

Area West Committee – 20th April 2011

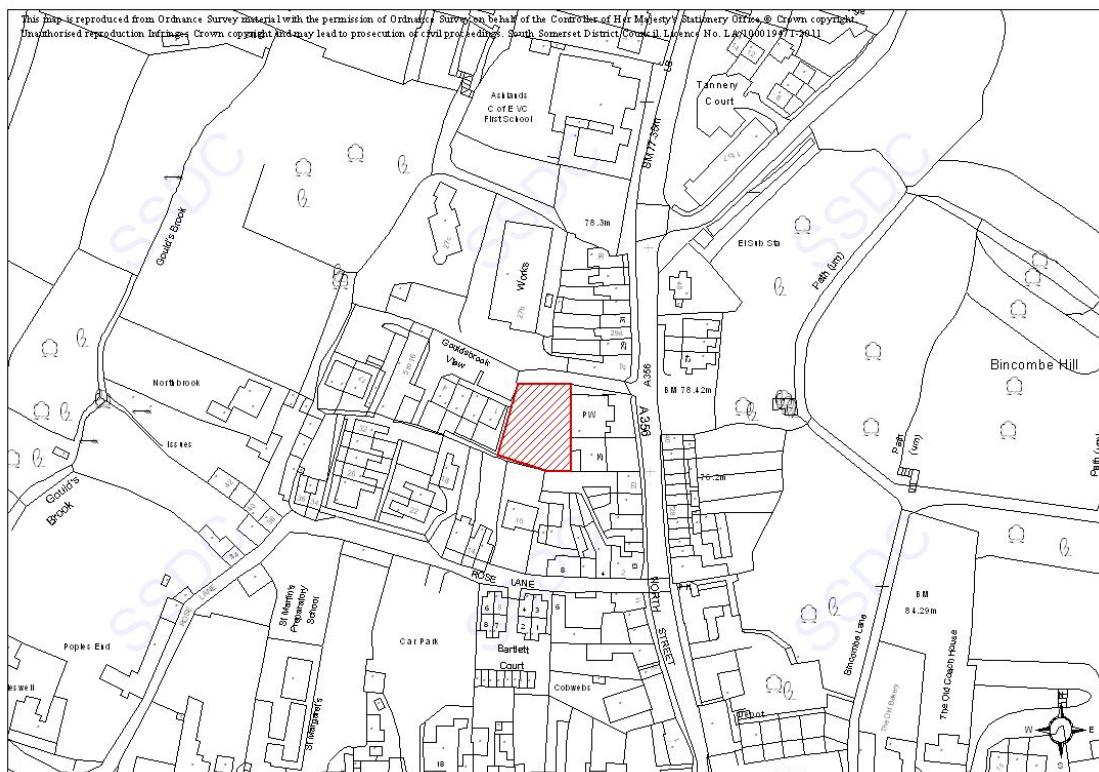
**Officer Report on Planning Application: 11/00124/FUL**

<b>Proposal:</b>	Internal and external alterations and the conversion of disused Sunday school to form 4 No. flats. (Revised Application) (GR 344071/110002)
<b>Site Address:</b>	Sunday School Rooms Rear of Crewkerne Baptist Church North Street Crewkerne
<b>Parish:</b>	Crewkerne
<b>CREWKERNE TOWN Ward (SSDC Member)</b>	Mr. M Best (Cllr) Mr G S Clarke (Cllr) Mrs A M Singleton (Cllr)
<b>Recommending Case Officer:</b>	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
<b>Target date:</b>	25th March 2011
<b>Applicant:</b>	Betagold Ltd
<b>Agent: (no agent if blank)</b>	Mr David Beresford-Smith 30 The Chase High Banmerdown Batheaston Bath Somerset BA1 7JZ
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

**REASON FOR REFERRAL TO COMMITTEE**

This application is referred to the Committee at the request of the Ward Members in agreement with the Vice-Chairman because of the comments made by the Inspector in the 2006 appeal decision (Appendix A).

**SITE DESCRIPTION AND PROPOSAL**



The application relates to the Sunday school buildings to the rear of Crewkerne Baptist Church, a Grade II listed building located on North Street, Crewkerne. The church directly fronts onto North Street and is bounded by residential properties and light industrial uses. The former manse is attached to the south of the building.

The application seeks full planning permission for change of use of the rear buildings into four flats, the Church, which has recently been refurbished, will remain as a place of worship.

The site is within the development area and conservation area of Crewkerne.

## **HISTORY**

11/00125/LBC - Internal and external alterations and the conversion of disused Sunday school rooms to form 4 No. flats (Revised Application) - Associated application, pending consideration.

10/04217/FUL - Internal and external alterations and the conversion of disused Sunday school to form 4 No. flats. Application withdrawn.

10/04235/LBC - Internal and external alterations and the conversion of disused Sunday school to form 4 No. flats. Application withdrawn.

06/04126/FUL - Change of use and alterations to provide seven residential units. Refused 8/5/2007, subsequent appeal dismissed.

06/04131/LBC - Change of Use and Alterations to Provide 7 Residential Units. Refused 24/1/2007, subsequent appeal dismissed.

06/00982/LBC - Alteration to Accommodate Change of Use to 6 Residential Units - Application withdrawn.

06/00985/FUL - Change of Use and Alterations to Provide 6 Residential Units - Application withdrawn.

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant Development Plan documents unless material considerations indicate otherwise.

### Relevant Development Plan Documents

Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policies:-

STR1 - Sustainable Development

STR5 - Development in rural centres and villages

8 - Outstanding Heritage Settlements

9 - The Built Historic Environment

South Somerset Local Plan 2006:

Policies:-

ST2 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

EH1 - Conservation Areas

EH3 - Changes of use of Listed Buildings and Alterations to Listed Buildings

EH12 - Areas of High Archaeological potential

The starting point for the exercise of listed building control is the statutory requirement on local planning authorities to '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 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

Sections 16 and 66 of the Act require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function.

Section 72 of the Listed Buildings Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. This requirement extends to all powers under the Planning Acts, not only those that relate directly to historic buildings. The desirability of preserving or enhancing the area should also, in the Secretary of State's view, be a material consideration in the planning authority's handling of development proposals that are outside the conservation area but would affect its setting, or views into or out of the area.

National Guidance  
PPS1 Sustainable Development  
PPS 3 Housing  
PPS5 Planning for the Historic Environment.

South Somerset Sustainable Community Strategy  
Goal 7 - Distinctiveness  
Goal 8 - Quality Development  
Goal 9 - Homes

## **CONSULTATIONS**

*Crewkerne Town Council:-*

Recommend refusal on the grounds of over development and adverse impact on the neighbour's amenities.

*County Highway Authority:-*

'The proposed development is located in the town centre of Crewkerne within walking distance of all services and facilities. Consequently, it could be argued that this is a suitable location for a car free development.

In detail, the lack of parking provision made within the site means that vehicles in connection with the development are likely to park on the public highway. However, given the fact the Baptist Church does not benefit from having off-street parking means that this is the present scenario. The vehicular traffic related to the church use is likely to be similar to that of the residential use proposed, especially at weekends, and as such it would be unreasonable for the highway authority to raise an objection on this matter. If there were to be no provision of parking facilities for vehicles within the curtilage of the site, the highway authority would like to see facilities made available for at least 6 bicycles.

If the planning authority feel that the building is suitable for conversion from the church to the residential use then I would advise you that from a highway point of view there is no objection to this proposal.'

This is subject to a condition requiring the provision of a covered and secure cycle rack.

*Environment Agency:-*

No comment.

*Development Control Archaeologist at Somerset County Council:-*

Advises that there are limited or no archaeological implications to the proposal and they therefore have no objections.

*MOD Defence Estates Safeguarding:-*

No safeguarding objections.

*Area Engineer, Technical Services Department:-*

No comments.

## **REPRESENTATIONS**

Three letters of objection have been received, two from neighbouring residential properties and one from a neighbouring business. Their comments are summarised as follows:-

1. Concerned about provision of parking as there is already an existing problem for residents. Do not want further competition for parking.
2. Concerned that the windows on the side elevation should not open onto neighbouring garden.
3. The windows will cause light pollution and be a security issue to neighbouring problem.
4. If the windows were to be blocked up, as promised by the builder, they would have no issue with the planning application.
5. The local business is concerned about the problems that may be caused by construction traffic blocking the access to the premises and possible use of their land for parking by future residents.

## **CONSIDERATIONS**

The main considerations in this case relate to the impact on; the character and historic integrity of the listed building and conservation area; highway safety issues and parking and; residential amenity.

This application is a re-submission of a previously withdrawn application.

### **Impact of the development upon the listed building and conservation area**

In terms of the change of use of the building to residential use, PPS3 actively encourages the re-use of redundant buildings within vibrant town centres to this kind of use. However, as the buildings are listed one also has to take account of how the re-use will impact upon the interior or the building. Unlike the previous application that was refused and later dismissed at appeal, the main Baptist Church will be retained and it is now only proposed to change the use of the rear rooms. The appeal decision mainly relates to the Inspector's concerns about the impact of a residential conversion upon the interior of the Church. Now that the Church is to be retained as a place of worship, it is considered that the proposals have adequately addressed the previous appeal decision.

In terms of the detailing regarding the actual alterations involved in creating four residential units, it is felt that the proposed works have been carefully considered and fully respect the historic fabric and features of the rear building. The only significant alteration is the insertion of a new wall within the main hall to separate this space into two flats. However, the interior space will not be altered and will remain at a full height, furthermore the wall will not cut across any of the large windows. As such, it is considered that the proposed conversion has been sensitively designed and is appropriate in the context of the listed building.

With regard to possible impacts upon the conservation area, there are very few changes proposed to the exterior of the building. Two windows will be blocked to protect neighbouring amenity but these windows face into the neighbouring property and the elevation is not visible in the wider context of the conservation area. As such, it is considered that the proposal will preserve the character and appearance of the conservation area.

### **Highways and Parking Issues**

In terms of parking provision, the proposal involves no parking for future residents. Comments from Highways indicate that they have no objections to the proposal as the building is located within the town centre where parking provision is not essential as residents have facilities to hand and can be reliant on public transport in line with guidance in PPS3. In addition, the current use could generate significant traffic movements and demand on parking, the proposed use is likely to generate less movements and less demand for parking. As such, it is considered that the proposal is acceptable in terms of impact upon parking and highway safety.

### **Impact upon residential amenity**

At present there are a number of windows that overlook the neighbouring property 'The Manse'. There are two windows within a small two storey element in close proximity to The Manse and these provide for direct overlooking of the residential property. It is proposed that these two windows be entirely blocked up from the inside so as to preclude any form of overlooking. There are a number of other windows further down the building on a single storey element that are currently glazed in obscure glass up to a height of 1.8 metres. It is intended that these windows be retained with the obscure glass to protect neighbours from overlooking. As such, it is considered that the application has adequately addressed the issue of overlooking and that the conversion will not result in a significant loss of amenity to the neighbouring property.

In terms of light pollution, it is important to note that this building has an existing community use and could be regularly used in the evenings. It is not considered that the development will result in a significant increase in light pollution when compared to that possible with the existing use.

### **Summary**

The proposed conversion is felt to have been sensitively considered and will respect the character and fabric of the listed building and preserve the character and appearance of the conservation area. There will be no further demand upon parking than that possible with the existing use and it is not considered that the proposal will adversely impact highway safety. The plans show alterations to the existing windows to ensure that the neighbouring property will not be overlooked, as such; it is not considered that the proposal will result in such a significant loss of amenity as to justify a refusal of this application.

### **RECOMMENDATION**

Approve

### **JUSTIFICATION**

The proposed change of use of the building into four residential flats by reason of its limited/informed intervention into the historic fabric of this listed building is considered to respect the historic and architectural interests of the building and preserves the character and appearance of the conservation area and therefore accords with the provisions of PPS 5. Furthermore, it causes no demonstrable harm to residential amenity or highway safety in accordance with the aims and objectives of policies ST5, ST6, EH1, EH3 and TP7 of the South Somerset Local Plan 2006.

**SUBJECT TO THE FOLLOWING:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

2. No work shall be carried out on site unless details of the design, materials and external finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

**Reason:** To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan 2006.

3. Prior to the development hereby approved being first brought into use the existing ground and first floor windows in the south elevation of Unit 3 shall be blocked up from the inside in accordance with the details shown on Drawing No. 7049/16212/F and shall be permanently retained and maintained in this fashion thereafter.

**Reason:** In the interests of residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

4. Prior to the development hereby approved being first brought into use details showing the proposed method for the obscure glazing and restricted opening of the existing retained windows in the ground floor south elevation and the new window in Unit 3 shall be submitted to and agreed in writing by the Local Planning Authority. Once the details are agreed and the approved windows installed the windows shall be permanently retained and maintained in the approved fashion thereafter.

**Reason:** In the interests of residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

5. The development hereby permitted shall not be occupied until a covered and secure cycle rack facility has been provided within the site capable of accommodating at least 4 bicycles in accordance with a design specification to be submitted to and approved in writing by the Local Planning Authority and to be constructed in accordance with those details that have been approved.

**Reason:** In the interests of highway safety and to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

6. No work shall be carried out on site unless details of the design, materials and external finish for all new doors, new and existing windows (to include details regarding the type of glazing and obscure glazing), new boarding and new openings have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

**Reason:** To safeguard the character of the listed building and conservation area in accordance with policies EH1 and EH3 of the South Somerset Local Plan (2006).

7. All of the windows hereby approved shall be traditional side hung balanced casements (with equal sized panes of glass).

**Reason:** To safeguard the character of the listed building and conservation area in accordance with policies EH1 and EH3 of the South Somerset Local Plan (2006).

8. No work shall be carried out on site unless details of the roof lights have been submitted to and agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing, the roof lights shall be top hung and flush with the roof covering. Such approved details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

**Reason:** To safeguard the character of the listed building and conservation area in accordance with policies EH1 and EH3 of the South Somerset Local Plan (2006).

9. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.'s 7064/16357/A, 7049/16360 and 7049/16219 received 6 January 2011; 7049/16247/A received 19 January 2011; 7049/16212/F received 28 January 2011; and 7049/16246/G received 16 March 2011.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

## Appendix A



### Appeals Decision

Site visit made on 30 August 2007

by **David Nicholson** RIBA IHBC

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
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Temple Quay House  
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Temple Quay  
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☎ 0117 372 6372  
email: enquiries@pins.gsi.gov.uk

Decision date:  
2 October 2007

#### Appeal A: APP/R3325/E/07/2044943

##### North Street Baptist Chapel, North Street, Crewkerne TA18 7AL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Brookvale Homes against the decision of South Somerset District Council.
- The application Ref 06/04131/LBC, dated 6 November 2006, was refused by notice dated 24 January 2007.
- The works proposed are alterations to accommodate change of use to 7 residential units.

#### Appeal B: APP/R3325/A/07/2044929

##### North Street Baptist Chapel, North Street, Crewkerne TA18 7AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Brookvale Homes against the decision of South Somerset District Council.
- The application Ref 06/04126/FUL, dated 6 November 2006, was refused by notice dated 8 May 2007.
- The development proposed is the change of use and alterations to provide 7 residential units.

#### Decision

1. I dismiss Appeal A and I dismiss Appeal B.

#### Reasons

2. North Street Baptist Chapel was built in the 1820s and 1830s with a façade added around 1880. It is listed at Grade II. The chapel is roughly square and double height with a gallery to 3 sides. To the rear is a hall, formerly a schoolroom, and a number of smaller rooms built around an internal courtyard. The proposal would convert the whole building to residential use. The chapel would be kept as a single unit, with a glazed screen around the gallery, while the rear buildings would be divided into 6 smaller units. On the outside there would be minor alterations to the side elevations and to those facing into the courtyard.
3. In my assessment the chapel has survived well and undergone few significant alterations to its 19<sup>th</sup> century form. It remains in the same use and is essentially open to the public. The chapel has retained its open galleries and fittings. I find that the continuing use and surviving details are important aspects of its special architectural and historic interest.

S.SOM.D.C.  
05 OCT 2007  
RESOLUTION CENTRE



4. The proposed residential units would leave the street façade unchanged while elsewhere external alterations would be kept to the minimum to achieve the conversions. Nonetheless, the internal gallery would be enclosed and the rear hall would be sub-divided. While the building currently has a community and institutional function, residential use would be both private and domestic. In my view this change in access and activity, as well as the physical alterations, would detract from the chapel's special interest and so cause significant harm to the listed building. To the extent that these changes would be apparent from the public realm, the proposal would also fail to preserve or enhance a building which I consider makes a positive contribution to the Crewkerne Conservation Area.
5. I accept that the best way to preserve listed buildings is usually to keep them in active use. The appellant has advised me that the building no longer meets the needs of the congregation. Nevertheless, it is still in use as a chapel, has not been declared redundant, and I have limited evidence that it could not continue as a chapel for some time to come. Alternatively, in my experience, another community or institutional use would be likely to cause less harm to the special interest of the listed building and to require fewer alterations. I have little to show that a less extreme change of use is not feasible or that the market for such a use has been thoroughly and realistically tested.
6. For the above reasons, I find that the proposal would therefore be contrary to government advice in Planning Policy Guidance Note 15: *Planning and the Historic Environment*, that: 'Many churches, of all denominations, when no longer required for worship may nevertheless have a continuing and valuable contribution to make to the community in terms of architecture, art, social and local or national history'. It would also conflict with relevant South Somerset Local Plan policies which seek to preserve the architectural and historic interest of listed buildings.
7. With regard to Appeal B, existing windows along the side elevation overlook the garden to The Manse. I have few details on how the rooms behind these are currently used. The proposals would convert some of these rooms into bedrooms and one to a kitchen/dining room. While there would be few alterations to the windows, I would expect these rooms to be in regular daily and evening use. To my mind this would be likely to increase the frequency and intensity of overlooking and this adds to the harm I have found above and would conflict with Local Plan Policy ST6 which seeks to protect residential amenity.
8. For the reasons given above and having regard to all other matters raised, including the constraints of the Disability Discrimination Act, Part M of the Building Regulations, and the benefits of additional housing, I conclude that both appeals should fail.

*David Nicholson*

INSPECTOR

