

**-HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date 23rd January 2023

Application No:	HPK/2022/0335	
Location	Mount Pleasant Chapel, Spring Bank, New Mills, Derbyshire, SK22 4AS	
Proposal	Preservation and stabilisation of former chapel structure, construction of a new dwelling, conversion of former Sunday school to class E (cafe), landscaping and associated works	
Applicant	Ms Carolyn Bannister	
Agent	Poulter Architects	
Parish/ward	New Mills West	Date registered 16 th August 2022
If you have a question about this report please contact: Declan Cleary, dcplanningconsultancy@gmail.com Tel: 07976272142		
Application No:	HPK/2022/0573	
Location	Co-op Fields - Rear of Mount Pleasant, Spring Bank, New Mills, Derbyshire, SK22 4AS	
Proposal	Application for removal or variation of a condition in relation to HPK/2020/0459 condition 1	
Applicant	Ms Carolyn Bannister	
Agent		
Parish/ward	New Mills West	Date registered 29 th December 2022
If you have a question about this report please contact: Declan Cleary, dcplanningconsultancy@gmail.com Tel: 07976272142		

REFERRAL

These applications have been brought before the Development Control Committee for consistency as it involves variation to development which was previously considered and approved by Committee.

1. SUMMARY OF RECOMMENDATION

<p>HPK/2022/0335 - Approve, subject to conditions</p> <p>HPK/2022/0573 - Approve, subject to conditions</p>

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site for HPK/2022/0335 comprises the former Mount Pleasant Methodist Chapel, and the former Sunday School to the rear which lies within the settlement boundary for New Mills as defined by the Local Plan policies map.

2.2 The chapel was constructed in 1892, replacing an earlier Methodist chapel, and is a non-designated heritage asset. The site is currently derelict following a fire in 1993. However, the external walls remain. There is a graveyard to the front, which is overgrown with vegetation, including mature trees. The frontage is fenced off from access on Spring Bank, where it is bounded by a stone wall and access through a gateway is blocked.

2.3 To the south are the New Mills Town Council and library buildings, with the Town Hall car park (HPBC) to their front. To the north are residential dwellings along Spring Bank. There is undeveloped land to the rear of the site planted with trees and this backs onto Aldersgate, a residential street running behind the Council buildings and further parking area.

2.4 The site lies within an elevated position off Spring Bank Road and lies on the northern edge of the defined town centre boundary. The site is also within the New Mills Conservation Area and is covered by an Article 4 Direction.

2.5 The application site for HPK/2022/0573 relates to a field to the rear of Mount Pleasant chapel, known as Co-op fields, which is accessed off Aldergate.

3. DESCRIPTION OF THE PROPOSAL

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3.1 This application proposes the construction of a detached two storey three bedroomed dwelling, and the conversion of the former Sunday School building to a café (Class E). Works also include the stabilisation of the existing chapel walls.

3.2 The dwelling is proposed to be constructed inside the retained chapel walls and would be set in from all wall boundaries. The dwelling would be a largely box form, with flat roof. The elevations would be a mix of fibre cement cladding and charred timber cladding. Black composite windows and doors are also proposed. Roof mounted solar panels are proposed.

3.3 Between the dwelling and the chapel walls would be various surfacing materials which includes timber decking, stone paving, wildflower planting and raised planters. Beyond the chapel walls and within the graveyard a scheme of landscaping is proposed.

3.4 The café is proposed to be an outside café set within the walled garden of the Sunday School, the existing structures would be converted to kitchen, lobby, storeroom, toilets and potential lift to support the proposed use.

3.5 This application represents an alternative scheme to an extant approval for the creation of dwelling and commercial premises at the site. That application was approved on 5th July 2021, following a resolution made by Planning Committee and works have commenced on site.

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3.6 Temporary Planning Permission was granted for an access track off Aldergate to be used for construction purposes during the redevelopment of Mount Pleasant Chapel (HPK/2020/0459).

3.7 That permission was for temporary planning permission for a period of 18 months, from the date which permission was granted as detailed in condition 1 of the permission. The planning permission was issued on 4th August 2021, and as such the temporary permission would expire on 4th February 2023.

3.8 As the original planning permission for the redevelopment of Mount Pleasant Chapel has not progressed to construction stage, and an alternative scheme for that site is now sought, the temporary access road has not been implemented.

3.9 The applicant is therefore seeking to amend condition 1 attached to planning permission HPK/2020/0459 to allow for the implementation of the access road for a further 18 months which is necessary for the adjacent construction works. No other changes to the detail of that permission are proposed.

4. RELEVANT PLANNING HISTORY

4.1 The following is a summary of the relevant planning applications relating to the site.

HPK/0002/0890 Residential Development. Refused 16/04/84

HPK/0003/5490 Demolition Of Church. Withdrawn 28/11/96

HPK/0003/7113 Demolition Of Church. Refused 20/05/98 and APPEAL DISMISSED

HPK/0003/9685 Demolition Of Buildings To Rear Of Chapel. Refused 22/03/01 and APPEAL ALLOWED

- HPK/2020/0515 Redevelopment of the existing ruined chapel into Class E Business use on the ground floor and two dwellings on the ground and first floor. Demolition includes: Unsafe elements of structure including the remains of the existing roof, rear chimney and the top of the walls to the rear Sunday school building. Rear wall of the chapel building, to enable construction access. Clearing of the interior of the buildings of scrub and detrius from the fire down to good ground. Approved 05/07/21
- HPK/2020/0459 Construction of temporary compacted gravel access road via Aldersgate across land owned by New Mills Town Council know as Co-op Fields rear of Mount Pleasant Chapel, Spring Bank. Construction of compacted gravel level area for site office, welfare facilities and storage of equipment for duration of the build. Removal of 4m section of beech hedging adjacent to road. Erect security gates across to prevent unauthorised vehicle access. Erect security fencing and gates to secure site compound. Temporary Consent Approved 04/08/21

5. PLANNING POLICIES RELEVANT TO THE DECISION

High Peak Local Plan (Adopted 2016)

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- S4 Maintaining and Enhancing an Economic Base
- S6 Central Sub-area Strategy
- EQ1 Climate Change
- EQ5 Biodiversity
- EQ6 Design and Place Making
- EQ7 Built and Historic Environment
- EQ9 Trees, Woodlands and hedgerows
- EQ10 Pollution Control and Unstable Land
- EQ11 Flood Risk Management
- E1 New Employment Development
- EQ6 Promoting Peak District Tourism & Culture
- H1 Location of Housing Development
- H3 New Housing Development
- CF1 Retail and Town Centres
- CF6 Accessibility and Transport

Supplementary Planning Guidance/Documents

- Residential Design (2005)
- High Peak Design Guide (2018)

New Mills Character Appraisal (2008)

National Planning Policy Framework

Section 12: Achieving Well-designed Places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 16: Conserving and enhancing the Historic Environment

6. CONSULTATIONS CARRIED OUT

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Site notice	Expiry date for comments: 14/10/2022
Neighbour letters	Expiry date for comments: 05/10/2022
Press notice	Expiry date for comments 03/10/2022

Public Comments:

1 representation of support received stating:

This site has been an embarrassment and an eyesore for too long, especially given its location right next to the town hall. This proposal looks like the best chance of bringing what used to be a magnificent building back into use. I especially like the sympathetic treatment of the graveyard and the introduction of wildlife-friendly vegetation.

Consultee	Comment	Officer response
DCC Highway Authority	In line with the highway authority comments to the former application (HPK/2020/0515) which commented that whilst the highway authority seeks an appropriate level of off street parking relevant to the proposed development, considering the location of the site and the public parking available in the proximity of the site, highway objections would be difficult to sustain. Based on the above comments, there are no highway objections to the application.	7.36 – 7.38
AES Waste	No objection	
Conservation Officer	No objection. The documents submitted with the application show a	7.17 – 7.25

	<p>very thorough and comprehensive scheme that is not only innovative, but respectful in keeping the historic remains of the Chapel at the forefront of what looks to be an exciting concept. I am happy to see the Chapel ruins both utilised and protected as part of the Conservation Area and its identity. In regards to the landscaping scheme, I am pleased that the relationship between the historic structure and the natural environment is secured. I feel this will add interest and strengthen aesthetic qualities by keeping the façade and approach marginally obscured. Additionally, this will also work as an advantage in keeping the new dwelling subservient, almost disguised, and a secondary element to the ruins. To conclude, I feel the scheme poses no impact to the ruins or the Conservation Area. Should the opportunity arise, I would like to see the progress and finished scheme in the future.</p>	
<p>DCC Archaeology (Initial Comments)</p>	<p>The proposed development area contains the partially extant remains of the New Mills Methodist Church (MDR12295) built in 1892 on the site of an earlier chapel, and lies within the New Mills conservation area (DDR7061). The building itself was gutted by fire in 1993 and has lain disused ever since. The Heritage Statement submitted with the application is comprehensive and informative and exercises good judgement. Based on the information submitted with this application and the mitigation of development impacts recommended I am happy to approve this application but would request that an archaeological condition for further work, under Para 205 of NPPF be added to consent.</p>	<p>7.26 - 7.28</p>
<p>DCC Archaeology (Further Comments)</p>	<p>I note that a programme of works had been instituted in partial satisfaction of the archaeological condition attached to consent on application</p>	

	<p>HPK/2020/0515. I have received a draft of the Level 1 building recording report, which is acceptable and signs off that part of the pre-start archaeological condition. I have also been notified that a scheme of archaeological monitoring had been instituted in 2021 and has been maintained since. Please retain the condition I suggested below. However, be aware that the “Level 1 building recording” has already been completed and is satisfactory. In addition “subsequent archaeological monitoring of ground works” was enacted in accordance with a WSI submitted for the previous application. I understand that this WSI is being updated from the previous application and will be re-submitted.</p>	
<p>DCC Archaeology (Final Comments)</p>	<p>I have received and checked over a WSI for archaeological works in keeping with the advice I provided on 28th September. This WSI has been updated and reflects works already undertaken in part fulfilment of archaeological conditions for planning permission HPK/2020/0515. In its updated form it is acceptable for this application to ensure proportionate and appropriate archaeological works continue to be undertaken should consent be granted. Please however include the recommended condition within any consent to ensure that appropriate archaeological works continue as part of this application.</p>	
<p>Derbyshire Wildlife Trust</p>	<p>The Trust do not have any new concerns regarding this site. A single bat survey was undertaken in 2020 to support application HPK/2020/0515, with no roosts identified. Remedial works were then recommended to proceed under supervision of a licensed ecologist.</p> <p>To support the current application, an update building assessment and single nocturnal bat survey was undertaken by Helen Hamilton</p>	<p>7.39 – 7.41</p>

	<p>Ecology in July 2022. No roosting bats were recorded using the chapel. This work was carried out in line with best practice guidance (Collins, 2016) and we advise that sufficient information has been provided to determine this application.</p> <p>We have reviewed the Construction Environmental Management Plan (CEMP) (2022) which has been submitted with the current application. This includes the statement that, “No remedial works, demolition works or vegetation clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist”. It also states that, “all remedial works to the existing structures shall be supervised by a licensed bat consultant. A short statement of compliance shall be submitted to the Local Planning Authority by the consultant upon completion of supervision”. We welcome these measures and advise that compliance with this document should be secured through a suitably worded condition.</p> <p>We note that the CEMP also states that trees will be protected during construction and the council should ensure they are satisfied that a sufficient level of information has been provided to ensure this.</p> <p>We have also reviewed the Biodiversity Enhancement Scheme (July, 2022). The measures proposed are very much welcomed and will provide a benefit to the biodiversity of the site. Our only recommendation is that the sparrow terrace should be swapped out for additional swift boxes. Swifts nest colonially and therefore to provide three or four swift boxes along one wall may increase the likelihood of uptake. Other species</p>	
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	<p>such as house sparrow will also use swift boxes if they are not occupied by swifts. Apart from this minor improvement, we advise that the Scheme is acceptable and compliance should be secured by a suitably worded condition.</p> <p>Aside from the compliance conditions noted above, we also advise that a lighting plan is secured for the site to ensure lightspill to habitats and boxes is avoided / minimised as far as practicable:</p> <p>Lighting</p> <p>Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full.</p>	
United Utilities	<p>Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request a condition requiring compliance with the submitted drainage plan is imposed and attached to any subsequent Decision Notice</p>	7.41
Environmental Health	<p>The Environmental Health Department has no objection to the proposed development subject to the conditions set out below being applied to any permission granted.</p> <p>Sensitive Use</p> <p>The proposed end use of the development is particularly sensitive</p>	7.32 – 7.35

	<p>to the presence of land contamination, for this reason the following conditions 1 is recommended. Construction</p> <p>The construction/demolition stage of the development could lead to an increase of noise and dust etc. experienced at sensitive premises and subsequent loss of amenity, for this reason conditions 2 to 6 are suggested.</p> <p>Cooking Equipment</p> <p>The applicant intends to utilise a Lincat L4 Fume Filtration Unit. This does not have an external outlet, it's not an extract system; air is filtered then discharged back into the kitchen. With this in mind the following condition 7 is recommended.</p> <p>Advisory: The applicant should consider inlet ventilation provision (fresh air) to satisfy buildings regs and thermal comfort of kitchen staff.</p> <p>1. CL05 CONTAMINATED LAND – IF FOUND DURING DEVELOPMENT If during development any contamination or evidence of likely contamination is identified that has not previously been identified or considered, then the applicant shall submit a written scheme to identify and control that contamination. This shall include a phased risk assessment carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part IIA, and appropriate remediation proposals, and shall be submitted to the Local Planning Authority without delay. The approved remediation scheme shall be implemented to the satisfaction of the Local Planning Authority.</p> <p>2. CDD01B - CONSTRUCTION AND DEMOLITION – DUST No activity</p>	
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	<p>hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority</p> <p>3. CDD02 - CONSTRUCTION & DEMOLITION: WASTE DISPOSAL Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. There shall be no fires lit on the site for purpose of disposing of demolition materials. Any open fires that arise shall be extinguished without delay.</p> <p>4. NSD12 - BEST PRACTICAL MEANS The best practicable means, as defined in Section 72 of the Control of Pollution Act 1974 to reduce noise and vibration from the site to a minimum, shall be employed at all times during construction.</p> <p>5. NS02A - CONSTRUCTION & DEMOLITION WORKS: TIME OF OPERATIONS Unless prior permission has been obtained in writing from the Local Planning Authority, all noisegenerating activities shall be restricted to the following times of operations. • 07:30 - 18:00 hours (Monday to Friday); • 08:30 - 14:00 hours (Saturday) • No working is permitted on Sundays or Bank Holidays. In this condition, a noise-generating activity is defined as any</p>	
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	<p>activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary. No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays</p> <p>6. CDD14 - ON SITE RADIO During construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary</p> <p>7. COOKING EQUIPMENT There shall be no gas-powered cooking equipment at the premises. All cooking equipment shall be powered by electricity and the total power consumption of all cooking equipment within the kitchen shall not exceed 14KW.</p>	
New Mill Town Council	No comments received.	

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Site notice	Expiry date for comments: 30/01/2023
Neighbour letters	Expiry date for comments: 24/01/2023
Press notice	Expiry date:

Public Comments:

None received

Consultee	Comment	Officer response
DCC Highway Authority	None received at time of writing report.	
United Utilities	No comments to make.	
New Mills Town Council	None received at time of writing report.	

7. POLICY AND MATERIAL CONSIDERATIONS 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 currently consists of the High Peak Local Plan 2016. Other material considerations include the National Planning Policy Framework (2021) and relevant Supplementary Planning Documents.

7.3 Paragraph 11 of the National Planning Policy Framework (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; or 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 The NPPF seeks to proactively drive and support sustainable economic development through the delivery the homes, business and industrial units, infrastructure and thriving local places that the country needs. High quality design should be sought and a good standard of amenity provided for all existing and future occupants of land and buildings.

7.5 Section 5 of the NPPF relates to delivering a wide choice of high quality homes. Paragraph 60 identifies the need to boost significantly the supply of housing meeting the needs of groups with specific housing requirements. Planning policies should identify a sufficient supply and mis of sites and identify a five year supply of housing land. The Council is considered to have a five year housing land supply and therefore housing supply policies are up-to-date.

7.6 Local Plan policy S1a establishes a presumption in favour of sustainable development as contained within the NPPF.

7.7 The site lies within the built up area boundary for New Mills as defined by Policy S2 of the adopted Local Plan. In accordance with Policy H1, sites which lies within the built-up area boundary, but unallocated for residential development, will be supported in principle for housing development, subject to other policies in the Local Plan.

Principle of Development and background

7.8 The application proposes a mixed-use development comprising residential development for the construction of one detached dwelling, and café which falls under the Class E(b) (café) use class. The application site lies within the Development Boundary for New Mills as defined by the Local Plan proposals map.

7.9 Policies S1 and S1a of the High Peak Local Plan the Council expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing the environment.

7.10 Policy S2, states that development will be directed towards the most sustainable locations in accordance with the settlement hierarchy and identifies New Mills as being a Market Town, which is one of the main settlements where housing, employment and service growth development will be directed. Housing and commercial development is generally acceptable in such locations, subject to compliance with other policies.

7.11 Policy S6 confirms that within the Central Sub Area sustainable growth will be promoted which reflects the historic character of the settlements, provides increasing range of employment opportunities, promotes the growth of a sustainable tourist economy and meets the housing needs of the local community. Policy H1 relates to the location of housing development and states that provision will be made for housing by promoting the effective reuse of land by encouraging housing development through redevelopment of all sites suitable for that purpose, and supporting housing development on unallocated sites within defined built up area boundaries of the towns. The principle of housing development is deemed to be acceptable in this location, in compliance with Policy H1.

7.12 The application proposals would contribute towards the delivery of housing in a sustainable location.

7.13 With regard to retail and service development, Policy S6 states that out-of-centre proposals will be supported in accessible locations that are well connected to New Mills town centre by public transport. The application site proposes a Class E use which is a town centre use. Policy CF1, which relates to Town Centres and retail development confirms that the Council will seek to maintain and enhance the vitality and viability of town centres. With regard to New Mills, Policy CF1

identifies that no new retail sites within New Mills centre have been identified. As such out of centre locations will be supported in accessible locations which satisfy the sequential and impact assessment requirements of CF1. CF1 requires a sequential test and impact assessment where main town centre use development exceeds 200sqm. The Class E floorspace created in this instance would be 44sqm, as identified in the application form, and as such would be below the thresholds for sequential and impact testing.

7.14 The site is located immediately adjacent to the town centre boundary and is clearly in an accessible and sustainable location. The proposed uses would meet the overarching aspirations of Policies S6 and CF1 for commercial development.

7.15 Planning permission has previously been granted for the construction of a detached dwelling and commercial development on this site and this permission remains extant. The principle of a mixed-use scheme has previously been established.

7.16 Temporary permission has been granted for the proposed access previously. The permission has not been implemented and it is necessary for the condition restricting the temporary nature of the development to be varied for a further 18 months so that the redevelopment of the chapel site can be implemented. It is necessary that this consent is temporary so that the land is restored to its existing site condition. The principle of this application is established on the basis of its temporary nature.

Design Considerations (including impact on Heritage Assets)

7.17 Policy EQ 6 requires that all development should be well designed and be of high quality which responds positively to its environment while contributing to local distinctiveness and sense of place. Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance.

7.18 The application site is located within the New Mills Conservation Area. The New Mills Character Appraisal identifies Mount Pleasant Chapel as a 'prominent individual building' from the period of increased building following the construction of the Union Bridge in 1887. The building is also mentioned as a prominent structure that flanks the Town Hall forecourt, thus creating a small "off-street" square. The chapel is also listed as one of a small number of 'buildings that due to their location, style, historical development, listing or townscape quality make a significant contribution to the character of this area and the conservation area as a whole'. The existing site therefore contributes towards the significance of the Conservation Area and is an important non-designated heritage asset. It is noted that 'this relates to the architectural and historic relevance of the surviving building only. The

front of the site is overgrown and the land derelict. This aspect has a negative impact upon the character of the conservation area’.

7.19 Sensitive redevelopment of the site would improve its quality and respect its distinctive character and setting.

7.20 Planning permission has previously been granted for the redevelopment of the site. That extant approval seeks the stabilisation of the existing chapel structure and its conversion to create a dwelling. That conversion utilised the existing chapel walls and new roof. To the rear the that scheme included the conversion of existing building to commercial space and leaving the Sunday School area as an open roofed garden area.

7.21 This application proposes an alternative scheme to the redevelopment of the site. The application includes the conversion of rear buildings to create a small café while utilising the Sunday School area as an outdoor seating area for the café. The conversion of the buildings within this rear element would remain largely as previously approved.

7.22 However, the application does take an alternative approach to the redevelopment of the main chapel area. Instead of providing a scheme which utilises the existing chapel walls as part of the new buildings, this application proposes the construction of a standalone new dwelling to be provided within the walls of the chapel, with the land between the new building and existing walls forming part of the amenity space for the dwelling.

7.23 The proposed dwelling would be a flat roof two storey structure constructed from a mixture of fibre cement cladding, burnt larch cladding and metal coping. The design approach would contrast to the character of the existing walls and would be visible through the existing openings, with the roof visible over the walls from some vantage points. The alternative contemporary approach is considered to complement the existing chapel building, which would remain the prominent part of the scheme. The Conservation Officer is fully supportive of the proposed development, and doesn't identify any harm arising from the proposed development.

7.24 The external landscaping of the development and the use of surfacing materials would represent an enhancement to the site and a positive change to this part of the Conservation Area.

7.25 It is considered that the proposed development would not cause harm to the character and appearance of the host property, which is a non-designated heritage asset, the surrounding Conservation Area, a designated heritage asset or surrounding area generally. It presents an enhancement of the site and wider conservation area and as such complies with the Development Plan.

Archaeology

7.26 Policy EQ7 requires works to sites containing archaeological remains to be informed by a level of archaeological evidence proportionate to its significance and sufficient to understand the potential impact of a proposal. Archaeological interests are a heritage asset, and a material consideration in the determination of a planning application. The NPPF para 189 states that “Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”.

7.27 The application has been supported by an updated Written Scheme of Investigation which has been considered to be acceptable by the County Archaeologist subject to appropriate conditions. The development accords with the Development Plan and the NPPF in this regard.

Trees and Landscaping

7.28 Policy EQ9 relates to trees, woodland and hedgerows, and states that the trees will be retained unless their removal is outweighed by the benefits.

7.29 The majority of existing trees would be retained through the development, including those of most visual prominence and importance. The application has also been supported by a landscaping scheme which is deemed to be acceptable and an overall enhancement to this site.

7.30 The previous approval required tree protection measures to be submitted before any development above damp course level. This would allow the development to commence without the trees being protected. Details of tree protection have been submitted under this application which are deemed to be acceptable.

7.31 The temporary access, with regard to its relationship with trees, was previously deemed to be acceptable subject to surfacing details secured by condition. Details pursuant to that condition have now been approved by the LPA and it would be necessary to impose a condition ensuring the approved details are carried out.

Amenity

7.32 Policy EQ6 requires development achieve a satisfactory relationship to adjacent development and not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing,

overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

7.33 In terms of the relationship between the proposed development and adjoining properties, the application proposes a more subservient scheme compared to the previous approval and would not give rise to any additional amenity issues to surrounding dwellings above and beyond the consented scheme. It would be necessary to condition the hours of use of the café in the interest of amenity along with matters relating to the construction of the development.

7.34 With regard to the amenity of future occupants, the scheme includes external amenity space which is appropriate to serve the dwelling. It is acknowledged that the dwelling would be surrounded by the existing walls of the chapel which would limit the degree of light which would filter into the dwelling, particularly at ground floor. However, the dwelling has been designed so that the property would be largely open plan at ground floor and include a large opening within its southern elevation. It is therefore considered that an appropriate degree of amenity would be provided for future residents.

7.35 A condition attached to the temporary access road required the submission of a Construction and Environmental Method Statement which detailed matters relating to amenity during construction. These details have subsequently been submitted and approved by the LPA. It would be necessary to reimpose a condition ensuring that these measures are implemented during construction.

Highway Safety

7.36 LP Policy CF6 'Accessibility and Transport' seeks to ensure that new development can be safely accessed in a sustainable manner and minimise the need to travel, particularly by unsustainable modes.

7.37 Although no onsite car parking is proposed to serve either use, there are several public car parks very close to the site. Additionally, the creation of onsite parking would be difficult due to land levels and due to the existence of the graveyard and would be detrimental to the Conservation Area. The Highways Authority consider that an objection on highways grounds would be unsustainable given the ample parking in the nearby town centre. It is noted that planning permission of a similar quantum of development has been approved without the provision of off street parking.

7.38 As previously determined, the development would be acceptable from a highway safety perspective.

Ecological Impact

7.39 Policy EQ5 'Biodiversity' advises that biodiversity and ecological resources should be conserved. It states that development will not be permitted which would have an adverse impact upon protected species.

7.40 The application has been supported by ecological surveys, including an updated bat survey, a biodiversity enhancement scheme and CEMP. These have been reviewed by DWT who are satisfied that the development would not have an impact on protected species or their habitats subject to the imposition of conditions relating to the development being carried out in accordance with the submitted documents.

Drainage

7.41 The application has been supported by a drainage scheme which has been reviewed by United Utilities and deemed to be acceptable. The submitted scheme should form the basis of a condition, and it would also be necessary to secure maintenance and management of the scheme.

8. PLANNING BALANCE AND CONCLUSIONS

8.1 The redevelopment of the site has previously been accepted by the granting of a mixed use scheme in 2021, ref HPK/2020/0515 and HPK/2020/0459, which remain extant.

8.2 The revised proposals demonstrate that the alternative scheme is acceptable and would not have an adverse impact on the character of the area or heritage assets. In deed it is considered that this contemporary approach to the redevelopment of the Chapel would enhance the non-designated heritage asset and wider conservation area. Furthermore, the revised proposals for the redevelopment of the chapel do not give rise to any concerns relating to amenity, highway safety, ecology, trees, or archaeological interests, subject to conditions where appropriate.

8.3 The application to vary the temporary permission for the temporary access road is considered to be acceptable to facilitate the redevelopment of the chapel site. It would be necessary, as an application under s.73, to reimpose any conditions which remain relevant.

8.4 As noted above the consultation period in respect of application HPK/2022/0573 does not expire until after the committee meeting. Therefore Officers seek delegated powers to issue the decision following the expiry of the relevant dates, in consultation with the Chair of the Committee.

8.4 Accordingly, the proposals are considered to comprise sustainable

development which comply with the Policies of the High Peak Local Plan 2016. In accordance with the NPPF it therefore benefits from the presumption in favour and accordingly is recommended for approval.

9. RECOMMENDATIONS

HPK/2022/0335

A. That planning permission is GRANTED subject to the following conditions:

- 1. Approved Plans**
- 2. Development to be carried out in accordance with schedule of Historic Features document**
- 3. Approved Materials**
- 4. Window details to be provided**
- 5. Details of vents and flues etc to be provided**
- 6. Provision of Bin Store**
- 7. Landscaping Implementation**
- 8. Details of External Lighting to be provided**
- 9. Nesting Birds Precautionary Measures**
- 10. Bats Precautionary Measures**
- 11. Implementation of Biodiversity Enhancement Scheme**
- 12. Implementation of Drainage Scheme**
- 13. Restriction of Use to Class E(b)**
- 14. Restriction of Opening Hours for Class E(b) to 08:00 to 22:00**
- 15. No discharge of atmospheric gases**
- 16. Removal of permitted development rights for extensions and plant/machinery**
- 17. Unknown contamination**
- 18. Importation of materials**
- 19. Development in accordance with CEMP**
- 20. Development in accordance with Archaeological WSI**
- 21. Tree Protection Measures**

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 Head of Development Services has delegated authority to do so in consultation with the Chairman of the Development Control 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 38 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.

HPK/2022/0573

A. It is recommended that Members Grant Delegated Powers to the Head of Development Services in consultation with the Chairman of the Committee to approve the application following expiry of the consultation period, subject to no new substantive grounds of objection being raised, and subject to the conditions listed below:

- 1. 18 month temporary consent**
- 2. Approved Plans**
- 3. Construction Detail in accordance with DOC/2021/0091**
- 4. Construction and Environmental Method Statement in accordance with DOC/2021/0091**

Site Plan

