

8 FULL APPLICATION - EXTENSION TO PROVIDE TOILET AND ALTERATIONS TO PORCH TO CREATE DISABLED ACCESS – HOLY TRINITY CHURCH, EDALE (NP/HPK/1218/1208 DH)

APPLICANT: REVD DR SIMON COCKSEGE

Site and Surroundings

1. Holy Trinity Church stands off the west side of the unnamed road from Edale Station up to Grindsbrook, in Edale village. The church is set back from the road by approximately 25m; the village war memorial, also Grade II listed, stands directly to the east side of the church.
2. The church was Grade II listed on 24 September 1984. It dates from 1885 with the spire being added in 1889. It is constructed from coursed, squared gritstone. The timber framed south porch was part of the original architect's design but is distinct from the main body of the church due to its design and materials.
3. The nearest neighbouring residential properties are Mam Tor House to the north, Newlands to the west, and Church Cottage, which is Grade II listed to the south.

Proposal

4. The application is to alter and extend the south porch of the church to create a toilet with disabled access and provide doors to the porch. The proposals include alterations to the paths which relate to the south door of the Church.

RECOMMENDATION:

That the application be REFUSED for the following reason:

1. **The proposed development would harm the significance of the Grade II listed Holy Trinity Church contrary to Core Strategy policies GSP3 and L3, Saved Local Plan policies LC4, LC5 and LC6 and Emerging Development Management Policies DMC3, DMC7 and DMC8. The public benefits arising from the development would not outweigh this harm and therefore the proposed development is also contrary to the National Planning Policy Framework.**

Key Issues

- Impact upon the Grade II listed building and the designated Edale conservation area.
- Impact upon the amenity of the area and neighbouring properties.

History

5. 1991 - NP/HPK/0791/086 - Extension to provide kitchen and toilets refused.
6. 1992 - NP/HPK/1191/145 - Extension to church to provide kitchen and toilet facilities, granted subject to conditions.
7. 2006 - NP/HPK/0106/0029 - Re-levelling paths & provision of handrails to ease disabled access to existing place of worship, granted subject to conditions.
8. 2016 - NP/HPK/0116/0039 - Provision of disabled access to church garden from existing path with siting of five benches within the church garden area, granted subject to conditions.

9. 2018 - NP/HPK/1217/1280 - Listed Building consent application for full disabled access and toilet facilities. A small extension (west of the porch) housing the toilet, a ramp in the porch to improve access, glass doors to the porch to make the porch an inside space reducing heat loss. Roof tiles to match the recently-replaced main church roof. Application withdrawn.
10. 2018 - NP/HPK/0118/0010 - Planning application for full disabled access and toilet facilities. A small extension (west of the porch) to house the toilet, a ramp in the porch to improve access, glass doors to the porch to make the porch an inside space reducing heat loss. Roof tiles to match the recently-replaced main church roof. Application withdrawn.
11. Extensive advice was given by officers prior to the submission of this application several options were considered and discussed at length to accommodate a new toilet and disabled access to the Church. The Authority's officers recommended that a new porch off the north elevation would be the least harmful solution.

Consultations

12. Derbyshire County Council (Highway Authority): No highway objections.
13. High Peak Borough Council: No response to date.
14. Edale Parish Council: Support.
15. Historic England (Derbyshire): Do not wish to offer any comment.
16. Amenity Societies: No response to date.
17. PDNPA Conservation Officer: I am unable to recommend approval of this proposal on the grounds that the proposal does not represent the least harmful option, and causes demonstrable harm to the heritage asset.
18. PDNPA Senior Archaeologist: There is little potential for below ground archaeological remains at the site, however, the changes to the south porch will result in changes to and loss of historic fabric, and to the architecture and deliberate symmetrical design of this part of the building. This would result in harm to the significance of the listed building, but the scale of this harm is less than substantial. This harm would affect the building's historic and architectural interest. Therefore, *should* this harm be considered justified with respect to the balance of public benefit, then I recommend that this harm is mitigated by a targeted programme of building recording to ensure that a record is made of this area of the church before the alteration and changes to its historic fabric and designed aesthetic are made.

Representations

19. During the consultation period, the Authority has not received any formal representations regarding the proposed development.
20. The results of a public consultation carried out by the applicant of 35 people (12.5% of the adult population of Edale) and the children attending the village school have been provided with the application. The consultation indicates that there is public support, and the desirability of an internally accessible toilet.

Legislation

21. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

22. In considering proposals for planning permission, the duty imposed by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Guidance tells us that ‘preserving’ in this context means preserving from harm.

23. Section 66 also sets out that special regard must be had to the desirability of preserving the setting of listed buildings. Section 72 of the same Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Section 73 places a general duty upon decision makers that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Main Policies

24. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L1, L3, HC4 & RT1

25. Relevant Local Plan policies: LC4, LC5, LC6, LC15 and LC16

National Planning Policy Framework

26. The National Planning Policy Framework (NPPF): The NPPF was revised February 2019, is considered to be a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority’s Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park’s statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.

27. Paragraph 172 of the NPPF states that *‘great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.’*

28. NPPF Para 133 sets out a strong presumption against substantial harm. It says that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public

- benefits that outweigh that harm or loss.
29. Paragraph 172 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*
 30. NPPF Para 133 sets out a strong presumption against substantial harm. It says that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
 31. NPPF Para 134 deals with balancing harm. It says that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
 32. Part 16 of the NPPF relates to conserving and enhancing the historic environment. When considering potential impacts of proposals on the significance of a designated heritage asset great weight should be given to the assets conservation, irrespective of whether the potential harm amounts to substantial harm, total loss or less than substantial harm.
 33. Paragraph 193 states, "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." Paragraph 194 states that any harm should require clear and convincing justification. Paragraph 196 states that where the harm to the significance of the asset is less than substantial, the harm should be weighed against the public benefits of the proposal.
 34. The NPPF states that local planning authorities should plan positively for the provision and use of shared spaces, community facilities and other local services. Part 6, paragraph 83 of the NPPF states that local planning authorities should enable: (d) the retention and development of accessible local services and community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship).
 35. Part 8, paragraph 92 states that policies and decisions should (a) plan positively for the provision and use of community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship), and (d) ensure that established facilities and services are able to develop and modernise, and are retained for the benefit of the community.
 36. Part 12 states that good design is a key aspect of sustainable development; planning policies should ensure that developments are sympathetic to local character and history, while not preventing innovative design.

Peak District National Park Authority Development Plan

37. Core Strategy policy L1 states that development must conserve and enhance valued characteristics of the National Park. Core Strategy Policy L3 deals with cultural heritage assets of historic significance, and states that development must conserve and where appropriate enhance or reveal the significance of architectural or historic assets and their settings.
38. Core Strategy policy HC4 states that the provision or improvement of community facilities and services will be encouraged within named settlements. It states that proposals must demonstrate evidence of community need.
39. Saved Local Plan policy LC5 deals with applications for development or works which are within designated Conservation Areas, it states that consideration should be given to (i) the form and layout of the area and views into and out of the site; (ii) the scale, height, form and massing of the proposal and existing buildings to which it relates; (iii) locally distinctive design details including traditional frontage patterns, and (iv) the nature and quality of proposed building materials.
40. Saved Local Plan policy LC6 relates to listed buildings and how these will be preserved and where possible enhanced, applications should demonstrate why the proposed works are desirable or necessary. Works which adversely affect the character, scale, proportion, design, detailing of, or materials used, or which would result in loss or irreversible change to original features will not be permitted.
41. LC6 (d) states that In particular, development will not be permitted if it would directly, indirectly or cumulatively lead to:
 - i. changes to plan form which involve removal of original walls, stairs, or entrances, or sub-division of large interior spaces; or
 - ii. removal, alteration or unnecessary replacement of structural elements including roof structures, beams and floors; or
 - iii. the removal, alteration or unnecessary replacement of features such as windows, doors, shutters, fire surrounds and plasterwork; or
 - iv. the loss of curtilage features which complement the character and appearance of the listed building (e.g. boundary walls, railings or gates); or
 - v. the replacement of original features other than with original materials and with appropriate techniques; or
 - vi. repairs or alterations involving materials, techniques and detailing inappropriate to the listed building; or
 - vii. extensions to the front of listed buildings.
42. Saved Local Plan policies LC15 & LC16 give detailed policy guidance in relation to archaeology and to historic and cultural heritage sites and features.
43. The above policies are also supported by the wider range of design and landscape conservation policies in the Development Plan including GSP1, GSP2 and GSP3 of the Core Strategy and LC4 of the Local Plan, which require a high standard of design that is sensitive to the locally distinctive character of the landscape setting, with particular attention paid to the proposals impact on the character and setting of buildings, the character and appearance of the National Park siting, landscaping and materials.

Supplementary Guidance

44. The Authority has a Supplementary Planning Document (SPD) for extensions and alterations to existing buildings. It states that there are three main factors to consider, massing, materials, detailing and style. All extensions should harmonise with the parent building, respecting the dominance of the original building. The original character of the property should not be destroyed when providing additional development.
45. The Edale Conservation Area appraisal was adopted in 2005 and is a relevant material consideration. The appraisal says that *'At Grindsbrook the listed church of the Holy and Undivided Trinity is an austere building that is the dominant building on entering the village. Although the present day church was built in 1885, across the road lies the site of the original church and cemetery dating back to 1633. An ancient sundial survives in the grounds where by the 1790s the first chapel was documented as being already decayed and too small for the congregation. In 1812 it was replaced on the same site with a plain building that was more like a barn in appearance. In 1885 it was demolished when the present day church was built. The Vicarage appears to be of a similar age and was presumably rebuilt at much the same time as the Church.'*

Emerging Development Management Policy

46. The Authority has reached an advanced stage in the production of Development Management Policies. We consider that a revised version of the Publication Document (incorporating all proposed modifications) addresses the remaining soundness issues and as such may be afforded significant weight as a material consideration. When adopted these policies will replace the existing saved Local Plan policies (adopted 2001) in their entirety.
47. Policies DMC3, DMC7 and DMC8 are relevant and reflect the current policy approach of seeking a high standard of design which conserves and enhances the significance of the National Park and its cultural heritage.

Assessment

48. The proposed works do not require Listed Building Consent (LBC) as the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010 applies to listed church buildings belonging to specified religious orders in England.
49. Development for the benefit of community facilities are considered acceptable in principle, as are extensions to existing buildings. National policy states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm should require clear and convincing justification, and the harm should be weighed against the public benefits of the proposal. The Authority's conservation policies are in line with national policy.
50. Officers understand the desirability of having a new internally accessed toilet; there is little scope to provide this facility within the existing building. Prior to the submission of this application several options were considered and discussed at length. Officers recommended that a new porch off the north elevation would be the least harmful solution.
51. The proposed extension is to the existing south porch which is part of the original footprint, but is distinct from the main body of the Church due to its design and materials. The main building is constructed from gritstone, the south porch is an open fronted timber framed structure with a symmetrical form.
52. The proposed extension would be off the west side of the porch, set back from the front of the porch by 300mm. As a result of the design, the porch would lose its symmetry. It would

also impact on the natural light to the entrance to the Church having an adverse effect on the character. It is proposed to introduce lights to the interior where currently there are none, also affecting character in a negative way. Although the design proposed has been amended to be sited in front of the buttress, it would still protrude beyond the west wall of the church, and therefore does not fit well into the corner. The historic fabric of the framing and glazing of the porch's west wall would be lost along with part of the base walling to create the full height door. This aspect of the proposal would be significantly harmful to the architecture and aesthetics of the church, contrary to policies L3, and LC6.

53. The proposal includes enclosing the porch with the introduction of doors to improve the thermal efficiency of the church. Officers advised that this positive aim could be achieved in a way which would minimise the harm to the fabric of the building. The porch should be enclosed in as lightweight a fashion as possible, with frameless glazed doors to minimise the impact on the existing porch design. If this was not possible for some reason then the porch should remain open fronted. The submitted plans show the doors to the porch are plain glazed but with frames over 100mm thick. Therefore, although the doors proposed are recessed, the thickness of the frames means that they would be visible and very apparent and would alter the aesthetics of the entrance. The proposed doors would harm the character and appearance of the porch, contrary to policies L3 and LC6.
54. The re-grading of the pathways to create ramped access to the south porch and landscaping proposals have little potential for disturbing below ground archaeological remains. The paths are already tarmac, however the proposed edging material is a reconstituted stone product which is considered inappropriate in this setting and would need to be replaced by natural stone. The plans also show the creation of a blue clay brick level area in front of the porch entrance which would introduce an inappropriate material into the setting which would contrast sharply with the stone paving in the porch. It is considered that the use of clay bricks be omitted in favour of natural York-stone. With the aforementioned changes which can be covered by planning conditions, this aspect of the proposal would have a minimal impact.
55. The NPPF requires that when considering potential impacts of proposals on the significance of a designated heritage asset great weight should be given to the assets conservation, irrespective of whether the potential harm amounts to substantial harm, total loss or less than substantial harm. The harm should be weighed against the public benefits.
56. The proposed new toilet is intended to provide disabled access, however, the internal footprint is just 1.6m by 2.3m. The Access Guide specification for a fully wheelchair accessible facility requires turning circle of 1500mm; this information was sent to the applicant via email prior to the submission of the application. It is very questionable whether the turning circle can be achieved when grab rails and fittings are installed within the space provided, and there is certainly not room for the new toilet to be equipped as a changing place for adults who are more profoundly disabled.
57. In this instance there are public toilets in the vicinity, in the Moorland Visitor Centre approximately 125m to the south of the Church and in the public car park approximately 400m to the south. The facilities at the Visitor Centre are fully accessible to visitors with disabilities, including wheelchair users and there is disabled parking on site. There is an existing toilet in the vestry of the Church.
58. Since there are public toilets in the vicinity which are wheelchair accessible, this is not considered to justify the harm that the proposed extension to the south porch would cause. Nor does it demonstrate that the public benefit would outweigh the harm the proposals would cause to the building.
59. Officers consider that an extension to the north could be accommodated with less harm to the building and its special qualities, and that would be large enough to accommodate a

changing place accessible facility. This would have considerable public benefit (set against less harm) as no other facilities of that nature exist in the National Park. While the applicant considers that an extension on the south side as proposed would be easier and less costly, the ease and cost of development are not material considerations to the planning decision, or public benefits and cannot be weighed against harm.

60. In conclusion, the proposal cannot be considered to be compliant with national planning policy and policies L3, LC5, LC6 and LC15, or with policy HC4, which requires proposals to demonstrate evidence of community need.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil