

**HIGH PEAK BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE**

**Date 26th February 2024**

<b>Application No:</b>	HPK/2023/0550	
<b>Location</b>	THE PAPER MILL INN, WHITEHOUGH HEAD LANE, WHITEHOUGH, DERBYSHIRE, SK23 6EJ	
<b>Proposal</b>	PROPOSED SINGLE STOREY EXTENSION TO PROVIDE EXTENDED KITCHEN TO EXISTING PUBLIC HOUSE	
<b>Applicant</b>	Daniel Capper, The Old Hall Ltd	
<b>Agent</b>	Mrs Claire Wilde SlaterWilde Ltd	
<b>Parish/ward</b>	Chapel-en-le-Frith/ Blackwood Ward	<b>Date registered</b> 19 <sup>th</sup> December 2023
<b>If you have a question about this report please contact: Declan Cleary, dcplanningconsultancy@gmail.com</b>		

## **REFERRAL**

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

### **1. SUMMARY OF RECOMMENDATION**

<b>APPROVE subject to conditions</b>
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### **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 is The Paper Mill Inn which is a public house which is sited adjacent to Whitehough Head Road, with small forecourt seating area to the front. The pub has been extended previously with a two storey extension to the side, and additions to the rear. A seating area is located to the rear which is mainly covered.

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 rear elevation and would replace the existing canopy and covered seating area. The extension would have a dual pitched roof, running parallel with the existing building. A flat roof link extension would connect with the main lounge area.

3.2 Elevations would, in part, be constructed from natural stone to match existing. High level timber framed openings are proposed in the gables. The roof would be finished in slate to match existing. The proposed flat roof link would have a frameless window opening with flat roof glazed lights. A zinc fascia is proposed.

3.3 The extension would provide a service kitchen with pizza oven, along with seating areas. The extension would provide customer views of the kitchen.

3.4 This application follows the earlier refusal of a kitchen extension. That extension was proposed to the front of the building and was considered to be unacceptable due to the impact on heritage assets.

3.5 A link to the application, supporting documentation and comments can be found at <http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=264953>

### **4. RELEVANT PLANNING HISTORY**

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

HPK/2023/0157 - Proposed single storey extension to provide extended kitchen to existing public house – Refused – 11/07/23.

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**

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

**National Planning Policy Framework**

Section 9: Promoting Sustainable Transport  
 Section 12: Achieving well-designed and beautiful 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**

<b>Site notice</b>	Expiry date for comments: 30/01/2024
<b>Neighbour letters</b>	Expiry date for comments: 25/01/2024
<b>Press notice</b>	Expiry date for comments: 25/01/2024

**Public Comments:**

8 number of representations received.

7 representations have offered support of the proposals, relevant comments include:

- increase the charm and potentially increase the value of the property in the area.
- positive and inclusive environment for those in the locality
- good to see investment in the hamlet and anything that will assist in sustaining the business / pubs
- support our local businesses and consider the extension to be a very much needed addition.

1 representation has raised objection to the proposals on the following grounds:

- The height, siting and design would result in an incongruous form of development that would be at odds with the adjacent small, low lying cottage and its surrounding environment;
- believe the height of the proposed development is higher than the adjacent ridge of our roof
- exacerbated by adjacent ground being lower
- result in extension being an overbearing solid wall, far taller than on the pub side.
- The new wall is substantially higher than the existing drystone wall.
- window style has no relationship to the rural nature of other properties in the Conservation Area. It results in a visual intrusion that is overbearing and causes an adverse impact to the rural setting.

<b>Consultee</b>	<b>Comment</b>	<b>Officer response</b>
Chapel-en-le-Frith parish Council	This matter was considered at last night's Parish Council meeting. The Council felt that, given the nature of the locality, a site visit by the Planning Committee is advisable, in order to consider fully any consequences of this application for nearby neighbours	N/A
The Coal Authority	We have reviewed the site location plan provided and can confirm that the site falls within the Coal Authority's defined Development Low Risk Area. On this basis we have no specific comments to make. However, in the interest of public safety, it is requested that the Coal Authority's Standing Advice note is drawn to the applicant's attention, where relevant.	N/A
Conservation Officer	This scheme shows a vast improvement to the previously refused scheme for a similar concept. The new scheme here demonstrates a much more subservient and quiet addition, whilst providing the envisaged function for the restaurant/pub area. As such it appears the project is more respectful of the setting of the Conservation Area, and nearby listed Old Hall Inn. I don't anticipate the setting and character of the buildings or area will	See Section 7

	<p>receive harm as a result of this project. I therefore offer No Objection, subject to the following conditions:</p> <p>Prior to the commencement of works on site full details of new joinery including doors shall be submitted to the Local Planning Authority. Details of which shall include the new rooflight/s, glazing type, beading/putties, fittings and fixtures, colour, framing material type, and any opening mechanisms where relevant. Once approved in writing the development shall be carried out in accordance to this specification for the lifetime of the development.</p> <p>Prior to the commencement of works on site full details of all finishing and facing materials for the new link and new extension shall be submitted to the Local Planning Authority. The materials of which should be a close match to that of the host dwelling. Once approved in writing the development shall be carried out in accordance to this specification for the lifetime of the development.</p> <p>Full details of the style and appearance of the new flue shall be submitted to the Local Planning Authority to ensure it does not impose a visual detriment on the character of the host building within the Conservation Area. Once approved in writing the development shall be carried out in accordance to this specification for the lifetime of the development.</p>	
Environmental Health	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.

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, while preserving and enhancing heritage assets, and a good standard of amenity should be 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**

### *Commercial Development*

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.

7.7 The principle of an extension to an existing commercial property is considered to be acceptable, subject to satisfying other considerations, particularly with regard to protecting the character, appearance and integrity of the historic and cultural environment, as required by EQ3. The effect on the historic environment is considered later.

7.8 Further, in this instance, as the site lies within the Green Belt, it is necessary to assess the development against the relevant considerations in this regard.

### *Green Belt*

7.9 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.

7.10 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 154.

7.11 Exceptions in paragraph 154 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.

7.12 The original building is that which existed on 1<sup>st</sup> 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 and additions to its rear. 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 projects from the rear of the building. The proposal needs to be considered cumulatively with earlier additions.

7.13 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 floorspace and volume to the original building. However, the application building is located within a village location and as such the development would be seen in the context of existing built form. The extension would not be prominent and well contained by site boundaries, land form and the existing building. Therefore, given its siting and single storey nature, it is not considered that the extension would result in cumulative disproportionate additions to the original building.

7.14 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.

7.15 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)**

7.16 The application site lies within the Chinley & Whitehough Conservation Area which is a designated heritage asset. S.72(1) of The LBCA, requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of the area. Great weight should be given to the heritage assets conservation.

7.17 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 irregular gain and pattern of development. The position of buildings provide a sense of enclosure of a quaint rural village environment with views from the more open road junction of Whitehough Head Road and the lane opposite.

7.18 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 rhythm of built form. The Papermill Inn contributes positively to the overall character and appearance of the Conservation Area.

7.19 The application proposes the construction of an extension. This extension would be provided to the rear of the property on the existing external seating area. The single storey extension would have a gabled roof design with its ridge line parallel to the existing roof, with high level glazing proposed. Walls would be constructed from stonework while the roof would be constructed from slate. A flat-roof link is also proposed which would have a glazed elevation facing the remaining courtyard, and largely glazed roof with zinc fascia.

7.20 The rear site of the extension is such that it would be largely screened from public vantage points, with views of the extension generally only available from neighbouring properties and across the fields to the rear. In this context the extension would be lower in height than the existing surrounding buildings and would therefore appear subservient to the surrounding built form. Furthermore, the development would be well contained by the existing two storey elements and tall



stone boundaries. The degree of additional height above the boundaries is not significant.

7.21 The extension proposes elements which would be sympathetic to the existing building, such as the use of matching stone and slate, while the design of the roof would continue a horizontal emphasis. The scheme does include elements of glazing which would contrast with the more traditional design of the building. Nonetheless, the extension would replace existing components which are not complementary to the traditional design, such as the fabric canopy and timber canopy with glazed roof lanterns. Further, as noted above, the rear siting ensures that public views would be limited.

7.22 No objections have been raised by the Conservation Officer and the effect on heritage assets is considered to be acceptable. The previous scheme was refused on the basis of the effect of the development on the character and appearance of the Conservation Area and setting of The Old Hall, a Grade II Listed Building. The amended scheme has overcome these earlier concerns.

7.23 As suggested by the Conservation Officer a number of conditions relating to the design detail of the development would be necessary.

7.24 The development is therefore considered to preserve the character and appearance of the Conservation Area and would comply with Policies S1, S6, EQ3, EQ6 and EQ7 of the Local Plan.

### **Amenity**

7.25 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.

7.26 The extension would be provided along the boundary with the adjacent property, known as The Old Coach House. There are windows within the rear elevation of the adjacent building. However, the closest ground floor and first floor openings actually form part of the public house. The distance of the development from other openings is considered to be sufficient not to result in any loss of light to internal habitable space for that dwelling.

7.27 The existing boundary comprises a dry-stone wall. The land level of the adjacent curtilage is lower than parts of the application site. Therefore the height of the existing wall is a tall and dominant side boundary to The Old Coachhouse. The proposals would increase the height of this wall, and provide a high-level glazed gable facing towards the garden. The increase in stonework is not significant and would remain below the eaves height of the property, while the upper glazing

would have a more lightweight feel. Notwithstanding this, there are numerous shrubs and trees within the garden which would help to screen the increase in scale, while the development would also be set against the more dominant two storey parts of the site. In addition, the more lengthy rear boundary for The Old Coachhouse is low level. This ensures that there is a retained sense of openness. With these factors in mind, it is not considered that the proposed increase in height along the boundary would result in an unduly overbearing or oppressive form of development.

7.28 The windows within the gables are high level and as such would not afford views into the adjoining property. It is also noted that the development would remove external seating, and the noise which arises from this.

7.29 To the east a property known as Wilshaw is set at a higher land level than the application site. The proximity of the development to openings, along with the change in land levels, and sloping roof design away from that property, would ensure that no significant overbearing, overshadowing or loss of daylight would arise.

7.30 At the time of writing the report, no comments from Environmental Health have been provided. The development has the potential to affect neighbouring properties through fumes and odour. The height of the flue is above the eaves height of the neighbouring property although it is not clear whether this would be sufficient to ensure neighbours are not adversely affected. Therefore, a scheme for the extraction system to demonstrate compliance with EMAQ Industry Guidance, "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018)" is considered to be necessary. This is in line with the EHO comments on the previous application.

### **Highway Safety**

7.28 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.

7.29 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.

## **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 is considered to preserve and enhance the Chinley and Whitehough Conservation Area. Furthermore, it is considered that the proposals would be acceptable in terms of its relationship with neighbouring properties, and highway safety.

8.3 The scheme would also deliver public benefits of a social and economic nature which also weigh significantly in favour of the development.

8.4 Accordingly, the proposal is considered to comprise sustainable development under the terms of the NPPF, and accords 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 approved.

## **9. RECOMMENDATIONS**

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

- 1. Standard Time Limit**
- 2. Approved Plans**
- 3. Details of materials to be provided**
- 4. Details of joinery to be provided**
- 5. Details of external appearance of the extraction flue(s) to be provided**
- 6. Details of a scheme for the installation of equipment to control the emission of fumes and odour**

**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

