

DELEGATED DECISION REPORT

HPK/2024/0456
Valid 07/11/2024

THE ROYAL OAK
11 MARKET STREET
CHAPEL-EN-LE-FRITH

**ERECTION OF ANCILLARY
ACCOMMODATION BLOCK**

(FULL - MINOR)

MAIN ISSUES

- Design, character and appearance
- Impact upon residential amenity
- Impact upon the designated heritage assets
- Impact upon highways

DESCRIPTION OF SITE

The application site relates to a detached public house and hotel known as the Royal Oak and is located on Market Street within the established settlement of Chapel-en-le-Frith. The site also lies fully within the Chapel-en-le-Frith Conservation Area. The building is a Grade II Listed property. The official listing describes the building as:

Public house C18, completely remodelled in C19. Incised rendered to look like ashlar. Painted stone dressings. Modern tile roof, partly concealed by parapet wall. Rendered gable end stacks. Three storeys, two storey wing to east. North elevation - four bays. Shallow plinth. Central doorcase with attached columns and plain entablature. Rectangular fanlight with diagonal tracery over eight panelled, raised and fielded door. To either side, C20 large windows with top casements. Plain sash beyond to east. Above, similar windows, To west, two pairs of plain sashes. Above, again three plain sashes. Interior - large bracketed stone fireplace to front rooms either side of hall.

PROPOSAL

The application seeks full planning consent for the erection of an ancillary accommodation block within the grounds of the Royal Oak Public House and Inn. The proposals would also require the removal of an existing storage building.

The proposed building would provide two floors of accommodation with two apartments occupying the ground floor and two apartments occupying the first and second floors. The scheme was amended during the course of the application. These included a change in the design of the building to revert back to a resubmission of the original design proposed under an earlier 2016 application (ref. HPK/2016/0232) with minor fenestration and door changes from this previous proposal.

As amended, the eaves height of the building would be approximately 5.5m and the ridge height would be 8.6m. It would have a footprint of approximately 14m by 7.2m. Access to the site is taken from Rowton Grange Road, the revised plans now indicate the proposed development would accommodate a total of 9 parking spaces, which one parking space allocated for each apartment.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S 2 Settlement Hierarchy
S 6 Central Area Sub Strategy
EQ 6 Design and Place Making
EQ 11 Flood Risk Management
EQ 7 Built and Historic Environment
E 6 Promoting Peak District Tourism and Culture
CF 6 Accessibility and Transport

Chapel-en-le-Frith Neighbourhood Development Plan

TM1 - Promoting Tourism
CNP1 – Provision of Infrastructure and Facilities and Developer Contributions
C2 – Biodiversity
TR1 – Information Required to Support Planning Applications

National Planning Policy Framework

- Ministerial foreword
- Introduction (Inc. Achieving sustainable development, presumption in favour of sustainable development, core planning principles, delivering sustainable development)
- Chapter 2 – achieving sustainable development
- Chapter 6 - Building a strong competitive economy
- Chapter 12 - Achieving well design places
- Chapter 16 - Conserving the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2001/0339: Proposed Beer Garden Area
Decision: Approved (26/09/01)

HPK/2006/0646: Parasol and awning to outdoor area.
Decision: Refused (17/10/06)

HPK/2024/0468: Replacement fire escape to southern gable elevation.
Decision: Approved (09/01/2025)

HPK/2016/0232: Erection of building for 4 open market apartments.
Decision: Refused (08/11/2016)

CONSULTATIONS

Publicity

Site Notice expiry date: 20/12/2024
Neighbour consultation period ends: 04/12/2024
Press Advert: 12/12/2024

Public Comments

One neighbour comment has been received from the occupier of no.2 Rowton Grange Road. Their comments are summarised below:

Our privacy will be seriously affected as the southern part of the building would overlook the south-facing front of our house. The proposed building would overlook the front bay windows of number two.

The existing shed has no windows and the south front of number two cannot be seen from the existing hotel windows as it is further south than any of them. The proposed building would create an entirely different scenario.

We are also concerned that the reduction of the car park capacity will significantly add to the traffic congestion and parking in the immediate area.

Town / Parish Comments (No Objection)

No additional commentary received.

Conservation Officer (No Objection Subject to Conditions & Informative)

Previously application ref HPK/2016/0232 was refused and dismissed at appeal. However the 2016 scheme was notably not refused on the grounds of design. The design was further supported by the planning inspectorate at the time of appeal. The revised plans submitted are a resubmission of the HPK/2016/0232 scheme. On this basis there is no heritage objection to the design in principle. However, due to the sensitive location of the proposed ancillary block exact details of the proposed design should be confirmed and secured via reasonable condition. This should include a material and window schedule. Plans show a frameless glass balustrade to be located forward of the principle elevation. This would be visible from Rowton Grange Rd. A glass balustrade would appear overly contemporary and out of context within this setting. Officer site visit demonstrated that when viewed from Rowton Grange Rd black iron railings of

current fire escapes can be viewed. The addition of a conflicting balustrade material would appear out of character with the setting of the listed building. Any additional balustrades should be of a black iron in keeping with the setting and character of the listed building.

Environmental Health

No comments received.

Derbyshire County Council Highways (No Objection subject to Condition & Informatives)

Both High Street (B5470) and Rowton Grange Road contain 'No Waiting at Any Time' and 'Limited Waiting' parking restrictions.

Therefore, due to the aforementioned restrictions, the town centre location and based on the analysis of the information submitted and a review of Local and National policy the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion, so offer no objections as there are no justifiable grounds on which an objection could be maintained and recommend Condition and Informative Notes are appended to any consent granted.

Historic England (Neither Supports nor Objects)

Historic England are not providing comments on this application.

United Utilities

Noting this is a Full application, we request that the applicant provides a detailed drainage plan, and that United Utilities has the opportunity to review and comment on this plan Prior to determination of this application. Should planning permission be granted without the provision of this information we request that a pre-commencement condition be attached to any subsequent Decision Notice.

OFFICER COMMENTS

Principle of Development

The application relates to the erection of an ancillary accommodation building to be used for holiday apartments as part of the offering with the Royal Oak Public House and Hotel.

The presumption in favour of sustainable development which runs through the core principles of the Framework is reflected in Policies S1 – Sustainable Development Principles and S1a – Presumption in favour of Sustainable Development of the adopted Local Plan. Paragraph 8 of the NPPF identifies the three dimensions to sustainable development; economic, social and environmental. Paragraph 85 seeks support economic growth and productivity, taking account of local business needs and wider opportunities for development. High quality design should be sought and secured and a good standard of amenity provided for all existing and future occupants of land and buildings.

The application site lies within Chapel-en-le-Frith Neighbourhood Development Plan Area which was “made” on the 5th and 7th August 2015 by High Peak Borough Council and the Peak District National Park respectively. The CNP reflects the shared vision of the community and seeks to shape and direct sustainable development in the area.

Policy TM1 identifies that *“applications for tourism-related uses will be welcomed and supported, subject to meeting the other policies of this plan and Local Planning Authority Policies.”*

Although the site is not allocated for housing, it constitutes previously developed land and lies within the built up area boundary of Chapel-en-le-Frith. It is in a sustainable location with good links to local services and shops by walking/cycling and nearby public transport.

Whilst the proposals would lead to the creation of a residential development the apartments themselves are proposed to be for self-contained holiday apartments for short-term lets and would be entirely ancillary to the existing Royal Oak Public House and Hotel tourism operation already on site with the aim of diversifying the existing accommodation offer.

Policy E6 *“Promoting Peak District Tourism and Culture”* identifies that *“The Borough Council will support the development of Peak District tourism and culture. This will be achieved by:*

- *Strengthening the tourism role of the Plan Area by supporting and supplementing the tourism offer of the Peak District National Park*
- *Supporting tourism and provision for visitors which is appropriate to the settlements and countryside and consistent with environmental objectives*
- ***Retaining and enhancing existing serviced accommodation and supporting the provision of new serviced accommodation in towns and villages in order to encourage overnight visitor stays***

- *Maintaining and where possible enhancing existing tourist, visitor cultural and recreational facilities*
- *The provision of new visitor and cultural attractions and facilities that expand the breadth and quality of the tourism offer without prejudice to the character of the Peak District*
- *Supporting new tourist provision and initiatives in towns and villages, and in the countryside where proposals accord with Policy EQ3*
- *Supporting measures within the Plan Area which would relieve tourist pressures on the most sensitive areas of the Peak District National Park and which would protect and enhance vulnerable habitats and landscapes.”*

Furthermore, the application site lies within the Central Sub-Area Strategy area as defined by Policy S6 which states that

“The Council will seek to promote the sustainable growth of the Central Area such that it reflects the historic character of the settlements, provides increasing range of employment opportunities, promotes the growth of a sustainable tourist economy and meets the housing needs of the local community”.

And goes on to identify that *“Encouraging the growth of local employment opportunities and supporting the diversification and growth of local business by allocating suitable, deliverable sites for industrial and business use sufficient to meet the economic needs of the Central area ... Encouraging the growth of tourism including protecting and promoting the Peak Forest Canal and its associated infrastructure, the Buxworth Basin and the Peak Forest Tramway.”*

It is noted that the application site lies within an established urban area, within a sustainable location for new development with access to a number of facilities, public transport connections and is 1.2km from the Peak District National Park. With consideration to this, the proposed development would accord with the Strategic objectives of the Local Plan, Local Plan Policy E6 and S6.

The proposed development is judged to be compatible with adjoining land uses and the principle of small residential tourism within the built up area boundary is generally supported by Local Planning policy. The proposals are in accordance with Policy E6 and the relevant paragraph of the NPPF with regards to supporting tourism opportunities close to the Peak District National Park and the growth of the Central Sub-Area. The proposed development is considered to be acceptable in principle subject to other material considerations, such as design, impact upon Heritage assets and visual amenity, Highways / parking and additional relevant local and national policies.

Impact upon the Street Scene and Designated Heritage Asset

Local Plan policies S1, EQ6 and EQ7 and sections 12 and 16 of the NPPF seek to achieve high quality design and conserve (or enhance) heritage assets.

Local Plan Policy EQ6 requires development to contribute positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings and landscape features. The NPPF attaches great importance to the design of the built environment with good design being a key aspect of sustainable development. Paragraph 131 of the NPPF outlines that *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."*

Paragraph 139 states that *"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design."* states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

In accordance with the provisions of Section 12 of the NPPF and Policy EQ7 of the Local Plan, the proposals are also required to enhance or sustain any designated heritage assets and their settings. In this case, it is important to consider the impact on the setting of the Grade II listed Royal Oak Inn and the Chapel-en-le-Frith Conservation Area.

The scale and design of the proposed apartment block has been subject to negotiation during the course of the application and the proposal has been amended to reflect the comments made by the Conservation Officer. The existing storage / outbuilding structure has little architectural merit and visually it is considered that the site may benefit from suitable development as this would visually enclose this part of Rowton Grange Road and create a more intimate townscape feel.

Concerns were expressed over the scale and detailed design of the building as originally proposed. In particular, the scale of the building and large central glazed windows did not relate well to the adjacent listed building and the proposed fenestration gave the building an over domesticated appearance. Revised plans to match those more closely of the previous 2016 application (ref. HPK/2016/0232) with minor door and fenestration changes were submitted following an initial objection from the Conservation Officer. The application HPK/2016/0232 was refused on highways grounds and subsequently appealed and dismissed. During the assessment of the proposed development the inspector concluded that the *"I consider that the proposal would be in keeping with its surroundings and present an attractive and high quality development. It would preserve the setting of the listed building and enhance the character and appearance of the conservation area."*

The revised plans show that the proposed accommodation block would appear as an ancillary type building of a more traditional appearance to reflect its context. The revised plans are judged to have addressed the comments of the Conservation Officer and the objection has since been removed. The proposed building would be

of a traditional gritstone appearance and the windows would have stone heads and cills and the doors to the front elevation are of traditional timber panel appearance.

With consideration to the fact that the Conservation Officer has removed their objection, subject to conditions, and that the design is almost identical to which a planning inspector deemed to preserve the setting of the listed building and enhance the character and appearance of the Conservation Area, it is therefore concluded that the proposed development would be in accordance with High Peak Local Plan Policies EQ6 and EQ7, The Design Guide (2018) and the NPPF.

Amenity

Local Plan Policy EQ6 requires development to 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.

The main impact of this development would be upon No. 2 Rowton Grange Road which contains habitable room windows overlooking over the application site at close range. It is noted that they raise concerns about overlooking. However, given the orientation and angle of the proposed building relative to the windows of the neighbouring property is such that it would not result in a significant impact on the neighbouring property in terms of overbearing impact or loss of light. The windows to the front elevation of the proposed building are limited in size and number such that they would not result in significant overlooking of the neighbouring occupier. It is noted that the 2016 application also considered that there would be no adverse impact on the neighbour, even though the siting of the building was slightly angled towards the neighbour, which is not the case under this current application.

The proposals do include the provision of two small rear balcony areas, however there are no residential properties to the rear of the site and the balconies would overlook a small patch of grass and the service access to the Royal Oak to the west, bowling green to the south and the Royal Oak itself to the north. Consequently the proposed balcony is not judged to have any impact upon neighbouring amenity with regards to overlooking or a loss of privacy.

Other neighbouring residential properties, including those on Market Street, are further away from the site and would not be significantly affected in terms of any of the nuisances identified in Policy EQ6.

It is however recommended that a condition be imposed restricting the occupation of the apartments to the public house. It is clear from the Planning statement that it is intended that visitors to the public house, and the commercial tourism operation would occupy the units. The apartments would not have any designated amenity space provided, although it is noted that there would be two very small balconies provided, and therefore if occupied as permanent residential accommodation, would provide a substandard area of amenity space.

Highway Safety, Access and Parking

The access and parking implications of the development are assessed against Local Plan Policy CF6, Policies H3 and TR1 of the Chapel-en-le-Frith Neighbourhood Development Plan and the provisions set out in the National Planning Policy Framework relating to transport and accessibility (Section 4). The Royal Oak Inn is an established town centre public house which serves food, has a beer garden and also operates as a hotel/ bed & breakfast with several letting rooms. The car park area to the rear consists of various garage/outbuildings with a large area of hardstanding. DCC Highways have stated that *“both High Street (B5470) and Rowton Grange Road contain ‘No Waiting at Any Time’ and ‘Limited Waiting’ parking restrictions. Therefore, due to the aforementioned restrictions, the town centre location and based on the analysis of the information submitted and a review of Local and National policy the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion.”*

The proposals have revised the plans to show that there would be an increase in parking provision from 8 spaces to 9 spaces with 4 of these allocated to the ancillary accommodation block. Whilst the existing pub provision does fall below the requirements for parking for Public Houses in Appendix 1 of the Local Plan and the proposed development would only create an effective increase of one parking space over the existing provision, it is noted that the site is positioned in a highly sustainable area with good access to local public transport networks. With consideration to this and that no objections have been raised by Highways it is considered that in this instance that a refusal is not warranted on the grounds of parking or highway safety.

As such it is considered that the proposals are in accordance with the Local Plan Policy CF6, policy TR1 of the Chapel-en-le-Frith Neighbourhood Plan and Section 4 of the NPPF.

Drainage

United Utilities have provided commentary and requests further information be submitted in the form of a detailed drainage plan. Should this not be sought prior to determination United Utilities request a pre-commencement conditions for the details of a sustainable surface water drainage scheme and a foul water drainage scheme prior to works starting on site.

The applicant has confirmed they accept the Pre-commencement condition, therefore the proposals are deemed to not have any detriment to drainage or foul water subject to the requirements of this condition in accordance with Policy EQ11 and the NPPF.

BNG considerations

As the site involves a replacement building which is already located on a sealed surface, the need to secure Biodiversity net gain is not triggered.

CONCLUSION / PLANNING BALANCE

In conclusion the proposed development is deemed to be acceptable in principle. The proposals would preserve the setting of the listed building and retain the character of the conservation area, would have no detriment to visual amenity and there would be no unacceptable impact upon neighbouring amenity. The proposed development has been assessed to be in accordance with the relevant High Peak Local Plan policies as set out above, The Chapel-en-le-Frith Neighbourhood Plan, Design Guide (2018) and national policy in the NPPF.

OFFICER RECOMMENDATION : Approve

Case Officer: Stuart Talbot

Recommendation Date: 18/03/2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council