

Application No: 2006/500 & 501LB	Application Type: Full & Listed Building
Proposal: Conversion of Chapel to 12 flats & the attached Sunday School to 3 houses, with garaging/ parking to the rear	Location: Former Whitworth Methodist Chapel, Market Street, Whitworth
Report of: Development Control Team Manager	Status: For Publication
Report to: Development Control Committee	Date: 7 November 2006
Applicant: NW Joiners & Builders Ltd	Determination Expiry Date: 4 December 2006
Agent: RJD Associates (NW) Ltd	

REASON FOR REPORTING **Tick Box**

Outside Officer Scheme of Delegation

Member Call-In

Name of Member:
Reason for Call-In:

3 or more objections received

Other (please state) Major

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights: -

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

APPLICATION DETAILS

1.1 Background

This report relates to the long-vacant Methodist Chapel situated to the west side of Market Street (A671), the Sunday School attached to its rear and a garage court accessed from Massey Croft.

Being of greater scale than the surrounding buildings, the Chapel forms a prominent and (potentially) attractive feature in the street-scene. The Sunday School to the rear also possesses a slate roof and stone walls, but is not of such decorative appearance and its scale is nearer to that of the houses on its south side and the commercial premises on its north side. The Chapel/Sunday School is a Grade II listed building.

Immediately to the west of the Chapel/Sunday School is a 1-storey building occupied by a Car Repair Garage, which is accessed from Massey Croft through the garage-court. This Council-owned garage-court is not fully utilised, occupied in part by garages of varying age/design/condition and in part by self-seeded trees.

1.2 Relevant Planning History

Planning Permission and Listed Building Consent exist for conversion of the Chapel/Sunday School building to 14 flats and for the garage-court to be reconfigured to provide a block of new garages (that can be made available to existing garage-holders) and car parking for residents of the proposed flats (2004/492LB; 2004/762 & 763). The implementation of this scheme of conversion would require (amongst other things) the dismantling and re-building of the west elevation of the Sunday School.

1.3 The Proposal

Ownership of the building has since changed and the new owner seeks permission/listed building consent now for the following :

- Conversion of the Chapel to 12 flats.
- Conversion of the Sunday School to 3 houses, entailing dismantling of the west elevation of the School Building and its re-building it 1.75m further to the west.
- Reconfiguration of the garage-court to provide a block of new garages (that can be made available to existing garage-holders) and car parking for residents of the proposed dwellings.

1.4 Policy Context

Rossendale District Local Plan (Adopted 1995)

DS1	-	Urban Boundary
E4	-	Tree Preservation
HP2	-	Listed Buildings
HP4	-	New Uses for Old Buildings
DC1	-	Development Criteria
DC2	-	Landscaping
DC4	-	Materials
H2	-	Protection of Garage Sites

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1	-	General Policy
Policy 5	-	Development Outside Principal Urban Areas, Etc
Policy 7	-	Parking
Policy 12	-	Housing Provision
Policy 20	-	Lancashire's Landscapes
Policy 21	-	Natural & Manmade Heritage

Other Material Planning Considerations

PPS1
PPG3

PPG13
PPG15
RPG13

Draft RSS
LCC Parking Standards
RBC Housing Position Statement (Aug 2005)
RBC Housing Land Position Monitoring Report (May 2006)

2. CONSULTATIONS

LCC(Planning) comments on a number of issues. It advises that :

- Whilst the proposal will increase the number of dwellings on the site by only one, it remains concerned about the cumulative impact of this increase, together with similar proposals that are likely to come forward, which will materially exacerbate the amount of housing oversupply, contrary to Policy 12 of the Structure Plan.
- The building is of historic interest as an example of a non-conformist chapel built during the industrial expansion of the county in the Victorian period. The applicant appears to have made every effort to retain the external appearance of the building and the works to the garage-court would improve what is currently a rundown/untidy area. An archaeological record of the building should be made prior to its conversion.
- Harm to bats and breeding birds must be avoided.
- The proposal complies with the adopted Parking Standards. A financial contribution of £12,010 should be sought from the developer to address specific transport and accessibility issues, the up-grade of local bus-stops in Whitworth.

LCC(Highways) advises that the garage-court will provide insufficient parking spaces to serve the proposed dwelling units, and it is unclear what pedestrian facilities are to be provided between the dwellings and the car parking area.

RBC(Drainage) recommends a condition to require implementation of a scheme of surface-water drainage for the garage-court, in accordance with details to be submitted and approved.

3. REPRESENTATIONS

Letters have been received from two local residents and the proprietor of the Car Repair Garage. None raise objection in principle to the development now proposed. All seek assurance that the garage-court will be provided with a proper system of drainage (presently said to be lacking). In addition one resident seeks assurance that the access to the rear of their property will be unaffected and that existing garage-holders will be offered the proposed garages.

4. ASSESSMENT

In dealing with this application the main issues to consider are :

- 1) principle of the development;
- 2) housing policy;
- 3) townscape/heritage impact;
- 4) residential amenity; &
- 5) highways/parking.

Principle of Development

The application site lies within the Urban Boundary of Whitworth, with shops/other local services nearby. As it fronts Market Street, along which run relatively frequent bus services, it is reasonably accessible by means of travel other than the private car. To this extent the development of the site is appropriate in principle and I do not consider a financial contribution need be sought to improve bus services/facilities.

Housing Policy

The main issue which needs to be considered in relation to Housing Policy is that of housing over-supply.

Consistent with housing policy contained in national and regional guidance, Policy 12 of the Joint Lancashire Structure Plan (adopted March 2005) has resulted in a housing allocation requiring a reduced rate of provision for several Lancashire Districts over the period 2001-2016, including Rossendale. Policy 12 states that 1,920 dwellings are required to be built within the Borough between 2001 and 2016 in order to adequately house the Borough's population. It further states that these are to be provided at the rate of 200 dwellings per year until 2006 and 80 per year thereafter. Having regard to the number of dwellings which have been built since 2001, and to the number for which permission exists, LCC (Planning) is of the view that this Council should rigorously enforce a policy of restraint on proposals coming forward that will create additional dwelling units.

In the supporting statement following Policy 12 of the Structure Plan it states that :
"Where there is a significant oversupply of housing permissions, planning applications for further residential development may not be approved unless they make an essential contribution to the supply of affordable or special needs housing or form a key element within a mixed use regeneration project".

The Council's Housing Position Statement (August 2005) accepted the contention that the Council would over-shoot its housing allocation and the permissions now granted should be limited to those it set out :

"Applications for residential development in Rossendale will be refused, on housing land supply grounds, in all but the following limited circumstances:

- a) In any location where the proposal is a like for like replacement of an existing residential dwelling resulting in no net gain in dwelling numbers and which conforms to relevant policies of the development plan and other material considerations; or*
- b) The proposal will positively contribute to the urban regeneration of the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative areas or the Rawtenstall Town Centre Masterplan (Area Action Plan); and*
- c) The proposal will not harm the character of the adjoining areas such as conservation areas and the setting of listed buildings; and*
- d) The proposal will assist the regeneration of the site; and*
- e) The proposal meets an identified local housing need."*

At its meeting in June 2006 Cabinet received a Housing Land Monitoring Report, setting out the latest position in relation to provision of housing. The report to Cabinet

says of the Monitoring Report : *“It shows that the number of dwellings which have a valid planning approval exceed the requirements of the Joint Lancashire Structure Plan (JLSP). Anticipated completions have also been considered and this will significantly exceed the provision of just 80 that the JLSP requires on an annual basis for the period 2006 to 2016. The situation has not changed since the Housing Policy Position Statement, approved in August 2005”*. Nor has the Draft Regional Spatial Strategy progressed to the stage that its contents can have greater weight than Policy 12 of the adopted Structure Plan and the Regional Guidance it was founded upon.

Accordingly, it is appropriate to consider the application in relation to the criteria of the Housing Position Statement. The application proposal :

- Does result in an increase in number of dwellings to be erected on the site - from 14 to 15.
- Does not lie within the boundary of either of the identified regeneration areas.
- The proposal will not harm affect a Conservation Area. Whether the proposal will harm a Listed Building will be dealt with below.
- The “regeneration” credentials of the proposal will be dealt with separately below.
- The Applicant has not shown how the provision of these housing units will meet an identified local housing need. Nor has the applicant given any indication that the intended dwellings will be provided/retained as affordable or special needs housing (as defined in PPG3 and the Structure Plan).

Thus, the proposal is contrary to certain of the criteria of the Housing Position Statement.

Townscape/Heritage Impact

The sympathetic restoration of this prominent Listed Building would be most welcome.

By comparison with the previously-approved scheme, the current scheme of conversion for the Chapel seeks to provide flats of greater size by making use of the roof-void. I am satisfied that this will not result in internal works causing greater harm to its heritage interest. Nor will the series of small rooflights now proposed towards the bottom of each roof-plane appear unduly prominent or intrusive so long as they are flush-fitting.

The current proposal differs more obviously from the previously-approved scheme in relation to the Sunday School, by reason of the wish to re-build the western gable 1.75m nearer to the Car Repair Garage, thereby increasing its length from 12.5m to 14.25m. The physical condition of the gable is such that there is a need to re-build it in any case; the existing stone can be re-used. To do so in the position now proposed will require additional matching stone to be sourced. I am satisfied that this is possible and that the design of this new element appropriately reflects the existing building.

Residential Amenity

The appearance of the building currently detracts from the visual amenities of neighbours and its restoration will be of benefit to them. The new element proposed on the west end of the Sunday School will not result in a significant loss of light/outlook for any neighbour as it will be to the side of the blank gable of the house on the south side and that side of the Car Repair Garage nearest to it possesses no windows. The previously-approved scheme was conditioned to ensure certain

elements of window in the building were to be obscure-glazed so as to avoid an undue loss of privacy for neighbours. A condition to this end is again recommended.

Highways/Parking

I am satisfied the local road network can accommodate the traffic likely to be generated by this proposal.

The applicant proposes to reconfigure the garage-court to make available 15 car parking spaces specifically for the use by occupiers of the proposed dwellings, a block of 7 garages and 8 other parking spaces. I consider this level of provision adequate to meet the needs of proposed residents and existing users of the garage-court. It is appropriate to condition the permission to ensure the garages are of appropriate design/facing materials, proper surfacing/drainage of the parking/manoeuvring areas, and the retention of certain trees/planting of others in this area.

The proposal will not affect access to any neighbouring property. Whether existing garage-holders will be offered the proposed garages is a matter for the Council's Estates Officer, not something to be dealt with as part of the consideration of these applications.

5. CONCLUSION

Whilst the proposal does not fully accord with the criteria set out in the Council's Housing Position Statement I consider it appropriate for permission to be granted in this instance as an exception to Policy 12 of the Structure Plan. I have arrived at this view having regard to the extant permission for conversion of this building to 14 dwellings and the benefit of securing the restoration/re-use of a vacant Listed Building in a sympathetic manner. Furthermore, I am satisfied the proposal will not result in significant detriment for neighbours, highway safety or in respect of any other material planning consideration.

7. RECOMMENDATION(S)

That Application 2006/500 be granted Planning Permission subject to the following conditions:

1. The development hereby permitted shall be begun before 10 October 2008.
Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.
2. No works shall take place until the applicant, or their agent or successors in title, has secured the making of a record of the buildings within the application site, together with features within the grounds. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion the record shall be submitted to the Local Planning Authority. *Reason : To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.*
3. Any construction works associated with the development hereby approved

shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays. *Reason: For the avoidance of doubt and to accord with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

4. Notwithstanding any details shown on the previously submitted drawings and specifications, the development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to be incorporated in the building have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials. *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with the criteria of Policy DC1 and Policy HP2 of the adopted Rossendale District Local Plan.*
5. Notwithstanding the details already submitted, this permission relates to the use of 'flush' fitting roof lights, only in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The details shall include the model/make, exact dimensions and the fixing detail (including a cross section) of the rooflights to be used. *Reason : To define the consent and to prevent inappropriate development/loss of fabric of a building of heritage interest, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.*
6. Before the development commences, full details of the proposed foul and rain water goods, including the eaves detail, to be used externally on the building shall have been submitted to and been approved in writing by the Local Planning Authority. *Reason : To define the consent and to prevent inappropriate development/loss of fabric of a building of heritage interest, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.*
7. Before the development commences full details, in the form of a work methodology statement, shall be submitted to and be approved in writing by the Local Planning Authority in relation to the remedial repair, repointing &/or cleaning of the existing stonework of the property. *Reason : To define the permission and to prevent inappropriate development/loss of fabric of a building of heritage interest, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.*
8. Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels, together with details of those windows to be obscure-glazed. The approved scheme of obscured-glazing shall be implemented prior to first occupation of the dwelling to which it relates and shall thereafter be retained at all times. *Reason : To protect the amenities of neighbours and prevent inappropriate development/loss of fabric of a building of heritage interest, in*

accordance with the criteria of Policy DC1 and Policy HP2 of the adopted Rossendale District Local Plan.

9. Notwithstanding the details shown on the submitted drawing, the development shall not be commenced until details of the design/facing materials of the proposed block of garages has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to first use of any of the dwellings hereby permitted (or as otherwise agreed in writing by the Local Planning Authority). *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents, in accordance with the criteria of Policy DC1 and Policy HP2 of the adopted Rossendale District Local Plan.*
10. Notwithstanding the details shown on the submitted drawing, the development shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority in respect of the surfacing, draining and marking out of all areas to be used for the parking and manoeuvring of vehicles and of Chapel Street. The submitted scheme shall provide a level of car parking which does not exceed the level indicated in the approved Lancashire County Council Parking Standards (including appropriate levels of provision for mobility-impaired, motorcycle/cycle parking in secure/covered facilities). The approved scheme shall be fully implemented prior to first use of any of the dwellings hereby permitted (or as otherwise agreed in writing by the Local Planning Authority), and the facilities thereby provided shall be kept available for use as such thereafter. *Reason : To ensure the provision of adequate off-street parking and secure a sustainable form of development, in accordance with PPG13, Policy 1 & Policy 7 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
11. No development shall take place until a scheme of landscaping/boundary treatments has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The submitted scheme shall provide details : for the retention/restoration of features of architectural/historic interest; for the protection to be afforded during construction to planting to be retained and of the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. *Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 and Policy HP2 of the adopted Rossendale District Local Plan.*
12. All hard-surfaced areas/walls/fences forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to occupation of the nearest building, unless otherwise agreed in writing with the Local Planning Authority. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building. Any trees or plants in the approved scheme of landscaping which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to

any variation. *Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 and Policy HP2 of the adopted Rossendale District Local Plan.*

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to H), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwellings hereby permitted, or any outbuilding or incidental development undertaken (other than those expressly authorised by this permission). *Reason : To protect the amenities of neighbours and the character and appearance of a building of heritage interest, in accordance with the criteria of Policy DC1 and Policy HP2 of the adopted Rossendale District Local Plan.*

That Application 2006/501LB be granted Listed Building Consent subject to the following conditions:

1. The development hereby consented to shall be begun before 10 October 2008. *Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.*
2. No works shall take place until the applicant, or their agent or successors in title, has secured the making of a record of the buildings within the application site, together with features within the grounds. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion the record shall be submitted to the Local Planning Authority. *Reason : To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.*
3. Notwithstanding any details shown on the previously submitted drawings and specifications, the development hereby consented to shall not commence until full details of the colour, form and texture of all external facing materials to be incorporated in the building have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials. *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with the criteria of Policy DC1 and Policy HP2 of the adopted Rossendale District Local Plan.*
4. Notwithstanding the details already submitted, this consent relates to the use of 'flush' fitting roof lights, only in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The details shall include the model/make, exact dimensions and the fixing detail (including a cross section) of the rooflights to be used. *Reason : To define the consent and to prevent inappropriate development/loss of fabric of a building of heritage interest, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.*

5. Before the development commences, full details of the proposed foul and rain water goods, including the eaves detail, to be used externally on the building shall have been submitted to and been approved in writing by the Local Planning Authority. *Reason : To define the consent and to prevent inappropriate development/loss of fabric of a building of heritage interest, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.*

6. Before the development commences full details, in the form of a work methodology statement, shall be submitted to and be approved in writing by the Local Planning Authority in relation to the remedial repair, repointing &/or cleaning of the existing stonework of the property. *Reason : To define the consent and to prevent inappropriate development/loss of fabric of a building of heritage interest, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.*

7. Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels, together with details of those windows to be obscure-glazed. The approved scheme of obscured-glazing shall be implemented prior to first occupation of the dwelling to which it relates and shall thereafter be retained at all times. *Reason : To prevent inappropriate development/loss of fabric of a building of heritage interest, in accordance with Policy HP2 of the adopted Rossendale District Local Plan.*

Contact Officer	
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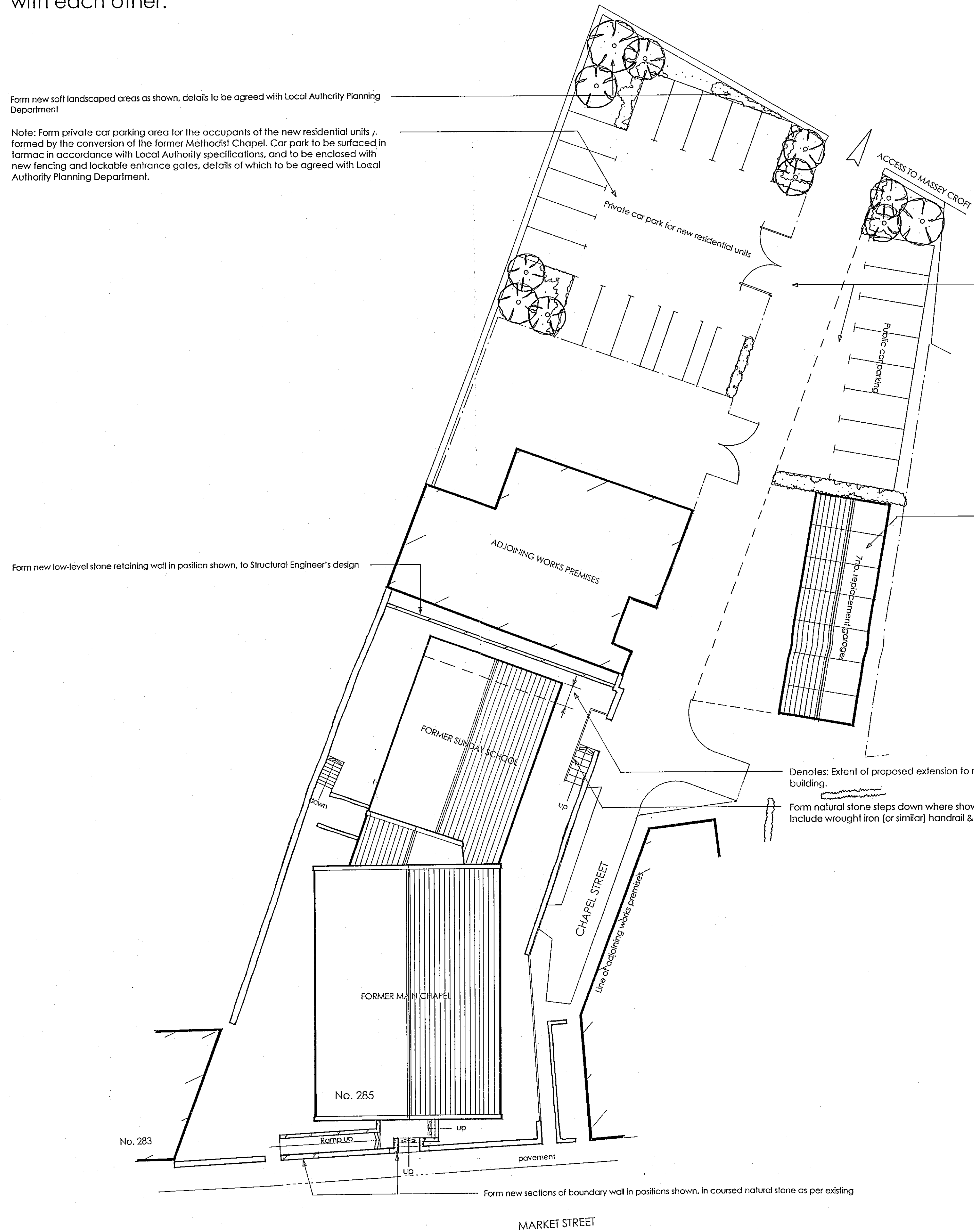
INSERT LOCATION PLAN HERE

All RJD Associates (North West) Limited drawings must be read in conjunction with each other.

Form new soft landscaped areas as shown, details to be agreed with Local Authority Planning Department

Note: Form private car parking area for the occupants of the new residential units, formed by the conversion of the former Methodist Chapel. Car park to be surfaced in tarmac in accordance with Local Authority specifications, and to be enclosed with new fencing and lockable entrance gates, details of which to be agreed with Local Authority Planning Department.

Form new low-level stone retaining wall in position shown, to Structural Engineer's design



Existing open area to the rear of the site to be surfaced with a tarmac finish in accordance with Local Authority specifications. Include contrasting paving to the areas at the front of the new public parking and garages, to be constructed in accordance with Local Authority specifications

Take down existing timber garages, cart away rubble from site and make good. Construct a new garage block comprising 7no. replacement garages in position shown, details to be agreed with Local Authority Planning Department

Denotes: Extent of proposed extension to rear of former Sunday School section of the building.

Form natural stone steps down where shown to accommodate difference in levels. Include wrought iron (or similar) handrail & balustrades to stairs, details to be agreed

Form new sections of boundary wall in positions shown, in coursed natural stone as per existing

Site layout plan

Note: The proposed site layout plan must be read in conjunction with the level survey plan, "Site Surveys" drawing number 06/110/1

General notes:

All external materials must be to total satisfaction of Local Authority Planning Department.

Client must be fully satisfied that the land to be built on is within full ownership or control and that no legal covenants, agreements or restrictions, caveats or way leaves etc... exist which could adversely or otherwise affect the proposed development & associated works (including rights of service and drainage connections & modifications etc...). The Client's solicitors would most likely be able to research these issues. Land Registry & Title Deeds must be double checked by the Client/Client's solicitors, prior to commencement of works on-site.

RJD Associates (North West) Limited are responsible for preparing drawings for inclusion in applications for planning permission & building regulations approval only, and as such no responsibility to other matters such as site supervision, obtaining legal or other permissions, consents etc... will be accepted.

This drawing has been prepared solely for the purpose of a planning application. All proposed works are also subject to approval under Building Regulations.

Client to be aware that the proposals will incur involvement in the Construction (Design & Management) Regulations 1994, and take the appropriate steps to deal with statutory requirements imposed by the Regulations.

Revision:	Description:	Date:
		04 SEP 2006

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2006/500

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Project:
PROPOSED RESIDENTIAL CONVERSION AT THE FORMER WHITWORTH METHODIST CHAPEL, 285 MARKET STREET, WHITWORTH, ROCHDALE, LANCASHIRE, OL12 8PW

Scale(s): Client:
1:200 N.W. Joiners & Builders Ltd

Date: Drawing Number:
17/07/2006 2006/10/13

Title:
Proposed site plan