

DELEGATED DECISION REPORT

HPK/2017/0377
Valid 07/07/2017

PEAK DALE METHODIST
CHURCH UPPER END
ROAD
PEAK DALE

CONVERSION AND CHANGE
OF USE OF PEAK DALE
METHODIST CHURCH INTO 3
NO. RESIDENTIAL UNITS
INCLUDING DEMOLITION OF
SINGLE STOREY
EXTENSIONS.
(FULL - MINOR)

MAIN ISSUES

- Principle of development (inc. loss of community facility)
- Design/impact on the street-scene and character & appearance of the area
- Archaeological impact
- Ecological impact
- Impact on amenity of neighbouring properties
- Highways safety
- Arboricultural and landscape matters
- Sustainability

DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The application site comprises a vacant Church – a single-storey building (with a basement) located on the western side of Upper End Road, Peak Dale.

The site is located within the built up area boundary of Peak Dale and 'plateau pastures' landscape character area with a HER attached (MDR11910), as defined in the Local Plan. The building is therefore a non-designated heritage asset (NPPF para. 135). A Public Right Of Way (HP24/22/1) crosses the field to the rear of the site in a south-westerly to north-easterly direction.

The area is primarily residential, with residential properties to either side and opposite the site with open fields/countryside to the rear.

DESCRIPTION OF THE PROPOSAL

There have been significant changes to the application during the course of its appraisal, in particular 2 No. additional dwellings to the rear of the site have been removed from the application and there have been changes to the design of the converted Church.

The application now seeks full planning permission for *“conversion and change of use of Peak Dale Methodist Church into 3no. residential units including demolition of single storey extensions.”*

RELEVANT PLANNING HISTORY

HOK/2014/0500 – Demolition of former Methodist Church and erection of 6 No. dwellings. Refused, 02.12.2014

PLANNING POLICIES, GUIDANCE AND OTHER MATERIAL CONSIDERATIONS RELEVANT TO THE DECISION

High Peak Local Plan Adopted April 2016

S1 – Sustainable development principles
S1a – Presumption in favour of sustainable development
S2 – Settlement hierarchy
S3 – Strategic housing development
S7 – Buxton sub-area strategy
EQ1 – Climate change
EQ2 – Landscape character
EQ5 - Biodiversity
EQ6 – Design and place making
EQ7 – Built and historic environment
EQ9 – Trees, woodland and hedges
EQ10 – Pollution control and unstable land
EQ11 – Flood risk management
H1 – Location of housing development
H2 – Housing allocations
H3 – New housing development
H4 – Affordable housing
CF1 – Retail and Town Centres
CF5 – Provision and retention of local community services and facilities
CF6 – Accessibility by public transport

SPD - Residential Design Guide

National Planning Policy Framework

- Ministerial foreword
- Introduction (Inc. Achieving sustainable development, presumption in favour of sustainable development, core planning principles, delivering sustainable development)
- 1 Building a strong, competitive economy
- 4 Promoting sustainable transport
- 6 Delivering a wide choice of high quality homes
- 7 Requiring good design
- 8 Promoting healthy communities
- 10 Meeting the challenge of climate change, flooding and coastal change
- 11 Conserving and enhancing the natural environment

- 12 Conserving and enhancing the built environment

National Planning Practice Guidance

CONSULTATIONS

Publicity

Site Notice expiry date: 29/08/2017

Neighbour consultation period ends: 13/03/2018

Press Advert: No

Public Comments

5 No. representations have been received, details of which can be read on file. In summary, the issues raised are as follows:-

- Insufficient on-site parking (given the 2 No. additional units to the rear of the site) and turning; poor access for proposed intensified use
- No provision for delivery vehicles or bin storage
- A car will be required as the nearest shops are 3 No. miles away and the bus service is infrequent
- There is little outdoor amenity space for recreation
- Suggest using the building as one 'up-market' property retaining all its features
- Some conflicting information submitted re 'affordable housing'
- No dusk/dawn bat surveys have been undertaken as advised in the initial report
- Rear properties are enclosed; over development of the site
- Doubt demand for housing in Peak Dale (previously approved applications have not been implemented, e.g. conversion of another church 7 years ago and a site for 27 dwellings in 2015).
- Recommend refusal

Wormhill Parish Council

Initial comments

- Totally opposed to the development
- Over development of the site
- Detrimental impact on existing building
- Highway safety issues – there would be too many vehicles, a blind spot, hindered by bus stop, other illegally parked vehicles.

Subsequent comments

Councillors discussed the renewed plans which exclude the two dwellings to the rear of the former Church building. Councillors wish to place on record that they are in agreement with this amendment.

HPBC/SMDC (Alliance) Conservation

Initial comments

The building is clearly a non-designated heritage asset and it needs sensitive handling to protect the external envelope of the building and its setting.

We have rather a profusion of roof-lights which could overwhelm this small building (which is a building type that does not characteristically have roof-lights) and the alterations to the rear (visible from a footpath) do not work with the building's character. I suspect that they are trying to accommodate too many units.

Low profile ridge studio lights might be an answer to introducing more natural daylight.

So much car parking to the front will be harmful to the building's setting. The lawned frontage by the porch adds greatly to the streetscape.

Tight conditions will be needed to secure good materials and quality finish.

Follow-up comments

This is a much improved scheme and on the prominent elevations it works with the existing openings. The rear elevation is the least successful, especially the two new lancet windows side by side but looking at the photos the building is currently devoid of openings and does not have a strong chapel character so I don't think that it is unduly harmful. The site layout at the front is also much better.

Conditions:

- Joinery details to be submitted and approved, including cills, lintels and surrounds (prior to commencement)
- Rooflight details to be submitted and approved (prior to commencement)
- No architectural or historic external feature to be removed without the consent of the LPA
- Rainwater goods
- Vents, cowls and ducts
- Eaves and verge detailing to be retained
- Front gates, wall and railings to be retained
- Remove PD

HPBC/SMDC (Alliance) Environmental Health

Summary

No objections, subject to conditions.

Comments

The proposed end use of the development is particularly sensitive to the presence of land contamination, for this reason and to protect the health of the public condition 1 is recommended.

The development is in an area subject to high radon levels, for this reason and to protect the health of the public conditions 2 to 4 are recommended.

The construction/demolition stage of the development could lead to an increase of noise and dust experienced at sensitive premises and subsequent loss of amenity, for this reason conditions 5 to 8 are suggested.

Conditions

1. CONTAMINATION

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions **1a** to **1d** have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition **1d** has been complied with in relation to that contamination.

a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation

criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the and after remediation.

c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition **1a**, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition **1b**, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition **1c**.

2. RADON PROTECTION – NEW BUILD

The new build portion of the development shall incorporate full (radon protection measures consistent with BRE Report *BR211 Radon: guidance on protective measures for new buildings* (2015).

3. RADON PROTECTION – BASEMENT CONVERSIONS

No development shall take place until either:

- (a) the site has been monitored for the presence of radon and assessed to determine the level of radon protection required or;
- (b) in lieu of monitoring full radon protection measures are adopted.

The development shall thereafter incorporate appropriate radon protection consistent with BRE Report *BR211 Radon: guidance on protective measures for new buildings* (2015).

4. RADON PROTECTION – VALIDATION

Following completion of radon remediation measures, and prior to occupation of any part of the development the remedial measures shall be validated to ensure that radon is calculated to not exceed 200 Bq/m³ as an annual average. The validation report shall be subject to written approval by the LPA.

5. HOURS OF CONSTRUCTION/DEMOLITION

No construction/demolition work at the site shall take place outside the following hours:-

- (i) 07:00 hours to 19:00 hours Mondays to Fridays.
- (ii) 08:00 hours to 13:00 hours on Saturdays.
- (iii) At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.
- (iv) All deliveries to the site shall be limited to within the above hours.

Any equipment which needs to be operated outside the hours specified above shall be acoustically screened in accordance with a scheme to be agreed with the Local Planning Authority.

6. PILING

No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays

7. CONSTRUCTION AND DEMOLITION – DUST CONTROL

There shall be no visible dust emissions beyond the site boundary associated with construction/demolition works undertaken at the site. In controlling dust on site, the contractor shall have due regard to the Building Research Establishment Guidance Document 'Control of Dust from Construction and Demolition Activities' (BR456).

8. FIRES

There shall be no fires lit on the site for purpose of disposing of demolition or other material. Any open fires that arise shall be extinguished without delay.

Advisory Notes

- Noise assessments
- Control of flies and light
- Risk assessments
- Control of dust
- Land contamination

HPBC/SMDC (Alliance) Arboricultural Officer

There are no significant existing trees that will be impacted on by the proposals. However I consider that the future landscaping of the site should be considered.

Currently the proposals do not allow for a suitable landscape setting for the renovated building with the frontage being dominated by hardstanding. I appreciate the need for car parking to be provided but this should be more sensitively integrated into the proposals and allow suitable space for some soft landscaping to mitigate against the negative visual intrusion of the parking and hard surfacing.

To the rear of the property the landscaping needs to respect the boundary with open countryside particularly as this visible from the PROW. The soft landscaping will need to be sufficient to screen the domestic paraphernalia of the gardens.

Overall the potential for suitable landscaping is compromised by the addition of two new dwellings to the site which has caused the increased need for the provision of

car parking and has forced this to dominate the frontage of the building to the detriment of its setting.

HPBC/SMDC (Alliance) Housing

The applicant is offering 2 affordable dwellings, however only 1 affordable home would be required based on Local Plan policy H4, which seeks 20% affordable housing on sites of 5-24 units (0.16ha or larger).

A single affordable, shared ownership dwelling could be accommodated in one of the self-contained new build semi-detached properties.

In line with Council aspirations to deliver residential development to address the housing needs of local people under policy H3 the applicant would be required to support dwellings designed to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space Standards and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of part M of the Building Regulations. In terms of the dwellings sizes of the affordable housing units this would require a 1b2 person dwelling to be built to 50 sqm, a 2b4 person dwelling to 79sqm and a 3b 5 person dwelling to 93 sqm. At 68sqm the self contained properties would not meet the nationally described space standards sought in policy H3 for either a 3 bed 5 person (93sqm) or 3 bed 4 person (84sqm). The size criteria associated with the HCA former Design and Quality Standards and Housing Quality Indicators are as follows; 3b4p dwellings are 67-75m² and 3b5p (2 storey) dwellings are 82-85m².

Registered Providers are essential partners in the delivery of affordable housing, relevant contact details for the applicant to discuss delivery of affordable housing are attached above.

A s106 agreement would be required to capture the detail of an affordable contribution (plot number, tenure, phasing in relation to open market housing delivery etc). A s106 precedent agreement can be made available upon request.

DCC Highways Authority

Initial Comments

I refer to previous correspondence regarding the development of this site.

The current proposals are to retain the church building and convert it to 3 No. dwellings with 6 parking spaces to the front of the building. Additionally a pair of semi-detached dwellings is proposed to the rear. It is this element of the scheme that is of highway concern.

The access route to the units should be at least 3.75m i.e. 2.75m plus 1m as bounded by physical boundaries on both sides i.e. the gable end of the church and the neighbouring boundary treatment. The plans appear to be showing a far narrower access with soft landscaping further restricting the available width.

The location of the proposed semi-detached units at back of the site will result in the dwellings being sited in excess of 40m from the public highway which is in excess of the recommended man-carry distance. The turning facility to the rear of the site is unsuitable for service/delivery vehicles.

Given the distance from the publicly maintainable highway and the classified nature of Upper End Road turning of suitable dimensions for service/delivery vehicles will be required. Turning for vehicles associated with Plot 4 are somewhat restrictive and may lead to excessive manoeuvring or overlong reversing, which this Authority would not condone.

The applicant is advised to clarify with the Fire Service/Building Control whether the rear plots are accessible by a fire engine.

The applicant will need to consult with the relevant refuse collection department to ascertain details of what will be acceptable to them in terms of number and location of bins. Residents should not have to transport a bin further than 30m and a refuse collection vehicle should be able to get within 25m (Manual for Streets/BS5906:2005). If a large refuse vehicle will have to enter the site then it will be necessary to demonstrate by means of swept paths that any turning facility is fit for this purpose. Bin storage should not obstruct the private drive access, parking or turning provision. Additionally a bin dwell area should be provided clear of the public highway, private access, parking and turning for use on refuse collection days. No bin storage/bin dwell areas appear to have been indicated for the church conversion.

Please ask the applicant to provide revised drawings suitably resolving the above matters and upon receipt I would comment further.

Subsequent comments

Comment on revised drawings.

I note that the applicant has now removed the 2 No. additional dwellings (at the rear of the site) from the scheme.

On the basis that the proposals are now for 3 No. dwellings only and that there are 6 No. on-site parking spaces to be provided, the revised scheme would be acceptable from a highway point of view. Given that 2 No. parking spaces are in-line it is recommend that all spaces are allocated to specific units to reduce indiscriminate parking and/or obstruction of such spaces.

Bin storage and a bin dwell areas should be indicated on the drawings and these could be shared facilities.

On the basis that the 2 additional dwellings are removed from the scheme there are no further highway objections and if your Authority is minded to approve then I would ask for conditions to cover the following to be included in any consent:

□ Before any operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, designed, laid out and constructed all as may be agreed with the Local Planning Authority in advance of construction work commencing and maintained free from impediment throughout the duration of construction works.

□ The premises, the subject of the application, shall not be occupied until the on-site parking spaces (each measuring a minimum of 2.4m x 4.8m) and turning spaces have been provided for in accordance with the application drawings allocated to specific residential units, laid out and constructed as may be agreed with the Local Planning Authority and maintained thereafter free from any impediment to designated use.

□ Prior to the occupation adequate bin storage and a bin dwell area for use on refuse collection days shall be provided clear of the public highway, within the site curtilage clear of all access and parking and turning provision and retained thereafter free from impediment to designated use.

DCC Archaeology

No Archaeological impact.

DWT

Initial comments

It is understood that the proposals are to convert the existing church and demolish the extensions. The planning application is supported by a Preliminary Bat Roost and Nesting Bird Survey Report produced by Penny Anderson Associates dated June 2017 (ref 170217). This provides details of a survey undertaken on 30th May 2017. This survey was undertaken by a licensed ecologist and at an appropriate time of year. The survey did not identify any evidence of the presence of bats; however numerous bat roosting opportunities were recorded and the building was assessed as having high potential to support roosting bats. The report recommends that three dusk/dawn bat surveys are undertaken during the optimum survey season and that three surveyors will be required to cover the building. No active bird nests were recorded; however house sparrow was recorded on site and the building does provide nesting opportunities for this species.

We would support the assessment within the report and the recommended further survey work. From reviewing the information submitted with the planning application it does not appear that this further survey work has been undertaken.

Paragraph 99 of Circular 06/2005 states *"it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances"*.

It is considered that the application as submitted is not accompanied by sufficient information in order to demonstrate the presence or otherwise of protected species

and the extent that they may be affected by the proposed development. In the absence of adequate information on European Protected Species (i.e. bats and otter), the Local Planning Authority is unable to discharge its duties in respect of regulation 9(5) of the Habitats Regulations.

Prior to determination of this planning application it is recommended that the further survey work should be undertaken to ensure that all the necessary ecological information is available in order to base a planning decision. Whilst it will still be possible to undertake one or two of three bat surveys this year, there is now not adequate time during this season to undertake all the surveys because the surveys should be spaced throughout the survey season and at least one survey should be timed to occur when any maternity bat roosts are likely to be present, i.e. June/July. The BCT Bat Surveys Good Practice guidelines (2016) should be consulted as guidance. We would be happy to provide further comments once additional information becomes available.

Subsequent comments (1)

We recently received additional ecology information with regards to the above planning application; the additional information is a Bat Roost Assessment Report (Advisory) produced by Penny Anderson Associates dated November 2017 (ref: 170458).

In our August 2017 response we stated that we supported the findings of the Penny Anderson Associates Preliminary Bat and Nesting Bird Survey Report that made recommendations for three bat activity surveys to be undertaken of the church in order to determine the presence/absence of bat roosts due to the presence of a number of potential bat roosting features that were assessed to be of high bat roosting potential. The Advisory Report that has been submitted sets out details of potential bat roosts that could be present and provides details of potential mitigation and enhancement measures. The report clearly states that the further surveys are still required.

Whilst the Advisory Report (November 2017) sets out a detailed approach to mitigation and compensation and how works should be undertaken, this is not based on best practice bat survey work of the church. It is not considered appropriate to grant planning permission based only on a daytime bat survey that has not been able to determine the presence or absence of bats, when further surveys are required. Given that further surveys are required and that these will need to be undertaken between May and August 2018, granting planning permission for the development at this stage would not only be contrary to planning policy but would also not speed up the development of the site, as development would not be able to commence until the surveys had been completed. It is important that the mitigation, compensation and enhancement measures are based on sound and robust survey information and that drawings are provided to show the bat mitigation, compensation and enhancement measures as part of the planning submission.

It is considered that the application as submitted is still not accompanied by sufficient information in order to demonstrate the presence or otherwise of protected species and the extent that they may be affected by the proposed development. In the

absence of adequate information on European Protected Species (i.e. bats), the Local Planning Authority is unable to discharge its duties in respect of regulation 9(5) of the Habitats Regulations.

Subsequent comments (2)

DWT previously provided comments on the above planning application dated 25th August and 11th December 2017.

Daytime surveys of the buildings identified features with bat roost potential and rightly recommended further survey work prior to determination of the application.

We are now in receipt of a Bat Survey report prepared by Penny Anderson Associates Ltd dated June 2018 which presents the results of dusk emergence surveys conducted on 11th and 24th May 2018 during which a Common Pipistrelle bat was observed emerging from beneath the fascia board at the eaves on the front elevation of the building indicating the presence of a bat roost.

Appropriate mitigation proposals are included in section 5 of the report. However, the approach to be followed by the local planning authority is dependent on whether or not the roost can be retained unaffected by the proposed works. If the works cannot be completed without affecting the roost site, then a Natural England licence will be required and, as such, the LPA will have to consider how the three derogation test will be met as part of the determination process.

We would therefore advise that in light of the results of the bat activity surveys, the applicant needs to assess whether the proposed development can be carried out without affecting the identified roost site so that appropriate mitigation can be put forward and agreed. In order to secure the appropriate mitigation as a condition of consent, this needs to be clarified prior to determination.

Subsequent comments (3)

Further to our comments on the above planning application dated 18th June 2018 we have now reviewed e-mail correspondence from Hazel Robson of Penny Anderson Associates Ltd sent on 18th June 2018 to Heathcote Design and Development. The contents of the e-mail addresses the questions raised in our response of 18th June 2018 in respect of works in the vicinity of a confirmed bat roost.

It is understood from the e-mail that the existing roof covering will not be removed and the existing front elevation fascia board will be retained. The e-mail also sets out a number of appropriate mitigation measures to avoid modification of the bat roost which should be included in a mitigation strategy to be secured by a planning condition as follows:

“Prior to the commencement of any works which may affect bats or their habitat, a detailed bat mitigation strategy shall be submitted to and approved in writing by the local planning authority. All works shall then proceed in strict

accordance with the approved strategy with any amendments agreed in writing.”

In summary we advise that sufficient survey work in respect of bats has now been carried out to enable the local planning authority to determine the application in line with the requirements of the Conservation of Habitats and Species Regulations 2017 and to accord with the Circular 06/2005.

ADDITIONAL INFORMATION

The applicant has submitted the following documents, details of which can be read on file:

- Design, Access and Heritage Statement
- Preliminary Bat and Bird Assessment and Follow-up Surveys

OFFICER COMMENTS

Principle of development (Inc. loss of community facility)

The application site is a brownfield site located within the built-up-area boundary of Peak Dale. Policy H1 of the Local Plan and the NPPF (bullet point 8, para. 17) promote re-development of brownfield sites. Policy H1 supports the conversion of existing buildings within the defined built up area boundary for residential purposes.

Policy CF5 of the Local Plan deals with the “Provision and Retention of Local Community Services and Facilities”. The policy states the following:

The Council will seek to maintain and improve the provision of local community services and facilities. This will be achieved by:

- *Support proposals which protect, retain or enhance existing community facilities...or provide new facilities....*
- *Safeguarding land required for the provision of facilities to meet existing and future community needs, as identified by service providers.*
- ***Resisting proposals involving the loss of community assets and facilities...***[including shops, post offices, schools, **places of worship**, care homes, libraries, public houses etc. “and other community facilities”]...***unless it can be demonstrated that the existing use is no longer financially or commercially viable and there are no other means of maintaining the facility, or an alternative facility of the same type is available or can be provided in an accessible location. If permission is granted for a change of use or redevelopment, preference will be given to premises remaining in some form of community or employment use so long as this does not result in traffic, amenity, environmental or conservation problems.***

Hence, ‘places of worship’ are specifically referred to as an example of a ‘community facility’ in policy CF5. Consequently, with reference to policy CF5, the policy requires demonstration of lack of viability **or** the provision of another facility in the area.

With respect to the facility of a place of worship, obviously demonstrating that the facility is no longer commercially viable is not appropriate. However, in terms of financial viability and the provision of another similar facility within proximity, it is noted that a letter has been received the Rev Andrew Parker on behalf of the Buxton Methodist Circuit. Details can be read on file. In summary the points noted include:-

- In 2012 the congregation comprised 6 or 7 people
- There was very little money in the church accounts
- In late 2012 things came to a head when a) the heating system failed, b) other up-keep work was required to the premises and c) the funds were not available to carry out the works. After discussions with the wider community it was evident that the funds could not be raised to finance the continued use of the building
- In October 2013, following Methodist Church procedures, the decision was taken to seek permission to sell the building
- Members continued to meet for some time in each others homes...but illness and death resulted in this coming to an end
- One or two members have began to attend Buxton Methodist and Dove Methodist Chapel continues to thrive, which is a couple of miles from away and Fairfield Methodist have always offered a welcome to Peak Dale members.

Hence, from the information provided, retaining the church became no longer financially viable for the Methodist organisation and although there is not another church of the same faith in Peak Dale there are others within a few miles of the village. Therefore it is considered that the requirements of policy CF5 have been met and the delivery of housing on the site is acceptable in principle.

Design – Impact on the street-scene & character and appearance of the area

The NPPF highlights that good design is a key aspect of sustainable development. Local Plan Policies S1, EQ2 and EQ6 seek to secure high quality design in all developments. Local Plan Policy EQ7 seeks to conserve heritage assets (which includes non-designated assets).

As noted above, revised plans have been submitted during the course of the application which have sought to address key concerns of scale of development, layout, siting, design and highways issues. The proposal now consists of converting the existing building to 3 No. residential units, spread over 3 floors – i.e. the ground-floor, basement and the insertion of a first-floor – and removing 2 No. single-storey extensions from the side and rear.

The building is constructed primarily of stone with a slate roof (with some rendered sections to the rear).

Following the removal of the single-storey extensions the existing fenestration openings are all to be retained. In the main, there is a window and door opening inserted on the rear elevation and 6 No. small roof lights to be inserted – 3 No. on

the rear, south-western facing roof slope, 2 No. on the side, south-eastern facing roof slope and 1 No. on the side, north-western facing roof slope.

The existing access is retained; a turning area is provided at the front of the site along with 4 No. car parking spaces and 2 No. car parking spaces are provided down the north-western facing side elevation; outdoor amenity gardens are provided to the rear of the building and space is retained within the front of the site for some landscaping. There is sufficient space within the site for refuse storage and collection areas to be provided (which can be secured via condition).

Bearing the above points in mind, it is considered that the revised proposal, with limited external physical alterations, is acceptable in terms of design. The proposed development is considered to have an acceptable relationship with the street-scene and will therefore maintain the appearance of the area. Consequently there will be no harm to this non-designated heritage asset. The proposed development therefore accords with the design tenets of policies S1 and EQ6 of the Local Plan and section 7 of the NPPF and the conservation tenets of Local Plan policy EQ7 and section 12 of the NPPF.

Highway safety`

The NPPF promotes sustainable transport and recommends that local planning authorities should seek to encourage and facilitate where possible sustainable patterns of transport using practical alternatives to private motor vehicles so that people have a real choice about how they travel.

Local Plan Policy CF6 seeks to ensure that new development can be accessed safely, provides access to a range of transport modes, minimises the need to travel by unsustainable modes and does not lead to an increase in street parking to the detriment of the free and safe flow of traffic.

As noted above, the removal of 2 No. dwellings from the original scheme submitted and the provision of 6 No. on-site parking spaces for the 3 No. residential units is considered to be acceptable in this context. The existing access is retained, turning can be undertaken within the site and refuse storage and collection facilities can be readily provided within the site.

The Highway Authority does not object to the amended application. Subject to conditions as suggested by the Highway Authority it is considered that there are no Highway safety issues arising from the proposal. It is likely that future occupants of the properties would be heavily reliant on the private car, although there are limited bus services along Upper End Road and the local terrain is such that cycling would be readily feasible. Hence, such factors offer some limited opportunities for use of modes of transport other than the private car.

Therefore, it is considered that, subject to conditions, as the proposed development raises no significant highway safety issues the proposal complies with Local Plan policies CF6 and section 4 of the NPPF.

Impact on neighbouring residential amenity/amenity for future occupants

Paragraph 17 of the NPPF requires a good standard of amenity for all existing and future occupants of land and buildings. Local Plan policy S1 also states that development should provide a high standard of amenity for all existing and future occupants of land and buildings and policy EQ6 states that development should achieve a satisfactory relationship to adjacent development and should not result in unacceptable levels of visual intrusion, overlooking, shadowing, overbearing or other adverse amenity impacts.

Given the site circumstances – i.e. the distances to neighbouring properties from the application building, the presence of outbuildings in the gardens of neighbouring sites, existing boundary treatments and the siting of proposed habitable room windows, it is considered that the impact on the amenities of neighbouring properties is of a limited and acceptable degree. In addition, the levels of amenity for future occupiers of the properties are of a satisfactory level.

Therefore it is considered that the proposal accords with the amenity tenets of Local Plan policies S1 and EQ6 and bullet point 4 of para 17 of the NPPF.

Ecological, arboricultural & landscaping and archaeological impacts

Ecology

Policy EQ5 of the Local Plan seeks to conserve, and where possible enhance, the biodiversity and geological resources of the area. Section 11 of the NPPF seeks to conserve and enhance the natural environment.

The key issue with the current application is the potential for bat roosts in the building.

In summary, following the submission of preliminary and follow up reports (bats and birds), as noted above, Derbyshire Wildlife Trust has concluded that

...sufficient survey work in respect of bats has now been carried out to enable the local planning authority to determine the application in line with the requirements of the Conservation of Habitats and Species Regulations 2017 and to accord with the Circular 06/2005.

In addition, DWT considers that within the information submitted a number of appropriate mitigation measures to avoid modification of the bat roost have been included; it is suggested that these should be included in a mitigation strategy which is to be secured by a planning condition as follows:

Prior to the commencement of any works which may affect bats or their habitat, a detailed bat mitigation strategy shall be submitted to and approved in writing by the local planning authority. All works shall then proceed in strict accordance with the approved strategy with any amendments agreed in writing.

Bearing the comments of DWT in mind it is considered that, subject to the condition recommended, no protected species are threatened and that there are no significant biodiversity issues arising from the proposal.

Arboriculture & landscaping

Policy EQ9 of the Local Plan seeks to protect existing trees, woodland and hedges and, inter alia, requires new developments to provide appropriate tree planting and soft landscaping.

Bearing in mind the revised plans which have been received it is considered that sufficient space remains within the site to provide some tree planting and soft landscaping to ensure the setting of the building is not harmed and to ensure the proposal is in keeping with the street-scene and the appearance of the area.

Archaeology

Policy EQ7 of the Local plan seeks to conserve or enhance heritage assets (including non-designated ones). DCC Archaeological consultant considers that the proposal will not have any archeological impact and the Council's Conservation Officer is satisfied with the design of the revised scheme.

Thus, bearing the above points in mind it is considered that the proposed development will accord with Local Plan policies EQ5, EQ7 and EQ9 and section 11 and 12 of the NPPF.

Planning balance, sustainability and recommendation

Bearing all the above matters in mind, in summary and conclusion, it is considered that: 1) the principle of the proposed development is acceptable, 2) the loss of the community facility accords with policy CF5; 3) the design (re minimal external physical alterations) of the proposed development has an acceptable relationship with the street-scene and as such will protect the non designated heritage asset and maintain the character & appearance of the area; 4) there are no highway safety issues arising from the application; 5) there are no residential amenity issues arising from the application, 6) there are no arboricultural, ecological or archaeological concerns arising from the proposal, 7) the proposal would provide a social benefit by making a contribution to the housing needs of the area and 8) there would be some economic benefits eg. from the construction phase of the development and resultant council tax. Hence, the proposed development is considered to be a sustainable form of development which accords with policies S1 and S1a of the Local Plan and the sustainability thread running through the NPPF. As such the application should be approved in line with the NPPF, subject to appropriate conditions and informatives.

OFFICER RECOMMENDATION: APPROVE

Case Officer: John Williamson

Recommendation Date: 25/06/2018

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council