

<b>APPLICATION NO</b>	<b>PA/2021/667</b>
<b>APPLICANT</b>	Mr Paul Needham
<b>DEVELOPMENT</b>	Planning permission to create four self-contained residential dwellings
<b>LOCATION</b>	Christ Church, Barrow Road, New Holland, DN19 7RZ
<b>PARISH</b>	New Holland
<b>WARD</b>	Ferry
<b>CASE OFFICER</b>	Mark Niland
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by New Holland Parish Council

## **POLICIES**

### **National Planning Policy Framework:**

Paragraph 38 – Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 198 – In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.

**North Lincolnshire Local Plan:** DS1, DS7, DS11, T2, T19

**North Lincolnshire Core Strategy:** CS1, CS2, CS5, CS6, CS18, CS19

## **CONSULTATIONS**

**Highways:** No objections subject to conditions.

**Environment Agency:** No objections subject to a condition requiring that all ground floors are non-habitable.

**Drainage (Lead Local Flood Authority):** Objects to the proposal.

**Environmental Protection (Housing):** As the occupation of the development has not been identified (single family let, freehold, leasehold, multiple occupation), this development has

the potential to be a Section 257 House in Multiple Occupation (HMO) under the Housing Act 2004, should Building Control Approval not be granted.

Therefore, the development must comply with current Building Regulations and have approval granted, otherwise it will require an HMO licence under The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018 due to the potential number of occupants.

Should the development not comply with current Building Regulations and it be classified as a Section 257 House in Multiple Occupation, the owner must also ensure that they are complying with The Management of Houses in Multiple Occupation (England) Regulations 2006.

**Environmental Protection:** No objections subject to conditions relating to land contamination and control of construction hours.

**HSE:** Does not advise, on safety grounds, against the granting of planning permission in this case.

**Historic Environment Record:** There are commemorative plaques contained within the church. Request that, prior to determination, arrangements are made for their conservation.

**Environment Agency:** No objections subject to conditions.

## **PARISH COUNCIL**

Objects as there are currently highway concerns on Barrow Road and this will add to the congestion problem. Although there are allocated parking spaces it is thought this is not sufficient. Also, the proposal is in a flood zone.

## **PUBLICITY**

Advertised by site notice. One response has been received expressing concerns in relation to school capacity, highway safety, waste, residential amenity and children's play.

## **ASSESSMENT**

### **Planning history**

None relevant.

### **Site constraints**

- Flood Zone 2/3a Tidal
- Undesignated Heritage Asset

### **Site characteristics**

The proposal relates to the conversion of Christ Church, New Holland which is within the settlement development boundary. The church fronts Barrow Road close to the junction with Oxmarsh Lane. The church is also located just south of Manchester Square which has a number of protected trees and is allocated as an area of amenity importance. The entire

area is washed over by flood zone 2/3a as identified by North and North East Lincolnshire SFRA 2011.

The church itself is very imposing, presenting the main clerestory opening toward the street scene and a series of smaller ones on other elevations. The principal opening is framed by a stone gable with parapet and this form is echoed in a linear shape towards the west. A tower is located just behind the principal façade and is right sided. There are numerous buttresses along either side with openings in between, with the vestibule to the rear southern elevation. The gardens are to the south with a row of terraced properties to the north. There are no on-street parking restrictions.

## **Proposal**

Planning permission is sought to create four self-contained flats within the existing Christ Church building. The original proposal was for five units, however, given its location within flood zone 2/3a, the ground floor cannot be used for habitable purposes.

### **The following issues are relevant to this assessment:**

- **principle of development**
- **undesignated asset**
- **flood risk and drainage**
- **residential amenity**
- **character and appearance**
- **environmental issues**
- **land contamination**
- **highways.**

### **Principle of development**

Policy CS1 sets out the overarching spatial strategy for North Lincolnshire. It states that ‘...Rural settlements will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should take into account levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.’

Policy CS2 sets out a sequential approach to where development should be focussed, point 3 states, ‘...Small-scale developments within the defined development limits of rural settlements to meet identified local needs’ are acceptable. The policy goes on to set out a list of sustainability principles to guide developers and decision makers.

Policy CS22 is concerned with community facilities and services. It states, ‘...The loss of community facilities or land allocated for such purposes will be resisted, unless there is no longer a need for the land or building in any form of community use, or there is an acceptable alternative means of meeting such need.’

The church has remained vacant for a number of years with no other communal use coming forward. The applicant states within the design and access statement:

'The fact that no other use has been found for the church in the period of vacancy demonstrates that there is no ecclesiastical use for the building and that no other community uses have come forward. As is often the case with relatively old buildings such as this, the cost of restoring the building for another use would be prohibitively expensive. A residential conversion is a suitable way forward in this instance, giving the building a beneficial use with no extension and few external alterations.'

The proposal represents an adaptive reuse of a non-designated heritage asset that is located well within the settlement limits. The proposal is therefore considered to be acceptable in principle.

### **Flood risk and drainage**

Policy CS19 of the Core Strategy is considered relevant. It states that '...The council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere. This will involve a risk-based sequential approach to determine the suitability of land for development that uses the principle of locating development, where possible, on land that has a lower flood risk, and relates land use to its vulnerability to flood. Development in areas of high flood risk will only be permitted where it meets the following prerequisites:

1. It can be demonstrated that the development provides wider sustainability benefits to the community and the area that outweigh flood risk.
2. The development should be on previously used land. If not, there must be no reasonable alternative developable sites on previously developed land.
3. Increasing flood risk elsewhere by integrating water management methods into development.'

Policy CS18, which is concerned with sustainable resources, is also relevant, as are policies DS14 and DS16 of the local plan.

Both the LLFA and the Environment Agency (EA) have been consulted. The LLFA objects to the proposal stating:

'The development falls within our lower threshold assessment levels (5 to 9 properties) but provides no information to support the proposals.

- The planning application does not provide a principle drainage strategy. This should include preliminary drainage layout plans, topographical survey and outline hydraulic calculations for a 1 in 100 year storm event plus CC based on SuDS principles, including adoption/maintenance proposals. The existing drainage on the developed site, including existing and proposed outfalls, requires further consideration.
- The outline planning application does not consider the use of sustainable drainage systems (SuDS) for the development.
- The outline planning application does not provide desktop ground investigation details to support or oppose the feasibility of infiltration for the site.

Consequently, the proposal fails to comply with policy DS16 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the NPPF.'

It is considered, however, that the objection in this instance is unreasonable in planning terms. There is no additional built form proposed and so no net increase in surface water created by the change of use of the building. There is an area shown on plan to the south of the building that is proposed for parking though no details of the surface type have been submitted. The area is mainly laid to grass with a concrete walkway leading to the rear vestibule. It is considered that a condition requesting further details of the parking surfaces is appropriate. Should the applicant seek to formulate an impermeable surface then details of how captured water will be channelled should be submitted for agreement. A standard surface water drainage condition will be attached to cover this. There is no clarity whether or not infiltration is possible but given that there is no increase in form and so no net increase in surface water, a refusal on the basis that a principle drainage strategy has not been submitted is not something that could rationally be supported or reaffirmed through a planning recommendation.

The EA have removed earlier objections subject to the imposition of conditions. The original proposal was for five apartments, however this has been reduced to four as the EA does not consider the internal levels at ground floor to be safe for habitable rooms. Furthermore, given that weight is given to keeping the non-designated asset aesthetically the same, resilience measures are not an appropriate route. Therefore, the objections resulted in the need to reduce the intensity of the residential use to four apartments with non-habitable rooms at ground floor. The EA condition reinforces this use at ground to be non-habitable in perpetuity.

Given the proposal is for a change of use, the sequential test is not required. Furthermore, the adaptive reuse of the asset, along with the benefit of increasing local housing provision, means that the benefits from the development far outweigh the risk from flooding. It is considered, given the proposal does not seek to erect an amount of built form that would result in a net increase in surface water, that the proposal aligns with policies CS18 and CS19 of the Core Strategy, and DS14 and DS16 of the local plan.

### **Undesignated asset**

Policy CS6 relates to the Historic Environment. It states that '...The council will seek to protect, conserve and enhance North Lincolnshire's historic environment, as well as the character and setting of areas of acknowledged importance including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains. All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value.'

Paragraph 198 of the NPPF relates to statues, plaques, memorials and monuments. It states, '...In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.'

The applicant seeks to retain the external appearance of the building whilst formulating internal floors that would allow for functional dwellings. The only concern raised relates to

archaeology in that internally there are two commemorative plaques to the fallen of the First and Second World Wars. The department had requested that prior to determination these arrangements are set and agreed. Following dialogue, the department understands that these plaques were located in a local community centre two years ago. A condition to evidence this will be attached.

Furthermore, the applicant shows on the site plan a scheme for the schedule of boundary treatments, though no elevations have been attached. Potentially a scheme of timber treatment may not be acceptable unless it can be demonstrated that the impact they would introduce to Christ Church would not overly dilute its character. Therefore, a condition on boundary treatments will be attached. Lastly, it is considered that sufficient justification exists for the removal of permitted development rights for householder development to protect and enhance the character of Christ Church in perpetuity.

It is therefore considered, subject to such conditions and that only internal changes are proposed to the building, that the proposal would accord with policy CS6 of the Core Strategy and paragraph 198 of the NPPF.

### **Residential amenity**

Policy DS1 is partly concerned with impacts upon residential amenity. It states that ‘...No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing’.

Given that there is no increase in form, the proposal would not have a net increase by way of overshadowing or overbearing impact upon neighbouring properties. The installation of internal floors, coupled with the move to a residential use, would have some increase in overlooking/perception of being overlooked from clerestory openings, however these openings are stained and would not allow for a level of outlook upon neighbouring properties that would result in unacceptable overlooking. There are changes to the fenestration at ground level, but these would be screened by existing treatments and the back gable on dwellings each side of the plot. Rooflights are proposed but, given their height, any visual intrusion would be limited.

It is therefore considered that the impact upon residential amenity is acceptable and would accord with policy DS1 of the North Lincolnshire Local Plan.

### **Environmental issues**

Policy DS11 of the North Lincolnshire Local Plan is concerned with polluting activities. It states, ‘...Planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise do not pose a danger by way of toxic release; result in land contamination; pose a threat to current and future surface or underground water resources; or create adverse environmental conditions likely to affect nearby developments and adjacent areas.’

The council’s Environmental Health department have made an assessment of the proposal and have no objection relating to environmental impacts subject to controlling construction hours with the purpose of protecting existing amenity rights.

The proposal, given the aforementioned mitigation, is in accordance with policy DS11 of the North Lincolnshire Local Plan.

### **Land contamination**

Policy DS7, which is concerned with land contamination, is relevant. The Environmental Protection Officer has been consulted and has stated that there are no objections subject to the imposition of a condition requiring a phase I and II study, remediation and verification reports.

However, given that there are no internal excavation works, it would seem unreasonable to attach such a condition given it is already used (for communal purposes) by the same sensitive receptor. Therefore, a monitoring condition would suffice requiring the applicant to cease works and report any unforeseen contamination should it be found during construction.

### **Highways**

Policy T2 of the local plan states that all development should be served by a satisfactory access. T19 is concerned with parking provision and is also considered relevant.

The applicant proposes to form an access to allow for off-street parking provision to the south of the church. At present this is a pedestrian access. Highways DC have no objection subject to conditions relating to access and parking provision. The applicant has proposed four spaces for plots 1 and 2, three for plot 3 and two for plot 4 along with a visitor bay. It is therefore considered that the proposal would accord with policies T2 and T19 of the local plan.

### **Conclusion**

The proposal represents an adaptive reuse of an undesignated heritage asset and is located well within the settlement limits of New Holland. Conditions are proposed to mitigate flood risk, protect amenity and highway safety, and to ensure that historic artefacts are recorded and kept, in line with paragraph 198 of the NPPF.

### **RECOMMENDATION Grant permission subject to the following conditions:**

1.  
The development must be begun before the expiration of three years from the date of this permission.

#### **Reason**

To comply with section 91 of the Town and Country Planning Act 1990.

2.  
The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Plan PLN Rev C 003

Elevations and Floor Plans PLN REV C 002.

#### **Reason**

For the avoidance of doubt and in the interests of proper planning.

3.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning space serving it have been completed and, once provided, the vehicle parking and manoeuvring space shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

4.

Any proposed dwelling shall not be occupied until the private driveway has been constructed, in accordance with the approved details, up to the junction of the vehicular access serving it.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

5.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

6.

Construction, demolition and site clearance operations shall be limited to the following days and hours:

- 8am to 6pm Monday to Friday

- 8am to 1pm on Saturdays.

No construction, demolition or site clearance operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.



Reason

To protect residential amenity and to accord with policy DS1 of the North Lincolnshire Local Plan.

7.

The ground floor of the properties hereby approved shall be used as entrance porch and hall, utility room, storage, bathroom and/or garage (and as annotated on approved drawing DN19-1953, PLN-C-002) and for no other, habitable, accommodation. The first-floor living accommodation shall be at a level of at least 2.6 metres above ground level as shown on approved drawing DN19-53, PLN-B-003. These mitigation measures shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

In accordance with the details of the application and to ensure there is no sleeping or vulnerable living accommodation on the ground floor to protect the inhabitants of the property from the risk of flooding in accordance with the National Planning Policy Framework.

8.

Prior to occupation, and notwithstanding the approved plans, a scheme for the treatment of boundaries shall be submitted to and agreed in writing with the local planning authority and, once implemented, shall thereafter be retained.

Reason

In the interest of character and to accord with policy CS6 of the Core Strategy.

9.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development normally permitted under parts A to E (inclusive) of Part 1 Schedule 2 shall be allowed without prior consent from the local planning authority.

Reason

To minimise the impact of the development on the historic environment in accordance with policy CS6 of the Core Strategy.

10.

Prior to occupation, a scheme for the management of surface water shall be submitted to and agreed in writing with the local planning authority. Once implemented, it shall thereafter be retained.

Reason

In the interest of flooding and to accord with policy CS19 of the Core Strategy.

11.

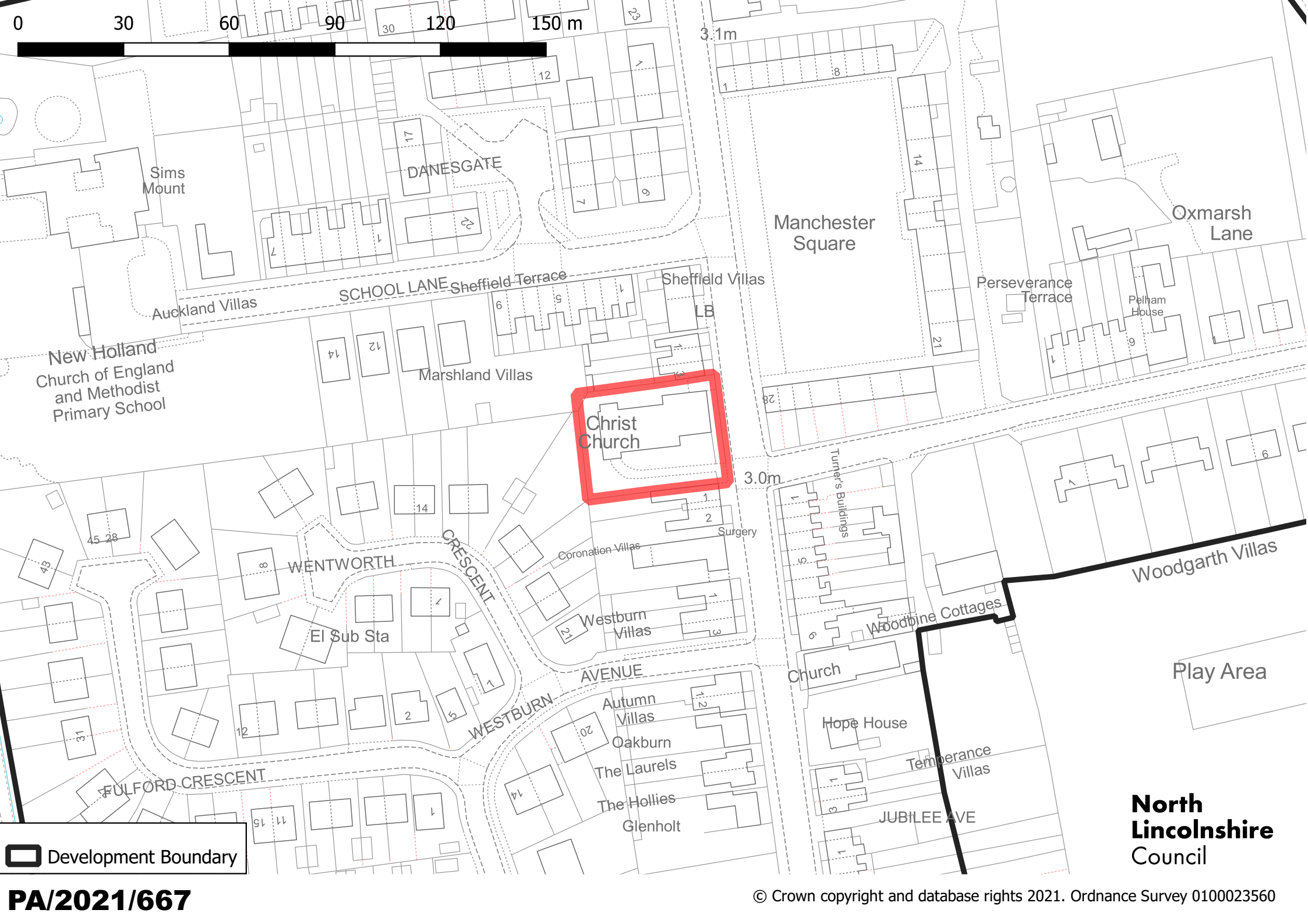
No conversion works of Christ Church shall take place until the applicant, or their agents, or their successors in title have provided information on the details, location and methodology for recording of the war memorial plaques. The information should be submitted by the applicant and approved in writing by the local planning authority.

## Reason

In the interest of the historic environment and to accord with policy CS6 of the Core Strategy.

## **Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



0 30 60 90 120 150 m

New Holland Church of England and Methodist Primary School

Christ Church

North Lincolnshire Council

Development Boundary

PA/2021/667

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# PA/2021/667 Proposed elevations and plans (not to scale)

**AMENDED**

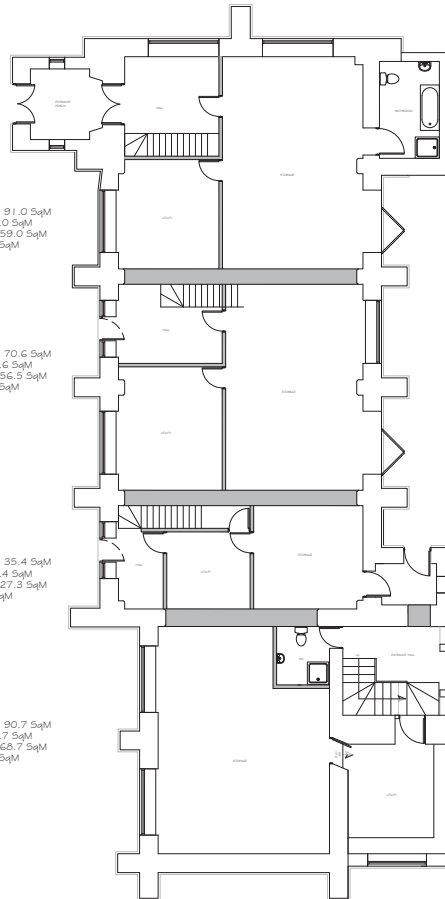


Front 'South' Elevation  
As Proposed

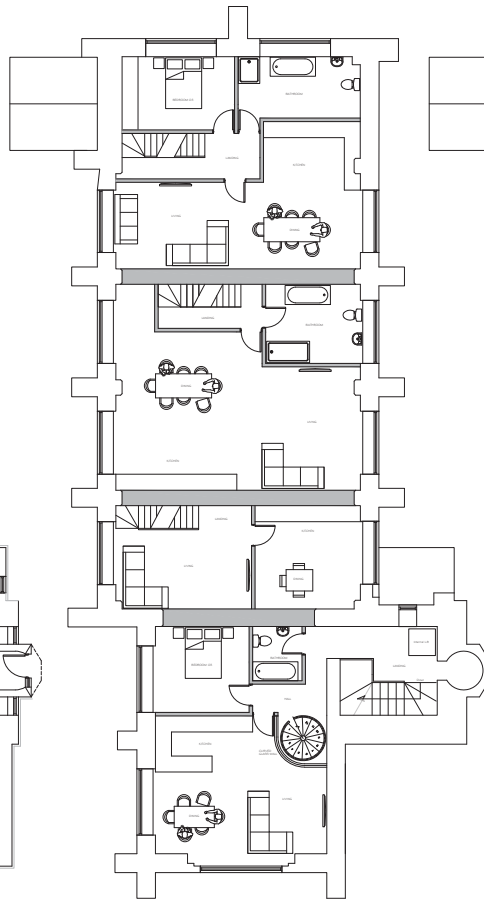


Rear 'North' Elevation  
As Proposed

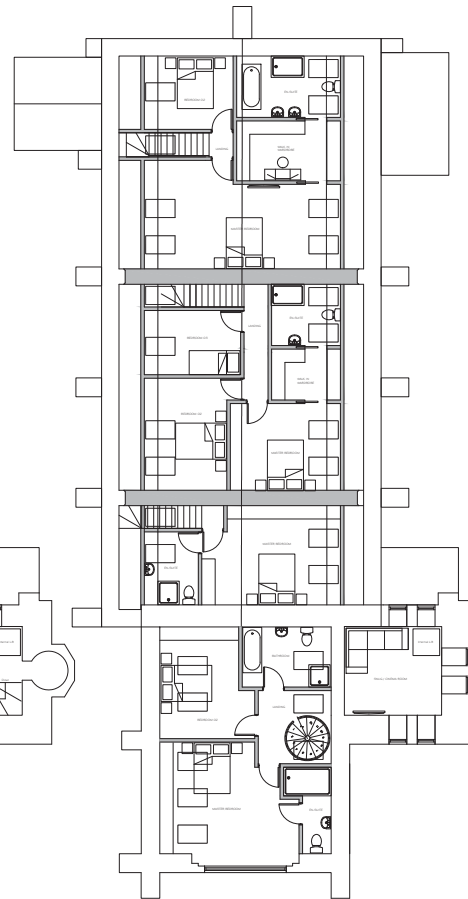
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Ground Floor  
As Proposed



First Floor  
As Proposed



Second Floor  
As Proposed



Side 'East' Elevation  
As Proposed



Side 'West' Elevation  
As Proposed

Plot 01  
3 Bed House  
Ground Floor : 91.0 SqM  
First Floor 72.0 SqM  
Second Floor 59.0 SqM  
Total: 222.0 SqM

Plot 02  
3 Bed House  
Ground Floor : 70.6 SqM  
First Floor 70.6 SqM  
Second Floor 56.5 SqM  
Total: 197.7 SqM

Plot 03  
1 Bed House  
Ground Floor : 35.4 SqM  
First Floor 35.4 SqM  
Second Floor 27.3 SqM  
Total: 98.1 SqM

Plot 04  
3 Bed House  
Ground Floor : 90.7 SqM  
First Floor 68.7 SqM  
Second Floor 68.7 SqM  
Total: 228.1 SqM



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Chris Church, Barrow Road, New Holland,  
DN19 7RN

PROJECT TITLE  
Proposed Conversion of Church to  
Residential

DRAWING TITLE  
Plans as Proposed

DRAWING PHASE			
SCALE	DATE	DRN	LOB
Various @ A1	01/07/20	BY	REV
	NOTES		
	01/07/20 Issuing Statement	LOD	A
	01/07/20 Issuing Amendments	LOD	B
	01/07/20 Issuing Amendments	LOD	C

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1:100

Project no: DN19-1953 Stage: PLN Rev: C Sh: 002