

**Parish: Topcliffe**  
Ward: Sowerby and Topcliffe  
**14**

Committee Date: 3 March 2016  
Officer dealing: Mr A Cunningham  
Target Date: 11 December 2015

**15/00823/FUL**

**Change of use and internal alterations to existing chapel to form 3 apartments  
at Topcliffe Methodist Church, Church Street, Topcliffe  
for The Methodist Church Thirsk & Northallerton Circuit**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The application site comprises a Grade II Listed Building (circa 1840), originally constructed as the Wesleyan Methodist Church and remained as a Place of Worship until 2014. It is understood the building has remained vacant since this time. The site also contains a small area of private garden to the immediate south. The site occupies a prominent position on the junction of Long Street and Church Street, abutting neighbouring residential plots to the immediate north and east. The Church is of brick built construction; dual pitched roof and natural slate roof covering.
- 1.2 The external works are limited to the installation of five conservation style roof lights to the northern roof plane and to increase the height of the chimney stack to the eastern elevation to allow it to draw more efficiently.
- 1.3 The internal space is to be remodelled by means of a series of partitions to create two units at ground floor level. A new floor structure would be introduced at both first and second floor level, with the space subdivided by further partitions to create the third unit across the two upper floors.

**2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 15/00824/LBC - Listed Building Consent for internal alterations to existing chapel to form three apartments - Decision pending.

**3.0 NATIONAL AND LOCAL POLICY**

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP2 - Access  
Core Strategy Policy CP3 - Community assets  
Core Strategy Policy CP4 - Settlement hierarchy  
Core Strategy Policy CP8 - Type, size and tenure of housing  
Core Strategy Policy CP9 - Affordable housing  
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
Core Strategy Policy CP17 - Promoting high quality design  
Core Strategy Policy CP21 - Safe response to natural and other forces  
Development Policies DP1 - Protecting amenity  
Development Policies DP2 - Securing developer contributions  
Development Policies DP3 - Site accessibility  
Development Policies DP4 - Access for all  
Development Policies DP5 - Community facilities  
Development Policies DP8 - Development Limits  
Development Policies DP10 - Form and character of settlements  
Development Policies DP13 - Achieving and maintaining the right mix of housing  
Development Policies DP15 - Promoting and maintaining affordable housing

Development Policies DP28 - Conservation  
Development Policies DP32 - General design  
Development Policies DP43 - Flooding and floodplains  
National Planning Policy Framework

#### **4.0 CONSULTATIONS**

- 4.1 Topcliffe Parish Council - would like to recommend refusal for the alterations to the chapel. There are no parking spaces for cars, six parking spaces would need to be provided. There is also no space allocated for waste. Bins would need access over a neighbouring drive, if bins were left on this drive access down it would be prevented. A neighbour who was present at the meeting also stated she had not been given notice of the application.
- 4.2 Highway Authority - No parking is available within the curtilage for this proposal. In the submitted design and access statement it states "there is no car parking and cars will be parked on the road on Church Street (before the road narrows) and on the off street hardstanding area opposite on Long Street". These areas are already well used for parking by existing residents who do not have the benefit of off-street parking. As a consequence it is considered likely that residents of this proposed development would park outside the chapel around the junction of Church Street/Long Street where visibility and carriageway width are already restricted. The Local Highway Authority recommends that Planning Permission is refused.
- 4.3 Environmental Health Officer - No objections or recommendations.
- 4.4 Four letters of representation have been received. Those comments are summarised as follows:
- No objection to the development of the building as something needs to be done;
  - No parking spaces are provided. This would pose a problem for occupiers of new units and surrounding occupiers, construction vehicles, plant and machinery;
  - There is no guaranteed parking on Long Street or Church Street; and
  - If a suitable parking solution was put in place, the application would be welcomed.

#### **5.0 OBSERVATIONS**

- 5.1 Local and national policies seek to promote sustainable development which will enhance or maintain the vitality of rural communities. Moreover, there is a strong policy emphasis to adequately protect amenity and to preserve and enhance the special interest of heritage assets. In addition, to the issue of principle, the application raises issues in respect of (i) the loss of a community facility; (ii) affordable housing policy; (iii) amenity; (iv) heritage; (v) flooding; and (vi) highway safety.

##### Principle of Development

- 5.2 The policy emphasis within the LDF is to concentrate development within defined Development Limits and the NPPF seeks to avoid the introduction of isolated homes in the countryside. The application site is situated wholly within the Development Limits of Topcliffe wherein development is permissible in principle under LDF policies.

##### Loss of Community Facility

- 5.3 The LDF seeks to encourage more sustainable settlements and communities. This is

secured in part by the provision of facilities such as village halls, schools, nurseries, places of worship, public houses and post offices, all of which play an important role in the social and cultural infrastructure of a settlement. The LDF places a presumption against the loss of such community assets. However, exceptions may be considered under the following criteria of policy DP5:

- i there is a demonstrable lack of community need for the facility, and the site or building is not needed for an alternative community use; or
- ii retention of the community facility is clearly demonstrated not to be financially viable when operated either by the current occupier or by any alternative occupier; or
- iii an alternative facility is provided, or facilities are combined with other facilities, which meets identified needs in an appropriately accessible location.

5.4 In this instance Topcliffe is served by a range of community facilities inclusive of St Columba's Church, which lies to the immediate west; the village hall to the north east and a public house, post office and surgery, all of which are located in close proximity on the southern side of Long Street.

5.5 The application is made by the Methodist Church and it is considered that they Church is well placed to determine whether the chapel in Topcliffe is necessary to meet the needs of the Methodist community and whether an alternative Place of Worship can meet the needs of the local community. It is acknowledged that the Methodist Church and Church of England share resources and it is considered that the availability of St Columba's Church, combined with a range of other facilities, as outlined above, are such that the loss of the former Methodist Church is considered to be acceptable on this occasion and permissible under the LDF Core Strategy Policy CP2 and Development Policy DP5.

#### Affordable Housing

5.6 LDF Core Strategy Policy CP9 seeks to maximise affordable housing provision from all residential developments of 2 dwellings or more outside of Service Centres, subject to negotiation taking account of viability and the economics of provision. The relevant proportion of affordable housing applicable on this occasion is 40%. This equates in real terms to one of the three units being allocated for affordable housing with the remaining quota (approximately 6.66%) being secured by a developer contribution. The applicant's appointed agent has provided confirmation of their agreement to the above.

#### Amenity

5.7 Development Policy DP1 requires that all development proposals adequately protect neighbouring land users in terms of privacy, security, noise, disturbance, pollution, odours and light.

5.8 The proposed use of the premises for residential purposes is consistent with the established characteristics of the area. In turn, the relationship of the building, position of existing openings relative to neighbouring land users and the limited nature of the external changes are such that the development is not considered to be prejudicial to amenity.

5.9 In response to concerns voiced in respect of waste an allocated bin store is to be provided to the north east, within the envelope of the building.

#### Heritage

- 5.10 The key test under LDF Core Strategy Policy CP16 and Development Policy DP28 is to preserve and enhance all aspects of a heritage asset which contribute to its character and appearance. These matters are considered in further detail in the Listed Building Consent application that is to be determined under delegated powers. In turn Policies CP17 and DP32 place a strong emphasis upon the need to secure a high standard of design. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in determining a planning application for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority's planning function special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The National Planning Policy Framework at paras 133 and 134 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset and requires that harm should be weighed against the public benefits of the proposal, including securing the optimum viable use of the building
- 5.11 The building is designated as a Listed Building Grade II wherein it is included for its group value. It is the external features of the building, inclusive of the red brick in Flemish bond, welsh slate roof, central double leaf four panel door and round headed sash windows which are noted to be of special interest. The proposals seek to retain and make good these original features.
- 5.12 The proposed roof lights to the northern roof plane are designed to provide a source of natural light, forming a series of modest breaks within the roof plane. The detailing of the roof lights, finished flush to the plane of the roof, is considered to be appropriate to the historic significance of the building.
- 5.13 The chimney stack to the east has been the subject of a previous alteration. The proposals specify a 600mm increase in the height to allow the stack to draw more efficiently. This is likely to be consistent with the original, historic form. Consequently no objections are raised.
- 5.14 The works to facilitate the conversion are concentrated internally. No features of recorded value would be lost.
- 5.15 In light of the limited amenity space the use of the building as self-contained apartments is considered to be logical, as opposed to that of a family home.
- 5.16 The sympathetic and modest nature of the proposed works are such that the scheme is considered to preserve the special interest of this Listed Building whilst promoting a high standard of design in accordance with LDF Core Strategy Policies CP16 and CP17 and Development Policies DP28 and DP32.

#### Flooding

- 5.17 The application site is situated outside of any Flood Zone as designated by the Environment Agency Flood Map. Consequently the development has an acceptably low risk of being affected by flooding, in accordance with LDF Core Strategy Policy CP21 and Development Policy DP43.

#### Highway Safety

- 5.18 Core Strategy Policy CP2 and Development Policies DP3 and DP4 seek, in part, to achieve minimum levels of car parking commensurate with road safety. As noted

within section 4.0 of this report concerns have been expressed by local residents and the Highway Authority regarding the lack of any off street parking within the site and the impact this is likely to have upon existing residents and the safety of road users.

- 5.19 Firstly, it should be noted that the site in its present form has no designated off-street parking and the former use of the premises as a place of worship is likely to have generated a number of vehicular movements. Moreover, the former Methodist Church is defined under The Town and Country Planning (Use Classes) Order 1987 as a Non-Residential Institution (Use Class D2) wherein the premises could be occupied for an alternative purpose such as a clinic, nursery, creche or training centre without the need for planning permission. The use of the premises for such purposes would be likely to generate a significant number of vehicular movements. Consequently, the Council must be mindful of the established use of the premises, the potential use of the premises and the vehicular movements associated with those uses.
- 5.20 With the above in mind it is regrettable that the proposed scheme is unable to make provision for off street parking. The proposed use of the premises, to house three self-contained residential units, would not be likely to generate a greater number of vehicular movements than that which would otherwise be created by the former Methodist Church or an alternative Non-Residential Institution (Use Class D2) but would spread them over a more regular daily pattern of activity rather than intensely concentrated at specific times as could be the case with the established or potential use of the premises. The behaviour of vehicle users would also differ. Attendees of the Church or potential alternative uses would be likely to accept the lack of on-site vehicular parking and that a degree of walking would be required. Occupiers of the residential use would most likely wish to park their vehicles nearer the site. The highway infrastructure surrounding the site includes few parking or waiting restrictions therefore the potential for stationery vehicles to impede the flow of traffic is high.
- 5.22 In light of the above the scheme is considered to be prejudicial to highway safety on the grounds that the development would be likely to result in vehicles being parked outside the site on the highway to the detriment of the free flow of traffic and road safety. The highway safety implications of the development are so severe that they outweigh all other matters and despite the benefits associated with the re-use of a listed building and the creation of dwellings these benefits do not override the need to protect the safety of highway users. The application is therefore considered to be contrary to the LDF Policies CP1, DP3 and DP4

## **6.0 RECOMMENDATION:**

- 6.1 That subject to any outstanding consultations the application is **REFUSED** for the following reason:
1. In the absence of adequate on-site parking space the proposed development would be likely to result in vehicles being regularly parked outside the site on the highway to the detriment of the free flow of traffic and road safety, contrary to policies CP1, DP3 and DP4 of the Hambleton Local Development Framework.