



TITLE: 2004/843 : CONVERSION OF FORMER CHURCH INTO TEN APARTMENTS WITH TEN PARKING SPACES, BEULAH METHODIST CHURCH, NEW LINE, BACUP.

TO/ON: DEVELOPMENT CONTROL COMMITTEE / 17 MARCH 2005

BY: TEAM MANAGER DEVELOPMENT CONTROL

APPLICANT: MR. J. PEARSON

DETERMINATION EXPIRY DATE: 24 FEBRUARY 2005

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.

Site and Proposal

Beulah Methodist Chapel is a freestanding natural stone and blue slate building located to the immediate west of the junction of Rochdale Road and New Line in an area of predominantly residential development. It is currently used for the manufacture of carpets. This application seeks planning permission to convert the building into ten apartments - two one-bedroom, six two-bedroom and two three bedroom units.

Relevant Planning History

2004/492 – Change of use of former chapel to business use for the manufacture of rugs – Approved 5 September 2002

2001/364 – Change of use of former church to residential – Withdrawn 24 January 2002

1995/334 – (Outline) Demolition of chapel and construction of new chapel and housing – Approved 29 September 1995

Notification Responses

The application as been advertised by way of site notices. No representations have been received from local residents to date.

The applicant has submitted a letter in support of their application. They argue that planning permission should be granted for their proposal because:-

- a) it will improve the appearance of this prominent building and site,
- b) re-use of the building for residential purposes would be the most appropriate given the location of this building within a residential area,
- c) an approval of this proposal would have a positive effect on house prices in the locality and lead to future investment in the area.

Consultation Responses

County Highways

No objections subject to the omission of proposed car parking space numbers 1 and 10.

R.B.C.Engineers

No objections subject to the deletion of proposed car parking space numbers 1 and 10, and the provision of suitable visibility at the site access.

County Planning Officer

Object. Consider that the Council's housing target for 2006 can reasonably be met through the implementation of existing residential planning permissions. There is therefore no need for further housing at present. Also consider that the proposal would be contrary to policies 1 and 5 of the Draft Replacement Joint Lancashire Structure Plan.

Environmental Health

No objections.

Environment Agency

No objections subject to conditions

Development Plan Policies

Rossendale District Local Plan

Policy DS.1 (Urban Boundary) states that *"the Council will seek to locate most new development within a defined boundary – the Urban Boundary – and will resist*

development beyond it unless it complies with policies DS3 and DS5. The urban boundary is indicated on the proposals map”

Policy DC.1 (Development Criteria) states that all applications for planning permission will be considered on the basis of a) location and nature of proposed development, b) size and intensity of proposed development; c) relationship to existing services and community facilities, d) relationship to road and public transport network, e) likely scale and type of traffic generation, f) pollution, g) impact upon trees and other natural features, h) arrangements for servicing and access, i) car parking provision j) sun lighting, and day lighting and privacy provided k) density layout and relationship between buildings and l) visual appearance and relation to surroundings ,m) landscaping and open space provision, n) watercourses and o) impact upon man-made or other features of local importance.

Policy DC.4 (Materials) states that *“Local natural stone (or an alternative acceptable natural substitute which matches as closely as possible the colour, texture, general appearance and weathering characteristics of local natural stone) will normally be required for all new development in selected areas. Within those areas roofs shall normally be clad in natural stone slab or welsh blue slate, or in appropriate cases, with good quality substitute slates”.*

Policy HP.4 (New uses for Old Buildings) states that *“ the Council will actively encourage new uses of old buildings or groups of old buildings which are of architectural or historic interest and also encourage private sector conservation initiatives provided that the change of use and alterations would be sympathetic to the character of the buildings and the proposed use does not detract significantly from the quality of the surrounding area”*

Policy T.4 (Car Parking) states that *“ Development proposals will be required to provide, normally within the cartilage of the development, sufficient space to meet both operational and non operational parking requirements”*

Lancashire Structure Plan 1991-2006:

Policy 43 (General Housing Provision) sets out the number of new residential units needed between mid 1991 and mid 2006 to adequately house the County’s population. The number stipulated for Rossendale is 2,500 dwellings.

Joint Lancashire Structure Plan 2001-2016 Proposed Changes to Deposit Edition

Policy 1 states that development should be located primarily within the principal urban areas, main towns, market towns and strategic locations for development. Development outside of these areas will be deemed acceptable in principle if it meets an identified local need or supports rural regeneration.

Policy 5 states, in part, that outside of Market Towns most rural development will take place in villages and other settlements. Such development should support rural regeneration by either providing for farm diversification or by meeting an identified local need for employment, community services or housing. Outside of villages other settlements and the green belt, conversion, re-development and limited ‘new build’

development to meet identified local employment needs will be viewed as acceptable in principle.

Policy 12 stipulates the annual average rates for future housing provision. For Rossendale 220 houses per year are required between 2001 and 2006 and then 80 house per year between 2006 and 2016.

The parking standards require a maximum of one car parking space to be provided in conjunction with dwellings with only one bedroom, and two spaces to be provided in conjunction with dwellings with 2 or 3 bedrooms.

Other Material Planning Considerations

PPG3 (Housing)

Government guidance in the form of PPG 3 (Housing) states that sites for housing should be assessed against a number of criteria namely the availability of previously-developed sites, location and accessibility, capacity of existing and potential infrastructure, ability to build communities and the physical and environmental constraints on development of land.

Paragraph 22 states that *“The Government is committed to maximizing the re-use of previously-developed land...in order both to promote regeneration and minimize the amount of greenfield land being taken for development”*.

Paragraph 31 highlights the importance of the location and accessibility of housing sites to jobs, shops and services by modes of transport other than the car.

PPG13 (Transport)

Government guidance in the form of PPG13 states in paragraph 19 that *“A key objective is to ensure that jobs, shopping, leisure facilities and services are accessible by public transport, walking and cycling.”*

Planning Issues

Principle

The Council's housing target for 2006 has already been partially met through the construction of existing properties and it is contended that it will be fully met if existing residential planning permissions are implemented. There is therefore no need for the provision of any further housing in the Borough at present and therefore clearly no need for the additional 10 dwellings proposed by this application. However, it is contended that in this instance there are strong overriding reasons for approving this proposal despite the lack of need, and these are set out below.

Whilst this is not a Listed Building it is an imposing structure which, due to its location at the junction of Rochdale Road and New Line, occupies a very prominent position in the street scene. The building and associated land are in a rather 'run down' state and it is contended that this is having an adverse effect upon the appearance of the area. Furthermore, whilst the premises are in use they are currently used for manufacturing purposes, a use which is not ideally suited for this

predominantly residential area. It is contended that the conversion of this building to residential units would significantly improve the appearance of the structure and associated land both initially and in the long term. This would have a positive effect upon the appearance of the locality. Secondly, it would retain the building in productive use and for a purpose that would be more in keeping with its surroundings.

In addition to the above, the site is located within the Urban Boundary as defined by the Rossendale District Local Plan. The proposal therefore meets the requirements of policy DS.1 of that plan, which seeks to locate new development within such areas. The proposal also partially satisfies the requirements of policy 5 of the Draft Structure Plan which requires, in part, that development outside of market towns be located within villages and settlements.

Finally, it is contended that the proposal largely meets the aims of PPG3. It involves the re-use of an existing building which is sustainably located on a bus route. It also proposes relatively high density development of in excess of 30 dwellings per hectare.

In view of the above it is considered that, despite the current lack of need for further housing in the Borough, the proposal to convert this building to residential use is, in this instance, considered to be acceptable in principle.

Design

It is considered that the proposed conversion works will essentially retain the character of this building and they are therefore considered to be acceptable. It is proposed to retain most of its existing features and to re-use a number of the existing openings. Furthermore, the new openings that are proposed will not, it is contended, detract from the character and appearance of the structure.

Amenity

It is contended that the level of privacy, currently enjoyed by the occupiers of the surrounding residential properties, will not be adversely affected if this application is approved. Furthermore, given that the proposal does not involve any enlargement of the building, the level of sunlight and daylight, currently received by the surrounding properties, will not be affected either.

Highways

It is proposed to provide ten car parking spaces in conjunction with the converted building. These are to be located within the walled yard area to the immediate east of the building. Vehicular access to these spaces is to be gained via a new access formed from New Line.

County Highways and Rossendale Borough Engineers consider that these arrangements will be acceptable provided:-

- a) that the two spaces, shown as being located immediately adjacent to the new access, are deleted so as to enable the provision of satisfactory visibility at the access point and to enable vehicles to satisfactorily manoeuvre within the site,
- b) that the boundary wall, located along the southern boundary of the site, is reduced to a maximum height of one metre again for the purposes of providing satisfactory visibility,
- c) that the gradient of the car park does not exceed 1 in 10.

Subject to the imposition of conditions to this end it is considered that the proposal will be acceptable in highway safety terms.

Procedure

Members should be aware that if they are minded to approve this application they will first need to refer it to the Government Office for consideration. This is because an approval of this proposal would be contrary to the provisions of policy 43 of the Adopted Lancashire Structure Plan which concerns housing need. Should the application subsequently be referred back to the Local Planning Authority for a decision it will then be within the remit of the Authority to formally determine the proposal.

Recommendation

- a) That the Secretary of State be advised that the Local Planning Authority is minded to grant Planning permission for this development subject to the conditions set out below.
- b) That should the Secretary of State refer this application back to the Local Planning Authority for a decision, the decision to approve be delegated to the Team Manager (Development Control).

Summary of Reasons for Conditional Approval to Appear on Decision Notice

It is considered that the development satisfies the requirements of policy DS.1,DC.1, DC.4, HP.4 and T.4 of the Rossendale District Local Plan. It is contended, notwithstanding the Council's normal planning policy, that the creation of additional dwellings can be justified in this instance in the interests of retaining this attractive building, securing a more compatible use for it, and improving the appearance of this prominent site. Furthermore, it is considered that the proposed conversion works will retain the character of the building and that the converted building will appear in keeping with, and relate in a satisfactory manner to, its surroundings. The proposal will not give rise to unacceptable overlooking of adjoining properties nor will it adversely affect the level of sunlight or daylight that those properties currently receive. Finally, it is considered that the proposal will be acceptable in highway safety terms.

Conditions

01 The development permitted shall be begun before the expiration of five years from the date of this permission.

Reason:- The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990.

02 All new areas of external wall and roof shall be constructed of natural stone and natural blue slate. These materials shall match in type, colour, texture (and course depth in the case of the stonework) those used in the construction of the external walls and roof of the existing building.

Reason:- In the interests of safeguarding the character and appearance of the building and the locality, in accordance with policies DC.1, DC.4, and HP.4 of the Rossendale District Local Plan.

03 All new heads, cills, window and door surrounds shall be constructed of natural ashlar stone. This shall match in type, colour and texture the stone used in the construction of the existing window and door surrounds.

Reason:- In the interests of safeguarding the character and appearance of the building and the locality, in accordance with policies DC.1, DC.4 and HP.4 of the Rossendale District Local Plan.

04 Details of the design and proposed location of all new windows and doors to be installed within the building shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved windows and doors shall be installed in the approved positions before any of the flats hereby approved are first occupied and shall thereafter be retained at all times.

Reason:- In the interests of safeguarding the character and appearance of the building and the locality, in accordance with policies DC.1, DC.4 and HP.4 of the Rossendale District Local Plan.

05 No window or other openings, other than those shown on the approved plans, shall, at any time, be formed within the building without the prior written approval of the Local Planning Authority.

Reason: :- In the interests of safeguarding the character and appearance of the building and the locality, in accordance with policies DC.1, DC.4 and HP.4 of the Rossendale District Local Plan.

06 The stone boundary walls enclosing the site shall be retained at all times at their current height except where they are required to be lowered as required by condition 7 below, and removed in order to form the new vehicular access.

Reason:- In order to ensure the satisfactory appearance of the development and safeguard the setting of the building, in accordance with policies DC.1, DC.4 and HP.4 of the Rossendale District Local Plan.

07 The walls marked A-A, B-B, C-C and D-D on approved drawing number CLWY-07 shall be reduced to a height of one metre, measured from the level of the adjoining carriageway (New Line), before any of the flats, hereby approved, are first occupied. These walls shall thereafter be retained at this height at all times.

Reason: In order to ensure the provision of satisfactory visibility at the new site access in the interests of highway safety, and in order to ensure the satisfactory appearance of the development and safeguard the setting of the building, in

accordance with policies DC.1, DC.4 and HP.4 of the Rossendale District Local Plan.

08 Details of the proposed means of surfacing, sealing and draining of all areas to be used by vehicles shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The vehicular areas shall be surfaced, sealed and drained in accordance with the approved details, and laid out in the manner shown on approved drawing number CLWY-07 (as amended by the requirements of condition 9 below) before any of the approved flats are first occupied. These areas shall thereafter be retained at all times solely for the parking and turning of vehicles in conjunction with the development.

Reason:- In the interests of highway safety and in order to ensure the satisfactory appearance of the development and safeguard the setting of the building, in accordance with policies DC.1, HP4 and T.4 of the Rossendale District Local Plan.

09 Notwithstanding the details given on approved drawing number CLWY-07, car parking spaces 1 and 10 shall not be provided. The land on which these spaces were to be located shall be landscaped in accordance with details which shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development; and any plants which, within a period of five 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 order to ensure the provision of satisfactory visibility at the new site access, in order to ensure that there is satisfactory space within the site for the manoeuvring of vehicles, and in the interests of visual amenity, in accordance with policies DC.1 and HP.4 of the Rossendale District Local Plan.

10 Visibility splays of 4.5 metres x 70 metres shall be provided on either side of the proposed vehicular access before any of the flats, hereby approved, are first occupied. Thereafter nothing that exceeds one metre in height, measured from the level of the adjoining carriageway (New Line) shall, at any time, be erected or planted within those splays.

Reason:- In order to ensure the provision of satisfactory visibility at the new site access in the interests of pedestrian and highway safety, in accordance with policy DC.1 of the Rossendale District Local Plan.

11 The gradient of the car parking area and access shall not exceed 1 in 10.

Reason: In the interests of highway safety in accordance with policy DC.1 of the Rossendale District Local Plan.

12 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 works shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with policy DC.1 of the Rossendale District Local Plan.

13 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from the parking area shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason: To prevent pollution of the water environment in accordance with policy DC.1 of the Rossendale District Local Plan.

Local Plan Policies

DS.1

DC.1

DC.4

HP.4

T.4

Adopted and Draft Structure Plan Policies

Policy 43 (Adopted)

Policies 1, 5 and 12 (Draft)