Planning & Conservation Statement

Background

In 2016 Chesterfield Borough Council Members agreed to the sale of Spital Cemetery Chapel. This is on the basis that a potential purchaser should be committed to repair and restoration of the grade II listed building. This statement highlights the key planning and conservation issues that any potential purchaser should be aware of.

Heritage

Spital Cemetery Chapel is a grade II listed building constructed around 1857 located within the centre of Spital Cemetery. The chapel and cemetery are approximate ¾ miles away from Chesterfield town centre. Spital Cemetery was the first public cemetery to be opened in Chesterfield and is a good example of the non-Anglican public cemetery building programme of the 19th century.

It is laid out on a garden plan with the chapel at its centre. The chapel is constructed of coursed stone with gothic style features typical of the period, including spires (one in the form of an obelisk and the larger a broach spire); quoins; gargoyles; kneelers; fishscale roof and buttresses. The chapel was listed in 1977 and the formal listing is as follows:


The cemetery also includes a lodge building and stone arch and gate piers at the cemetery’s entrance, both of which are grade II listed. The chapel is no longer used for burial services and has been vacant for a number of years.
Planning policy framework

The chapel and surrounding cemetery are shown to be within an area covered by saved policy EVR2: Development in the Open Countryside and other Open Land. Under this policy, proposals would be assessed to ensure that they do not detract from the open character of the area and that there is no undue disturbance by the creation of excessive noise or traffic or the attraction of large numbers of people. Planning permission would be granted for a conversion or change of use provided these criteria are met and that there would be no significant extension or major reconstruction.

Proposals would also be assessed against:

- **CS1 Spatial Strategy** - to ensure new development or change of use is within walking and cycling distance of town or district centres.
- **CS18 Historic Environment** – to ensure that any alterations to listed buildings are sympathetic and in keeping with the building’s character, appearance and setting.

Potential change of use

In accordance with the Council’s planning policies, the most appropriate change of use of Spital Chapel is considered to be:

- **CS3a** - Dwellinghouses (e.g. 1-2 apartments)
- **B1** - Business (e.g. 1-2 offices)
- **D1** - Non-residential institution (e.g. a small community facility)
- **A3** - Restaurants and cafés (e.g. a snack bar or small cafe)

Any proposals would be subject to an applicant demonstrating that there would be no unacceptable adverse impacts as a result of traffic movements or parking requirements.

Access

Spital Cemetery has two established vehicle access points off Hady Hill (A632), one providing access to the lodge and western part of the cemetery, and the second (closest to Cemetery Road) providing access to the eastern part of the cemetery and the chapel. Both access points are part of the Victorian cemetery curtilage, made up of stone gate piers flanked by stone walls. The chapel access leads on to a single lane driveway which then circles the building.

The access points were not designed for modern vehicle movements and are only wide enough for one vehicle. But visibility is considered adequate and both entrances already serve vehicles operated by Council maintenance staff and visitors to the cemetery. On the basis that a change of use does not significantly increase any vehicle movements, the existing access point, including access road, is acceptable for a change of use to C3a residential or B1 office.
Parking

There are no dedicated car parking spaces in the cemetery. The cemetery driveway is intermittently used for car parking by Council maintenance staff and cemetery visitors. In normal circumstances a 1-2 bed residential or small office conversion (approx. 200sqm) would generate a requirement for 2-3 car parking spaces but this can be relaxed given the proximity of Chesterfield town centre and the nature of the conversion.

Agreement would have to be sought from Chesterfield Borough Council regarding resident or business use car parking. Car parking requirements can be considered as part of any change of use planning application.

Consents

A planning application would be required for any change of use and a listed building consent application would be required for any internal and external alterations to the chapel. A Design, Access & Heritage Statement would be required with a listed building consent application to demonstrate that proposed works are consistent with the aim of protecting and enhancing the character and appearance of the listed building.

Other matters

Cemetery status

Spital cemetery is currently operational. However, the majority of the cemetery is full and it is unlikely that significant amounts of burial service activity would take place in the immediate vicinity of the chapel. Notwithstanding the potential for the re-opening of existing graves, the cemetery has approximately 5 years of new burial space and these would take place in the lower/western area of the cemetery. Therefore the cemetery's live status is not considered a planning or conservation issue; more an issue for the managers of the cemetery or potential purchaser /occupier of a converted chapel to consider.

Clarity and agreement will have to be sought from Chesterfield Borough Council regarding access rights and conveyancing, i.e. which part of the immediate landscaping/hard surfacing would be identified as being within the curtilage of the chapel or identified for resident/ occupier car parking.

Community Infrastructure Levy

Chesterfield Borough Council operates a community infrastructure Levy (CIL). CIL would normally be payable on a change of use to residential if the building had not been in continuous use for 6 months over a 3 year period (prior to the change of use being granted) which is applicable to the chapel. The chapel is in the medium charging zone and subject to £50 per square metre of gross internal floor space. However the Council operates an exceptional circumstances relief policy. Proposals
that repair and refurbish heritage at risk, including the chapel, could be considered for exemption from a CIL charge if the costs of the works required, plus the CIL charge, are likely to make development unviable.

Heritage at Risk

Give the neglect and under-use of the chapel, it is included on Derbyshire County Council's Heritage at Risk Register. In 2012, the cemetery church and chapel were featured in the annual catalogue of buildings at risk published by the conservation charity, "SAVE Britain's Heritage".

In 2013, the Derbyshire Historic Buildings Trust (DHBT) commissioned Lathams to prepare an options appraisal for the chapel. This included putting forward options for residential and office conversions.

Further information

For further advice on the planning and listed building consent application process please contact Scott Nicholas, the Council’s Planning & Conservation Officer on Tel: 01246 345 796

For further advice on the Council’s Community Infrastructure Levy, please contact Rick Long, the Council’s Infrastructure Planning Officer on Tel: 01246 345 796.

For more information about the DHBT report, please contact the Derbyshire Historic Building Trust at dhbt@clara.net or Tel 01629 824 904