

<b>Application Number:</b>	2017/0237	<b>Application Type:</b>	Full
<b>Proposal:</b>	Conversion (including alterations, extension, part demolition, and refurbishment) of former Methodist Church into 6 no. two-bedroomed apartments, including associated access, parking and landscaping works.	<b>Location:</b>	Edenfield Methodist Church, Rochdale Road, Edenfield, BL0 0JX
<b>Report of:</b>	Planning Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	21/09/2017
<b>Applicant(s):</b>	Sherwood Homes	<b>Determination Expiry Date:</b>	10/10/2017
<b>Agent:</b>	Mr Iain Scales		

<b>Contact Officer:</b>	<b>James Dagleish</b>	<b>Telephone:</b>	<b>01706 238643</b>
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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	✓
<b>Other (please state):</b>	<b>Applicant requested application be heard by Committee</b>

## 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.

## 1. RECOMMENDATION

That planning permission is refused for the reasons set out in Section 10.

## **APPLICATION DETAILS**

### **2. SITE**

The application relates to the site of a former Methodist Church which is now vacant and disused. The Church building is located on the south side of Rochdale Road in Edenfield, and is accessed directly from the highway via an unmade track which also carries public footpath No. 176. The track leads on to an informal car parking area.

The building itself is of substantial size, and is set within its own grounds. It is of stone construction, with a natural slate roof.

The Council's Conservation Officer has described the church as follows:

*“Edenfield Methodist Church is a fine example of a late 19th Century church, with a very simple form, with decorative elements which create a focus. The church was erected as a consequence of the increase number in their congregation, with the first chapel being sited on the recreation ground in 1841. There is a plaque denoting this on the inside gateway of the present building. The church while not listed is considered to be a non-designated heritage asset due to its special architectural and historic merits.”*

Although not within the site boundary, several trees which border the site to the south east and north west are covered by Tree Preservation Orders.

The building in question is not a listed building, and is not located within a Conservation Area.

The site lies within the defined urban boundary.

### **3. RELEVANT PLANNING HISTORY**

None

### **4. PROPOSAL**

The submitted documentation provides some background to the application:

*“The now former church was built on the site in c. 1881, and was officially opened as a chapel in January 1882. By 1923 the original structure had been extended. The Congregation numbers began to fall and in 2015 the chapel building could no longer be kept open as a place of worship. The condition of the fabric, particularly the rear extensions, had deteriorated and funds were not available to carry out the necessary roof repairs and damp prevention works.”*

The applicant seeks planning permission for the conversion of the church building into 6 No. two-bedroom apartments. The proposed works would involve the demolition of the extended south western (rear) section of the church, and the construction of a new two-storey extension in its place.

The proposed extension would have a steeply pitched roof, and would be faced in a combination of dressed stone walling and timber cladding, with a roof constructed of profiled zinc sheeting. The extension would feature grey aluminium framed window units.

The main church building would be retained and converted, and it is proposed to insert six new conservation-style roof light windows into its roof. The main stained glass windows of the church would be retained, with secondary glazing installed behind.

It is proposed that four of the new apartments would be housed within the main church building, and two within the new extension.

The proposed scheme includes the creation of a new access road which would extend around the rear and sides of the building, with access to Rochdale Road maintained in its existing position. Thirteen car parking spaces would be provided, one of which would be wheelchair accessible. The scheme includes a secure bicycle store, and a dedicated bin storage structure – all of which would be surrounded by 1.5m high timber panel fencing.

The existing stone wall along the Rochdale Road boundary of the site would be retained, as would all other boundary treatments. In addition, the scheme would involve the planting of a boundary hedge along the north west and south west edges of the site.

## **5. POLICY CONTEXT**

### **National**

#### **National Planning Policy Framework (2012)**

- Section 1 Building a Strong, Competitive Economy
- Section 4 Promoting Sustainable Transport
- Section 6 Delivering a Wide Choice of High Quality Homes
- Section 7 Requiring Good Design
- Section 8 Promoting Healthy Communities
- Section 11 Conserving and Enhancing the Natural Environment
- Section 12 Conserving and Enhancing the Historic Environment

### **Development Plan Policies**

#### **Rossendale Core Strategy DPD (2011)**

- AVP 5 South West Rossendale
- Policy 1 General Development Locations and Principles
- Policy 9 Accessibility
- Policy 16 Preserving and Enhancing Rossendale's Built Environment
- Policy 18 Biodiversity and Landscape Conservation
- Policy 23 Promoting High Quality Design & Spaces
- Policy 24 Planning Application Requirements

### **Other Material Planning Considerations**

- National Planning Practice Guidance
- Alterations and Extensions to Residential Properties SPD

## **6. CONSULTATION RESPONSES**

### **LCC Highways**

No objection subject to conditions.

#### LCC Public Rights of Way

No comments have been received.

#### Ecology

Objection.

#### United Utilities

No objection.

#### Contaminated Land

No objection subject to conditions.

#### RBC Operations

No comments have been received.

#### RBC Conservation Officer

Objection.

## **7. REPRESENTATIONS**

To accord with the General Development Procedure Order a site notice was posted on 30/06/2017 and 19 neighbour letters were sent out on 04/07/2017. A notice was also published in the Rossendale Free Press on 07/07/2017.

Seven letters of objection and one other representation have been received, raising the following issues:

- Access problems
- Harm to highway safety
- Increase in surface water runoff and flood risk
- Concern over the impact on the historic building
- Impact on the privacy of neighbouring residents
- Blight of future development on adjacent land
- Inappropriate facing materials on the proposed extension
- Concern over the status of the adjacent public footpath
- Concern over the ownership status of adjacent land

## **8. REPORT**

The main considerations in this case are as follows:

1) Principle; 2) Visual Amenity and Heritage Impact; 3) Neighbour Amenity; 4) Access, Parking and Highway Safety; 5) Ecology

### Principle

The site lies within the defined urban boundary where Policy 1 of the Core Strategy seeks to locate the majority of new development, and would bring a redundant existing building back into use.

The scheme is considered acceptable in principle.

### Visual Amenity and Heritage Impact

The proposed scheme is considered to be of high quality design, and the proposed extension is considered to be appropriate in the context of the site and the host building. Whilst of modern design, it is considered that the extension is sympathetic to the design and style of the original building, taking cues from its form. It is considered that the proposed facing materials are appropriate and would create a clear separation between the old and new elements of the building without appearing incongruous. Amended plans have been received which show the retention of a landscaped area to the front of the building (originally it was planned to continue the access road around the front of the building, but this was considered by officers to have an over-engineered appearance). The retention of landscaping and original boundary treatment to the front of the building is a positive element which would help to soften the appearance of the development.

The submitted plans and information demonstrating how harm to adjacent trees (covered by a Tree Preservation Order) will be avoided is considered to be appropriate.

However, the Council's Conservation Officer has raised concerns with the demolition of the rear portion of the building, and does not consider that the loss of part of the original building has been sufficiently justified. They have commented as follows:

*"Paragraph 135 of the Framework states that when assessing applications relating to non-designated heritage assets the local authority should weight up the effect directly or indirectly on the non-designated heritage, and make a balanced judgement with regards to the level and scale of harm or loss and the significance of the heritage asset.*

*Core Strategy Policy 16 states that the Council will promote the positive management of the Borough's heritage assets, avoiding unnecessary loss. Also it discusses maximising the potential for the reuse of buildings of historic and local interest for appropriate uses to ensure their future longevity. Where this isn't possible / appropriate then consideration will be given towards sensitive redevelopment.*

*With the proposed demolition we are essentially seeing the loss of a third of the original church, which would be considered to be harmful to the asset.*

*The applicant has not provided further evidence to support that the school area is beyond retention and repair and this would need to be demonstrated given the substantial loss that is being considered. While the submitted information does state that there are clear issues requiring repair it does not confirm that the rear section is beyond reuse. The reuse of the entire building would provide a larger floor space for conversion compared to that proposed.*

*If the applicant can provide this additional information then consideration will be given toward the proposed new building which would be considered an appropriate design, but as stated it needs to be shown that saving the existing building can't be achieved.*

*It is good to see that the existing stained glass is to be retained, and conservation repairs should be undertaken if necessary by an appropriate specialist and the use of secondary glazing is acceptable.*

*With regards to the removal of plaster, this should be undertaken with great care and consideration to the fabric of the building. Plaster should be replaced on a like for like basis.*

*If any repointing or repair works are required to the masonry of the building then this should be undertaken using lime based mortars, no cement should be used. Lime was used at the time of construction and allows for the movement of water. Use of cement will cause future issues and damage to the masonry.*

*With regards to the insertion of roof lights to either side of the roof line, while understanding the reasoning behind this, the design is poor and more akin to modern development. I would suggest that these are change to roof lights and the lights elongated to mirror the windows running along the elevations. This would improve the appearance and light intake.*

*It is good to see that existing boundary treatments are being retained which are just as significant to the site."*

Further to discussions between the case officer and the applicant, amended plans have been received showing the elongation of the proposed roof light windows as suggested by the Conservation Officer.

Discussions have also taken place between the case officer, the Conservation Officer, the Local Highway Authority and the applicant regarding the justification for the loss of the rear section of the building. The applicant has stated that it would be unviable to retain the rear portion of the building, as given the relatively small area of surrounding space it would not be possible to achieve the required level of off-street parking on the site (as required by the Local Highway Authority based on the parking standards in the Core Strategy). The Conservation Officer does not consider that the requirement for additional parking spaces is sufficient justification for the loss of the rear portion of the building.

As such whilst the proposed scheme is considered to be of high quality design, in line with the Conservation Officer's comments it is not considered that sufficient justification has been provided to warrant the approval of the scheme which would result in substantial loss of part of a non-designated heritage asset.

The scheme is considered unacceptable in terms of visual amenity / heritage impact.

#### Neighbour Amenity

Objectors' comments are noted, however given the proposed fenestration on the south east elevation of the building, the separation distances involved, the orientation of the building relative to neighbouring properties and the existing boundary treatments, it is not considered that the scheme would result in a significant loss of privacy for the occupiers of nearby residential properties.

The large window at first floor level in the tower on the south east elevation of the building would serve an access stairway / corridor, and would not serve a habitable room. The proposed roof light windows would be angled in line with the pitch of the building's roof, and it is not considered that they would permit undue levels of overlooking to neighbouring properties.

The scale and massing of the building (including the proposed extension) would not be significantly greater than that of the existing building, and it is not considered that the scheme would result in any significant loss of daylight or outlook to neighbouring properties.

Concerns have been raised by the occupants of nearby residential properties concerning the impact of the scheme on surface water run-off given the level of new hard surfacing being proposed. The application includes indicative details of drainage management, however in order to ensure that surface water is properly managed without detriment to surrounding properties it is considered appropriate to include a condition requiring the submission and approval of a scheme of surface water drainage prior to commencement of development.

Given the proximity of the site to nearby residential properties it is considered appropriate to include a condition restricting hours of construction to avoid noise nuisance being caused to occupants of such properties.

Subject to the above, the scheme is considered acceptable in terms of residential amenity.

#### Access, Parking and Highway Safety

Amended plans have been received showing a revised access and parking arrangement, which would utilise a turning head on the north side of the building, rather than a continuous access road around the front of the building.

Objectors' comments are noted; however the Local Highway Authority has been consulted on the application and has no objection to the proposed scheme subject to the following conditions:

- Requirement for the submission and approval of a construction method statement
- Requirement for the submission and approval of a scheme for the construction of the site access
- The site access shall be surfaced in a porous bound material for its full width and for a minimum of 5 metres back from the highway boundary of Rochdale Road
- The parking and turning areas shall be constructed and surfaced with a bound porous material, and street lighting and drainage installed, and made available prior to first occupation of the development
- The cycle store for 6 cycles shall be provided prior to first occupation and thereafter kept freely available for use as such

The level of off-street parking is considered acceptable for the proposed development, and in line with the comments of the Local Highway Authority it is not considered that the development would result in a significant level of harm to highway safety.

Concerns have been raised over the impact of the scheme on the public footpath which runs along the south eastern part of the site. However, the scheme does not propose any alterations to the public footpath which would remain available for use. The Local Highway Authority also has no objection in this regard.

The scheme is considered acceptable in terms of access, parking and highway safety.

## Ecology

Paragraph 109 of the Framework states:

*“The planning system should contribute to and enhance the natural and local environment by:*

- *Minimising impacts on biodiversity and providing net gains in biodiversity where possible”*

Policy 18 of the Core Strategy states:

*“The Council will expect any development proposals to:*

- *Take opportunities to create features of biodiversity value including within new developments, where practicable.”*

The Council’s ecology consultant has raised concern over an identified bat roost in the portion of the building scheduled for demolition, and has requested that the applicant makes provision for a new roost access point on the building. If this can be provided, it is considered that the scheme could be made acceptable subject to conditions requiring the submission and approval of full details of the proposed timing and methodology of works, and the submission and approval of any necessary features to mitigate and/or compensate for the impacts on the roost.

At this stage, the applicant has not demonstrated provision of a new roost access point on the building. However, the applicant is aware of the requirement for such provision and may provide amended plans incorporating such provision. Should amended plans be received, further information in this regard will be included in an update report to Members.

As it stands currently however, the scheme is considered unacceptable in terms of ecology.

## Balancing Exercise

The proposed scheme would bring a redundant building back into use and carry out repairs to its fabric, which are considered to be significant benefits of the scheme. The scheme would also deliver six new residential units in a relatively sustainable location, and would represent a significant contribution towards the borough’s housing need.

The scheme has been amended following discussions between the case officer and the applicant’s agent, and has evolved to a stage which is considered acceptable (subject to conditions) in terms of design, impact on neighbour amenity, highway safety and parking.

However, the proposed scheme would result in the loss of a portion of the original building, which is a non-designated heritage asset. Under paragraph 135 of the Framework, a decision must be taken which weighs the impact of the development on the significance of the asset and the scale of the proposed loss to the asset, against the planning merits and benefits of the scheme.

Although the portion of the building to be demolished is located to the rear of the building, the Conservation Officer has advised that the impact on the significance of the asset in question is considerable, and that the scale of the loss proposed by demolishing the rear portion of the building is significant.

In weighing the potential benefits of the scheme against the impact of the significance of the non-designated heritage asset and the scale of the proposed demolition, regard must also be had to the fact that that the building could in any case potentially be demolished separately under a prior notification application to the Council under Class B, Part 11 of Schedule 2 of the General



Permitted Development (England) (Order) 2015, without the requirement for the applicant to justify the demolition.

Notwithstanding the above the scheme as presented in the current planning application must be assessed on its own merits.

Although the benefits of the scheme are in this case very finely balanced against the potential harm to the non-designated heritage asset, it is considered that the loss of a significant portion of the asset has not been adequately justified.

In addition, concerns have been raised by the Council's ecology consultant over potential harm to the identified bat roost in the portion of the building to be demolished. It is expected that such concerns are likely to be addressed by the submission of amended plans showing an alternative roost access, and that the scheme could then be made acceptable in terms of ecology by the inclusion of conditions. If this is the case, details will be included in the update report. However as it stands, such ecological concerns must also weigh against the scheme.

## **9. RECOMMENDATION**

Refusal.

## **10. REASONS FOR REFUSAL**

1. The proposed development would result in the loss of a significant portion of an undesignated heritage asset, and it is not considered that adequate justification for the loss has been demonstrated. Accordingly, the proposed scheme does not accord with Section 12 of the National Planning Policy Framework, and Policy 16 of the adopted Core Strategy DPD.
2. The proposed development would potentially result in harm to an identified bat roost in the portion of the building to be demolished. It is not been demonstrated that adequate measures are in place to avoid and mitigate any harm to the roost. Accordingly, the proposed scheme does not accord with Section 11 of the National Planning Policy Framework, and Policy 18 of the adopted Core Strategy DPD.

## **INFORMATIVES**

1. Standard refusal informative.