

<b>APPLICATION NO</b>	<b>PA/2021/1860</b>
<b>APPLICANT</b>	Mr Rahmen
<b>DEVELOPMENT</b>	Planning permission for a change of use of existing Methodist chapel to form two three-bedroom apartments with associated works
<b>LOCATION</b>	Westwoodside Methodist Church, Nethergate, Westwoodside, DN9 2DR
<b>PARISH</b>	Haxey
<b>WARD</b>	Axholme South
<b>CASE OFFICER</b>	Martin Evans
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Haxey Parish Council

## **POLICIES**

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

Paragraph 4 states, 'The Framework should be read in conjunction with the Government's planning policy for traveller sites, and its planning policy for waste. When preparing plans or making decisions on applications for these types of development, regard should also be had to the policies in this Framework, where relevant.'

Paragraph 7 states, 'The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

Paragraph 8 states, 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- (a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- (b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built

environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and

- (c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

Paragraph 9 states, 'Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.' It also explains that the three overarching objectives are not criteria against which every decision can or should be judged.

Paragraph 10 states that at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, for decision-taking, this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:
  - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

Paragraph 38 states, 'Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.'

Paragraph 47 makes clear that 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.'

Paragraph 130 states, 'Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 203 states, 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

**North Lincolnshire Local Plan:** H5, T2, T19, DS1

**North Lincolnshire Core Strategy:** CS1, CS2, CS3, CS5, CS6, CS17, CS22

## **CONSULTATIONS**

**Highways:** Support the proposal subject to conditions and an informative.

**LLFA Drainage:** Support the proposal and recommend conditions to secure details preventing water leaving the site and entering the highway and vice versa.

**Conservation:** Object due to the need for design changes to the extension side windows. There is no objection in principle to altering the rear extension as it is set back into the site when looked at the key view as you travel north-easterly up Nethergate. The main chapel building is large and will still be the dominant visual form. Importantly it is not being altered as part of this application. There is no objection to the removal of the side wall; whilst there is some harm it can be justified to enable the residential conversion and the long-term survivability of the chapel. However, I would recommend a design change that the first-floor windows on the raised extension (side) are altered to match the ground-floor arched windows. The proposed plain rectangular windows create an appearance associated with a house and detract from the character and appearance of the chapel.

**Archaeology:** Recommends historic building recording via condition.

**Environmental Protection:** Recommend an asbestos condition.

**Ecology:** If areas with bat potential are to be repointed as part of this development, an emergence survey is needed prior to determination. If not, a condition can be attached preventing such works until a survey has been carried out and submitted.

**Severn Trent Water:** Provides a reminder of Building Regulation requirements for surface water and advises a foul water informative.

## **PARISH COUNCIL**

Objects:

'Access is onto Nethergate at a pinch point, further vehicle access will only exacerbate road safety. Nethergate, a narrow and essentially single-track road, has become a major traffic concern with a number of blind spots. Parking for 5 cars is questionable and whilst it may appear feasible on paper in reality the layout would create major difficulty parking 5 vehicles due to the congestion caused by its locality close to the village hall and school. Amenity space is vague. We believe either a proper legal document should be drawn up to ensure both amenity space and access are guaranteed or the site benefits from ownership of such spaces. To protect amenity space in the future. The proposal for two dwellings into this small "tight" site with the inherent lack of parking and amenity space as outlined above does appear to be over-development. The number of bedrooms is considered too many and at the expense of the overall sizes of the bedrooms themselves. The façade should be maintained to the front of the building.'

## **PUBLICITY**

A site notice has been displayed. Two letters of objection have been received which are summarised as follows:

- Good to see the building saved but it is really proposed to change to two three-bedroomed semi-detached properties.
- Insufficient amenity space for two family homes.
- Car parking area is part of the land belonging to the property to the rear. It may result in on-street parking on a busy street near a school.
- One dwelling would be better for residents and future occupiers.
- Semi-listed church has never been a home and should not be turned into a house that increased vehicle movements.
- A wooden building has already been erected without planning permission.
- Bats live in the eaves and no bat intervention has been requested by the council or bat boxes put up.
- The owner has not dealt with render that is falling off.
- Inspection drains are buried under plastic and stones.

## **ASSESSMENT**

### **Planning history**

There is no relevant history to the site.

## **Site characteristics**

The application site comprises a detached disused Methodist chapel. The site is in a residential area and the blue line on the site location plan indicates the applicant owns the adjacent dwellings (11 and 11a Nethergate). There is a public right of way directly to the east of the site. The application site is within the Westwoodside development limit. The existing building is considered to be a non-designated heritage asset.

## **Proposal**

Planning permission is sought to change the use of the chapel to two three-bedroomed dwellings and to increase the height of the existing rear projection. The existing toilet and side wall would be demolished. Four car parking spaces are proposed within the application site that would be accessed via the existing dropped kerb.

## **The following considerations are relevant to this proposal:**

- **principle**
- **design and heritage impacts**
- **residential amenity**
- **highways**
- **ecology.**

## **Principle**

Westwoodside is a rural settlement within the Core Strategy hierarchy. Policy CS1 supports rural settlements 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 adopts a sequential approach to development, the third being small-scale developments within the defined development limits of rural settlements to meet identified local needs. The site is within the development limit referred to in policy CS3 and defined in the HELAP DPD.

Policy CS22 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.' NPPF paragraph 93 requires decisions to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. The church is vacant and has been sold to a third party by the Methodist Church indicating a decline in demand. The loss of the Methodist chapel accords with these policies because St Nicholas Church and Haxey Methodist Chapel provide local alternatives.

This series of policies supports the principle of development.

## **Design and heritage impacts**

Policy DS1 requires that a 'high standard of design is expected' and identifies that proposals will be considered against two criteria:

- (i) the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area; and
- (ii) the design and layout should respect and where possible retain and/or enhance the existing landform of the site.

Policy CS5 of the North Lincolnshire Core Strategy is also relevant. It states, '...All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place' and 'Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.'

Policy CS6 seeks to protect, conserve and enhance North Lincolnshire's historic environment. NPPF paragraph 203 requires the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The proposed rear roof extension would be subservient to the principal frontage and, following amendments, the new window design reflects the existing below and is appropriate. This addresses the conservation officer's objection. Demolition of the existing side wall and outbuilding are acceptable. The scale of the proposed extension is appropriate to the building and would use matching materials. Details of the external finishing materials are secured by condition. There is a mix of traditional historic and UPVC windows present on the building. The application is unclear as to whether and how these would be replaced. It is necessary to condition that any window and door alterations and replacements are first agreed with the local planning authority. The proposal would ensure the long-term maintenance of this non-designated heritage asset. The council's archaeologist recommends historic building recording is secured by condition, noting the absence of such a document within the application. The design and heritage impacts are acceptable.

## **Residential amenity**

Policy DS1 requires '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.'

The proposal would not provide garden space for future residents. However, such Methodist chapels often have little land associated with them and the overriding consideration is the preservation of the building. The nature of the proposed accommodation is considered appropriate.

The proposed relationship of the windows with 11a Nethergate is appropriate because said neighbour has a blank single-storey front elevation facing the application site and the proposed first-floor window in the extension is shown as having frosted glass to prevent overlooking. There would be a gap of 8.5m between the proposed extension and the main

two-storey element of 11a Nethergate which would prevent harmful overbearing impact or loss of light. The proposed extension projects approximately 1.5m to the rear of 15 Nethergate with a remaining gap of 4.5m, including the public right of way. The extension is 18m from 11 Nethergate which is acceptable.

A condition prevents new openings being added to the property without planning permission to prevent harmful overlooking. Environmental Protection recommends an asbestos condition; however, this is dealt with under separate legislation and is unnecessary.

The impact upon residential amenity is acceptable subject to conditions.

## **Highways**

Policies T2 and T19 are concerned with appropriate vehicle parking provision and access. At least four car parking spaces would be provided with access from the existing dropped kerb. This is appropriate. Highways raise no objection.

The LLFA recommends drainage conditions to secure details preventing water leaving the site and entering the highway, and vice versa. These are necessary given the new parking space provision.

Highways request conditions securing access improvements; no loose material on the driveway; provision of access and parking prior to occupation; parking and turning shall not be used until the access serving it has been completed.

Highways do not specify what access improvements are required. The existing access serves two properties and adding a third to this is not considered to require improvements. There is already loose material on the driveway. The access is already in place but it is necessary to ensure the parking spaces are available prior to occupation. The turning space is already partially in use by the existing properties.

Highway impacts are acceptable.

## **Ecology**

Policy CS17 requires consideration of protected species potential. The proposal entails partial demolition of the roof structure of an old church building. Natural England standing advice is clear that where there is bat potential that must be considered. There are anecdotal reports from a neighbour that bats enter the eaves. The submitted ecological appraisal concludes there is some bat roost potential within cracked brickwork at two locations on the building. The council's ecologist considers it is possible to condition that no repointing takes place until surveys have been submitted to the council. The applicant has agreed this is their intended course of action.

Ecological matters are acceptable subject to condition.

## **Conclusion**

The principle of development is considered to be acceptable as alternative places of worship are available and residential use accords with relevant development plan policies. External alterations are well designed and appropriate, as are the heritage impacts. No

harm would arise to residential amenity. Highway and ecological impacts are acceptable. It is recommended that planning permission is granted.

### **Pre-commencement condition**

This has been agreed by the applicant.

### **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:

- 001 Rev A
- 003 Rev B.

#### **Reason**

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

3.  
Prior to their use in the development hereby permitted, details of the external finishing materials shall be submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the approved details.

#### **Reason**

To ensure an appropriate finish is achieved on this non-designated heritage asset.

4.  
Prior to the use of the parking spaces, details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway shall be submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the parking facilities being brought into use and thereafter so retained.

#### **Reason**

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

5.  
Prior to the use of the parking spaces, details showing an effective method of preventing surface water run-off from the highway onto the developed site shall be submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the parking facilities being brought into use and thereafter so retained.



Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

6.

No dwelling on the site shall be occupied until the vehicle parking serving it has been completed and, once provided, the vehicle parking 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.

7.

There shall be no replacement or alteration of existing external windows and doors of the building unless details have been submitted to and approved in writing by the local planning authority. Any replacements or alterations shall take place in accordance with the details approved.

Reason

To preserve the character and appearance of this non-designated heritage asset.

8.

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no new windows, doors or other form of openings shall be added to any elevation or roof slope of the building unless details have been submitted to and approved in writing by the local planning authority. Any such alterations shall take place in accordance with the details approved.

Reason

To prevent unacceptably harmful mutual overlooking between the proposal and neighbouring residents, and to preserve the character and appearance of this non designated heritage asset.

9.

No alteration shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological mitigation strategy comprising a historic building record, to be defined in a written scheme of investigation that has been submitted to, and approved in writing, by the local planning authority. The strategy shall accord with a brief provided by North Lincolnshire Historic Environment Record equivalent to Historic England's Level 2 building survey and shall include details of the following:

- (i) measures and methodologies to ensure the preservation by record of the historic structure, building fabric and fittings
- (ii) report and archive content
- (iii) archive preparation and deposition with recognised repositories, including the ADS

- (iv) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the recording work is undertaken and completed in accordance with the strategy
- (v) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of recording works and the opportunity to monitor such works
- (vi) personnel involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan as the buildings are a heritage asset of local historic value. Alterations will result in the loss of historically significant evidence and the proposed historic building record will ensure that such evidence is appropriately recorded and a permanent archive created.

10.

The applicant shall notify the local planning authority in writing of the intention to commence the historic building recording at least one week/seven days before commencement. Thereafter, the recording shall be carried out in accordance with the approved details and timings.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan as the buildings are a heritage asset of local historic value. Alterations will result in the loss of historically significant evidence and the proposed historic building record will ensure that such evidence is appropriately recorded and a permanent archive created.

11.

The historic building report shall be deposited at the North Lincolnshire Historic Environment Record and the archive at the North Lincolnshire Museum within six months of commencement of the recording or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with paragraph 205 of the National Planning Policy Framework, policy CS6 of the Core Strategy and policy HE9 of the North Lincolnshire Local Plan as the buildings are a heritage asset of local historic value. Alterations will result in the loss of historically significant evidence and the proposed historic building record will ensure that such evidence is appropriately recorded and a permanent archive created.

12.

No works affecting the potential bat roost features identified in section 3.3.3 and Figure 10 of the submitted Preliminary Bat Roost Assessment dated February 2022 shall be permitted until a bat activity survey has been carried out, results reported to the local planning authority and any necessary European protected species licences obtained.

## Reason

To ensure no harm to bats in accordance with policy CS17 of the Core Strategy.

### **Informative 1**

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.

### **Informative 2**

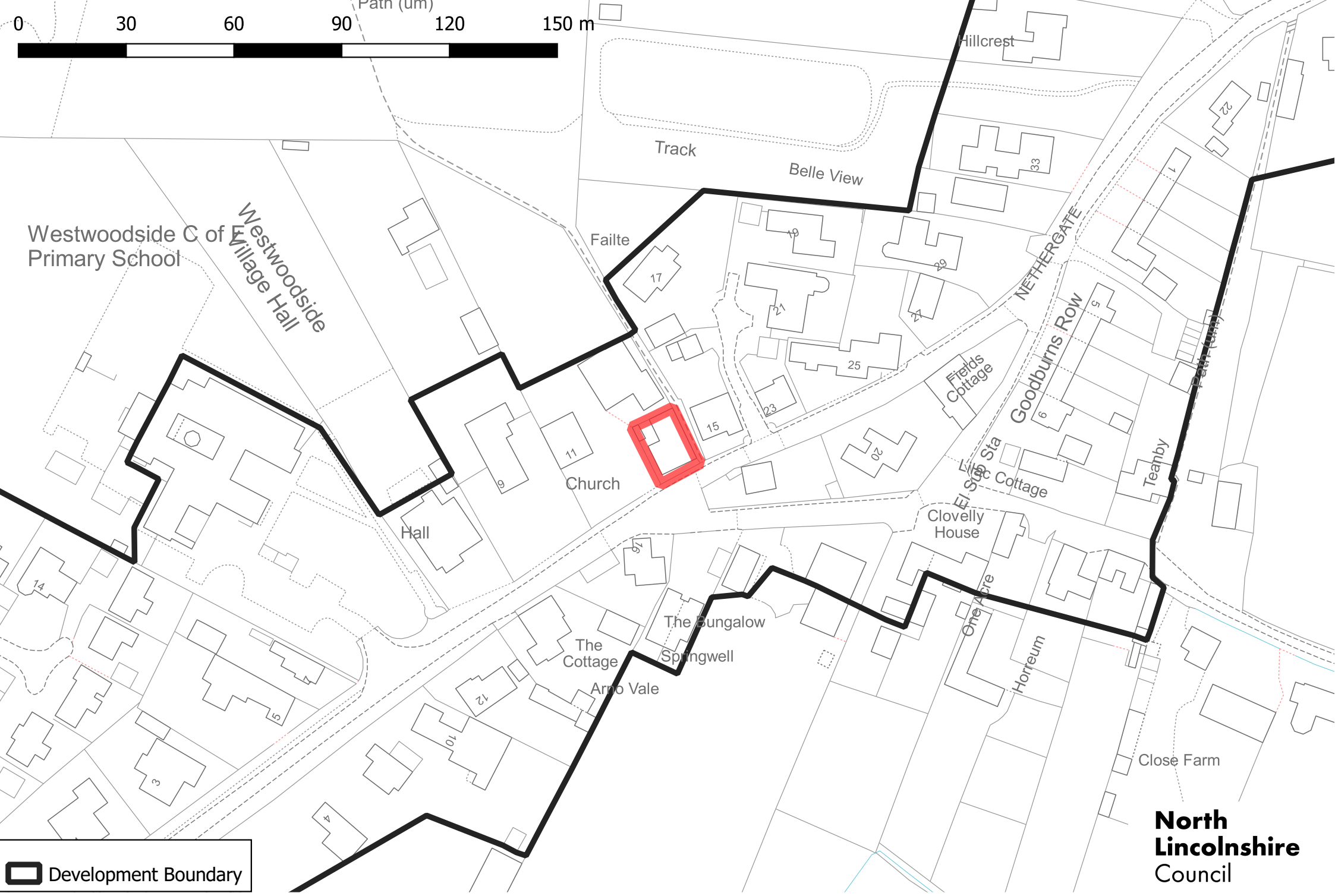
The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

### **Informative 3**

Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Severn Trent under Section 106 of the Water Industry Act 1991. They may obtain copies of their current guidance notes and application form from either their website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting their Developer Services Team (tel 0800 707 6600).

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you in obtaining a solution which protects both the public sewer and the building.



 Development Boundary

**PA/2021/1860**

**North  
Lincolnshire  
Council**

# PA/2021/1860 Proposed layout (not to scale)



**LOCATION MAP**  
SCALE 1:1250



**EXISTING SITE PLAN**  
SCALE 1:500



**PROPOSED SITE PLAN**  
SCALE 1:500

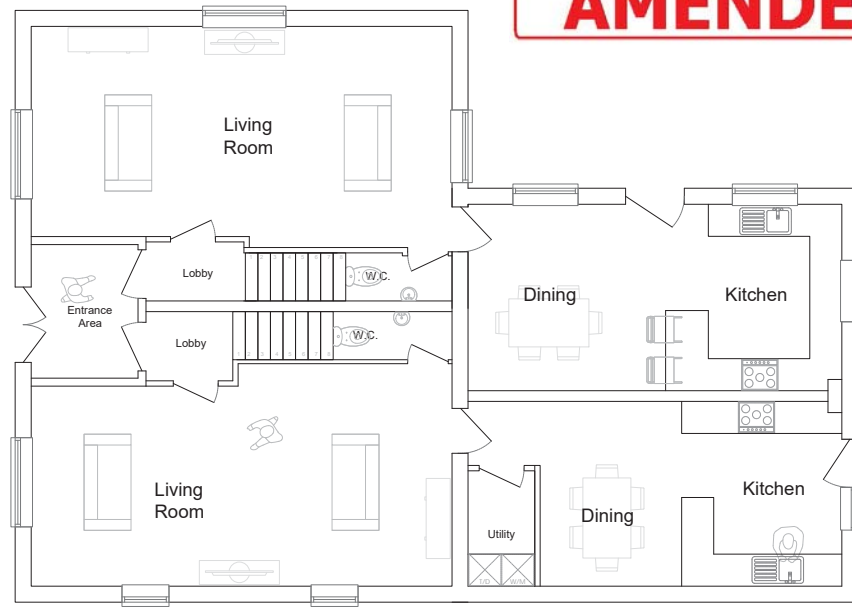
Project Name: **Change of use into 2 dwellings**  
 Project Address: **Methodist Chapel, Nethergate, Westwoodside DN9 2DR**

Drawing Title: **Location Map and Site Layout**  
 Drawn: **CH** Checked: **KD** Approved: **CH**

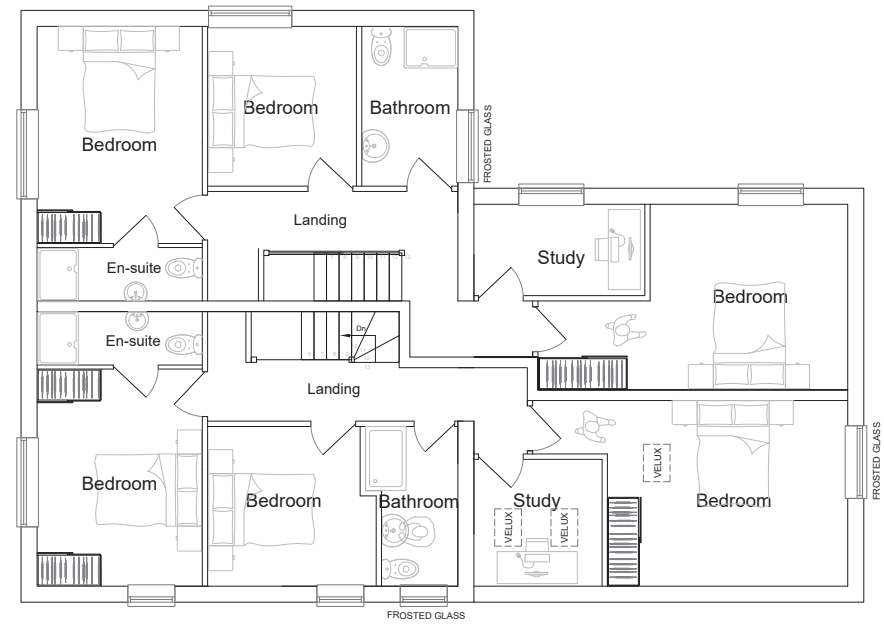
Date: **Sep 2021** Rev: **A**  
 Scale: **1:50 & 1:100 @ A1**

# PA/2021/1860 Proposed plans and elevations (not to scale)

**AMENDED**



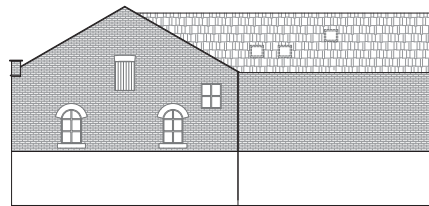
**GROUND FLOOR PLAN**



**FIRST FLOOR PLAN**



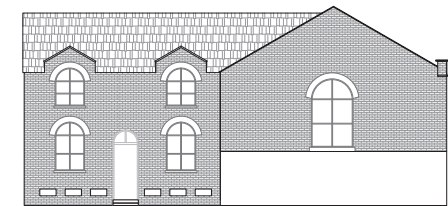
**FRONT ELEVATION**



**SIDE ELEVATION**



**REAR ELEVATION**



**SIDE ELEVATION**

Project Name: **Change of use into 2 dwellings**  
 Project Address: **Methodist Chapel, Nethergate, Westwoodside DN9 2DR**  
 Drawing Title: **Proposed Plans & Elevations**  
 Drawn: **CH** Checked: **KD** Approved: **CH**

Date: **JULY 2021** Rev: **B**  
 Scale: **1:50 & 1:100 @ A1**

Drawing No. **003**

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