

Application No: 11/0144M
Location: ST PETERS CHURCH, THE VILLAGE, PRESTBURY
Proposal: SINGLE STOREY EXTENSION
Applicant: ST PETERS PAROCHIAL CHURCH COUNCIL
Expiry Date: 22-Mar-2011

Date Report Prepared: 1 April 2011

SUMMARY RECOMMENDATION

Approve subject to the receipt of outstanding information

MAIN ISSUES

- The impact upon the listed building
- The impact upon the Conservation Area
- The impact upon trees of amenity value

REASON FOR REPORT

The application has been brought to the Committee by the Head of Planning & Housing due to the significant local interest in the proposal.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a Grade I listed church building with surrounding burial ground. Within the grounds lie the remains of a Saxon Cross, which is designated a Scheduled Ancient Monument, a Norman Chapel which is Grade II listed in its own right, and Hearse House, which is also Grade II listed. The site lies within the heart of the village in the Prestbury Conservation Area as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This application seeks full planning permission to erect an extension to side / rear of the existing church. Within the extension, the church are seeking to provide a vestry and robing room for the clergy and choir, rehearsal space, space for young church groups, toilet facilities, mix and mingle area for refreshments after services, and archive storage.

It should be noted that the Church of England benefits from “ecclesiastical exemption” from listed building and conservation area consent. This provides the Church with an element of autonomy to develop its buildings. The Church does have its own system of control – the “faculty” system, which requires plans to be submitted to the Diocesan Advisory Committee for formal review. Consequently, there is no requirement for listed building consent from the local authority in this case.

Two accompanying applications at Ford House (11/0107M and 11/0108M) appear elsewhere on the agenda. They have been submitted as accompanying this application as the proceeds from that development will fund the extension to the church, as a form of enabling development.

POLICIES

Regional Spatial Strategy

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

Local Plan Policy

NE11 – Nature Conservation

BE1 – Design Guidance

BE2 – Preservation of Historic

BE3 – Conservation Areas

BE16 – Setting of Listed Buildings

BE18 – Design Criteria for Listed Buildings

BE22 – Scheduled Monuments

BE24 – Development of sites of Archaeological Importance

DC1 – Design: New Build

DC2 – Design: Extensions and Alterations

DC3 – Amenity

DC6 – Circulation and access

DC9 – Tree protection

Other Material Considerations

Prestbury Conservation Area Appraisal (2006)

Prestbury Village Design Statement (2007)

CONSULTATIONS (External to Planning)

Cheshire Archaeology Planning Advisory Service – Insufficient information has been submitted in order to assess the impact of the works and advise on the archaeological mitigation (to be secured by condition) that may be necessary.

Environment Agency – No response required

Environmental Health – No objections

Natural England – No objections subject to conditions

United Utilities – No objections

English Heritage – Recommend that a programme of predetermination evaluation excavation is carried out to establish the significance of the remains and a mitigation strategy. In

addition, concerns are raised over the extension projecting in front of the east window of the church.

Prestbury Parish Council – No objection, but raise concern over the proximity of the north wall to the boundary, which makes it impossible to maintain.

OTHER REPRESENTATIONS

To date 110 letters of representation have been received. 89 of these letters either raise no objection or support the proposal for the following reasons:

- Extension provides required extra space
- More accessible to young families, older people and disabled
- Modern facilities needed for vibrant and successful community
- Extension will foster community spirit
- Toilets, kitchen, meeting rooms and social rooms are all urgently needed
- Extension is architecturally and historically sensitive
- Village community will benefit from proposals
- Facilities needed to maintain congregation
- Extension will have a positive environmental benefit as whole church will no longer need to be heated for small meetings
- Dedicated archive room is required

21 letters, including one from Prestbury Amenity Society, either raise concern or object to the proposal on the following grounds:

- Design of extension out of keeping with Grade I listed church
- Grand scale of extension not in keeping with village
- Ancient churchyard and graves should be left undisturbed
- Impact upon protected trees
- Scale of extension is too large
- Impact of construction vehicles on residential accesses and public highway
- Proposal detracts from character and appearance of the Conservation Area
- Degree to which extension could be hired is unknown
- Impact upon graveyard during construction (storage of materials etc.)
- Facilities could be provided within existing church

APPLICANT'S SUPPORTING INFORMATION

The following documents have been submitted on behalf of the applicant:

Planning, Design & Access Statement

This statement outlines the need for the church to provide essential facilities, and the extension is the minimum that is possible to accommodate these facilities. The extension is sited to have least impact upon both the listed building and the Conservation Area.

Additional ancillary accommodation can be provided at Ford House, and the erection of the enabling residential development offers the opportunity to fund the requirements of this thriving and expanding church, as well as securing the future of this significant heritage asset.

The extension is fully compliant with relevant planning policies, and would bring benefits to the church and wider community.

Conservation & Design Statement

This statement examines the heritage significance of the site, the issues associated with the church as well as the other heritage assets within the site.

Archaeological Desk Based Assessment and Watching Brief

These documents outline the archaeological potential of the site.

Protected Species Survey

The submitted bat survey identified the presence of common Pipistrelle Bats within the church building. A programme of mitigation is proposed within the statement.

Arboriculture Assessment

This report identifies that the extension will require the removal of several low value trees as well as two moderate value trees.

Structural Report – St Peter's Boundary Wall

The Structural Report recommends that because of the risk of collapse and the proximity of the wall to the access road, the trees adjacent to the boundary should be removed and the bulges rectified through localised rebuilding.

OFFICER APPRAISAL

Listed Building / Conservation Area

The current proposal follows significant pre-application consultation with Council Officers and English Heritage. It is evident from the submitted information and comments from local residents that St Peter's is a well attended church by people of all ages, and the facilities on offer are clearly constrained by the existing building. The proposed facilities, and the alteration that would be required, would be unacceptable within the existing church due to its small scale and sensitive interior, which includes many original features and an almost complete scheme by Gilbert Scott (a renowned church architect) from the 19th century. It is therefore accepted that there is a genuine requirement for additional accommodation. It is also acknowledged that an extension on the north east side of the church (as proposed) is the least sensitive location in terms of the Conservation Area impact and general setting of the church, and other buildings / structures within the churchyard.

The scale, mass and architectural approach of the extension is considered to be acceptable. Due to its location at the rear / side of the churchyard, views from The Village will be limited by the boundary wall and intervening vegetation, which helps to minimise the impact upon the Conservation Area. The character and appearance of the Conservation Area is therefore considered to be adequately preserved by the extension, and the proposal is in accordance with policy BE3 of the Macclesfield Borough Local Plan.

English Heritage has raised concern regarding the extension projecting in front of the eastern (rear) gable of the existing church. This is an important façade of the church and should not be obstructed by the extension. These concerns have been forwarded to the applicant and a

response is awaited. However, having regard to the minor scale of the amendment required, it is anticipated that this issue can be overcome. Members will be updated on this issue.

Archaeology

The churchyard at Prestbury is recorded in the Cheshire Historic Environment record (CHER 1434) and contains the medieval parish church of St Peter, a separate 12th-century chapel, and a fragment of Anglo-Saxon cross, which may be as early as the 8th century and is designated as a Scheduled Monument (SM 25632). Prestbury parish was, until re-organisation in the 19th century, the largest parish in Cheshire and made up of multiple townships. The above suggests that Prestbury was, in origin, a pre-Conquest minster church and one of the main early religious sites in the historic county.

The present proposals will involve the erection of a large extension to the north-east of the parish church, in an area that must be considered a key location within the site. This assessment is based on the presence of numerous marked graves dating from the 18th century onwards but also the recognition that the area has been used for burial for at least 1000 years and human remains dating to these earlier periods of usage are likely to be present. In addition, structural evidence relating to earlier phases of church building may be present. All of these classes of evidence have the potential to be disturbed and damaged by the proposals. In particular, many gravestones will have to be moved as part of the development and the burials and other buried remains are likely to be damaged by the proposed piling.

In this context it is considered that the information submitted in support of the application is not sufficient at present to assess the impact of the works and advise on the archaeological mitigation (to be secured by condition) that may be necessary. The site should be subject to a programme of pre-determination evaluation in order to establish the nature and extent of any archaeological deposits present. This information will assist in determining the need, if any, for further archaeological measures, which might take the form of mitigation designed to ensure the preservation *in situ* of significant archaeological deposits or, if this is not possible, their preservation by record. Any such mitigation would be secured by condition. As it currently stands, the proposal is contrary to policy BE24 of the Local Plan, and policies HE6 and HE12 of PPS5.

At the time of writing this predetermination work is currently underway, and it is anticipated that it will be completed prior to the Committee meeting, which will then inform the appropriate archaeological mitigation, and potentially satisfy the relevant policy tests.

Trees / landscaping

The proposed extension will require the removal of two mature Lime trees. These trees have been identified as being of moderate value whose retention is desirable. The proposal will also require the removal of low category trees; two young Sycamore, a young Copper Beech and a Privet hedge perched on top of the retaining wall.

The removal of the two Lime trees is justified within a submitted structural engineer's report on the basis of safety management to stabilise the adjacent retaining wall. The Planning Statement and Arboricultural Report also suggest that the loss of these trees can be mitigated by landscaping and tree management works, although no such detail has been submitted by the applicant.

No detailed landscape or tree management proposals have been submitted to provide mitigation for the loss of the trees, and the associated impact upon the Conservation Area. It should also be noted that the Council's Structural Engineer examined the wall in September 2010, and he advised that there are no signs of imminent collapse to the sections of the wall where bulging has occurred and that it should be monitored to assess future movement. He also advised that it is possible to strengthen the wall without taking down the wall without the need for the trees to be felled. The Council's Arboricultural Officer considers that there is insufficient evidence to form a balanced judgement as to whether the trees need to be removed in the interests of health and safety.

In this regard he concludes that the two Lime trees should be considered in relation to the proposed development and not in the context of the integrity of the retaining wall. As both trees are deemed B category trees, and therefore recognised as worthy of retention in terms of their visual prominence and contribution to the landscape and character of the Conservation Area, their removal would be contrary to policy DC9 of the Macclesfield Borough Local Plan.

The comments from the Council's Arboricultural Officer are fully acknowledged, and the loss of the two Lime trees is a significant issue that weighs heavily against the proposal. However, as noted previously, the church is constrained in terms of the location of the extension, having regard to its prominence within the Conservation Area, and the presence of other significant heritage assets and trees within the churchyard, and there is clearly an identified requirement for additional facilities. The applicants have been asked for comprehensive landscaping proposals and mitigation for the proposed tree losses, which are awaited. It is therefore considered that, on balance, having regard to the particular circumstances of the application, the loss of the trees can be accepted subject to the receipt of acceptable mitigation and landscaping.

Ecology

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places, if there is

- no satisfactory alternative
- no detriment to the maintenance of the species population at favourable conservation status in their natural range
- a specified reason such as imperative, overriding public interest.

The UK implements the EC Directive in The Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a licensing system administered by Natural England which repeats the above tests
- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements.

Circular 6/2005 advises LPAs to give due weight to the presence of a European protected species on a development site to reflect.. [EC] ...requirements ... and this may potentially justify a refusal of planning permission."

In PPS9 (2005) the Government explains that LPAs “should adhere to the following key principles to ensure that the potential impacts of planning decisions on biodiversity are fully considered..... In taking decisions, [LPAs] should ensure that appropriate weight is attached to protected species... ... Where granting planning permission would result in significant harm [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm..... If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.”

With particular regard to protected species, PPS9 encourages the use of planning conditions or obligations where appropriate and advises, “[LPAs] should refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.”

The converse of this advice is that if issues of species detriment, development alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

A bat survey was carried out by a qualified ecologist on behalf of the applicant who has identified limited bat activity on the site.

The proposed scheme to demolish the Vestry and extend the church should have no significant impact upon the protected species, however, some low level disturbance could occur during construction if some form of mitigation is not incorporated on site.

The proposal to extend the church will provide a valuable resource for the church and community, whilst securing the long term future of this Grade I listed building, together with the achievement of modern day energy efficiency standards in the extension.

The alternative to the extension would be to seek the required space through internal reorganisation. However, space is limited and the significance of the interior of this Grade I listed building means that this would not be a satisfactory alternative.

The mitigation proposes the supervised demolition of the property and the provision of replacement roosts in the form of bat boxes situated on retained trees. The proposed mitigation is acceptable and provided the proposed mitigation is implemented in full the residual impacts of the proposed developments on bats is likely to be very minor. The benefits of the mitigation will provide a new appropriate roost for the bats which will provide a new habitat and will allow the future protection of the bats in perpetuity.

Having regard to the above it is considered that the proposed replacement roosting facilities is an appropriate form of mitigation which in the long term will provide a more satisfactory habitat for the bats than the existing dwelling. It is considered that the mitigation put forward is a material consideration which if implemented will further conserve and enhance the existing protected species in line with Local Plan policy NE11 and is therefore on balance, considered to be acceptable.

The Council's Ecologist has been consulted on this application and raises no objection to the proposed mitigation subject to a condition to ensure work is carried out in accordance within the submitted scheme.

Amenity

Having regard to the distance to and relationship with the nearest residential properties, no significant amenity issues are raised.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The application site is clearly a very sensitive one with outstanding heritage assets, trees of amenity value and a prominent setting within the Prestbury Conservation Area. Whilst there are aspects of the proposal that do raise some concern, it is considered that on balance, due to the constraints of the site and the potential community benefit that will derive from the extension, a recommendation of approval can be made. This recommendation is subject to the receipt of revised plans or additional information to address the concerns on the east elevation of the church, full details of the archaeological pre-determination evaluation work, and landscaping / mitigation proposals to offset the loss of the trees within the site. Members will be advised of the acceptability of the requested information in an update, at which time additional conditions will be recommended.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Details of materials to be submitted
5. Details to be approved
6. Protected Species Mitigation

Location Plan: Cheshire East Council Licence No. 100049045

