

DELEGATED DECISION REPORT

HPK/2023/0484
Valid 20/11/2023

9 MARKET STREET
CHAPEL-EN-LE-FRITH

APPLICATION FOR
VARIATION OF A CONDITION
9 IN RELATION TO
APPLICATION HPK/2021/0271 -
EXPANSION OF OPENING
HOURS

(FULL - MINOR)

MAIN ISSUES

- Amenity

DESCRIPTION OF SITE

9 Market Street, otherwise known as Deacons Bank, is a grade II listed building. Deacons Bank is a two storey end terraced building, formerly used as a bank. The application site has no off street parking, however, does have a rear courtyard, accessed via an adjacent alleyway.

Planning permission was previously granted and for the conversion of the previous bank building to a Class E, restaurant use on the ground floor, with C3 flats above.

The properties listing description states:

Bank. C19, early C20 refronting to ground floor. Gritstone ashlar to ground floor, coursed rubble over. Stone slate roof. Stone gable end stacks. Two storeys, irregular fenestration. Ground floor in art nouveau style. To east, deeply recessed doorcase. Chamfered side, changing to moulding half way up and topped by stylised leaf and flower carving. Above, lintel inscribed 'William Deacon's Bank'. To either side, mouldings with central rib, coved to either side and splayed to base. Central ribs form trunks to flower and foliage carvings above on large ovolo moulded stringcourse. Panelled wooden door below. To west four windows all with deeply moulded architrave and keystone. Recessed panel below each window with diamond pattern decoration. Each window, single pane of glass with patterned leading applied. Above, stringcourse continued from over door with similar carved details, between each window. Above, two C20 windows. On eastern gable wall, a large metal plaque in similar style inscribed 'Bank'.

PROPOSAL

Planning permission is sought for a variation of condition 9 of HPK/2021/0271. Condition 9 states:

The ground floor restaurant, including the external seating area, shall not operate outside of the following hours, as specified under Section 19 of the Application Form: - 11:00 – 22:30 Monday-Friday - 10:00 - 23:00 Saturday - 10:00 – 22:00 Sundays and Bank Holidays

The current application hopes to vary these hours to:

The restaurant, including the external seating area, shall not operate outside of the following hours:- 09:00 - 23:30pm Monday-Friday- 09:00 - 23:30pm Saturday- 09:00 – 22:00 Sundays and Bank Holidays- Christmas Eve and New Years Eve 9:00 - 02:30with the exception of Bank holiday weekends allowing Friday - Sunday opening 9:00 - 00:00

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
EQ 6 Design and Place Making
EQ 7 Built and Historic Environment
CF 1 Retail and Town Centres
CF 6 Accessibility and Transport

National Planning Policy Framework

Section 4
Section 12
Section 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2001/0592 & HPK/2001/0593 - Alterations to improve disabled access
(Approved 17/01/2001)

HPK/2002/0299 - 25 x Pole Mounted Fabric Banners (Approved 24/05/2002)

HPK/2005/0874 - Replacement Signage (Approved 11/01/2006)

HPK/2005/0892 - Various Signage (Approved 13/01/2006)

HPK/2012/0166 & HPK/2012/0167 - Proposed Removal Of Existing Signage And Installation Of Replacement, Converting The Royal Bank Of Scotland To Santander
(Approved 14/05/2012)

HPK/2018/0511 & HPK/2018/0512 - Removal of the face fixed sign at first floor and of the low level branded sign to the left of the entrance and the repair of the stonework (Approved 15/02/2019)

HPK/2021/0271 - Conversion of Grade II listed former Bank into a Restaurant (Use Class E) at ground floor. Change of use to two flats (Use Class C3) at first floor. External alterations include new windows and doors to the rear elevation along with a new kitchen extract (Approved 18/11/2021)

CONSULTATIONS

Publicity

Site Notice expiry date: 28/12/2023

Neighbour consultation period ends: 06/12/2023

Press Advert: 28/12/2023

Public Comments

Neither (0)

Support (0)

Objection (1)

- Ongoing breach of conditions
- Original condition deemed important and should be maintained
- Upmarket food venue with no need to open earlier or later

Town / Parish Comments

Chapel – en -le – frith PC – no objections

Environmental Health

No response

Derbyshire County Council Highways

No objection

HPBC Conservation Officer

No comments to make

OFFICER COMMENTS

Principle of Development

LP Policy S 2, which states that development should be directed towards sustainable locations, including Market Towns such as Chapel-En-Le-Frith. The site is situated within this built-up area boundary. Therefore the principle of the development is acceptable subject to consideration of the following policy.

Amenity

LP Policy EQ 6 states that all development should be well designed, of a high quality and respond to the areas character, history and scale.

This application proposes to lengthen the condition opening hours of Deacons Bank. The site is within the town centre, within a predominantly commercial area with other pubs and restaurants nearby. The proposed increase in opening hours is not considered to be excessive. The applicant has presented evidence that the HPBC licensing team were deemed satisfied with the alteration in opening hours. the LPAs licensing and environmental health team have reviewed the revised opening times previously and found them satisfactory and in the absence of any objection from those consultees it is not considered that a refusal of planning permission on amenity grounds could be sustained.

Highway Safety

The application site is located in central Chapel with sufficient 24 hour parking available nearby. The extended opening hours will therefore not be detrimental to highway safety.

CONCLUSION / PLANNING BALANCE

In conclusion, the proposed revision in opening hours is considered to be satisfactory and create no detriment to amenity or highway safety. As such the proposed opening hours are recommended for approval.

OFFICER RECOMMENDATION : Approval

Case Officer: Rachel Robinson

Recommendation Date: 30th January 2024

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council