

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:** 8 September 2011

#### **SUMMARY RECOMMENDATION**

Approve subject to conditions

#### **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 was considered by the Northern Planning Committee on 13 April 2011 where Members resolved to delegate the application to the Head of Planning & Housing in consultation with the Chairman and Vice Chairman to approve the application subject to the receipt of revised plans that amend the extension so that it did not encroach in front of the eastern gable of the church. The revised plans have been received, however due to the significant local interest in the proposal, and a concern that the original report did not adequately refer to national planning policy PPS5, the Head of Planning & Housing has referred the application back to the Committee.

#### **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 Lychgate and west wall of the churchyard are 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 the 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 and other 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.

## **POLICIES**

### **Regional Spatial Strategy**

- DP1 – Spatial principles applicable to development management
- DP2 – Criteria to promote sustainable communities
- DP7 - Criteria to promote environmental quality

### **Local Plan Policy**

- NE11 – Protection and enhancement of nature conservation interests
- BE1 - Design principles for new developments
- BE2 - Preservation of the historic environment
- BE3 - Development must preserve or enhance the Conservation Area
- BE16 – Protection of the setting of Listed Buildings
- BE18 – Design Criteria for Listed Buildings
- BE22 – Protection of Scheduled Monuments
- BE24 – Development of sites of Archaeological Importance
- DC1 - High quality design for new build
- DC2 - Design quality for extensions and alterations
- DC3 - Protection of the amenities of nearby residential properties
- DC6 – Safe and convenient access for vehicles, special needs groups and pedestrians
- DC8 - Requirements to provide and maintain landscape schemes for new development
- DC9 - Tree protection

### **Other Material Considerations**

- Prestbury Conservation Area Appraisal (2006)
- Prestbury Village Design Statement (2007)
- Prestbury Supplementary Planning Document (July 2011)
- PPS1: Delivering Sustainable Development (2005)
- PPS5: Planning for the Historic Environment (2010)

PPS9: Biodiversity and Geological Conservation (2005)

### **CONSULTATIONS (External to Planning)**

Cheshire Archaeology Planning Advisory Service – No objection subject to condition

Environment Agency – No response required

Natural England – No objection subject to conditions

United Utilities – No objection

English Heritage – No objection

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

Environmental Health – No objection

Strategic Highways Manager – No objection

### **OTHER REPRESENTATIONS**

128 letters of representation have been received. 102 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 the 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

26 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 the 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 the 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 the listed building and the Conservation Area.

Additional ancillary accommodation can be provided at nearby 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. Revised plans have been received during the course of the application that pull the extension marginally away from the eastern (rear) gable of the existing church. This is an important façade of the church, which should not be obstructed by the extension.

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. It is therefore accepted that there is a genuine requirement for additional accommodation to fulfil the needs of the congregation and wider community. 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 19<sup>th</sup> century.

Policy HE1 from PPS5 promotes the reuse of existing heritage assets to mitigate the effects on climate change. This proposal is in line with that objective. Policy HE6 from PPS5 sets out the requirements for information required for a proposal affecting the setting and significance of a heritage asset. It is considered that the information contained within the submitted Conservation & Design Statement and the Planning Statement satisfies this requirement. These statements also contribute towards satisfying the requirements of policy HE7.

The proposed extension is located on the north east side of the existing church, and will replace the existing clergy vestry, which is a late 19<sup>th</sup> century addition. An options appraisal has been carried out which demonstrates an extension on this north east side is the least sensitive location in terms of impact upon the Conservation Area and impact upon the setting of the church and other designated heritage assets within the churchyard. It will have a relatively modern design, with the height adjacent to the northern boundary kept as low as possible and the plan form staggered to break up the perceived mass of the north elevation. The scale, mass and architectural approach of the extension is considered to be acceptable, which is a view shared by English Heritage. The design also minimises the impact of the extension upon the historic fabric of the building through the use, in part, of glazed roofing where it meets the existing structure. It is therefore considered to be in accordance with policy BE2 of the Local Plan.

Policy HE9.4 states that local planning authorities should weigh any harm to the historic asset against the wider benefits of the application. In this regard, it should be noted that the extension will provide a public benefit as it will help to secure the future of the church by providing much needed facilities and will provide a community resource in the form of meeting rooms and community space. Added to this are the benefits of keeping the church in viable use and securing the maintenance for the future. Furthermore, having regard to the degree of local support for the proposal and the local resource that will be provided, it is considered that the enhancement of the church facilities as proposed can contribute towards the maintenance of sustainable communities. The proposal is therefore considered to comply with the requirements of policies HE7, HE9 and HE10 of PPS5.

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. Having regard to the acceptable design approach outlined above, the character and appearance of the Conservation Area is considered to be adequately preserved by the extension. The proposal is therefore in accordance with policy BE3 of the Local Plan as well as policies HE7 and HE9 of PPS5 relating to designated heritage assets.

## **Archaeology**

The churchyard at Prestbury is recorded in the Cheshire Historic Environment record (CHER 1434). It notably contains the medieval parish church of St Peter, the separate 12<sup>th</sup>-century chapel and the fragment of an Anglo-Saxon cross (a Scheduled Monument), which may be as early as the 8<sup>th</sup> century.

Prestbury parish was, until re-organisation in the 19<sup>th</sup> century, the largest parish in Cheshire and made up of multiple townships. The Council's archaeologist notes that this 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 for an extension to the north-east of the church will be situated in an area that is considered to be a key location within the site. This assessment is based on the presence of numerous marked graves dating from the 18<sup>th</sup> century onwards and also the recognition that the area has been used for burial purposes for at least 1000 years. Human remains dating back to these earlier periods of usage are therefore likely to be present. In addition, structural evidence relating to earlier phases of church building may be present. All of these types 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.

The burial ground is therefore potentially of high archaeological and historical interest, and the Council's Archaeologist has monitored pre-determination excavation works in the churchyard. He advises that burials were present in the excavated trenches but, crucially, these all appeared to be of later post-medieval date and were at a depth, which has removed evidence of earlier burials and structures. On the evidence of samples, it would be reasonable to conclude that a similar situation is present in the other localities where the piles are proposed. This means that, although it will be important to ensure that undisturbed burials are properly dealt within the unexcavated pile locations, there will not be a need for widespread excavation across the footprint of the proposed extension in order to deal with a complex sequence of earlier remains.

There is also the issue of the numerous vaults within the footprint. The Council's Archaeologist has been assured that the piles will not interfere with any of these structures and the piling plan does indicate that this will be the case. He advises that experience shows, however, that problems can arise on site during the piling process and robust procedures need to be in place to ensure that any vaults that do need to be disturbed (and the burials contained within) are subject to an appropriate level of recording. A further point concerns the grave slabs and table tomb tops that will be sealed beneath the floor of the extension. These have been recorded but, in order to ensure their adequate protection, the footprint needs to have a layer of terram matting set out before the slab or its aggregate base are established.

The Archaeologist notes that the interim report following recent evaluations has now been received. This now includes proposals for further mitigation. They outline an appropriate strategy and are in line with what was agreed at the various site monitoring meetings. They will form the basis of the detailed archaeological mitigation statement which should be secured by condition if planning permission is granted. The submitted desk based research,

the digging of trial holes, and the use of conditions will ensure that the proposal will comply with policies BE24 of the Local Plan and policies HE6 and HE12 of PPS5.

### **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 the need for the trees to be felled. As such, 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. 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. Consequently, their removal would be contrary to policy DC9 of the Macclesfield Borough Local Plan.

The comments from the Council's Arboricultural Officer are acknowledged and the loss of the two Lime trees is an issue that weighs 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. Moreover, there is clearly an identified requirement for additional facilities. 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 comprehensive landscaping proposals and mitigation for the proposed tree losses.

### **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 impact of the proposed development 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. Therefore, on balance, it is 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.

### **Highways**

The Strategic Highways Manager notes that the extension will be ancillary to the existing church use as it will provide extra facilities for users. The extension would not materially increase trips and parking to the site as visitors are already making a trip to the church. No significant highway safety issues are therefore raised.

## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

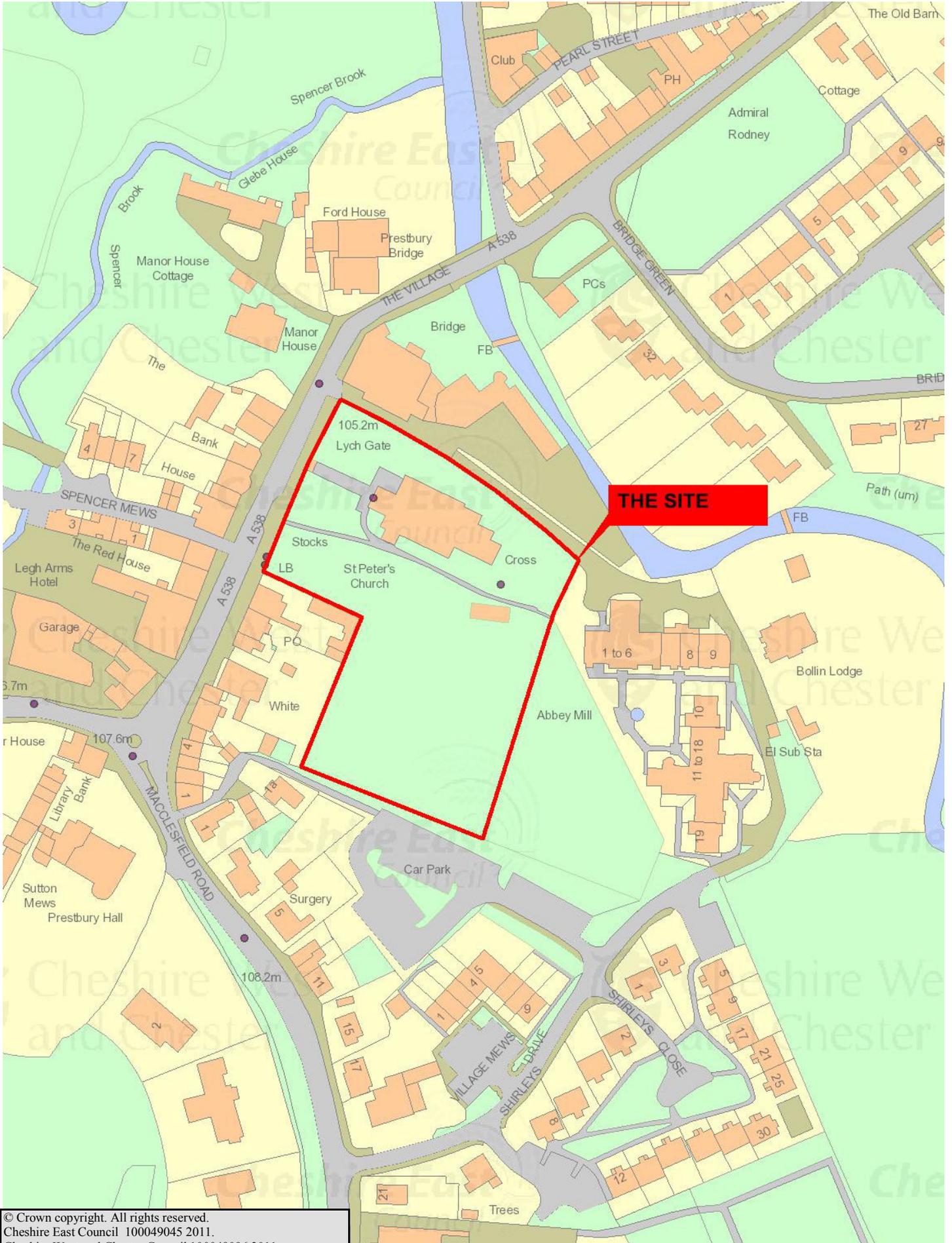
The application site is sensitive with outstanding heritage assets, trees of amenity value and a prominent setting within the Prestbury Conservation Area. Issues of archaeology have been satisfactorily addressed. The extension is sensitively designed and will provide needed accommodation whilst minimising the impact on the Listed Building and maintaining its historic integrity. Initial concerns raised by English Heritage have now been overcome by protecting the important East elevation of the Church. The proposal complies with national planning policy guidance PPS5 and relevant policies of the Development Plan in respect of design and conservation.

The loss of the two lime trees weighs against the proposal however their loss can be mitigated and the proposed location of the extension is the only realistic option to provide the accommodation proposed. Therefore, due to the limited impact of the extension, its scale and location, together with the benefits of ensuring the building has a secure future, and the potential community benefit that will derive from the extension, a recommendation of approval is made.

## 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. Landscaping - submission of details
7. Landscaping (implementation)
8. Pile Driving
9. Submission of construction method statement
10. Protected Species Mitigation
11. Archaeology
12. Method statement for connection to existing building



© Crown copyright. All rights reserved.  
Cheshire East Council 100049045 2011.  
Cheshire West and Chester Council 100049096 2011.