the above, and in the absence of any objections from the Highway Authority, it is not considered that a refusal on highway grounds could reasonably be sustained by the Local Planning Authority.

Planning Balance

The application site is located within a highly sustainable area of the Borough and there are no planning matters related to the development on which a refusal could be sustained. The application should therefore be approved.

Other Matters

Concerns have been raised by local councillors and the Parish Council about the number of HMOs in the area and how this will impact community cohesion and the character of the area. While there are 4 registered HMOs within 200m of the site, all of which are located on Newcastle Street, these are likely to have been completed under permitted development, which allows for residential dwellings falling under class C3 (Dwellinghouse) to be converted to Houses of Multiple Occupation of 3-6 residents (use class C4) without planning permission.

Given the above it is therefore difficult to sustain an argument that there is a significant number of HMOs in this part of Silverdale.

The Council's Landscape Team have requested a developer contribution towards local open space, however as the application is not a major application then it does not trigger the requirement for developer contributions.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The **public sector equality duty** requires **public authorities** to consider or think about how their policies or decisions affect people who are **protected** under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions. People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment

- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics

APPENDIX

Policies and proposals in the Development Plan relevant to this decision:

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (Adopted 2009)

Classification: NULBC **UNCLASSIFIED**

Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy

Policy CSP1: Design Quality

Policy SP1: Spatial Principles of Targeted Regeneration

Policy SP2: Spatial Principles of Economic Development

Newcastle under Lyme Local Plan 2011

Policy H1: Residential Development: Sustainable Location and the Protection of the Countryside

Policy C22: Protection of Community Facilities

Policy T16: Development – General Parking Requirements

Other Material Considerations include:

National Planning Policy Framework (2024)

National Planning Practice Guidance (2024)

Newcastle-under-Lyme Emerging Local Plan (2020-2040 at Main Modifications Stage)

Policy PSD1: Overall Development Strategy

Policy PSD2: Settlement Hierarchy

Policy PSD3: Distribution of Development

Policy PSD6: Health and Wellbeing

Policy PSD7: Design

Policy HOU3: Housing Standards

Policy HOU7: Homes in Multiple Occupation

Policy IN2: Transport and accessibility

Policy IN3: Access and Parking

Policy IN5: Provisions of Community Facilities

Policy SE9: Historic Environment

Policy SE12: Amenity

Supplementary Planning Guidance

Space around Dwellings SPG (2004) - Supplementary Planning Guidance relating to the control of residential development

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010)

Relevant Planning History

15/00493/FUL - Proposed residential development consisting of 6 apartments – permitted

Views of Consultees

The **Conservation Officer** raises no objections to the proposal, but notes that any original signage associated with the pub should try to be retained.

The **Lead Local Flood Authority** raise no objections to the proposal subject to the existing floor levels being retained as per the existing arrangement.

The **Environmental Health Team** have raised no objections to the proposal subject to conditions relating to construction hours, internal noise levels and ventilation details.

Classification: NULBC **UNCLASSIFIED**

The **Housing Strategy Section** states that the owner will need to comply with relevant HMO requirements and building regulations.

The **Highway Authority** raise no objections to the proposal, subject to a condition requiring cycle storage provision.

Silverdale Parish Council objects to the proposal on the basis that proposal would have an impact on the community, and that a parking assessment should be completed. The PA also consider the proposal to have an adverse impact on local heritage and that there is no additional need for HMOs in this area.

Staffordshire Police have provided guidance on a number of security matters and requested a condition that stating that the HMO is not used for Probation Housing.

The **Landscape Development Section** have requested a developer contribution of £26,779.20 towards Silverdale Park.

No comments have been received from the **Waste services Team**.

Representations

Four (4) objections have been received, two of which are from local councillors. The concerns raised are summarised below:

- Concentration of HMOs in the area
- Lack of parking
- Traffic increase
- Waste collection
- Strain on infrastructure
- Anti-social behaviour and noise nuisance
- Community cohesion

A comment in support of the application has also been provided by the applicant which sets out key points on how the HMO would be managed and how concerns of local councillors and residents have been taken into account.

Applicant/agent's submission

All of the application documents can be viewed on the Council's website using the following link.

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/26/00022/FUL>

Background Papers

Planning File
Development Plan

Date report prepared

19 March 2026