

11. FULL APPLICATION – RESIDENTIAL CONVERSION AND MINOR EXTENSION - FORMER PRIMITIVE METHODIST CHAPEL, EAST BANK, WINSTER (NP/DDD/0619/0663, MN)

APPLICANT: MESSRS HOLLIDAY AND HARTLEY

Summary

1. The proposed development seeks to convert a Grade II listed former chapel to a dwellinghouse, which the applicants intend to initially operate as a holiday let property.
2. Subject to conditions the conversion would conserve the heritage interest of the building in accordance with the Authority's adopted planning policies.
3. Further, and taking account of the current lawful use of the building, the development would not result in other adverse planning impacts.
4. The application is recommended for approval.

Site and surroundings

5. The property is located in the south west of Winster village, occupying a hillside position.
6. The former Primitive Methodist Chapel is a Grade II listed building. It was built in 1823 and enlarged in 1850.
7. It is constructed from coursed rubble limestone with gritstone dressings, under a Welsh slate roof. Access is from doors on the eastern elevation and the building has large arched-top cast iron windows to the northern and eastern elevations. A small lean-to is present on the south east corner of the building. It is unclear if this is part of the original building, but it appears on historic maps from 1877 and may be earlier still.
8. The building is generally a single volume space with raked seating, raising to the rear, and fixed pews. It was partially sub-divided at the East end in the 1980s.
9. There is no vehicular access to the property. It is accessible only from footpath network that runs between the road of East Bank to the south and an unnamed road to the north.
10. Other than from these footpaths in close proximity to the site, the building is seen in few public views, with other buildings and the topography of the land obscuring it from wider view.
11. The building has an associated yard enclosed with railing fence to the eastern side. There is an area of ground in the same ownership set at a lower level to the northern side of the building, which is currently somewhat overgrown. The grounds also further extend to the south of the building, with three yew trees present at the eastern edge of this land.
12. Neighbouring properties are present to each side of the building, with those to the north in particular being set at a much lower level due to the sloping hillside.
13. The site is within the Winster conservation area.

Proposal

14. To convert the former chapel to a single open market dwellinghouse. This includes alterations to the building and grounds, and a small extension to the building. The applicant advises that they would initially intend to let the property as a single unit of holiday accommodation before later taking it in to full time residential use.

RECOMMENDATION:

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

1. The development hereby permitted shall be begun within 3 years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted plans.
3. Notwithstanding the submitted proposed plans and details, the arch-headed windows to the north and east elevations shall only be replaced on a like for like basis.
4. Prior to the occupation of the dwellinghouse or the replacement of the arch-headed windows in the northern elevation details of how views out of these windows are to be obscured shall be submitted to and agreed in writing by the Authority. Thereafter, the dwellinghouse shall not be occupied until the measures as approved have been fully implemented, and the obscuring shall be so maintained throughout the lifetime of the development.
5. Prior to the occupation of the dwellinghouse details of the proposed holly hedge, including spacing of plants and extent of the hedgerow, shall be submitted to and approved in writing by the Authority. Thereafter the dwellinghouse shall not be occupied until the approved hedgerow has been planted. Any plants dying within the first five years of planting shall be replaced by same type and size within the next planting season.
6. The hedgerow approved under Condition 6 shall be allowed to grow to a height of 1.8m and shall thereafter be maintained between 1.8m and 2m in height throughout the lifetime of the development.
7. Notwithstanding the submitted plans, the proposed flue that projects through the roof of the main body of the building shall be omitted from the development.
8. Details on how the cement mortar will be removed from walls; and details of the proposed mortar mix(es) including aggregate /sand type and colour, and the proposed joint profile shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
9. Full details of the two rooflights proposed within the single storey annexes shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.

10. Details of the slate vent and its position shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
11. The new downpipes shall be cast iron and their finish shall match the other rainwater goods on the building. The downpipes shall not be fixed to the quoins unless otherwise agreed in writing by the Authority.
12. Details of the proposed stone repairs and making good walls following the removal of modern features, including identification of the masonry to be repaired/ replaced and the repair methods and materials proposed, shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
13. The new exterior lights shall not be fixed to the keystones above the door.
14. Details of the weather strips proposed to the existing doors shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
15. Full details of all new exterior doors, including design, materials, dimensions, frames, finish, new thresholds, door furniture, shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
16. Full details of the new window opening, surround (lintel and cill), and window, including design, dimensions, glazing bars, glazing type, mouldings, finishes and window furniture, shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
17. Full details of the alterations proposed to the brick lined openings within the west elevation shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
18. Full details of the proposed facing materials for the extension, including samples of the proposed roof coverings and stone, shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
19. Details of the boiler flue proposed within the west elevation of the extension, including exact position, dimensions, materials and finish(es), shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
20. Details of the new doorway and door to replace the modern window within the west elevation of the existing single storey annex shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the

approved details.

21. All new pipework shall be run internally.
22. Details of the proposed repair and redecoration of the historic railings at the east end of the site shall be submitted to and approved in writing by the Authority prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
23. Details of the new external lantern shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
24. Other than that shown on the approved plans there shall be no external lighting within the application site area.
25. Details of the metal screen proposed along the south-east retaining wall shall be submitted to and approved in writing by the Authority prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
26. Full details of the gate, new steps and handrail proposed at the north-east side of the site shall be submitted to and approved in writing by the Authority, prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
27. Details of all facing materials proposed for the air source heat pump enclosure, including roof coverings, walling, doors and rainwater goods, shall be submitted to and approved in writing with the Authority prior to the commencement of this work. Thereafter, the works shall be carried out in complete accordance with the approved details.
28. Prior to any works commencing a construction management plan shall be submitted to and approved in writing by the Authority. Details shall include routes for construction traffic, parking/turning for construction traffic, storage of plant and materials, pedestrian and cyclist protection, and proposed temporary traffic management.
29. Development shall proceed only in complete accordance with the submitted protected species report.
30. The proposed planting shall be undertaken in the first planting season following the felling of the yew tree.
31. Any works within the root protection areas of the two retained yew trees shall be undertaken only in accordance with the requirements of BS5837 (British Standard for Trees in relation to design, demolition and construction – Recommendations)
32. a) No development shall take place until a Written Scheme of Investigation for a scheme of archaeological works has been submitted to and approved by the National Park Authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the National Park Authority. The scheme shall include an assessment of significance and research questions; and

1. **The programme and methodology of site investigation and recording;**
 2. **The programme for post investigation assessment;**
 3. **Provision to be made for analysis of the site investigation and recording;**
 4. **Provision to be made for publication and dissemination of the analysis and records of the site investigation;**
 5. **Provision to be made for archive deposition of the analysis and records of the site investigation;**
 6. **Nomination of a competent person or persons/organization undertake the works set out within the Written Scheme of Investigation.**
- b) **No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under part (a).**
- c) **The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under part (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.**

Key Issues

The main planning considerations relevant to this application are:

- Whether the loss of the building as a community facility is acceptable;
- Whether the property is suitable for conversion to a dwellinghouse under the Authority's housing policies;
- The impact of the development on the significance, character and appearance of the listed building;
- The impacts of the development on the amenity of nearby residential properties;
- The impacts of the development on highway safety and amenity.

History

15. 2018 – Planning and associated listed building consent applications submitted for conversion of building to dwellinghouse – withdrawn prior to determination due to the need to carry out further ecological and arboricultural surveys.

Consultations

16. **Highway Authority** – *“Given the previous use of the site, it is not envisaged that a single dwelling will increase the traffic generation associated with the building. Therefore, whilst the site is not accessible for refuse/emergency vehicles (which I presume will be consulted separately) there's no objections purely from a highway safety viewpoint.*
17. *Whilst there is no vehicular access / parking facility currently associated with the site, it seems a small vehicle could physically drive down the narrow alley leading down to the site from East Bank (presumably without the need for planning permission). In order to prevent this from occurring, the Highway Authority recommends the existing gateway into the site be reduced in width to a pedestrian gate only as the potential vehicular access route is narrow, steep and has severely restricted emerging visibility onto East Bank.*
18. *Due to the location of the site, it is recommended a construction management plan or construction method statement is submitted and approved prior to any works*

commencing to ensure the construction phase is carried out in a safe and efficient manner. Details should include routes for construction traffic, parking/turning for construction traffic, storage of plant and materials, pedestrian and cyclist protection, proposed temporary traffic management etc.”

19. **Parish Council** – Whilst the council wishes to see the historic asset preserved they object to the proposal on the following grounds:

- The loss of a further community asset within the parish would be deeply regrettable. Whilst it is acknowledged attempts were made by the former owner (the Methodist Church) to secure another community use for the property, these endeavours failed, possibly due to existing public meeting facilities within Winster. The Parish Council pursued the possibility of taking part of some of garden area of the chapel, by way of a gift to the village for the loss of the community use. The garden would have been used as community allotment, however, agents acting on behalf of the Methodist Church persuaded the owner to dispose of the chapel and garden as one lot and the opportunity was lost. As the application fails to offer something back to the community of Winster, the parish council considers the application is contrary to Core Strategy Policy HC4C.
- Parking standards for five bedroom houses require a minimum of three spaces. Clearly this is unachievable and will lead to additional on street parking on streets already congested. This will undoubtedly lead to unlawful driving and parking on greenspace at Winster Common.
- The lack of turning/storage space at the site will lead to problems with access and egress for construction traffic and delivery vehicles, resulting in congestion.
- The yew tree proposed for removal must be protected and retained as a feature of the former use of the building and for its appearance within Winster Conservation Area. The three new deciduous trees - *Fagus Sylvestris* 'Purpurea Pendula' proposed to be planted on the southern boundary are considered unsuitable specimens for this location due to potential size, dense canopy and low arching branches.
- The roof of the chapel is a prominent feature and the rooflights proposed in the main building and extension should be omitted due to their prominence from public vantage points, significant harmful effect of the listed building and detracting from the appearance of the Conservation Area.
- Winster is currently saturated with holiday lets and second homes; this has a harmful effect on the local community and further threatens the sustainability and vibrancy of the village.
- Waste collection from similar type businesses in Winster is often problematic.
- If permission is granted, permitted development rights must be withdrawn to prevent the introduction of garden sheds, summerhouses and other paraphernalia.
- If permission is granted, the public footpath to the east of the chapel must remain unobstructed on its lawful alignment at all times. The right of way shall not be stopped up or diverted without due legal process.

20. **Authority's Conservation Officer** – Detailed comments provided. The conservation officer is broadly in support of the development and proposed use for the building, but

recommends a number of changes to elements of the proposal and the reserving of some details. These are referenced as applicable in the assessment section of the report below. 31 conditions are recommended. The full comments can be viewed on the Authority's website.

21. **Authority's Senior Archaeologist** – Advises that the proposed development is likely to encounter archaeological evidence within the structure of the historic building, below ground within and possibly outside the chapel, and that this will result in permanent and irreversible loss of archaeological evidence and harm to the historic and archaeological interest of the chapel building and site. They conclude that if the proposals be considered acceptable with respect to planning balance, they would recommend that the impacts detailed above be mitigated through a conditioned scheme of building recording and archaeological monitoring. Wording for such a condition is suggested. The full comments can be viewed on the Authority's website.
22. **Authority's Ecologist** – No response at time of writing.
23. **Historic England** – *“Based on the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.”*
24. **Natural England** – No objection.

Representations

25. 13 letters of representation has been received. 12 object to the proposal whilst one welcomes the proposal in principle, whilst still highlighting areas of concern. The grounds for objection and concern are:
 - The village already has too much holiday accommodation, which is detrimental to the local community
 - The site has no parking or vehicular access and the proposed use would generate increased volumes of traffic, resulting in increased problems with parking and congestion, which is already a problem in the area.
 - Access to the site for construction works is restrictive, and would be likely to lead to further highway disruption and potential damage to property on approach to the site.
 - Engineering works associated with levelling the ground within the building are likely to be noisy and disruptive and potentially damaging to property due to the hard rock in to which the chapel is built.
 - Noise during construction works
 - Noise generated by guests staying at the property if it is operated as a holiday let.
 - The proposal does not address the need for affordable housing in the locality.
 - Concerns that the 'gennels' around the building may be used for vehicular access to the site.
 - Waste collections cannot be made directly from the site due to the lack of vehicular access, leading to the possibility of waste build up on the site and odours.
 - The yew tree to be felled is an important part of the setting of the building.
 - The proposed rooflights detract from the buildings appearance.
 - The proposed house is too large/has too many bedrooms.
 - Noise from the air source heat pump.
 - Loss of privacy for neighbouring properties due to the potential for overlooking from both inside the building and from the curtilage of it.
 - A plaque on the east wall of the chapel advises that the remains of the Rev George Booth are buried close by, and it is unclear how this would be dealt with if they were to be uncovered.

- The proposed interior design shows little sympathy for the layout or materials typical of a Victorian chapel.
- Risk of falling from garden area on to the lower gardens of the properties to the north, with drops of up to 2m.
- Risk of flooding to the neighbours to the north due to the location of the proposed soakaway.
- Light pollution from the building's windows

Main policies

26. Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, L2, L3, and HC1.

27. Relevant Development Management Plan policies: DMC3, DMC5, DMC8, DMC10, DMT8.

National Planning Policy Framework and National Planning Practice Guidance

28. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Adopted Development Management Policies. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and government guidance in the NPPF with regard to the issues that are raised.

29. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

30. Paragraph 189 advises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

31. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

32. Paragraph 15 of the Conserving and Enhancing the Historic Environment section of the NPPG states that it is important that any new use of a heritage asset is viable, not only for the owners benefit, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.

33. It notes that if there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset. The optimum viable use may not necessarily be the most economically viable one.

34. It further states that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised.

Development plan

35. Core Strategy policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted. Particular attention will be paid to impact on the character and setting of buildings, siting, landscaping and building materials, design in accordance with the Design Guide and the impact upon living conditions of local communities. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.
36. Core Strategy policy DS1 outlines the Authority's Development Strategy, and in principle permits the conversion of buildings to provide visitor accommodation.
37. Policy HC1 of the Core Strategy sets out the Authority's approach to new housing in the National Park in more detail; policy HC1(C) I and II say that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated settlements.
38. Policy HC4 addresses the provision and retention of community services and facilities. In relation to proposals to change the use of buildings or sites which provide community services and facilities to non-community uses it states that applications must demonstrate that the service or facility is:
- no longer needed; or
 - available elsewhere in the settlement; or
 - can no longer be viable.
39. It also states that wherever possible, the new use must either meet another community need or offer alternative community benefit such as social housing. Evidence of reasonable attempts to secure such a use must be provided before any other use is permitted.
40. Core Strategy policy CC1 requires development to make the most efficient and sustainable use of land and resources, to take account of the energy hierarchy, to achieve the highest standards of carbon reduction and water efficiency, and to be directed away from flood risk areas.
41. Core Strategy policy CC2 states that proposals for low carbon and renewable energy development will be encouraged provided that they can be accommodated without adversely affecting landscape character, cultural heritage assets, other valued characteristics, or other established uses of the area.
42. Core Strategy policy L2 states that development must conserve and enhance any sites,

43. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.
44. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
45. Development Management Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
46. Development Management Policy DMC7 addresses development affecting listed building, advising that applications for such development should be determined in accordance with policy DMC5 and address how their significance will be preserved. It goes on to detail specific aspects of development that will not be supported when dealing with applications affecting listed buildings. It advises that the only exceptions to this are where any resulting harm is less than substantial in terms of impact on the character and significance of the Listed Building and its setting; and where it is also off-set by the public benefit from making the changes, including enabling optimum viable use, and net enhancement to the Listed Building and its setting.
47. It also states that where change to a Listed Building is acceptable, an appropriate record of the building will be required to a methodology approved in writing by the Authority prior to any works commencing.
48. Policy DMC8 states that applications for development in a Conservation Area, or for development that affects its setting or important views into, out of, across or through the area, should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced.
49. Development Management Policy DMC13 addresses the protection of trees, woodland or other landscape features put at risk by development.
50. It states that planning applications should provide sufficient information to enable their impact on trees, woodlands and other landscape features to be properly considered in accordance with 'BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations' or equivalent. It states that trees and hedgerows, including ancient woodland and ancient and veteran trees, which positively contribute, either as individual specimens or as part of a wider group, to the visual amenity or biodiversity of the location will be protected. Other than in exceptional circumstances development involving loss of these features will not be permitted.
51. It also specifies that development should incorporate existing trees, hedgerows or other landscape features within the site layout and that where this cannot be achieved the onus is on the applicant to justify the loss of trees and/or other features

as part of the development proposal.

52. Finally, it states that trees, woodlands and other landscape features should be protected during the course of the development.
53. Development Management Policy DMC10 addresses conversion of heritage assets, permitting this where the new use would conserve its character and significance, and where the new use and associated infrastructure conserve the asset, its setting, and valued landscape character. It also notes that new uses or curtilages should not be visually intrusive in the landscape or have an adverse impact on tranquility, dark skies, or other valued characteristics.
54. Development Management Policy DMT8 states that off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highways standards and does not negatively impact on the visual and other amenity of the local community. It notes that the design and number of parking spaces must respect the valued characteristics of the area, particularly in conservation areas.

Assessment

The principle of the loss of a community facility

55. It is helpful to consider the current lawful use of the building in the first instance. The building was most recently in use as a place of worship, and we are not aware of it having been in any other use.
56. There are a number of other uses that fall within the same Use Class as places of worship that could take place in the building without the need for planning permission. Such uses include a nursery school, training centre, or health centre/clinic.
57. Any of these would represent a community facility, and adopted planning policy seeks to retain community facilities.
58. The application advises that the former use of the building as a chapel ceased in 2013, at which point the congregation had reduced to only four people. It had clearly reached a point of being unsustainable, and the Methodist Circuit decided to dispose of the building.
59. In 2014 it was offered to the Local Parish Council and Community Groups but they did not take it on, according to the submitted information. The Parish Council did express an interest in taking on part of the land associated with the Chapel for use as allotment, but the Methodist Church were not prepared to split the site. Splitting the site may feasibly have resulted in reducing interest and viable uses for the chapel, and jepodised its future. It would still have left the building without a new custodian or viable use.
60. The application includes an 'Alternative Uses Feasibility Study', which considers other potential community uses of the building. It considers uses including community storage, cinema, hall, post office, performance space, events space, and sports room but notes that the village already has an Institute to accommodate such uses and that it is not of such size to support two village halls. As discussed above, it also points out that the building was not taken on by the community when it was offered to them.

61. Issues of financial viability and site access also render many of these uses unviable. Others would appear to require greater alteration to the building than conversion to a single house would too, which would be undesirable from a heritage perspective.
62. The building was advertised for auction in 2016, but was withdrawn shortly before the auction took place due to the emergence of information relating to a potential burial within the grounds or building (these enquiries ultimately led to no evidence of the burial being found).
63. Whilst the auction did not take place, the property was still advertised in the lead up to the auction and this did not result in any enquiries for the building that led to its sale.
64. The building was subsequently re-advertised and put up for auction in 2018, where it was purchased by the applicant.
65. The submission advises that conversion to affordable housing would be unviable given the size of the building. This is a reasonable conclusion given that the size would be too large to accommodate a single affordable unit, and subdivision in to more than one unit would require such a degree of internal subdivision to have unacceptable heritage impacts.
66. On the basis of this information, the attempts to find another community use for the building, and of the marketing of the property that have taken place since 2014 it is accepted that reasonable attempts have been made to sell or dispose of the building as a community facility, as required by policies HC4 and DMS2.
67. The conversion of the building to another use is therefore acceptable in principle.

The principle of conversion of the building to open market housing

68. The building is a listed building and therefore a designated heritage asset, and so its conversion to housing is acceptable in principle under the provisions of Development Plan policies HC1 and DMC10 – providing that conversion is required for the building's conservation.
69. As detailed above, conversion to affordable housing would not conserve the building's significance as well as conversion to an open market dwelling would, because it would require subdivision in to more than one unit, further dividing the single open space that is characteristic of the use of the building as a chapel. It would also be likely to require more external subdivision to provide separate garden areas.
70. Having established that other community uses are also either not viable or required by the community, it is accepted that open market housing is required for the buildings conservation and enhancement in accordance with policy HC1.
71. It is inescapable that conversion of the building to a dwellinghouse would result in some degree of harm to its significance, resulting from the removal of internal features and alteration to the single open space within that would be necessary for any such conversion.
72. The NPPF is clear that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

73. The optimum use of the building would be the use for which it was built, as a place of worship. That use is no longer sustainable however. The costs of the necessary repair and restoration works would not be small and it is unlikely that an owner could be found who is prepared to make such investment on the basis that the building stand empty and offers no financial return. The current use is therefore not a viable one.
74. As discussed above, other lower intensity uses that may have lower impacts on the buildings heritage significance have been concluded to be unviable and on this basis it is accepted that the conversion of the building to an open market dwelling represents its optimum viable use in accordance with the NPPF.

Impacts of the proposed works on the significance, character and appearance of the building

Building alterations

75. A black powder-coated stainless steel flue, rising approximately 800mm high from the roof, is proposed at the east end of the south roof pitch. The flue forms part of a wood-burner proposed at first floor level within the main body of the chapel. The roof is one of the most prominent features of the chapel and the Authority's conservation officer advises that this modern addition will detract from the appearance of the roof and the front elevation of the property. It would be out of keeping with the buildings character, and its omission would not prejudice the potential conversion of the building. It is therefore recommended that this be omitted if permission is granted.
76. Two rooflights are proposed within the south roof pitch. These rooflights appear unnecessary to facilitate the conversion, as a window opening is proposed within the apex of the west gable to light the bedroom, and the other serves a stairwell. Given this and that the conservation officer considers that these would harm the buildings appearance it is recommended that these rooflights are omitted if permission is granted.
77. Rooflights are also proposed within the roof of the south annex and within the roof of the proposed extension. These roofs are much less prominent than the main roof of the building, and form a subordinate part of the building. On this basis, their impact is much less, although the Authority's conservation officer advises that it would be preferable to have smaller rooflights and positioned slightly lower down the roof pitch. These details could be reserved by condition.
78. A roof slate vent is proposed to ventilate the en-suite proposed within the roof space. Details of the vent type and its exact position have not been provided. It is anticipated that a vent of a type and position that conserve the buildings appearance can be agreed, and so these details could be reserved by condition.
79. The existing cast iron rainwater goods are to be overhauled, with new cast iron downpipes to the south-west and north-west corners of the property. Subject to reserving details of the new downpipes, including fixing method and finishes, these would be in keeping with the building and would conserve its significance and appearance.
80. Localised stone repairs and repointing is proposed. Subject to materials and details of how these works would be undertaken being reserved by condition, these works would be acceptable.
81. The existing electric meter box to the front elevation of the property would be removed. This would enhance the significance of the listed building.

82. Whilst not shown on the plans, the submitted supporting documentation refers to the introduction of a date-stone within the east elevation. The Authority's conservation officer advises that this will blur the archaeology of the structure, add unnecessary clutter and disrupt the symmetry to the elevation and should be omitted from the scheme. This could be secured by condition.
83. It is proposed to replace the existing modern lights over the doorways with new coach lamps, which will have a neutral impact on the significance of the listed building, providing that the new lights are not fixed to the keystones above the door.
84. The existing doors to the main body of the building are to be retained with the addition of weather-strips. The retention of the traditional doors is welcomed, and details of the proposed weather-strips could be reserved by condition if permission was granted.
85. Secondary glazing is proposed to the interior face of the fanlights above the doors, and the conservation officer advises that this will not harm the significance of the listed building subject to details of their appearance and fixing being reserved by condition.
86. The entrance door to the south outshot, which is a modern framed door with glazing to the upper quarter, is proposed to be replaced. There is no objection to replacing this modern door but the conservation officer advises that the door design proposed is not appropriate, and that a more traditional boarded door design be employed. Details of the proposed door could be reserved.
87. The windows in the east and north elevations are large arch-headed windows. They are timber framed and single glazed with cylinder glass (a type of hand-blown glass). The submitted supporting information estimates these to date from the 1850s.
88. Structural movement within the building has damaged the windows and the timber frames are in poor condition, and it is proposed to replace them with new timber frames that incorporate double glazed units.
89. The Authority's conservation officer advises that the main significance of the listed chapel is its external shell and that this should be protected in order for the heritage asset to retain sufficient significance to remain on the national statutory List. They advise that unsympathetic alterations to the existing window design and the removal of the historic fabric they contain could therefore tilt this proposal to 'substantial harm'.
90. On this basis they advise against the use of double glazing, and that the windows should be replaced like for like. They recommend that secondary glazing could be employed to address energy efficiency concerns, potentially with sliding panels to allow access to opening lights within the outer windows if necessary.
91. The loss of the historic fabric and traditional treatment of the windows would be regrettable. The conversion necessitates the loss of the historic internal features of interest of the building – namely the raked pews – and so the shell is almost all that remains of the listed qualities of the building. The windows are a key part of the significance of this shell, and their loss to a more modern design would have a harmful effect on the overall significance of the building.
92. Whilst the applicants agent has advised that double glazing is necessary for reasons of energy efficiency, other options are available that would result in less harm to the

buildings significance. Even if that was not the case, there is no evidence to indicate that the conversion would be unviable or the property unliveable if single glazing was to be used.

93. On this basis it is recommended that if permission is granted, a condition is imposed to permit only the like for like replacement of these windows, and that if secondary glazing is required that details be agreed with the Authority prior to its installation.
94. To the west elevation it is proposed to unblock a former first floor doorway, which the Authority's conservation officer advises will result in little harm to the significance of the listed building. There is therefore no objection to this work subject to details including design, frames, threshold, door furniture and finish(es) being reserved by condition if permission is granted.
95. A new circular window is proposed within the apex of the west gable, serving a bedroom. The conservation officer has no objection to the principle of a new window in the position proposed, which is reasonable necessary to provide some natural light to the bedroom. They strongly recommend that a different window design is employed however, because the proposed one is discordant with the rudimentary character of the back elevation. This could be secured by condition if permission was granted.
96. The single glazed windows within the south elevation are to be retained and secondary glazing introduced, although drawings P/03B, P/06A and P/07B incorrectly annotate the windows in the south elevation as double glazed. The retention of these windows and introduction of secondary glazing would conserve the buildings significance, and a condition to agree details of the secondary glazing and to clarify that the windows be retained as single glazed could be imposed if permission was granted.
97. A single storey extension is proposed to the south elevation, adjoining the west elevation of the existing lean-to. Subject to details, the proposed extension will not harm the significance of the listed building as it follows the simple form of the lean-to and is modest in size and design.
98. The siting a boiler flue within the west elevation of the new extension is sympathetic as it would not harm any historic fabric and the position is discreet.
99. Subject to conditions to secure the detailing of the extension, and how it would join on to the main chapel, the extension would conserve the character and appearance of the listed building.

Curtilage

100. In addition to the enclosed hardstanding in front of the chapel, the overgrown land to the north and south of the building are proposed to be taken in to use as garden.
101. Refurbishment of the railings around the property and removal of a section of modern railings is proposed and would conserve the building's significance and appearance. A new screen is proposed to replace the modern railings to be removed, but details of this have not been provided and so would require reserving by condition.
102. A new access is proposed in the railings to the northern side of the yard, with new steps to lead down to what would be part of the property's garden, and a new gate in the railings would be formed from the removed section of them. This access is

necessary for safe and convenient access to this part of the property, and subject to an appropriately detailed design it would not detract from the setting of the building. Details of the gate and steps would require reserving to ensure this.

103. A new lantern is proposed over the entrance gates to the site, where one was previously positioned. No detail of the former light has been provided, and so it is recommended that details of the proposed light be reserved by condition if permission is granted in order to ensure that any replacement is appropriate in appearance.

104. A replacement pedestrian gate is proposed within the south-west boundary. The current arrangement is crude and there is no objection to the principle of this work, subject to details of the proposed gate and gate-piers /posts being reserved.

105. A new bin store, steps to the garden, and a path along the southern perimeter of the chapel are proposed. The bin store has been positioned discreetly and in principle these works would conserve the setting of the building. Details of the treatment and appearance of the bin store, steps and paths would need to be secured by condition to ensure that they were in keeping with their setting.

Summary of design matters

106. In summary, the building is currently in a dilapidated state and the proposed conversion would reinstate it in a sympathetic manner. As a result, subject to the conditions detailed above, the development would conserve the significance, character and appearance of the building subject to conditions. Subsequently it would also conserve the appearance of the locality, including the conservation area. The development therefore complies with policies L3, DMC3, DMC5, DMC7, DMC8, and DMC10.

Amenity impacts

107. Most of the properties immediately adjacent to the chapel already suffer some degree of overlooking, due to the sloping topography of the village in this location, the historic tightly grouped nature of the buildings, and the network of public footpaths weaving between them.

108. The current lawful use of the building itself would not result in any significant further loss of privacy to these properties. This is because the windows in the building are all set high above the internal floor level, preventing views out.

109. Use of the land to the north of the building would have some impact on the amenity of neighbours to the north due to being significantly elevated above these properties and immediately abutting their gardens, with no screening between it and the neighbours.

110. It is unclear whether this land currently forms part of the building's curtilage, as there is no direct access to it from the building or paved yard. In any case, such use would be likely to be infrequent based on the current lawful use of the building, minimising the loss of privacy it would cause to the neighbours.

111. In contrast, the proposed use has the potential to significantly reduce their privacy if not properly controlled.

112. The main factor causing this is the introduction of a first floor within the building. This affords the occupiers views out of the windows in the northern, southern, and eastern sides of the building.
113. In the case of the northern windows in particular, these views are directly towards the rear elevations of the neighbours in this direction, at a distance of approximately 16 metres and substantially elevated above them.
114. The application proposes planting a mature hedgerow along the northern boundary of the site to prevent overlooking of the neighbours from both the proposed garden and from within the building.
115. Providing that it includes suitably mature planting and is maintained, this would prevent overlooking from the garden towards neighbours to the north. It does not appear to extend sufficiently to entirely enclose this side of the garden as presently proposed however. A revised alignment could be secured by condition to address this if necessary.
116. The hedge would not, however, entirely prevent overlooking from inside the building, as views would still be possible above the hedgerow. We have discussed this matter with the applicant's agent during the course of the application, and they are amenable to providing obscure glazing to the windows internally to such a height that prevents this overlooking. This would need to comprise either directly obscuring the glass in the windows, or installing a screen of secondary glazing comprising obscure glass.
117. Subject to a condition to secure this, overlooking of the neighbours in this direction would be avoided.
118. If permission is granted it is therefore recommended that details of this obscuring are reserved by condition to ensure that the method secured conserves the listed building whilst also having sufficient permanence to protect the neighbours' amenity.
119. Views from inside the building towards the neighbours to the east (Stepney House and Carpenters Cottage) are at a greater distance (approximately 25 metres from the internal viewing point to the nearest wall of a neighbouring property) and the building is less elevated above these neighbours.
120. There would be some overlooking of part of these properties garden from the paved area in front of the chapel, which could be used as garden space. The area of garden that this would overlook is not currently private and is open to view from the adjacent footpath network – and could of course be viewed from the paved area under another current lawful use of the building, albeit with a likely lower regularity
121. Given these circumstances, the development is not considered to have a significant impact on the amenity of these neighbours.
122. There would be very limited scope for any overlooking of the neighbouring property to the south from within the building due to levels differences – with the windows in the northern elevation facing out in to what would be the northern area of the property's garden.
123. The neighbour to the west would also not suffer any significant overlooking, due to the limited openings to this side of the building, and the distance between the buildings.

124. Several representations have raised concerns regarding potential noise and disturbance that could arise from the proposed use – most notably if it is operated as a holiday let.
125. It is considered that use of the building as a single unit of holiday accommodation would not be likely to lead to significantly more disturbance than could be the case from its permanent occupation as a single dwelling, given that the size of the building and number of bedrooms proposed would restrict the number of occupants.
126. In terms of residential occupation in general, the local area is already residential in make-up, with properties positioned closely together, as noted previously. On that basis, the introduction of one further residential property would not have any significant impact on noise generation or disturbance in the area.
127. Further, use as a permanent dwelling or as holiday accommodation would result in less disturbance than some of the other uses that the building could currently be put to without planning permission – such as a nursery or clinic, which would both attract significantly more trips to the site. Whilst it is accepted that these are unlikely to be viable long-term uses for the building, they cannot be ruled out and do represent an option for any owner.
128. A new soakaway for rainwater is proposed within the northern part of the garden, close to the neighbouring property. A neighbour has raised concerns that due to the difference in levels this could result in water discharging on to their property. We agree that this element of the proposal should be revisited, with either a re-sited soakaway or diversion to the sewer being considered. This could be secured by condition if permission was granted.
129. Overall, and subject to conditions as discussed above, the development would conserve neighbouring amenity in line with policy DMC3.

Highway impacts

130. The highway authority have stated that given the previous use of the building it is not envisaged that conversion to a single dwellinghouse would increase the traffic generation associated with it.
131. Some objectors advise that because the chapel use has ceased this argument is not applicable.
132. In practice, officers agree that the chapel use is very unlikely to resume – the former use was found unviable and the building has in any case since been sold by the Methodist Circuit.
133. As noted previously though, there are also a number of other uses that fall within the same Use Class as places of worship that could take place in the building without the need for planning permission. Such uses include a nursery school, training centre, or health centre/clinic.
134. As established earlier in the report, such uses have not come forward for the building and are unlikely to be viable in the longer term, but that is not to say that they can be ruled out. We must consider the differences between the current and proposed lawful use of a building when assessing any change of use application, and so the highway authority are correct to factor this in to their considerations.
135. It is accepted that any new use would generate more traffic than the current use (i.e.

no use), but the proposed use remains less intensive than the potential lawful uses of the building from a highway perspective, and is likely to be the least intensive viable use of the building from this same perspective.

136. The highway authority also advise that whilst there is no vehicular access or parking associated with the site, it seems a small vehicle could physically drive down the narrow alley leading down to the site from East Bank, harming highway safety due to poor exit visibility and gradient. In order to prevent this from occurring, they recommend that the existing gateway into the site be reduced in width to a pedestrian gate only to prevent parking at the site.
137. The existing gated access is not wide enough for a typical car to enter and park within the site however, and so such a condition would have heritage harm (altering historic setting) without serving any notable highway safety benefit. It is therefore recommended that such a condition is not imposed.
138. Due to the location of the site, the highway authority recommended a construction management plan is submitted and approved prior to any works commencing. This is an area of significant concern for objectors, because the site is not accessible to vehicles and because the internal works proposed to the building are substantial.
139. The applicant is obviously aware of the restricted site access, and the application indicates that they intend to store materials in a farmer's field away from the site and that construction will be undertaken using small sections of material to overcome the access restrictions. We agree with the highway authority that that this could be addressed by agreeing details of routes for construction traffic, parking/turning for construction traffic, storage of plant and materials, pedestrian and cyclist protection, and any necessary proposed temporary traffic management. A condition is therefore recommended to secure this in the event of permission being granted.
140. We have no other highway safety or amenity concerns regarding the use of the site as a dwellinghouse and therefore conclude that the development would have an acceptable impact on highway safety.
141. Given the current lawful use of the site on-street parking associated with the development would meet highways standards as well as the current use and would not negatively impact on the visual and other amenity of the local community more than the current lawful use. The development therefore also complies with DMT8.

Ecological and tree impacts

142. There is a bat roost within the building's roof space and the proposal and submitted ecological report propose creation of a bat loft within the roof void. The report concludes that this would mitigate any loss of habitat arising from the development.
143. The submitted report also recommends a new bat ridge tile access point to allow bat access and egress. Two types of tile access are proposed, and the Authority's conservation officer recommends that the one that does not require raising the roofs ridge tiles is pursued, as this would have less impact on the appearance of the building.
144. Subject to securing the recommended bat mitigation and enhancement measures discussed above the proposal would conserve the ecological interests of the site as required by policy LC2.
145. The proposal would also effect one of the 3 yew trees sited adjacent to the building,

requiring its removal. A tree report has been submitted, and the Authority's tree conservation officer agrees with its findings – that the loss of the tree would be mitigated by the proposed replacement planting. They also advise that any works within any trees root protection areas be carried out in accordance with the requirements of BS5837 (British Standard for Trees in relation to design, demolition and construction – Recommendations). This could be secured by condition.

146. Subject to conditions securing this and the recommended replacement planting the impacts of the development on tree interests are concluded to be acceptable in accordance with policy DMC13.

Archaeological impacts

147. The Authority's archaeologist advises that the proposed development is likely to encounter archaeological evidence within the structure of the historic building, below ground within and possibly outside the chapel, through the required groundworks (works to the internal floors; for underfloor heating; for the rear extension, new drainage and service runs, tree removal etc.) and changes to the fabric of the chapel (loss of the pews, removal of the floors etc.).
148. They advise that this will result in permanent and irreversible loss of archaeological evidence and harm to the historic and archaeological interest of the chapel building and site.
149. They conclude that should the proposals be considered acceptable in the light of the advice from the Authority's Conservation Officer and with respect to planning balance, the archaeological and historic impacts detailed above should be addressed through a conditioned scheme of archaeological works to record and monitor the building and works.
150. In terms of the planning balance, the scheme would result in the significant planning benefit of bringing the building back in to a viable use, which would serve to secure its repair and maintenance.
151. Given the level of archaeological harm identified, we conclude that these benefits would outweigh the archaeological harm in this instance.

Sustainable building and climate change

152. The introduction of energy efficiency measures within listed buildings and their settings can be difficult without harm to their significance. In this case, the double glazed windows proposed would have energy efficient benefits, but an unacceptable level of harm on the buildings significance.
153. Renewable energy measures have also been considered though, and air source heating is proposed. This would be contained in a new, small stone-built enclosure within the garden. The plant within a stone built enclosure with doors and its positioning mean that it would not result in any significant disturbance to neighbouring properties. The modest stone structure would also not harm the setting of the listed building, subject to details of all facing materials and how the pipework would enter the building being reserved by condition.
154. These measures improve the environmental credentials of the building and the development it concluded to comply with policies CC1 and CC2.

Conclusion

155. Subject to conditions the proposal will conserve the significance, character and appearance of the building, neighbouring amenity, highway safety, and the ecological interests of the site in accordance with policies L2, L3, DMC3, DMC5, DMC7, and DMC10.

156. There are no other policy or material considerations that would indicate that planning permission should be refused.

157. The application is recommended for conditional approval.

Human Rights

158. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil

Report Author: Mark Nuttall, Senior Planner (South)