

**15. APPLICATION TO REMOVE/VARY CONDITIONS ON APPLICATION NP/DDD/0212/0153 (CONVERSION OF CHURCH TO TWO DWELLINGS WITH ACCESS AND PARKING) – VARIATION OF APPROVED ROOFLIGHT SIZES AND POSITIONS - FORMER URC CHURCH, PARKE ROAD, TIDESWELL. (NP/DDD/0115/0004, P.9262, 6/1/15, 415078/375698, MN)**

**APPLICANT: MR ROBIN BROWN**

**Site and Surroundings**

The former URC Church site is bounded by Parke Road to the south, Sherwood Road to the west and a private road to the north, which serves Sherwood Copse, a small estate of private dwellings. The site is located to the west of the main village centre and is set within approximately 0.46 hectares. It comprises the former URC church building and associated pedestrian entrance frontage onto Parke Road, situated in the eastern half of the site, and the former Church Hall building, also known as the School House, situated to the south-west of the Church which has frontages directly onto Parke Road and Sherwood Road. Attached to the eastern end of the School House is the Caretaker's Cottage, which is used as a separate dwelling. In 2013 the URC church received planning permission to be converted to two market dwellings, with the Church Hall receiving permission for conversion to a single market dwelling.

The URC Church is an attractive and imposing building situated on a higher ground level than Parke Road. It has a simple rectangular form, but has an imposing wide gable facing Parke Road with a large impressive steep-pitched roof form. The building is constructed of natural coursed gritstone under a blue slate roof and has attractive arched detailing, buttressing, leaded windows and coped gables. There is a formal pedestrian entrance and a frontage boundary to Parke Road comprising a combination of coped walling with iron railings. The building is not listed, but it is a non-designated heritage asset that makes a significant contribution to the character and appearance of the Conservation Area.

Vehicular access is via a single vehicle width access in the north-west corner of the site off Sherwood Road. This access also extends past the church building to serve a separate property to the east (The Manse). The Sherwood Road frontage (western boundary) is enclosed by a 2.5m high (approximately) rubble limestone wall. The northern boundary is enclosed by a 1.6m high (church side) rubble limestone wall.

**Proposal**

This application seeks to vary conditions of permission NP/DDD/0212/0153, which permitted the conversion of the former URC Church to two open market dwellings with associated parking area and access road. The application seeks to lower the height and adjust the size of 2 previously approved rooflights, and to resize and reposition 4 previously approved rooflights in the west facing roof slope of the church. These have already been fitted and the application therefore seeks retrospective consent to regularise them.

**RECOMMENDATION:**

**That the application be APPROVED subject to the following conditions:**

- 1 Standard time limit.**
- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with submitted plans**

- 3 Maintenance of storage of plant area throughout works.
- 4 Maintain access visibility and sightlines.
- 5 Agree details of lowered section of walling to the north of the access track.
- 6 Nest boxes to be installed as previously approved.
- 7 The ridge tile access points for bats and their positioning to be installed as previously approved.
- 8 Two bat boxes shall be mounted internally within each gable end of the building.
- 9 Vehicular access, access road and car parking/manoeuvring facilities to be completed.
- 10 Two car parking spaces to be permanently maintained for each dwelling and car parking spaces and associated manoeuvring areas shall remain unobstructed for use at all times.
- 11 Drainage and surfacing materials for the access road and car parking/manoeuvring areas to be installed as previously approved.
- 12 Environmental Management measures shall be undertaken as previously approved.
- 13 Ground levels of the access road and car parking/manoeuvring areas to be established and permanently maintained as previously approved.
- 14 External lighting shall be installed as previously approved.
- 15 Matching materials new for timber and stonework.
- 16 New door frame to be recessed from the external face of the wall the same depth as the adjacent window frames.
- 17 Doors shall be vertically boarded timber with no external framing or glazing.
- 18 Rooflights to the west facing roof slope to be fitted flush with the roof slope.
- 19 All pipework to be completely internal within the building.
- 20 No additional or replacement guttering or downpipes to be installed without the prior approval of the Authority.
- 21 The design and positioning of external meter boxes shall be as previously approved.
- 22 Remove permitted development rights.
- 23 The northern boundary wall to be maintained at its present height, subject to the reduction in height required by Condition 5.
- 24 Access for birds and bats via the existing louvred openings in the gable ends of the church shall be permanently retained.
- 25 Maintain internal layout as approved.

### **Key Issues**

The permission to convert the former church to a dwelling has been implemented. The site therefore has an extant permission for use as a two market dwellings and the main issues are as follows:

1. The impact of the alteration of the size and position of the previously approved rooflights on the character and appearance of the building.
2. The impact of the alteration of the size and position of the previously approved rooflights on the character and appearance of the Conservation Area.
3. The impact of the alteration of the size and position of the previously approved rooflights on neighbouring amenity.

### **History**

2013 – Approval for Conversion of the former URC Church to two dwellings and creation of new access road and parking.

2014 – Non-material amendment permitted for replacement of windows, creation of new internal door opening, fitting of aluminium guttering, replacement of glass in internal ground floor screens, provision of disabled access ramps, and adjustment to width of an external door in the west elevation.

2014 – Discharge of conditions relating to the 2013 planning permission for conversion to two dwellings

2014 – Two applications received for the development described in the current application. Both withdrawn on grounds of procedural inaccuracies and inaccurate plans.

### **Consultations**

Derbyshire County Council – Highways – No objections

Derbyshire Dales District Council – No response at time of writing.

Tideswell Parish Council – No response at time of writing.

### **Representations**

5 letters of representation have been received, all objecting to the proposal. They raise the following concerns:

- Over-development of the site.
- The adjusted rooflights would increase the prospect of neighbouring properties being overlooked, and would harm the character of the building and the conservation area.
- Lowering the level of the rooflights would not provide a means of escape, as they would open on to a steep roof with a long drop below.
- The rooflights approved on the adjacent Sunday School development are smaller and flush fitting, and common standards should be applied within the same conservation area.
- The development of the site is becoming materially different from the scheme originally approved, and each amendment application is being considered in isolation.

## **Main Policies**

### Core strategy

Relevant Core Strategy policies: GSP1, GSP3, GSP4, DS1, L3

### Local Plan

LC4, LC5

Policy GSP1 requires all new development in the National Park to respect and reflect the conservation purpose of the National Park's statutory designation and promotes sustainable development; L3 requires that development must conserve and where appropriate enhance or reveal the significance of archaeological, architectural, artistic or historic assets and their settings and, other than in exceptional circumstances, not cause harm to cultural heritage assets;

LC5 sets out the approach for assessing development in a Conservation Area, such proposals should demonstrate how the existing appearance and character of the Conservation Area will be preserved and, where possible, enhanced; LC4 and GSP3 set out further criteria to assess the acceptability of all new development in the National Park.

### National Planning Policy Framework

In this case, it is considered that relevant Development Plan policies are in accordance with the more recently drafted NPPF. The two documents seek a high standard of design which conserves or enhances the character and amenity of the area and heritage assets including the designated Tideswell Conservation Area.

## **Assessment**

### *Introduction*

The permission to convert the former church to two dwellings has been implemented. The site therefore has an extant permission for use as market dwellings and consequently the policy principle and other material considerations relating to the change of use to a dwelling are not revisited within this report. The report instead focuses on the differences between the approved scheme and the current proposal.

### Alteration of position and size of rooflights to east roof slope (retrospective)

#### *Visual impact*

Four rooflights were approved to the east roof slope under the original conversion consent in 2012. Four rooflights have been installed (1340mm wide x 1400mm tall), but they are 340mm wider and 300mm taller than those approved (1000mm wide x 1100mm tall), in slightly different positions, and have not been fitted flush with the roof slope as the original approved plans and conditions required. The applicant is therefore seeking to regularise the rooflights as fitted as part of this application. The approved windows were approximately square, subdivided into three panes by glazing bars. The installed rooflights are also subdivided into three by vertical glazing bars. The size difference and the fact that they have been fitted raised from the roof slope rather than flush are unfortunate. However, the size difference relative to the size of the roof is very small, and whilst they were more traditionally proportioned as previously approved, the vertical subdivision retains some verticality to their appearance. Objectors have drawn attention to the smaller rooflights approved on the neighbouring Sunday School, and consider that those on the

church should be in line with those for the sake of consistency and to minimise the impact of the rooflights. However, each proposal must be considered on its own merits, and the roof planes of the church are significantly larger than those of the Sunday School, affecting the proportional relationship of the rooflights to the roof area. Taking account of these factors, on balance, the fitted rooflights are not considered to detract from the character and appearance of the building, or those of the conservation area, and are in accordance with policies L3, LC4 and LC5 in this regard.

Officers have noted that annotation on the plans suggests that these rooflights are to be lowered to provide a means of escape. This is an error; the rooflights are fitted as described above, and in accordance with the positions shown on the plans. For the sake of clarity it is considered that were permission to be granted a condition should be added to the notice requiring that notwithstanding the annotations, the rooflights are installed in the positions shown.

#### *Amenity*

The bottom edge of the fitted rooflights above the finished floor level is approximately 2.3m. There is therefore no likelihood of overlooking or loss of privacy to the neighbouring properties. This is in accordance with policy LC4, which requires development to conserve the amenity and privacy of nearby properties.

#### Alteration of position and size of rooflights to west roof slope

In order to meet building regulations the applicant is seeking to move the two approved rooflights in the west roof slope further down the roof in order that they can act as escape windows. They would also be widened by approximately 200mm. These would not allow access to the ground in case of a fire, but would be such a height above internal finished floor level as to allow people to reach them and be rescued from the open windows by fire services. These windows have not yet been installed.

#### *Visual impact*

The impact of resizing and moving the rooflights down the roof slope is low and acceptable as it improves the appearance by bringing them closer to the roof edge, reducing their disruption of the roofs mass.

#### *Amenity*

The rooflights would be serving bedrooms and would be at a height above finished floor level that would afford views out of the property. The windows would face away from the closest neighbouring houses however, which are to the north. The closest properties opposite the window would be over 50m away, so their amenity and privacy are not considered to be affected. As the windows would be of an opening type due to being an escape window it would be possible for it to be looked out of towards the north when fully opened. However, these views would be at an obtuse angle from the window, and would be very unlikely to take place with any degree of regularity. In addition, the distances to the closest neighbouring properties in this direction are approximately 20m and 33m from the nearer of the two windows. For these reasons it is considered that their amenity or privacy would be protected, in accordance with policy LC4.

#### **Conclusion**

Overall, the development is considered to conserve the character and appearance of the former church, to conserve neighbouring amenity, and to not have an adverse impact on highway safety. As a result, the development complies with both national and local planning policy and is

recommended for approval subject to conditions, including the imposition of those conditions that remain relevant from the previous permission that granted permission for the conversion of the building.

**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