

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date 21 June 2021

Application No:	HPK/2019/0349	
Location	Land to the north of St Charles Hall, Woolley Bridge Road, Hadfield	
Proposal	Outline application for Residential development (C3a Use Class) including matters of Access, Layout and Scale (matters of Landscaping and Appearance Reserved)	
Applicant	Mr Adam Bell	
Agent	Studio KMA	
Parish/ward	Dinting Ward	Date registered 14 th August 2019
If you have a question about this report please contact: James Stannard, Tel. 01298 28400 extension 4298, james.stannard@highpeak.gov.uk		

1. SUMMARY OF RECOMMENDATION

Approve subject to S106 Agreement and Conditions

1. REASON FOR COMMITTEE DETERMINATION

- 1.1 The application is referred to committee as it is a major development.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site comprises a parcel of land south of Woolley Bridge Road, which slopes in a southerly direction away from the public highway and towards St Charles Hall, a building that stands in front of St Charles Church, which is a Grade II Listed Building. The Conservation Officer has advised that the St Charles Hall is thus considered to be curtilage listed.
- 2.2 The site itself comprises an area of hard standing that sits immediately to the north of the Hall, with a belt of mature trees and natural vegetation sitting between this area and the public highway and extending westwards becoming a dense wooded area.
- 2.3 The site is covered in its entirety by a Tree Preservation Order (TPO). The eastern boundary of the site is defined by the access road to St Charles Church which is also a public right of way (Footpath HP12/82/2). The public highway (Woolley Bridge Road) runs east-west and forms the northern boundary of the site.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 The application in its original form sought outline planning permission with all matters reserved except Access for assisted living residential development (C2 Use) and contained 20 x residential units.
- 3.2 Further to consultation comments and dialogue with the applicant's agent, the application has been amended to include matters of Access, Scale and Layout with all other matters (Appearance and Landscaping) reserved for 12 x residential units.
- 3.3 The application has subsequently revised the description of development which changes the Use Class of the proposed residential units from C2 (Residential Institution) to C3 (residential dwelling), to reflect the fact that whilst the units will support assisted living and a form of care, each unit is nevertheless independent, with its facilities, and own car parking space, much like a flat.
- 3.4 The plans and documents that are the subject of consideration and assessment are set out as follows:

Plans

- Location Plan (Ref: T568_7000_P1)
- Topographic Survey (Ref: T568 Rev A)
- Historic Site Plan (Ref: T568_7001_P1)
- Proposed Site Plan (Ref: T568_7003_P3)
- Demolition Plan (Ref: T568_7004_P1)
- Tree Felling Plan (Ref: T568_7005_P1)
- Typical Floor Plans (Ref: T568_7006_P1)
- Typical Cottage Flat Massing Elevations (Ref: T568_7100_P1)
- Admin Block Massing Elevations (Ref: T568_7101_P1)
- Existing and Proposed Street Scene A-A (Ref: T568_7200_P1)
- Existing and Proposed Site Sections B-B (Ref: T568_7201_P1)
- Existing and Proposed Site Sections C-C (Ref: T568_7202_P1)
- Existing and Proposed Site Sections D-D (Ref: T568_7203_P1)
- St Charles Hall (Restoration Repairs)
- St Charles Hall Floor Plans (Restoration Repairs)

Technical Documents

- Arboricultural Report and Tree Survey Schedule (Appendix B)
- Woodland Management Plan dated 8th October 2020
- Revised Heritage Statement dated 12th November 2020
- Revised Transport Statement dated 6th November 2020
- St Charles Hall Restoration Repairs received 18th Jan 2021
- Drainage Strategy dated June 2021

- 3.5 The application involves the demolition of a part of the hard standing area and retaining wall as shown on the demolition plan.
- 3.6 The revised plans show the site to be accessed directly from Woolley Bridge Road leading to a central car parking area, with 2 x residential blocks sitting towards the eastern boundary, with a further block and adjacent administration block sited to the west.
- 3.7 Each residential unit would be two storey with each unit covering an area of approximately 50sqm across a single floor, comprising an open plan kitchen/living room, a bathroom and double bedroom. Each block would be supplemented by a communal garden with indicative planting and landscaping shown. A new retaining wall would be built which defines the site boundary with St Charles Hall and its associated parking area.
- 3.8 All plans and documentation can be viewed online via the following link
<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=233910>

4. RELEVANT PLANNING HISTORY

- 4.1 The site has not been subject of any previous planning history.

5. PLANNING POLICIES RELEVANT TO THE DECISION

High Peak local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement hierarchy
- S5 Glossopdale Sub-area Strategy
- EQ5 Biodiversity
- EQ6 Design and Place Making
- EQ7 Built and Historic Environment
- EQ9 Trees, Woodland and Hedgerows
- EQ10 Pollution Control and Unstable Land
- EQ11 Flood Risk Management
- H1 Location of New Housing Development
- H3 New Housing Development
- H4 Affordable Housing
- CF6 Accessibility and Transport

National Planning Policy Framework 2019

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| Achieving Sustainable Development | Chapter 2 |
| Delivering a Sufficient Supply of Homes | Chapter 5 |
| Promoting Healthy and Safe Communities | Chapter 8 |
| Promoting Sustainable Transport | Chapter 9 |

6. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments 3 rd October 2019
Neighbour letters	Expiry date for comments: 12 th September 2019
Re-consultation	Expiry date for comments: 20 th May 2021
Press Notice	Expiry date for comments: 26 th September 2020

Neighbours

- 6.1 1 x representations have been received from members of the public in support of the application which allude to the local socio-economic benefits associated with the proposal. A further representation has been received from a company that states it will be involved in the restoration of the hall.

Consultees

- 6.2 The following comments have been received from consultees

Consultee	Comments
Parish Council	N/A
HPBC Regeneration	<p>Residential development will impact on the local economy in terms of jobs and purchasing of supplies and services. In order to assess the economic impact of this development, we have relied upon the data supplied by the applicant and used the Council's approved multipliers to prepare these comments.</p> <p>The proposal for development of 20 dwellings will provide the following outputs:</p> <ul style="list-style-type: none"> The new householders occupying each new house will spend some of their income locally through shopping and use of local services. National research has identified that 34% of all household expenditure is spent at district level or below. For this development of 20 units this is

	<p>calculated at £184,048 per year.</p> <ul style="list-style-type: none"> Each new house will generate direct jobs within the construction industry or associated supply chain, of which 25% are likely to be locally based. Indirect Jobs are also generated by local spend in shops and services. This is calculated at an additional local job for every seven new homes. Using these multipliers the development will generate 21 direct jobs and 3 indirect jobs. The development will also generate approximately £3919 council tax for the area per annum
HPBC Regeneration (Housing)	Policy H5 = 20% Affordable Housing on sites of 5-24 units, equating to 2 units based on the outline proposal. Preference for on-site contribution.
Peak and Northern Footpath Society	As far as we can tell Glossop Footpath 82 is not affected by the proposal. That being so, we have no comment to make other than we would expect this path to be clear and available at all times.
DCC Flood Risk Management	No objections subject to conditions.
HPBC Environmental Health	No objections subject to conditions.
Derbyshire Wildlife Trust	<p><u>Initial Response – 1st November 2019</u></p> <p>We have reviewed the ecological report that was provided with the applicant – Preliminary Ecological Appraisal prepared by Earth Environmental & Geotechnical. The report provides a good description of the site and highlights several ecological issues that need to be addressed as part of the proposals, including the presence of Japanese Knotweed in the woodland and the high potential for roosting bats in the building, including suitable conditions for</p>

	<p>hibernation in an underground vault.</p> <p>Although the report is dated July 2019, the survey work it describes was carried out in 2016 and reference is made in several places to recommendations for further work required in 2017 to confirm presence/likely absence of bats. The report does not appear to include any more recent information to update the 2016 appraisal and the recommended bat surveys do not yet appear to be carried out.</p> <p>The council is required to fully consider impacts and any necessary mitigation for European Protected Species as part of the decision making process when assessing development proposals, therefore we must advise that at present insufficient information has been provided to determine the application.</p> <p>As a period of three years has elapsed since the ecological appraisal was carried out, we recommend that this survey should be updated to provide up to date information about the habitats and species present on site. In addition to this, the following specific surveys are required to provide sufficient information about the site status for bats:</p> <ul style="list-style-type: none">- Daytime inspection to provide an up to date assessment of the suitability of the structure- Hibernation survey (underground vault and any other areas considered suitable by the bat ecologist) during suitable weather conditions within the period November-February- Dusk emergence / dawn re-entry surveys during the bat active season (at least two within the peak activity period May-August and a third before the end of September) <p>All surveys must be carried out by a</p>
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suitably qualified ecologist and following relevant good practice guidelines. In addition to hand-held bat detectors, we strongly encourage the use of additional technology such as automated recoding detectors placed within roof voids and IR / thermal cameras to ensure a robust survey effort and minimise the likelihood of missing hard to detect species such as brown long-eared bats.

Any trees with potential roost features will also need to be surveyed for bats if they are proposed to be removed.

The ecological survey work will be required prior to determining the application.

Revised Response – 26th February 2020

I have reviewed the Potential Roost Assessment Survey Report prepared by Arbtech (Jan 2020). Two trees within the surveyed area were highlighted as having potential roost features for bats, a hornbeam referred to as T62 and a beech referred to as T7, although inspection of the cavities found no evidence that they have been used by bats.

The survey effort is considered suitable for the purposes of planning; however, as bats are highly mobile species and can find and occupy new roost features throughout their active season, as a precaution these features should be inspected by a suitably licenced ecologist immediately prior to felling to confirm that no bats are present at that time. If bats or evidence of bat occupation (such as droppings) are found then the work would need to be licenced by Natural England.

The pre-felling check should be secured by condition, together with a check for nesting birds.

The enhancement measures for bats and nesting birds proposed in the report are relevant, although please note that the

	<p>suggested siting of swift boxes and sparrow terraces on trees is not considered appropriate and they are unlikely to be used by the target species unless positioned on buildings and ideally at a height of at least 4m. The Trust's preference would be for at least four swift bricks to be incorporated at the eaves of the new buildings as this type of box is readily used by both swift and house sparrow and therefore would provide new nesting opportunities for both.</p>
<p>HPBC Conservation Officer</p>	<p>Significance</p> <p>I note that the outline application contains no Heritage Statement, despite the siting within the historic landscaped grounds of St Charles RC Church, and the close proximity to St Charles Hall (formerly RC Primary School). We require a detailed heritage assessment to understand the significance of the heritage assets including their setting. Furthermore, an outline application is inadequate to be able to assess how the proposal will impact on that significance. Both an understanding of significance and having all details of the scheme to assess impact are standard requirements in order to comply with the NPPF.</p> <p>The principal Listed Building is ROMAN CATHOLIC CHURCH OF ST CHARLES BORROMEO AND ATTACHED PRESBYTERY, WOOLLEY BRIDGE ROAD Listed 22nd May 2000. Built in 1858, by Lord Edward Howard by architect's JG Weightman, ME Hadfield and George Goldie. Whilst the list description covers the principal elements of the church and presbytery, the list description is for identification purposes only and the Listing itself extends beyond the principal building.</p> <p>The legislation states that buildings and other structures that pre-date July 1948 and are within the historic curtilage of a listed building are to be treated as part of</p>

the listed building. Working out whether a building has a curtilage and the extent of that curtilage can be difficult and a series of tests need to be applied which are based on case law:

- the physical layout of the listed building and the structure (within the same designed, estate grounds);
- their ownership, both historically and at the date of listing (I understand that the Diocese of Nottingham sold St Charles Hall and land in 2015 so at the date of Listing the ownership was the same) ;
- the use or function of the relevant buildings, again both historically and at the date of listing (school/hall serving the purposes of the RC Diocese).

A historic appraisal of the Church was undertaken by Marion Barter (Historic Building Consultant) and this states that the church and ancillary buildings are set within ten acres of wooded grounds on an elevated terrace reached by a sweeping carriage drive with heavy stone gate piers at the entrance. The grounds were landscaped by Canon Sabela in 1894 for processions and included rockeries, terraced walks, shrines, statuary and a holy spring; most of the statuary has been lost but the Victorian character of the setting remains. The convent was built in 1887 between the school (St Charles Hall) and church in similar style. The Jubilee Hall was built in 1914, but demolished after a fire in 1975.

The report also states ' The church and presbytery are appropriately Listed in Grade II, but the list entry does not refer to the important historical association with the Howard family.... The former convent and school could also be considered for grade II designation for their historic and aesthetic value as part of the group.' (Para. 2.4)

St Charles Hall to the north is set into a sloping bankside and set at lower level than the Church. The Hall shares common styling and materials to the Church and is adds greatly to the group value of the building complex. The arrangement of buildings, topography and mature vegetation present a fine vista when viewed from Woolley Road.

In view of my assessment of the site and the analysis undertaken by Marion Barter that St Charles Hall is regarded as a curtilage Listed structure. If the applicants don't agree with this judgement then it is for them to make a counter argument based on the legal tests.

Any application affecting the Hall will therefore require Listed Building Consent and, in assessing a development proposal within its grounds, consideration must be given to the impact on the setting of the Listed Building complex.

Policy Background

1990 Act:

Section 66: In assessing Planning Applications the LPA has a duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 16: In assessing LBC applications the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

NPPF:

Footnote 6 of Para.11 of the NPPF which states that harm to Listed Buildings, or their setting, triggers the statutory presumption in favour of sustainable development.

	<p>Para. 189: LPAs should require the applicant to describe the significance of any heritage asset, including any contribution made by their setting</p> <p>Para. 190: LPAs should use the assessment of historic interest to consider the impact of a proposal and seek to minimise conflict. Case law has confirmed that where there is an impact this must be assessed and given appropriate weight. The Council has to demonstrate that the Section 66 Duty has been applied and discharged. Section 66 creates a strong presumption in favour of the preservation of Listed Buildings and their setting and requires that considerable weight be given to the desirability of preservation. Furthermore:</p> <p>Para.193 & 194: In considering the impact of proposed development on the significance of a heritage asset great weight should be given to its conservation with a greater weight being placed where the asset has greater importance. Significance can be harmed by alteration, destruction or development within its setting. Harm requires clear and convincing justification. Substantial harm of a Grade II LB or park and garden should be exceptional.</p> <p>Para.195 & 196: Relate to assessing harm to an asset's significance and set out the circumstances in which harm, substantial or less than substantial, could be considered acceptable. These include situations where public benefits outweigh such harm.</p> <p>Conclusion</p> <p>St Charles Hall is regarded as being within the historic curtilage of St Charles RC Church and therefore is Listed for the purposes of planning control. Any application will need to be accompanied by a heritage appraisal which evaluates the historic interest of the Listed Building group</p>
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and their setting, assesses the impact of the proposal on that interest and any mitigation. Any harm to the heritage assets or their setting will need to be justified in accordance with the guidance in the NPPF.

The absence of a heritage appraisal and a full details (elevation drawings, sections etc) automatically results in a recommendation for refusal/withdrawal. However, even at this stage I have serious concerns regarding the siting of a large, new building blocking views of the church hall and wider complex of Listed Buildings, and harm to the designed landscape and processional routes.

Note: Even if it was concluded that St Charles Hall is not curtilage Listed, a heritage appraisal and full planning application would be required as the NPPF also requires the LPA to assess impact on non-designated heritage assets.

Revised Response – 21st September 2020

The scheme for assisted living units has now been revised to include matters of layout and scale, indicating 2 pairs of semi-detached dwellings near to the site of the former Jubilee Hall (taking in a section of the former playground to the school) and a pair of semi-detached dwellings and detached house (admin block) to the west in an area of woodland, previously not developed. The application form mentions 12 residential units plus an admin building but the heritage statement (June 2020) mentions up to 22 units, although the site plan had been updated.

The OS maps shows the site in 1899 (prior to the building of the Jubilee Hall) and the map in 1919 following the building of the Hall. It is immediately apparent that the church site is a planned estate with building of historic and architectural quality set in wooded, landscape grounds. From walking the site there is evidence of a garden and footpath to the north of the church and a

	<p>further footpath running down the bankside into the woodland. The woodland area and former footpaths are now quite unmanaged and over-grown. A further feature of note is the access from Woolley Bridge Road itself which has attractive gate posts, a cobbled gutter and shrine on the site of a well alongside the former playground. The quality of this access road should be respected in any development and not be impacted by solid fencing or overpowering development.</p> <p>The scale and form of the buildings has been modified to be of more vernacular proportions and the indicative details suggest natural stone buildings and slate roofs.</p> <p>It is helpful that we now have matters of layout and scale before us to that we can begin to assess the likely impact of development on the setting of the Listed Buildings and heritage site as a whole but I consider that it requires further modification to ensure that the development will respect the distinctive character of the site. We really need to understand what they are trying to achieve on the site and how this can best be accommodated. For example, will these houses require gardens as these should be identified at this stage if we are to agree layout and understand the impact on trees and views?</p> <ul style="list-style-type: none">• The redevelopment of the former Jubilee Hall site is the most logical location. Although Jubilee Hall was not part of the original site design, the hall was designed to respect the architecture of the church and school and the new development should follow this principle. I note that the siting of the semi-detached houses have taken their lead from the siting of Jubilee Hall. Whilst I do not object to this, consideration could also be given to siting them parallel to the access lane or to front
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	<p>the road, and have a boundary wall and planting to the roadside to provide screening and enclosure. Even with houses to the road frontage, views through to the school at the rear can be achieved. Alternatively, the buildings could be sited in an L-shape, part with its back to the former school playground</p> <ul style="list-style-type: none">• I note that the former playground will be reduced requiring the demolition of a stone retaining wall and some excavation into the bankside. With careful treatment and stone facing materials this is likely to be acceptable.• The proposed site access and parking will create an over-wide site entrance and hollow the site out exposing a large open area and prominent views of parked cars. It will detract from the intimate, woodland feel and cohesiveness of the historic estate. This needs to be redesigned to create more enclosure and screen the parking as far as possible.• Pushing the development into the woodland is contentious as this is not previously developed land and will require significant cutting into the bankside and the construction of retaining structures. Even with some tree removal the houses will be quite immersed in the woodland which might feel quite oppressive with the bankside rising substantially to the south. There may be pressure in future to remove further trees. <p>With good materials, building detailing and careful treatment of retaining walls and other boundaries I feel that the development has the potential to be accommodated without detriment of the setting of heritage assets but the loss of</p>
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mature trees and the further hollowing out of the site will affect the woodland feel, cause disturbance and change the character of the estate. It will be most important to ensure the tree coverage to the roadside.

We require revision to the open site access and parking, details of gardens (if any are to be provided) and further discussion about the acceptability of extending the development into the woodland grounds.

Further Revised Response – 30th
November 2020

As the development stands I would regard the application as causing 'less than substantial harm' to the setting of the Listed Building and its wider historic estate. The hollowing out of the woodland to site three dwellings would extend development beyond the former built footprint affecting the density of the woodland and the way it currently cloaks the buildings. The three dwellings would require loss of some trees and construction of retaining walls into the bankside and may threaten other trees once the dwellings are occupied as a result of shadowing. The fact that the scheme is still in outline still creates a certain amount of uncertainty as to what impact the final development will have on the setting of the heritage assets.

On a positive note the provision of a woodland management scheme would be a benefit to the setting of the heritage assets as the woodland would be managed ensuring its longevity and enhance setting.

The harm could be further mitigated by a scheme to secure the renovation of St Charles Hall (as mentioned by the applicant). Whilst we do not have a scheme for the building's re-use it would be appropriate to agree a scheme to put the envelope of the building into good order and this could be secured by Condition or legal agreement along with a time limit. I

	<p>would suggest a schedule of works to restore the envelope of the building – renovation of the roof, re-glaze windows and restore doors and other architectural features, rainwater goods and boundaries. We would have to agree this before determination.</p> <p><u>Final Correspondence January 2021</u></p> <ul style="list-style-type: none"> - Discussions with agent to agree the appropriate schedule of works to secure restoration works to the Hall as part of the scheme and provide suitable public benefits to justify support, to be secured by condition requiring works to be carried out in full prior to occupation of first residential unit - Revised Schedule of Works received on 18th January accepted
<p>HPBC Tree Officer</p>	<p><u>Initial Comments – 5th November 2019</u></p> <p>A tree survey has been provided. However a full assessment of the impact on the trees is not been provided and it is difficult to estimate what the impact will be given that this is an outline application and level changes on the site will potentially have a significant impact on the trees</p> <p>As a minimum I consider there needs to be more detail about the access to the site in term of location and where the finished level will be as this will be. Due to the negative impact on protected mature trees I would much prefer the development footprint of the proposals to be established at this stage so that the impact can be assessed. Given that a negative impact is unavoidable I would like some indication of the mitigation proposals for the site. With a reserved matters application a full Arboricultural implication study and method statement to BS5837:2012 would be required</p>

Unacceptable loss of trees of protected trees – Approx 1750m² of wooded area to be removed . The built up area has tree canopy cover of 15% which is less than the national average (16%) and less the desirable target of 20 to 25%. This would lead to a net loss in biodiversity. Mitigation would ideally to be to retain the same level of tree cover by planting the same area elsewhere. But Mitigation may also include securing the positive management of the retained tree cover There is potential for further impact due to level changes and service installation which have the potential to Impact on required root protection area or retained trees The proposed properties could potentially be impacted on by shading from the retained trees and these tree could be a risk to the new dwellings particularly where neighbouring trees have been removed. Therefore here is significant potential for further tree removal once the properties are occupied.

I consider given the issues it is impossible to support this proposal as an outline application in the absence of information about the proposed layout of the scheme and indication of mitigation for tree loss.

I would prefer full application with detailed included proposed landscaping and mitigation. In the absence of this as a minimum the footprint of the area to be developed and an indication of finished levels. A indicative landscaping scheme and mitigation proposals.

I cannot support this application from an Arboricultural perspective - More information is required

Revised Comments – 27th October 2020

The footprint of the proposals has been reduced and Layout and scale details have become part of the outline details. Only Landscapes and appearance are reserved. The addition of level information and cross

	<p>sections has also proved useful. The proposals as they stand have reduced the impact on the trees. There will still be tree loss and mitigation will be required.</p> <p>14 mature trees are shown to be felled to accommodate the proposals, 5 of these are High Amenity category A trees (BS5837:2012) and 5 are moderate amenity category B trees.</p> <p>This is a significant loss of trees to be removed to accommodate part of the proposals which comprises the admin block and plots 10 and 12. The omission these plots and the relocation of the admin block and corresponding reduction in would be required to sustain the retention of the majority of these trees . This would have an impact on the viability of the scheme and should be considered as part of the planning balance</p> <p>The trees near block 2-8 are to be retained but area close to the structure and a detailed Arboricultural Method statement will need to demonstrate how these can be safely retained.</p> <p>The applicant has provided a woodland management scheme for 0.27ha of woodland. The plan allows for the canopy lost to be replaced with new planting and there is a slight potential increase in canopy area over 20 years from 806m³ to 1031m³. This is slightly deceptive in that the areas earmarked for planting already have some canopy cover and young trees are not a direct replacement for mature trees. There are benefits from the proposals including improving public access, ongoing management and replacement planting aimed at increasing biodiversity. It's important that this plan is financially secure for the duration of 25 Years and as some of the area is outside the application site this will need a s106 agreement.</p> <p>Whilst it is not possible to support the</p>
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	<p>application from an Arboricultural perspective due to the degree of impact on mature protected trees, a smaller footprint might reduce the impact and some mitigation has been offered by way of a woodland management scheme.</p> <p>I do not have an overriding objections as long as the Planning Officer is satisfied that the planning balance is such that the outline can be approved with certain conditions to address the concerns over tree loss.</p> <p>The following should be conditions of any outline approval:</p> <ol style="list-style-type: none">1 Standard condition requiring all trees are retained on site until such time as all reserved matters have been determined except with the written consent of the LPA2 A detailed Arboricultural impact assessment and method statement in accordance with BS5837:2012 which clear shows how trees will be integrated in to the development and the impact will be minimised. This will includes ensuring that the design and layout address the potential for the retained trees to shade and cause nuisance to the properties and efforts to design out these potential conflicts should be made3 A Landscape and environmental management plan (LEMP) which deals in detail within both Arboricultural and ecological mitigation and clearly sets out what mitigation will be undertaken and how this addresses the losses caused by the proposals and it is demonstrably sustainable and enforceable. I envisage this will include the Woodland management plan provided, but also detail other ecological mitigation and how the ongoing management will be controlled and sustainably financed. This will require a s106 agreement.4 The provision of a high quality landscaping scheme and landscape
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	management proposals for the developed part of the site.
DCC Highways Authority	<p><u>Initial Comments – 18th November 2019</u></p> <p>The submitted details propose a development of 20.no 1 bedroom sheltered residential units all served via a new access with Woolley Bridge Road.</p> <p>A Transport Statement has been submitted in support of the development proposals concluding that detrimental impact on safe operation of the public highway is unlikely to result as a consequence of development. Whilst the Highway Authority does not generally “agree” with the content of the Transport Statement or, inevitably, concur with every detail contained therein, providing it is considered that the conclusion is sound then it is not regarded as reasonable or warranted to require the applicant to devote resources to amending detail which would not vary the conclusion.</p> <p>In this case the Highway Authority does not consider that there is an evidence base to suggest that the conclusion that the development would not have a significant adverse effect on capacity or safety of the local road network is incorrect. Certainly, there is no data that would support a reason for refusal of planning permission on the basis that the development would result in severe harm on the highway network.</p> <p>As stated within the pre-application advice, as the proposed shared driveway will remain private, the proposed vehicular access should take the form of a dropped kerb crossing the footway rather than the kerbed radii format currently shown. The proposed access width is acceptable.</p> <p>Using the empirical formula contained within Manual for Streets 2, based on the recorded 85%ile vehicle approach speeds submitted and taking into account the nature and volume of traffic using Wooley</p>

Bridge Road together with the limited level of side friction, the Highway Authority considers that visibility sightlines of 2.4m x 56m and 2.4m x 94m should be provided to the left and right respectively when exiting the site. It should be noted that these figures do not take into account gradient of the approaches. Notwithstanding, it would appear that adequate visibility sightlines can be delivered over controlled land/existing highway although the applicant should be requested to submit revised details demonstrating the full extents in each direction.

As the site levels are higher than Woolley Bridge Road, details of measures to prevent surface water run-off from the site entering the highway should be submitted e.g. dished channel with gulley discharging to a drain within the site.

Beyond the access, I trust that you will ensure that the proposed level of off-street parking provision is adequate to meet your own Authorities requirements as any under provision would be likely to result in vehicles being parked within areas dedicated to manoeuvring (thereby increasing the likelihood of reversing to/from Wooley Bridge Road) or on Wooley Bridge Road (or its footways) each situation considered against the best interests of safe and efficient operation of the public highway. Current guidance recommends that parking spaces should be of 2.4m x 5.5m minimum dimension (larger in the case of spaces for use by disabled drivers) with adequate space behind each space for manoeuvring and an additional 0.5m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence etc.

Swept paths have been submitted demonstrating adequate of the internal site layout to enable to a Large Refuse Vehicle of 11.1m length to enter and exit the site in a forward gear. Current guidance suggests that refuse vehicles of a slightly larger dimension of 11.6m length are currently in

use and it is suggested that the views of the local refuse collection service are sought with respect to suitability of the proposals for their purposes. In the event that they do not intend to enter the site, an area of adequate dimension should be provided adjacent to, but not within, the highway for standing of waste bins on collection days.

Therefore, it is recommended that the applicant is requested to submit revised details demonstrating measures to satisfactorily address the above issues.

Revised Comments – 11th November 2020

I consider that measures demonstrated to allay earlier concerns to be acceptable and recommend that the following Conditions are included within any Consent:-

1. Space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.

2. Prior to the site compound, the subject of Condition 1 above, being brought into use, a new vehicular access shall be formed to Woolley Bridge Road (CIII) and provided with visibility sightlines of 2.4m x 56m and 2.4m x 94m to left and right when exiting respectively. The area in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

	<p>3. The premises, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking/ loading and unloading/ manoeuvring of residents/ visitors/ staff/ service and delivery vehicles (including secure/ covered cycle parking), located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.</p> <p>4. There shall be no gates or other barriers across the private shared driveway unless otherwise agreed in writing by the Local Planning Authority.</p> <p>5. The proposed access drive to Woolley Bridge Road shall be no steeper than 1 in 12 for the first 10m from the nearside highway boundary and 1 in 10 thereafter.</p> <p>6. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for their designated purposes at all times thereafter.</p> <p>7. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.</p>
AES Waste	No objection.

7. POLICY AND PLANNING BALANCE

Planning Policies

- 7.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.
- 7.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016.
- 7.3 Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Paragraph 11 of the NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 7.4 Local Plan policy S1a establishes a presumption in favour of sustainable development as contained within the NPPF.

Principle of Development

- 7.5 The application site lies within the built-up area boundary of Hadfield, which is defined as a Larger Village within the settlement hierarchy under Local Plan (LP) Policy S2 where a moderate scale of development may be acceptable.
- 7.19 LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.
- 7.6 LP Policy S3 sets out the strategic policies for the distribution of housing development which allocated 27-35% of the dwellings within the Glossopdale Sub-area over the Plan Period until 2031.

- 7.7 LP Policy H1 refers to the location of new housing development and supports housing development on unallocated sites within the defined built-up area boundaries of the towns and larger villages.
- 7.8 LP Policy H3 requires new residential development proposals to provide a range of market and affordable housing types and sizes that can reasonably meet the requirements and future needs of a wide range of household types including for the elderly and people with specialist housing needs.
- 7.9 Paragraph 68 of the NPPF makes clear that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, by supporting the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 7.10 The application in its revised form would provide 12 x one bedroom residential units on a site that lies within the built-up area boundary which is well connected to and within walking distance of nearby services, facilities, institutions and public transport links within Hadfield village. As such the general principle of development is supported.
- 7.11 However, the site is also constrained by virtue of its proximity to and within the setting of the Grade II Listed St Charles Church and its associated curtilage listed Jubilee Hall. In addition the site is also covered in its entirety by a Tree Preservation Order (TPO).
- 7.12 As such, the application will only be supported in principle in the event that there is no adverse harm to the character and appearance of the heritage asset, including its setting, or where harm is identified, that there are sufficient public benefits that outweigh the identified harm in the overall planning balance.

Housing Mix

- 7.13 LP Policy H3 requires new residential developments to provide a mix of housing based on evidence contained within the Strategic Housing Market Assessment (SHMA).
- 7.14 In its final revised form, the proposed development comprises 12 x one bedroom residential flats. The SHMA identified that one bedroom properties should make up 10% of the overall housing mix, with an emphasis on two (45%) and three (35%) bedroom properties.
- 7.15 Whilst the proposed development does not strictly comply with the housing mix identified within the SHMA, it is the case that this is a scheme which is targeted at a specific need for assisted living, with infrequent care provided on site and facilities to accommodate staff. As such, it is considered that the departure from the SHMA can be justified in this instance.

Affordable Housing

- 7.16 LP Policy H4 sets out the amount of affordable housing that should be incorporated into a new residential scheme. On sites between 5-24 units, there is a requirement for 20% to be affordable housing, which equates to 2 units.
- 7.17 The applicant is aware and committed to signing a Section 106 Agreement that amongst other matters will secure 2 units for rented accommodation. As such, subject to securing this requirement through a Section 106 Agreement, the application is compliant with LP Policy H4.

Heritage Conservation and Design

- 7.18 Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.20 LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, in terms of scale, height, density, and layout.
- 7.21 LP Policy EQ7 has regard to the Built and Historic Environment. It states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.
- 7.22 The Residential Design Guide SPD (2005), Landscape Character Assessment SPD (2006) and Design Guide SPD (2018) are material considerations that are relevant to this application and contains further guidance for designing new housing development appropriate to its context.
- 7.23 Chapter 12 of the NPPF states amongst other matters that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.
- 7.24 Chapter 16 of the NPPF contains the relevant national policies relating to the conservation and enhancement of heritage assets. Paragraphs 193-196 sets out how a local authority should assess the significance of heritage asset and how to assess the potential impact on a

development proposal upon that asset. Where a proposal will lead to substantial harm or total loss of a designated heritage asset, local planning authorities should refuse consent unless there are substantial public benefits that outweigh that harm. Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits.

Heritage Conservation

- 7.25 The site lies within the grounds of St Charles Hall to the north, which is considered to be a curtilage listed building to St Charles RC Church, a Grade II listed building. The hall is set into a sloping bankside and set at lower level than the Church. The Hall shares common styling and materials to the Church and this adds greatly to the group value of the building complex. The arrangement of buildings, topography and mature vegetation present a fine vista when viewed from Woolley Road.
- 7.26 Commenting on the original plans, the Conservation Officer noted that no assessment of the significance of this building or its potential impact had been submitted with the application. The applicant was therefore invited to commission a Heritage Statement to assess the significance of this building including its setting, and re-design the scheme accordingly, including matters of scale and layout, in order for the authority to fully assess its impacts.
- 7.27 The application was subsequently amended to include matters of scale and layout, reducing the number of residential units from 20 to 12, and amending the layout of the proposed development to be more sympathetic to the existing context.
- 7.28 The revised Proposed Site Plan (Ref: T568_7003_P3) shows the provision of residential accommodation to be contained within 3 x two storey blocks which together with a separate administration block building span a width of 9m and a length of 15m, with an eaves height of 5m and an overall ridge height of 7.7m.
- 7.29 Two blocks are positioned on the eastern part of the site with car parking provision sitting centrally north-east of the third residential block and adjacent admin block.
- 7.30 Each residential unit at ground and first floor level comprises an open plan living/kitchen area, a bathroom and double bedroom and has an internal floor area of 50sqm. The admin block is shown to contain a communal meeting room, office and WC at ground floor level, with a staff room and shower room at first floor level.
- 7.31 The OS maps shows the site in 1899 (prior to the building of the Jubilee Hall) and the map in 1919 following the building of the Hall. It is immediately apparent that the church site is a planned estate with

buildings of historic and architectural quality set in well wooded, landscape grounds. There is evidence of a garden and footpath to the north of the church and a further footpath running down the bankside into the woodland. The woodland area and former footpaths are now quite unmanaged and over-grown. Although the detailed design of the houses has not been submitted, the scale of the development comprising two storey buildings would not in themselves harm the setting of the building. However, the Conservation Officer considers that the removal and hollowing out of the woodland to accommodate the development, which in itself contributes to the setting of the curtilage listed St Charles Hall, would result in 'less than substantial' harm to the character and appearance of this heritage asset, and therefore the application must contain notable public benefits that outweigh this harm.

- 7.32 The applicant has presented a Woodland Management Plan, which can be regarded as public benefit given the lack of management of the woodland which is considered to be inherent to the historic context in the Hall and Church are set. This would ensure the longevity of the woodland and therefore lead to an enhancement of the overall setting.
- 7.33 Furthermore, the applicant has produced a survey of the Hall which identifies the current condition of the building and a schedule of works for the repair and restoration of its exterior. The measures include the repair and replacement of roof tiles, the repointing in lime mortar of the bell tower, the opening of blocked door openings and the re-setting of steps and copings. The survey notes that due to the condition of the building water ingress has damaged floor joists and plaster works. Therefore, without remediation works to the exterior of the building further damage is likely to occur. The scheme (schedule of works) to secure the renovation of St Charles Hall, that restores the outer shell of the building can be secured by a section 106 agreement. The section 106 agreement is likely to include matters such as the timings of any works relative to the development, an inspection of the works timetable and consideration on whether any of the works will require listed building consent in their own right.
- 7.34 It is considered that the redevelopment of the site will cause less than substantial harm to the heritage asset which includes the setting of the Listed Church and Hall. In this case, only where there are public benefits can a scheme be approved. The NPPG helpfully explains what is meant by the terms "public benefits". It states "Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework ([paragraph 8](#)). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for

example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.”

- 7.35 The applicant has presented a number of the public benefits associated with the restoration of the Hall to the benefit of its longevity and the long-term management of adjacent woodland, which is inherent to the setting of the listed buildings. Whilst the building may not be accessible to the public, its restoration would secure its future. It is therefore considered that the less than substantial harm to the setting of the listed building is outweighed by the public benefit associated with the development. Accordingly, the proposed development therefore accords with LP Policy EQ7 and relevant paragraphs contained within Chapter 16 of the NPPF.

Design

- 7.36 The siting and layout of the proposed residential blocks and associated car park are considered to respond well to the topography and existing context of the site allowing the front façade of St Charles Hall to be read alongside the new development.
- 7.37 The scale of each block is considered to strike an appropriate balance between the width, depth and height needed to satisfy the necessary minimum internal floor area required to serve each residential unit, and the need to minimise the scale and height to respond to the sensitivity of the location.
- 7.38 Matters of landscaping and appearance are reserved. The applicant has been advised that the choice of materials should be sympathetic to the local character having regard to the Landscape Character Assessment SPD and Design Guide SPD, which will be key material considerations when considering any reserved matters application.
- 7.39 Subject to appropriate conditions and notwithstanding the proposals put forward as part of a subsequent reserved matters application, the application is capable of delivering a good design which could respond to the context in which the site lies and which can be secured by an appropriate planning condition. Accordingly, it is considered that the development proposals comply with LP Policies S1 and EQ6 and relevant paragraphs contained under Chapter 12 of the NPPF.

Trees

- 7.40 LP Policy EQ9 sets out that the Council will protect existing trees, woodlands and hedgerows, in particular, ancient woodland, veteran trees and ancient or species-rich hedgerows from loss or deterioration. This will be achieved (amongst other matters) by requiring that existing woodlands, healthy, mature trees and hedgerows are retained and

integrated within a proposed development unless the need for, and benefits of the development clearly outweigh their loss.

- 7.41 The application site is covered entirely by a Tree Preservation Order (TPO). The Tree Felling Plan (Ref: T568_P007) identifies those trees that would need to be felled to facilitate the development, which are categorised with 'A' being the most valuable and category B.
- 7.42 The Plan shows that 4 x category 'A' trees and 5 x category 'B' trees would need to be removed. Commenting on the latest revised plans, the Tree Officer highlights that the footprint of the building has been reduced which allows other trees previously identified for removal to be retained.
- 7.43 A Woodland Management Plan has been submitted by the applicant that relates to 0.27ha of woodland to the west of the site that lies within the control of the applicant, which allows for replacement planting that would increase the canopy from 806m³ to 1031m³ over a 20-year period.
- 7.44 The Tree Officer states that there is identified harm to protected trees but also recognises that there are benefits arising from the proposals relating to the improvement of public access, ongoing management, and replacement planting, which needs to be assessed in the overall planning balance, and that there are no overriding objections provided this benefit can be appropriately secured.
- 7.45 It is considered that the most appropriate way to secure the implementation of the Woodland Management Plan across the 25 year period is to incorporate it into a S106 Agreement.
- 7.46 The application would undoubtedly result in the loss of a number of protected trees. However, the Woodland Management Plan offers significant replacement planting and ongoing benefits and enhancement of the adjacent woodland that lies within the control of the applicant. Subject to this plan being secured by way of a S106 agreement, the application is, on balance, considered to comply with LP Policy EQ9 and relevant paragraphs contained under Chapter 15 of the NPPF.

Ecology

- 7.47 LP Policy EQ5 requires all new development proposals to demonstrate that any protected species and habitats within the site will not be adversely affected and seeks to promote a net gain in biodiversity by securing appropriate mitigation and ecological enhancements where appropriate.

- 7.48 Paragraph 175 of the NPPF states that when determining applications, authorities should apply a number of principles. One such principle is that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 7.49 The site is not constrained by any statutory ecological designation. However, the site contains a number of trees, some of which are to be removed, which do provide suitable habitat for protected species, particularly bats.
- 7.49 The Preliminary Ecological Appraisal originally submitted with the application was rejected by the Derbyshire Wildlife Trust due to the surveys being out of date. Furthermore, the necessary further survey work that was recommended by the appraisal was not submitted.
- 7.50 The applicant duly submitted the necessary Ecological Surveys prepared by Arbteck (Jan 2020) which were reviewed by Derbyshire Wildlife Trust. Their revised response confirms that the level of survey was sufficient and that subject to appropriate planning conditions that secures a precautionary check to Trees 7 and 62 for bats, prior to their removal, and an ecological enhancement scheme, there would be no harm to any ecological interests at the site.
- 7.51 In light of the further survey information and response from Derbyshire Wildlife Trust, it is considered that subject to appropriate conditions, the application will not result in any adverse harm to any protected species and will provide a suitable net gain in biodiversity, in accordance with LP Policy EQ5 and paragraph 175 of the NPPF.

Amenity

Public Amenity

- 7.52 LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.
- 7.53 Paragraphs 179-180 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution and health, living conditions and the natural environment. Development should therefore mitigate and reduce to a minimum potential adverse impact and carefully consider and mitigate contaminated land.
- 7.54 The application has been reviewed by the Council's Environmental Health Officer who identifies that the site is adjacent to a number of historic landfill sites and in an area of historic industrial use. However

this is not considered to be a constraint to development, subject to appropriate conditions relating to land contamination and remediation; and other standard conditions during construction times, in order to preserve public amenity.

- 7.55 Subject to relevant conditions being applied, it is considered that the application would not result in any adverse harm to public amenity, in accordance with LP Policy EQ11 and paragraphs 179-180 of the NPPF.

Residential Amenity

- 7.56 LP Policy H3 relates to new housing developments and requires dwellings to provide flexible accommodation which is capable of future adaption by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space Standards (NDSS) published by DCLG 2015.
- 7.57 LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.
- 7.58 The Residential Design Guide SPD (2005) provides further useful guidance and requires new developments to be sensitively designed in order to preserve the residential amenity of existing and neighbouring properties, having regard amongst other things to the positing of habitable windows, changes in land levels.
- 7.59 The Proposed Site Plan shows that the proposed development would consist of 12 x individual 1 x bedroom residential units each with a minimum internal floor area of approximately 50 square metres, in accordance with NDSS internal space standards which requires a minimum of 37 square metres for single storey 1 x bedroom 1-person occupancy.
- 7.60 Each bedroom is shown to have a width of approximately 4.6m and a depth of 2.5m, equating to a total floor area of 11.5sqm, which is also compliant with the standards set out under within the NDSS document. The proposed development will thus provide a satisfactory level of amenity for future occupiers of the development, in accordance with LP Policy H3.
- 7.61 The sole residential property that lies within close proximity to the site is No.202 Woolley Bridge Road, which lies directly south of the St Charles Hall, north of the Church, approximately 25m from the nearest residential block situated on higher ground.

- 7.62 Having regard to the spatial and visual relationship between this existing property and the proposed development, particularly the orientation of buildings and change in levels, it is not considered that the amenity of either the existing property would be compromised with regards to overbearing impacts.
- 7.63 Matters of appearance are reserved for future consideration, and therefore the positioning of habitable windows is not known at this stage. However, it is clear from the proposed site plan that the proposed layout would not result in any direct views between habitable windows and would not cause any overlooking to any neighbouring property. On this basis, the application is considered to comply with LP Policy EQ6, the Residential Design Guide SPD, and relevant paragraphs under Chapter 12 of the NPPF.

Parking Provision & Highway Safety

- 7.64 Paragraph 108 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 109 of the NPPF goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.65 LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network.
- 7.65 The scheme seeks to create a new access from Woolley Bridge Road to access the site and associated parking area. Original comments received from the Highway Authority did not raise any objections in principle but did require further information and points of clarification.
- 7.66 An updated Transport Statement dated 6th November 2020, alongside the latest Proposed Site Plan has been considered by the Highways Authority, who confirmed that all previous issues and points of clarification have been addressed and that subject to appropriate conditions there are no objections on highway grounds.
- 7.67 Appendix 1 of the Local Plan contains the Council's parking guidelines for all types of development. One-bedroom units are required to provide 1.5 car parking spaces and one cycle space. Having regard to the Council's parking guidelines, the proposed development, is required to provide a minimum of 18 x parking spaces with suitable turning and manoeuvring areas.
- 7.68 The Proposed Site Plan (Ref: T568_7003_P3) shows off-street parking provision for 16 x parking spaces together with communal bin storage

and 2 x cycle storage spaces. Whilst this is just below the Councils parking guidance, the overall amount is considered to be acceptable given the location of the site.

- 7.69 In light of the above, it is considered that the proposed development would not result in any adverse harm to highway safety and provides an appropriate level of off-street parking provision, in accordance with LP Policy CF6 and paragraph 108 of the NPPF.

Other Matters

Flood Risk and Drainage

- 7.70 LP Policy EQ11 requires new developments to not result in any increase in Flood Risk either on site or elsewhere in the Borough. Chapter 14 contains the relevant national planning policies in respect of climate change and flooding.
- 7.71 The site lies in Flood Zone 1 and it is therefore concluded that there would be no adverse harm to flood risk, either on site or elsewhere in the Borough.
- 7.72 United Utilities have no objections to the application provided suitable conditions are applied to any decision that requires drainage details for foul and surface water to be submitted and agreed by the authority.
- 7.73 The County Flood Risk Management Team required a Drainage Strategy to be submitted prior to determination. A Drainage Strategy prepared by Brennan Consulting (June 2021) has been submitted and reviewed and no objection is raised subject to appropriate conditions.
- 7.74 In light of the above, it is considered that subject to appropriate conditions, the application will not give rise to any adverse impacts to flood risk in accordance with LP Policy EQ11 and relevant paragraphs under Chapter 14 of the NPPF.

Public Rights of Way

- 7.75 The application site is flanked on its eastern boundary by a public right of way that extends southwards and also provides vehicular access to St Charles Church and No.202 Woolley Bridge Road.
- 7.76 The public right of way would remain open at all times during construction and for the lifetime of development and would not be compromised in any way.

8. Planning Balance

- 8.1 LP Policy S1a reflects the presumption in favour of sustainable development set out within paragraph 11 of the NPPF. Ordinarily for decision makers this means approving development proposals that accord with an up-to-date development 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 planning permission, unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - 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.

However, in this case as the site lies within the setting of a heritage asset the presumption in favour of development does not apply.

8.2 The application site lies within the built-up area boundary of Hadfield and lies within the setting of St Charles Hall, which is considered to be curtilage listed, due to its relationship with the nearby Grade II Listed St Charles Church.

8.3 The application in its revised form would offer the following public benefits:

- A woodland management Plan over a 25-year period that increases in canopy area and enhances the overall condition of the adjacent woodland
- Restoration works to the exterior of St Charles Hall that would enhance the character and appearance of this curtilage listed structure and its setting.

Other wider benefits include:

- Provision of 12 x residential units for semi assisted care housing mix
- Provision of 2 x affordable housing units
- Indirect socio-economic benefits (e.g. jobs during the construction and operation of the development, council tax)

8.4 In this case it is considered that despite the development causing less than substantial harm to the heritage asset, the public benefits associated with the site are considered to outweigh this harm. Those public benefits involve securing the longevity of the listed building and the long-term management of the surrounding woodland.

- 8.5 The proposed development would result in the loss of 9 x protected trees, which will have an obvious effect on the visual character of the site. It is acknowledged that any replacement planting is likely to take some time before its visual impact on the setting of the listed building is realised. However, the wider ongoing long-term management of the woodland would benefit not only the setting of the listed building but the wider street scene.
- 8.6 When considering the above, officers conclude, on balance, that the public benefits provided in the form of a Woodland Management Plan and Restoration Works to the nearby St Charles Hall (to be secured through a S106 Agreement) do outweigh the identified harm resulting from the loss of trees and the impacts to the character and appearance of the heritage asset.
- 8.7 In its final revised form, the application is therefore considered on balance to constitute a sustainable form of development and in line with LP Policy S1a and paragraph 11 is recommended for approval subject to relevant conditions which includes the requirement to consider a reserved matter application for matters of Appearance and Landscaping.

8. RECOMMENDATIONS

A. Resolve to GRANT planning permission subject to signing of Section 106 Agreement to secure affordable housing, the woodland management plan and the works necessary to the curtilage listed Hall and the following conditions:

1. *Time Limit 3 years or 2 years from Reserved Matters*
2. *Reserved Matters application to be submitted before 3 years*
3. *Definition of Reserved Matters to be submitted*
4. *Approved Plans*
5. *Samples of all facing and hard surface materials*
6. *Details of Boundary Treatments*
- 7-11 *Drainage Conditions*
- 12-19 *Highways Conditions*
- 20-25 *Environmental Health Conditions*
- 26 *Biodiversity Enhancement Scheme*
- 27 *Inspection of Tree 62 and T7 for bats, prior to removal*

B. 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 Operations Manager – Development Services has delegated authority to do so in consultation with the Chairman of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 187 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

Site Plan

