

APPLICATION NUMBER		23/00637/FUL	
SITE ADDRESS:		Dale Road Methodist Church, Dale Road North, Darley Dale, Derbyshire, DE4 2FS	
DESCRIPTION OF DEVELOPMENT		Erection of link extension between church and church hall, installation of air source heat pump and associated landscaping and external alterations.	
CASE OFFICER	Sarah Arbon	APPLICANT	The Methodist Church of Great Britain
PARISH/TOWN	Darley Dale	AGENT	Mrs Nichola Robinson, Smith and Roper
WARD MEMBER(S)	Cllr Burton Cllr Shelley Cllr Franks	DETERMINATION TARGET	15.08.2023
REASON FOR DETERMINATION BY COMMITTEE	Called in by Cllr Shelley	REASON FOR SITE VISIT (IF APPLICABLE)	For Members to appreciate the site and context.

MATERIAL PLANNING ISSUES
<ul style="list-style-type: none"> – the principle of development; – the impact on the character and appearance of the buildings and its surroundings; – whether the development would result in a significant loss of amenity for residents of neighbouring properties, and; – whether there would be any adverse highway safety implications

RECOMMENDATION
Refusal

1.0 THE SITE AND SURROUNDINGS

- 1.1 The Church and Church Hall are located to the south of the main A6 Dale Road North, through Darley Dale. To the north of the site are residential bungalows; to the east is the Whitworth Institute and park. The Manse is located to the west within the curtilage of the Hall and has residential properties beyond and to the south of the Church and Hall is the Cemetery. The Church Hall has a lower land level than the Church, being situated below the level of the highway. The sloping site allows for access to the basement of the church from the southern side where the access is at ground level.
- 1.2 Dale Road Methodist Church has a pitched slate finished roof, stone faced walling, with dressed margins and stained-glass windows. The Church has buttresses at the corners and intermediate bays, and a low-level lean-to roof to the southern elevation. It has both plinth and string course detailing.
- 1.3 The Church Hall is a brick built single storey building, with slate effect roof. The building has white PVC windows with framed surrounds to the north elevation and dressed heads and cills to the remaining.
- 1.4 There is a line of lime trees and a single oak adjacent to the road within the site boundary, together with those between the Church, Church Hall and the Cemetery are protected by DDC Tree Preservation Order No. 88. The number of mature trees to the south of the site are covered by the Grade II listing of the Whitworth Park and Gardens. To the east of the site, the Whitworth Park and Gardens are Grade II listed, incorporating the Whitworth Institute and Whitworth Hotel, both also Grade II listed. Other listed structures in the area include a Grade II listed milestone to the north-east, and two Darley Dale Stations (Grade II) to the south-east.

2.0 DETAILS OF THE APPLICATION

- 2.1 Planning permission is sought to erect a link between the Church and the Church Hall to provide additional and improved accessible facilities for the local community. The link aims to provide covered access between the two original buildings providing the ability to move between the original spaces without having to go outside. The proposal includes measures to provide better access for the elderly and disabled, through the creation of a level access, and a wheelchair lift within the extension.
- 2.2 The proposed link will be constructed in rock faced stone and includes string course details and dressed stone quoins to window and door surrounds to replicate the Church. The windows and doors replicate those found in the Church Hall to assist in tying the two buildings together. It would accommodate an entrance lobby, two meeting rooms, an accessible toilet and wheelchair platform lift. Air source heat pumps are proposed to the rear of the link building.
- 2.3 St Helen's Church is used for weddings, funerals, and other events with fixed seating, such as concerts. However, because of the fixed pews the Church lacks the flexibility to change the seating arrangements easily to accommodate other styles of activity. St Helen's Church Hall is used for a range of activities but lacks facilities for larger scale catering for events. Community use of the Methodist Church, namely the Church and Hall are used as a hub for meetings and social gatherings by the local community in Darley Dale as well as surrounding villages. The Church and Hall provide a base for some community groups to meet these needs such as Rainbows and Guides, enabling them to store some of their resources on site and have use of catering facilities and safe on-site car parking. The proposed link would enable the two buildings to be used more flexibly and be accessible to disabled persons.

- 2.4 In order to provide level access to the link a raised patio is proposed along the north western side of the Church finished in plastic lumber decking with steps from the lower level. The ramped access would run from the level of the front of the Church to provide direct access to the link building.
- 2.5 Replacement windows on the church are proposed on the east and western elevations with new bronze casement double glazing. The traceried coloured glass would remain with windows on the north and south elevations having internal secondary glazing.

3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

3.1. Adopted Derbyshire Dales Local Plan 2017

S3 Development within Defined Settlement Boundaries
 PD1 Design and Place Making
 PD2 Protecting the Historic Environment
 PD3: Biodiversity and the Natural Environment
 PD6 Trees, Hedgerows and Woodlands
 PD7: Climate Change
 HC15 Community Facilities and Services
 HC19 Accessibility and Transport

3.2. Material Consideration

The National Planning Policy Framework (2023)

National Planning Practice Guide

4.0 RELEVANT PLANNING HISTORY:

09/00065/FUL	Replacement church door	PERC	27/03/2009
0492/0345	ERECTION OF CHURCH MANSE	A	09/06/1992
23/01087/FUL	Installation of driveway and pedestrian path, installation of door and relaying path to east of church	PERC	06/12/2023

5.0 CONSULTATION RESPONSES

5.1 Darley Dale Town Council:

No Objection

5.2 DCC Countryside Officer (TPOs):

No objection

5.3 Tree and Landscape Officer (DDDC)

Trees within DCC TPO 88 are potentially affected by the development. The amended plans specify improvements with regard to using no-dig paving in the Root Protection Areas of trees. No specification for the method of construction is offered and it would be preferable for this to be assessed for suitability as part of the Planning Application. No Tree Protection Plan provided. It is requested that the applicant provide a plan of how retained trees will be protected, during the construction phase of the development, from building operations.

5.3 DCC Archaeology:

The Dale Road Methodist church has an entry on Derbyshire HER (MDR12657). It is a handsome gothic revival building dating from 1904 and stands adjacent to the Grade II Registered Park at the Whitworth Institute, which in turns contains the Grade II Listed Whitworth Institute completed in 1890. Although there does not appear to be a direct connection to the Whitworth family or to the Institute the Methodist church does make a townscape contribution to the Victorian-Edwardian revival character of so many of the public buildings and public realm in Darley Dale, with numerous examples along the line of Dale Road. Its close proximity to the Whitworth Institute (c150m) perhaps magnifies this aspect of significance. You may wish to be further advised by your conservation officer in relation to these proposals, as despite the building being undesignated it does contribute to townscape in general, and in particular to the immediate setting of the Listed Building and Registered Park. There are however no concerns with these proposals from the point of view of below-ground archaeology.

5.4 The Garden's Trust:

Neither approve nor disapprove of the proposals- do not wish to comment at this stage.

5.5 DCC Highways:

No Objections

5.6 Derbyshire Wildlife Trust

They have reviewed the Bat Survey Report (LM Ecology, 2023). The daytime assessment of the existing buildings determined that the church hall (Building 1) has low bat roost suitability and the church (Building 2) has moderate bat roost suitability. Three subsequent nocturnal surveys were undertaken on the 2nd June, 27th June and 27th July 2023. Building 1 was recorded to support a common pipistrelle day roost. Surveys for Building 2 conclude that the church supported a brown long-eared bat maternity roost, as well as a common pipistrelle day roost.

Building 1 – Church Hall

The proposed works will impact the existing roof and roof void of the church hall. The site will therefore have to be registered under a bat mitigation class licence. In reaching a decision, it is important that the local planning authority demonstrates how they have fully considered the three tests set out in Regulation 55 of the Conservation of Habitats and Species Regulations 2019 (Amendment) (EU Exit) and state the evidence for conclusions drawn on each rests as to whether the test can be met. The three tests set out within Regulation 55 are as follows:

- i. The action will be undertaken for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment (Regulation 55(2)(e))
- ii. That there is no satisfactory alternative (Regulation 55(9)(a)); and
- iii. That the action will not be detrimental to the maintenance of the population of the species concerned at favourable conservation status in their natural range (Regulation 55(9)(b))

In relation to test (iii) we advise that the proposed mitigation measures in section F.3.1 of the Bat Survey Report (LM Ecology, 2023) are suitable to maintain the favourable conservation status of the local bat population.

Building 2 - Church

The works to the church are not proposed to impact the roof void, including bat access points and roosting features. It is considered that a licensable offence can be avoided by

adhering to avoidance measures and precautionary procedures, but only on the strict condition that the following points are adhered to in full:

- There will be no work of any kind to the roof or eaves of the church, internally or externally.
- There will be no demolition work on site.
- An Ecological Clerk of Works shall be engaged to brief contractors at the start of works and be available for guidance throughout the proposed works.
- A sign will be installed on the loft hatch or entry points of the main church to mark the roof void as out of bounds. It will state that a bat roost is present and disturbance is prohibited by law.

The above requirements should be confirmed by the applicant and they advise that they are secured through the condition. If any of these points cannot be complied with or if proposals change, a European Protected Species licence will be required.

Conditions are recommended in respect of Church Hall Bat Mitigation and Licencing, Church Bat Roose Avoidance Measures, Biodiversity Enhancement, Breeding Birds and Lighting

5.7 Cllr Shelley

In the event of officers recommending rejection of the proposal for a new church porch and link building at the Darley Dale Methodist Church, I should like to ensure that this application comes before the Planning Committee for decision.

6.0 REPRESENTATIONS RECEIVED

6.1 No representations have been received.

7.0 OFFICER APPRAISAL

7.1 The following material planning issues are relevant to this application:

- the principle of development;
- the impact on the character and appearance of the buildings and its surroundings;
- whether the development would result in a significant loss of amenity for residents of neighbouring properties, and;
- whether there would be any adverse highway safety implications

Principle of development

7.2 Within settlement boundaries Policy S3 allows development that:- is of a scale, density, layout and design that is compatible with the character, appearance and amenity of the part of the settlement in which it would be located, retains existing buildings that make a positive contribution to the area and the proposed access and parking provision is appropriate.

7.3 The proposal relates to an existing community use within the settlement boundary of Darley Dale. The proposal is required to improve access to the Church Hall and Church for its existing users to the benefit of the community. Policy HC15 seeks to maintain and improve existing facilities through supporting proposals that protect, retain and enhance them. The Church Hall building is set back from the road with the car park between the building and the road. A low level stone wall bounds the road and with the level of the car park similar to

the road level and the Church Hall and property 'Dale Manse' having a lower land level (approx. 1m). The proposal would provide a link between the two buildings and provide level access to the link building via a raised patio area in order to improve the use of the two buildings for the existing community uses and provide access for disabled persons. Therefore, as the proposal would improve accessibility to two buildings in community use it would accord with this element of Policy HC15.

the impact on the character and appearance of the buildings and its surroundings;

- 7.3 Policy PD1 requires all development to be of high quality that respects the character, identity and context of the townscape, contributes positively to an area's character in terms of scale, height, density, layout, appearance, materials and relationship to adjacent buildings. Policy PD2 requires proposals that affect a heritage asset and/or its setting to demonstrate how it has taken into account of design, form, scale, mass, the use of appropriate materials and detailing, siting and views away from and towards the heritage asset in order to ensure that the design is holistic, sympathetic and minimises harm to the asset.
- 7.4 The Archaeologist describes the Church as a "handsome gothic revival building dating from 1904 that stands adjacent to the Grade II Registered Park at the Whitworth Institute, which in turns contains the Grade II Listed Whitworth Institute completed in 1890. Although there does not appear to be a direct connection to the Whitworth family or to the Institute the Methodist church does make a townscape contribution to the Victorian-Edwardian revival character of so many of the public buildings and public realm in Darley Dale, with numerous examples along the line of Dale Road. Its close proximity to the Whitworth Institute (c150m) perhaps magnifies this aspect of significance". It is on the basis of this description that it is considered that the church qualifies as a 'non-designated heritage asset'.
- 7.5 Paragraph 209 of the NPPF advises that "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".
- 7.6 Prior to the submission of the application no advice was sought on the design and form of the link building. During the application process amendments were requested as there was a concern that the building was bulky and out of character with the design of the Church and would significantly obscure original features of the building on the north western boundary. It was suggested that a single storey light ephemeral link that provided a corridor and lift with a metal standing seam roof would maintain the view between the buildings to the churchyard beyond and would avoid obscuring the original window of the Church below. However, after a site meeting where these amendments were discussed in detail, amended plans were submitted that removed the front porch that was original proposed on the Church but retained the link building as originally submitted. Therefore, whilst the removal of the front porch was welcomed as it obscured original features on the main elevation of the Church, the reservations on the impact of the link building on this non-designated heritage asset remained.
- 7.7 On the basis of the design, bulk and materials of the link building there is a finding of harm to the significance of this heritage asset. The link building would not only obscure original features of the building but it would entirely block the aspect of the treed cemetery beyond and remove the appreciation of the building from this side, especially as the raised patio would also obscure the lower level of the building from this direction. It is considered that the proposed link building and raised patio would directly affect this non-designed heritage asset. The proposal is considered to be a design that would detract from the character and appearance of the Church due to its scale and materials and would affect the setting of the heritage asset, contrary to Policies PD1 and PD2.

7.8 The agent has provided the following in justification for not amending any aspect of the link building: -

- The link building cannot be moved back due to drains and the sewage holding tank and also the further back the building is moved the further it is for people to walk to the entrance. One of the main reasons for doing the development is to make access better, particularly for those with mobility issues. This is important in an area with a mainly older population.
- If we build a link as suggested it becomes just a link with stairs and a platform lift to get from one level to the other and no usable extra space is gained and not even a disabled toilet at the worship area level. A very expensive project for very little gain! This would definitely not be looked on favourably by the Methodist Church who have to approve the development.
- The suggestion the possibility of reducing its width, whilst this would leave the window visible from the outside it would, however, be hidden by the part of the building which sticks out. The suggestion was of a glass link building that joins the Church.
- Any reduction in the scale of the building would compromise on the internal space required for the two meeting rooms and the small meeting room is planned to be used as a church office and as a meeting room for 3 or 4 people together with the disabled facilities.
- The appearance of the building of the suggested design would not be pleasing externally and sorting out the roof would be difficult.
- Due to the Lime trees along the A6 long distance views of the north western side of the church are not possible and only in winter when the trees are not in leaf would this elevation be entirely visible from the car park.
- If we build as planned, three windows will still be visible, the link building will look in keeping with the church, the fourth window which will be inside the small meeting room will not be altered and in the worship area of the church the window will look exactly as it is now.
- By doing our development, the result of three congregations coming together, we wish to improve the facilities and access for worship, for other church activities and for community use. The Design and Access statement details how much our buildings are used, indicating how much the Methodist Church are involved with our community, how valuable it is for the local and wider community now and how much value will be added by doing the development we plan.

7.9 As the NNPF advises, a balanced judgement is required with the scale of identified harm and impact on the significance of the heritage asset weighed against the public benefits of the scheme. It is considered that in this case the requirements of the users of the building have led the scheme with no early engagement with the Local Planning Authority where compromises may have been achievable. It has been identified that the harm is considered of a higher scale where original windows and features of the Church are obscured together with a significant adverse impact on its setting which, on balance, outweighs the public benefits. However, members may come to a different view.

whether the development would result in a significant loss of amenity for residents of neighbouring properties

7.10 Policy PD1 requires development achieves a satisfactory relationship to adjacent development in relation to visual intrusion, overlooking, shadowing and overbearing impacts. The nearest residential property is Dale Mance to the north west of the church hall and as such any impacts on residential amenity are not considered significant as the link building would be obscured by this existing building.

whether there would be any adverse highway safety implications

7.11 Policy S3 requires development to have appropriate access and parking provision Policy HC19 seeks to ensure that development can be safely accessed in a sustainable manner and adequate parking is provided. A separate application to improve the level access to the church hall from the car park on the higher road level has been approved. The Highways Authority has no objection to the proposal.

Other issues

7.12 A Tree Survey has been submitted during the application process with the protected mature trees in the vicinity assessed. Recommendations include using no-dig paving in the Root Protection Areas of trees. However, no specification for the method of construction is offered and no Tree Protection Plan provided. It is requested that the applicant provide a plan of how retained trees will be protected, during the construction phase of the development, from building operations in order to ensure no harm or incursion occurs. No further information has been provided. Whilst the level of information provided is lacking it is considered sufficient and as such it is not would not form a reason for refusal as it could be mitigated by a suitably worded condition. The protected trees would be retained and as such the proposal accords with Policy PD6.

7.13 In relation to ecology, the Wildlife Trust are satisfied with the information provided and recommend conditions, however, they recommend that the proposal is assessed against the three tests set out within Regulation 55. This assessment is below.

- i. The action will be undertaken for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment (Regulation 55(2)(e))

The proposal is for the benefit of the community and as such this test is met.

- ii. That there is no satisfactory alternative (Regulation 55(9)(a));

This is the case due to the existing community uses and evolution in the use of these buildings.

- iii. That the action will not be detrimental to the maintenance of the population of the species concerned at favourable conservation status in their natural range (Regulation 55(9)(b))

In relation to test (iii) the Wildlife Trust advise that the proposed mitigation measures in section F.3.1 of the Bat Survey Report (LM Ecology, 2023) are suitable to maintain the favourable conservation status of the local bat population. On this basis the proposal is considered to accord with Policy PD3.

8.0 RECOMMENDATION

That planning permission be **Refused** for the following reason.

The proposal by reason of its design, bulk and materials would harm the significance of this non designed heritage asset by obscuring original features and blocking the aspect between the existing buildings, adversely affecting its setting, contrary to Policies PD1, PD2 and the guidance within the NPPF.

NOTES TO APPLICANT

The Local Planning Authority during the application process engaged in a positive and proactive dialogue with the applicant in respect of the scale, bulk and design of the link building, however, no changes were made as such no prospect of resolving the fundamental planning problems with it through negotiation. On this basis the requirement to engage in a positive and proactive manner was considered to be best served by the Local Planning Authority issuing a decision on the application at the earliest opportunity and thereby allowing the applicant to exercise their right to appeal.

This decision relates solely to the application plans and documents:

Location Plan 1:1250, 1162/020, 021, 022 Rev A, 023 Rev A, 024,

Design and Access Statement

Bat Survey Report (LM Ecology, 2023).

Arboricultural Report Stage 1