

**Parish: Sandhutton**  
Ward: Thirsk  
**10**

Committee Date: 10 November 2016  
Officer dealing: Mr T J Wood  
Target Date: 17 November 2016

a) **16/01446/FUL**

**Alterations and change of use of former Methodist Chapel to a dwellinghouse**

b) **16/01447/LBC**

**Listed Building Consent for alterations and change of use of Methodist Church to a dwellinghouse**

**At Methodist Chapel, Sandhutton  
For The Methodist Church**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The site lies within the village of Sandhutton, set back from the village street by intervening space of the village green. The position of the chapel is within what appears as a relatively unbroken terrace and slightly elevated from the village green. The building is on broadly the same elevation as the neighbouring dwellings to east and west.
- 1.2 To the east side of the chapel there is an access to a dwelling that is attached to the rear of the chapel building. Further to the south there is land that is associated with the chapel.
- 1.3 The proposal seeks to convert the existing listed chapel to form a single dwelling by internal alterations that includes the provision of a first floor and the removal of pews. The internal space is also proposed to be unaltered at ground level and subdivided to form 3 bedrooms and bathrooms at first floor level.
- 1.4 There is no space accessible within the proposed layout for parking of vehicles. Space on the roadside and on a track in front of dwellings on the village green is commonly used for parking.
- 1.5 The land to the south of the dwelling is proposed to form garden space with a modest garden to the existing cottage and a more extensive but detached area of garden to serve the dwelling formed by the conversion of the chapel.
- 1.6 Additional information has been supplied to show how the existing and proposed dwellings can achieve bin storage and how the glazing in the rear of the chapel can be obscured to reduce the potential for a significant loss of privacy to the existing cottage.
- 1.7 The site lies within the Conservation Area of Sandhutton. The site lies outside of Development Limits. The settlement of Sandhutton was included as a Secondary Village within the Settlement Hierarchy 2014. As the chapel is a listed building (and the attached Chapel Cottage to the rear is a curtilage building) and the works include physical alterations to the building, as well as a change of use, both planning and listed building consent are required.

**2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 There is no relevant planning history.

### **3.0 RELEVANT PLANNING POLICIES**

3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP2 - Access  
Core Strategy Policy CP4 - Settlement hierarchy  
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
Core Strategy Policy CP17 - Promoting high quality design  
Development Policies DP1 - Protecting amenity  
Development Policies DP3 - Site accessibility  
Development Policies DP4 - Access for all  
Development Policies DP5 - Community facilities  
Development Policies DP28 - Conservation  
Development Policies DP32 - General design  
Interim Policy Guidance Note - adopted by Council on 7th April 2015

### **4.0 CONSULTATIONS**

- 4.1 Sandhutton Parish Council - 'No observations', recommend for approval.
- 4.2 Highway Authority – recommends a condition relating to the storage areas during construction work.
- 4.3 Scientific officer (contaminated land) – The proposal does not identify any potential sources of contamination, no objection.
- 4.4 Environmental Health Officer – No objection.
- 4.5 Public comment – None received.

### **5.0 OBSERVATIONS**

- 5.1 The main planning issues are those of (i) the principle of the conversion of a building to a residential use and whether the location and access to services, loss of a place of worship is sustainable in the terms of the LDF policies; and (ii) the impact on the heritage assets of the Listed Building and Conservation Area. Other matters of design, access and highway safety, and amenity are also to be considered.

#### Principle of development

- 5.2 The site lies outside of the Development. LDF policies CP1 and CP2, (which relate to sustainable development and minimising the need to travel) set a general presumption against development beyond Development Limits but policies CP4 and DP9 allow that planning permission can be granted where one or more of six exceptional circumstances are met. The proposal would lead to the conservation of a feature of acknowledged importance and can be considered under the provisions of CP4 ii. However it is also appropriate to consider more recent national policy in the form of the National planning Policy Framework (NPPF) published in March 2012. Paragraph 55 of the NPPF states:

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances".

- 5.3 To ensure appropriate consistent interpretation of the NPPF alongside policies CP4 and DP9, on 7 April 2015 the Council adopted Interim Policy Guidance (IPG) relating to Settlement Hierarchy and Housing Development in the Rural Areas. This guidance is intended to bridge the gap between CP4/DP9 and the NPPF and could boost overall housing supply and affordable housing provision within the District. The Council's Interim Planning Guidance therefore should also be considered.
- 5.4 As noted above Sandhutton is a Secondary Village and can therefore be a sustainable location for small scale development by the IPG. As a conversion of an historic building the to a single dwelling the proposals relate well to the existing settlement subject to detailed consideration of the design, layout and relationship to neighbouring properties meet the requirements of criteria 1 to 5 of the IPG. However the re-use of a place of worship as a private dwelling would result in the loss of a "local service". The loss of a "local service" or "community facility" would be contrary to LDF Policy DP5 unless one of the proposal meets one of the three tests of DP5, that either:
- 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 by the current occupier or by an 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.
- 5.5 The case made by the applicant is that there is no longer a need for the facility. Evidence has been provided of efforts made to secure the future use of the building with letters to all households in the village and a public meeting held in July 2014 but these have been unsuccessful in finding a way of keeping the chapel open of finding alternative community use. The attendance had fallen to 5 members when the church was closed in October 2015. Those members now worship at Thirsk and Maunby. The lack of any comment from residents and the representations of "no objections" by the Parish Council are considered to demonstrate that the proposal meets the first test of DP5. It is not necessary to consider the other aspects of DP5 as the policy only requires one of the tests to be met.

#### Heritage assets

- 5.6 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.
- 5.7 Section 72(1) of the same Act 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.
- 5.8 The National Planning Policy Framework at paragraphs 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.
- 5.9 The proposed layout of the building shows that substantial alteration is required to enable the use of the building as a dwelling. There are no changes to the

fenestration of the building such that externally the building would appear little change. Internally the gallery timbers are retained and one of the set of steps from the ground to first floor will be retained but concealed below the new first floor structure. The pew timbers will be lost to create the living accommodation and new partition walls will be required at first floor level to create bedrooms and bathrooms. Overall the level of change is considered to be no more than reasonably necessary to accommodate the new use. The proposal preserves the historic fabric of the building as far as is practicably possible and meets the test of CP16 and DP28 as the alterations will secure the long terms retention of the heritage asset without loss of any features of significance.

#### Design, access and highway safety

- 5.10 The design of the dwelling respects the existing building, by re-using all the existing openings and retaining the entrance door on the north side of the building as the principle entrance to the dwelling.
- 5.11 The site has no formal off-street parking and the scheme would continue to rely upon the space on the frontage for parking as there is no means of accessing the land to the south to form a vehicular access to land to the rear. Whilst the arrangements are informal there are opportunities for parking in the street and no representations have been made that suggest there is any significant impact upon highway safety as a result of the proposal. There is no objection to the scheme from the Highway Authority.

#### Amenity

- 5.12 The scheme re-uses all the existing windows and would give rise to opportunity for mutual overlooking of windows in neighbouring property. However these are existing windows and whilst the re-use of the building as a dwelling may change the type of occupancy the potential harm can be mitigated in future as it can at present through the use of blinds and curtains. There is no expression of harm from neighbours as a consequence of the proposals.
- 5.13 Bin storage is proposed to take place at the rear of the chapel close to the Chapel Cottage, there is sufficient space to accommodate bin storage without harm to the amenity of occupiers of either property.
- 5.14 A pedestrian route can be provided along the west side of the chapel building through to the garden land that stretches 12m wide for 140m to the south of the buildings. The land available is capable of providing suitable amenity space for the existing and dwelling proposed dwelling. The chapel has a floor area of about 200sqm and therefore exceeds the Nationally Described Space Standards.

## **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations the applications are **GRANTED** subject to the following conditions:

#### 16/01446/FUL

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered R1610-500, 501, 201 and 202 received by

Hambleton District Council on 21 June 2016 unless otherwise approved in writing by the Local Planning Authority.

The reasons for the above conditions are:

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies CP1, DP1, CP16, DP28, CP17 and DP32.

#### Informatives

1. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7th April 2015.
2. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, the following bins and recycling box conforming to European Standard EN840 should be provided by the developer for the exclusive use of the occupants of that dwelling:

1 x 240 litre black wheeled bin for general waste  
1 x 240 litre green wheeled bin for garden waste  
1 x 240 litre black wheeled bin with a blue lid for mixed household recycling; and  
1 x 55 litre blue recycling box for glass bottles and jars.

In order to guarantee EN840 compliance the Council will only collect from bins and boxes sourced from its own Neighbourhood Services.

If the developer does not pay for bins and boxes, each new resident will be required to pay for them. In the event that no payment is made, the Council will not collect waste and recycling from the dwelling concerned.

Further details of the Council's Waste and Recycling Collection Policy and the charges for bins and boxes is available at [www.hambleton.gov.uk](http://www.hambleton.gov.uk) or by telephoning 01609 779977 or 0845 1211555.

#### 16/01447/LBC

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered R16010-500, 501, 201, 202 received by Hambleton District Council on 21 June 2016 unless otherwise approved in writing by the Local Planning Authority.

The reasons for the above conditions are:

1. To ensure compliance with Section 18A of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies CP1, DP1, CP16, DP28, CP17 and DP32.