

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date 10th July 2023

Application No:	HPK/2023/0157	
Location	The Paper Mill Inn, Whitehough Head Lane, Whitehough, Derbyshire, SK23 6EJ	
Proposal	Proposed single storey extension to provide extended kitchen to existing public house	
Applicant	Daniel Capper, The Old Hall Ltd	
Agent	Mrs Claire Wilde SlaterWilde Ltd	
Parish/ward	Chapel-en-le-Frith/ Blackwood Ward	Date registered 5 th May 2023
If you have a question about this report please contact: Declan Cleary, dcplanningconsultancy@gmail.com Tel: 07976272142		

REFERRAL

This application has been brought before the Development Control Committee as the applicant is Councillor Daniel Capper.

1. SUMMARY OF RECOMMENDATION

Refuse

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site lies within an area of countryside, which is also designated as Green Belt as defined by the Local Plan policies map. While located in the countryside, the site lies within the village of Whitehough and the surrounding area is predominantly residential in character.

2.2 The building relates to The Paper Mill Inn which is a public house. The building is sited adjacent to Whitehough Head Road, with a small forecourt seating area to the front. The building has been extended previously with a two storey extension to the side.

2.3 The site lies within the Chinley & Whitehough Conservation Area which is a designated heritage asset. A Grade II Listed Building, known as The Old Mill, is located close to the site on the opposite side of Whitehough Head Road.

3. DESCRIPTION OF THE PROPOSAL

3.1 This application proposes the construction of a single storey extension to the public house. The extension would be provided to the front elevation of an earlier two storey extension to the building. The extension would have a dual pitched roof, running parallel with the existing building. Elevations would, in part, be constructed from natural stone to match existing. The remainder of the elevations would be largely glazed with timber openings. The roof would be finished in slate to match existing.

3.2 The extension would provide an extension to the kitchen and would facilitate a pizza oven. The extension would be provided on an existing cobbled forecourt, which is used for refuse storage.

3.3 Details of the planning application and consultee responses can be found on the Councils web site at:

<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=260851>

4. RELEVANT PLANNING HISTORY

4.1 The application site has been subject to a number of historic planning applications. The most relevant of which is:

HPK/2013/0154 - Proposed Two Storey Extension instead of One Storey as HPK/2011/0530 with Additional Sliding Sash Window on First Floor – Approved – 22/05/13

5. PLANNING POLICIES RELEVANT TO THE DECISION

Chapel-en-le-Frith Parish Neighbourhood Development Plan

H3 Design Criteria

High Peak Local Plan (Adopted 2016)

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S6 Central Sub-area Strategy
- EQ1 Climate Change
- EQ2 Landscape Character
- EQ3 Rural Development
- EQ4 Green Belt Development
- EQ6 Design and Place Making
- EQ7 Built and Historic Environment
- CF6 Accessibility and Transport

Supplementary Planning Guidance/Documents

High Peak Design Guide (2018)

National Planning Policy Framework

Section 9: Promoting Sustainable Transport

Section 12: Achieving Well-designed Places

Section 13: Protecting Green Belt land

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

Section 16: Conserving and enhancing the Historic Environment

6. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments: 07/06/2023
Neighbour letters	Expiry date for comments: 05/06/2023
Press notice	Expiry date for comments: 15/06/2023

Public Comments: None received.

Consultee	Comment	Officer response
Chapel-en-le-Frith parish Council	No objection	N/A
The Coal Authority	The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.	N/A
Conservation Officer	Objection. The Paper Mill Inn is not itself listed, though it falls within the Chinley and Whitehough Conservation Area and within the setting of Grade II Old Hall Inn. The Old Hall Inn sits quite centrally to this historic vicinity due to	See Section 7

	<p>the pattern of the streetscape and roads, and is not more than a minutes' walk from The Paper Mill Inn.</p> <p>I am not confident the setting of the Old Hall Inn and the Conservation Area has been thoroughly taken into account.</p> <p>The plans envisage a seemingly narrow part stone part glass structure at the principal elevation of The Paper Mill Inn. The stone elevation being to the side, or (north) with the glass elevations being to the south and west. The structure is within full view of almost everything on approach due to its siting at principal elevation, and predominantly of its neighbour immediately to the north.</p> <p>The Paper Mill Inn is in the local vernacular with irregular fenestration of small square sash windows, sitting back from the road with respective frontage now hardscaped, with the northern approach seeing an unusual corner doorway and large end gable.</p> <p>The application sees quite an obvious alien structure proposed for the Conservation Area, being glass the ability to see all internal functions looks to be quite out of place for the humble area, and feels like an attempt to create something more at home in a European town or village.</p> <p>The plans, see drwg ref: SW381-PL002 Existing and proposed site plan show to the rear quite a modest garden or rear space with an annotation denoting 'canopy', and ample access. I am not sure why the proposal hasn't been situated here as there is clearly more space for the structure, plus space for any respective seating and the like. In comparison, the frontage is really quite small simply due to the</p>	
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	<p>traditional architectural scales of the vicinity. Consequently there is an obvious risk of a spill over of pub-goers, noise, litter and other associated factors into the wider public realm.</p> <p>To conclude; I don't believe this proposal contributes to the character of the Conservation Area nor the setting of it, and the Grade II Old Hall Inn. There are cumulative factors now seeing to cause visual detracting. In terms of harm on heritage this causes a conflict, and therefore harm.</p>	
<p>Environmental Health</p>	<p>Refusal of the application is recommended on the following grounds:</p> <ul style="list-style-type: none"> • The proposals incorporate provision for a woodfired pizza oven, and the flue for this appears to terminate well below eaves level, close to a window opening. Particulate and smoke from wood fired stoves are associated with negative health effects. It's likely that a high level (1m above eaves) flue is required, and this will impact on the viability of the scheme with regards to visual amenity <p>CONDITIONS: Should you be minded to approve the application the following conditions are suggested.</p> <p>1. FED08 - FUME EXTRACTION – ODOUR No discharges to atmosphere of any gaseous or particulate matter shall take place until a scheme for the installation of equipment to control the emission of fumes and odour from the premises has been submitted to and approved in writing by the local planning authority. The scheme shall demonstrate compliance with, and be consistent with EMAQ Industry Guidance, "Guidance on the Control of Odour and Noise from Commercial</p>	<p>See Section 7</p>

	<p>Kitchen Exhaust Systems (2018)". The approved schemes shall be implemented in full. All equipment installed as part of the odour control scheme shall thereafter be operated and maintained to ensure compliance with EMAQ (2018) and in accordance with the manufacturer's instructions. Inlet ventilation provision shall be of an adequate capacity, capable of achieving 40 air changes per hour in the kitchen and connected to a variable fan speed control switch.</p>	
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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 and the Chapel-en-le-Frith Neighbourhood Plan 2013-2028.

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

Principle of Development and background

7.6 The application proposes an extension to a commercial property (PH) which lies outside of a settlement boundary and within the Green Belt as defined by the Local Plan policies map. Policy EQ3 seeks to facilitate sustainable rural community needs, tourism and economic development through; supporting the provision and expansion of tourist and visitor facilities in sustainable locations where identified needs are not met by existing facilities; and, supporting rural employment in the form of home working, commercial enterprises and live-work units where a rural location can be justified. However, the site also lies within designated green belt, whereby Policy EQ4 seeks to maintain its openness and permanence. Development will only be granted planning permission where it complies with national planning policy. Therefore, the principle of development will only be acceptable if the scheme complies in principle with green belt policy.

Green Belt

7.7 Policy S6, which relates to the Central Sub-Area seeks to protect the Green Belt. Policy EQ4, which relates to Green Belt development, states that development in these locations will not be permitted unless it is in accordance with national planning policy.

7.8 The NPPF identifies that the construction of new buildings within the Green Belt will be considered to be inappropriate development and will only be allowed where it meets one of the exceptions identified within paragraph 149.

7.9 Exceptions in paragraph 149 includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building, and limited infilling in villages.

7.10 The original building is that which existed on 1st July 1948 or, if built after that date, as originally constructed. The existing building has been extended previously with a two storey extension to the side. That extension, with its reduced ridge height and set back is a subordinate addition to the building. The scheme includes the addition of a single storey extension which would project from the front of that earlier extension. The proposal needs to be considered cumulatively with earlier additions.

7.11 There is no definition of what constitutes disproportionate additions to a building, and such an assessment is dependent on factors relating to footprint, floorspace, volume, general proportions and context. The extension adds a relatively small amount of floorspace and volume to the original building, which when combined with the existing two storey extension would not result in a disproportionately addition to the public house. While the extension would be prominent, given its siting, its single storey nature when combined with the existing extensions would not result in cumulative disproportionate additions to the original building.

7.12 The proposals are considered to be of an acceptable scale and represent proportionate additions to the building. The proposals are therefore acceptable in principle within the Green Belt and it is not necessary to consider other matters relating to openness or the purposes of including the land in the Green Belt in such circumstances.

7.13 The main considerations in this instance are, therefore, the effect of the development on the character and appearance of the area, having particular regard to heritage assets, residential amenity and highway safety.

Design Considerations (including impact on Heritage Assets)

7.14 Policies S1 and EQ6 of the adopted Local Plan seeks to ensure that development is well designed and of a high quality that responds positively to its environment whilst contributing towards local distinctiveness and a sense of place. Policy EQ7 requires the Council to conserve heritage assets in a manner appropriate to its significance.

7.15 The application site lies within the Chinley & Whitehough Conservation Area which is a designated heritage asset and, as such, there is a requirement to conserve and enhance such assets. Development should not cause harm to the significance of these assets. There is no Character Appraisal for the Conservation Area. Nonetheless, the Conservation Area is characterised by predominantly two storey buildings of stone construction, set behind stone walls, with an irregular gain and pattern of development. The position of buildings provides a sense of enclosure to a quaint rural village environment with views from the more open road junction of Whitehough Head Road and the lane opposite.

7.16 The application site fronts the junction of Whitehough Head Lane and the lane opposite and is integral to the views along Whitehough Head Lane, contributing towards the irregular pattern and rhythm of the built form. The site at present contributes positively to the overall character and appearance of the Conservation Area.

7.17 The application proposes the construction of an extension to the front of the existing building. The single storey extension would have a

gabled roof design with its ridge line parallel to the existing roof, therefore creating a valley against the existing front elevation. The extension would accommodate a hardsurfaced area which is currently used for bin storage. This has been enclosed by fencing although this is relatively low level at the height of the adjacent boundary wall. The extension would be largely glazed to its southern and west elevations.

7.18 The proposed extension would be within clear view from the approaches towards the site, and an extension in this location, would bring built form much closer to the public highway than the existing building and extension. The extension would draw undue attention to itself adversely affecting views along Whitehough Head Road. The largely glazed structure would add further prominence to the extension, which would jarringly contrast with the vernacular of the existing building and those within the immediate area.

7.19 The extension proposes elements which purport to be sympathetic to the existing building, such as the use of matching stone and slate. However, the design of the windows, in terms of their extent, proportions and alignment would fail to be sympathetic to, and would result in an alien and incongruous addition to the host building. The extension would also allow for views into the kitchen. While it is noted that the design intent is to allow for views towards the pizza oven there would, nonetheless, be views of other kitchen paraphernalia which may be distracting and appear incongruous from immediate public vantage points.

7.20 The Old Hall Inn, which is located at the road junction, is a Grade II Listed Building. The landscaped garden of the Listed Building adjoins the junction and is enclosed by a stone wall. The building itself is sited discretely in the plot when viewed from the junction. The grounds of the building, and the relationship with surrounding buildings contribute towards the setting of this Listed Building.

7.21 The proposed extension, forward of the existing building, is of a siting and design which would draw attention towards itself and therefore it is considered that this would unduly affect the setting of the Listed Building.

7.22 The effect that the development would have on the significance of heritage assets is considered to be less than substantial and would conflict with Policies S1, S6, EQ3, EQ6 and EQ7 of the Local Plan.

7.23 In such circumstances, as set out at paragraph 202 of the NPPF this harm would need to be weighed against any public benefits arising from the proposals.

Amenity

7.24 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.

7.25 Environmental Health have raised concern that the proposed pizza oven will require extraction which would need to be set 1m above eaves height and, as such, may detract from the design of the proposals. The applicants have provided amended plans to show the extraction to terminate through the existing chimney which would be facilitated through its widening. It is considered therefore that appropriate extraction can be achieved.

7.26 The proximity of the extension from habitable rooms of neighbouring properties is such that no loss of light or impact on outlook would arise. The extension would be sited adjacent to the front garden of the neighbouring dwelling and enclose further the front garden of that property which would result in some overshadowing and be more overbearing than existing. However, given the single storey nature of the development, the degree of harm is, on balance, considered to be acceptable. No privacy or overlooking issues would result due to the positioning of openings away from neighbouring dwellings.

Highway Safety

7.27 Policy CF6 states that development should be safely accessed in a sustainable manner. Policy EQ6 states requires that developments are easy to move through and around, incorporating well integrated car parking.

7.28 The public house does not have any dedicated off road car park provision. The scheme proposes an increase to the floorspace of the kitchen only and, as such, it is not considered that any increased demand in off street parking would result. As such the development does not raise any highway safety or parking concerns.

Public Benefits

7.29 As outlined above, the proposal fails to sustain or enhance the Conservation Area and the setting of a nearby Grade II Listed Building. In accordance with Paragraph 202 of the Framework, the harm needs to be weighed against the public benefits of the proposals.

7.30 The concerns with regard to the impact on heritage assets has been raised and the applicants have provided a written response. It is stated that the extension is required to accommodate a vital pizza oven, to replace the use of electric ovens, which would be more efficient and allow for better finishing of the product. It is also stated that the applicants have invested heavily in the renovations of the site, and The

Old Hall Inn. It is also advanced that the sites are local employers and valued community facilities. The proposed extension to the kitchen could not be sited to the rear. It is also advanced that the proposals would improve amenity for the neighbour by removing bins and a barrier between the external seating area of the PH.

7.31 It is accepted that the application site is a community facility and local employer, and also that the extension would allow for greater efficiency and improved products. There is no evidence to suggest that the business is failing and that the extension is essential for the ongoing success of the business. Nonetheless, it is accepted that businesses need to evolve and expand to maintain success. With this in mind, it is considered that the extension would bring a benefit to the business and community and this is a factor which weighs in favour of the development.

7.32 The suggestion that the extension could not be placed elsewhere is noted and given the current internal layout a kitchen extension could only be provided in this location. However, it appears as though there is scope for less harmful extensions elsewhere to the building which ought to be fully explored and exhausted before considering an extension in this sensitive location.

7.33 It is acknowledged that there may be some improvement to amenity through replacing a bin store and improvements to noise and privacy, however the extension would result in some overshadowing and be more overbearing than the existing arrangements. However, these marginal benefits would be limited to a single property and only limited weight could be attached to this point. In any event this needs to be weighed against the effect of the built form adjacent to the garden.

7.34 As outlined above, despite the efficiency benefits to the business, and the very marginal benefits to the neighbouring property it is considered that this does not outweighs the harmful and permanent impact to the Conservation Area and the setting of the Listed Building. While public benefits of the extension have been identified, it is not considered that these would outweigh the significant harm to the heritage assets which have been identified.

8. PLANNING BALANCE AND CONCLUSIONS

8.1 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision making this means that amongst other things, that local planning authorities should positively seek opportunities to meet the development needs of their area unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits and to secure a development that improves the economic, social and environmental conditions of the area.

8.2 The proposed development by reason of its siting and design would result in harm to the Chinley and Whitehough Conservation Area, and the setting of the Grade II Listed Building known as Old Hall Inn for which are not outweighed by the public benefits.

8.3 Accordingly, the proposal is considered to comprise unsustainable development under the terms of the NPPF, and conflicts with the Policies of the High Peak Local Plan 2016 which, amongst other things, seeks to conserve and enhance heritage assets, including their setting. It therefore recommended for that the application be refused.

9. RECOMMENDATIONS

A. That planning permission is REFUSED for the following reason(s):

1. The site is located within the Chinley & Whitehough Conservation Area, and within the setting of The Old Hall Inn, a Grade II Listed Building, which are designated heritage assets. The proposed extension, by reason of its siting and overall design, would result in an incongruous form of development that would be at odds with the host building and surrounding context. Therefore, the proposed development would cause demonstrable harm to the character and appearance of the host property, streetscene, the Conservation Area and the setting of a Grade II Listed Building. The proposals would cause less than substantial harm to the significance of the heritage asset, where the public benefits do not outweigh the harm identified. The development proposals would therefore be contrary to Policies S1, S6, EQ3, EQ6 and EQ7 of the High Peak Local Plan 2016, the High Peak Residential Design SPD (2005), and relevant paragraphs under Chapter 12 and 16 of the NPPF.

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.

Site Plan

