



Planning Committee 14th February 2023

APPLICATION NUMBER		22/01242/FUL	
SITE ADDRESS:		Darley Hillside Methodist Church, Moor Lane, Darley Dale DE4 2HG	
DESCRIPTION OF DEVELOPMENT		Proposed Change of Use of Former Methodist Church to form 4 No C3 dwelling units including Alterations and Extension and alteration of vehicular access.	
CASE OFFICER	Sarah Arbon	APPLICANT	Mr Simon Heslop
PARISH/TOWN	Darley Dale	AGENT	Mr Nick Marriott
WARD MEMBER(S)	Cllr J Atkin Cllr M Salt Cllr A Statham	DETERMINATION TARGET	20 th January 2023
REASON FOR DETERMINATION BY COMMITTEE	More than 5 objections	REASON FOR SITE VISIT (IF APPLICABLE)	To assess the proposals on the character and appearance of the church and the access.

MATERIAL PLANNING ISSUES

- Principle of development
- Character and appearance
- Highway Safety
- Residential Amenity

RECOMMENDATION

Approval

1.0 THE SITE AND SURROUNDINGS

- 1.1 The site is located on a steep bank with 3-4m screening on the road frontage above a retaining wall. The Methodist Chapel is located on the highest part of the site above the access onto Moor Lane. The front of the building is set 16m from this access and the rear elevation is adjacent to the north western boundary. There is a sloped driveway with parking area to the front. The nearest residential property is Oak Cottage to the east which is set forward of the chapel. The chapel is single storey of stone construction with red plain clay tiles and traditional long arched windows on the front elevation (east). The building appears to be in a good state of repair and there are more modern extensions on the north eastern elevation adjacent to the 4 m high retaining wall.

2.0 DETAILS OF THE APPLICATION

- 2.1 Planning permission is sought for conversion of the chapel into 4 apartments (three 2 bed and one 1 bed). The majority of existing openings on the south eastern, south western and north western elevations would be retained with replacement windows and doors proposed. A high level window on the north western elevation immediately adjacent to the boundary would be bricked up. Five rooflights are proposed on the south western roof slope. On the north eastern boundary a gable is proposed above an existing flat roof extension with the insertion of a window at first floor and an extension to the side. Improvements to the existing access are also proposed to widen it to 4.9m and realign the existing wall to the west.



3.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

- 3.1. Adopted Derbyshire Dales Local Plan 2017
S4 Development in the Countryside
PD1 Design and Place Making
HC8 Conversion and Reuse of Buildings for Residential Accommodation
HC15 Community Facilities and Services
HC19 Accessibility and Transport
- 3.2 Darley Dale Neighbourhood Plan December 2019
NP12 : Design Principles for C3 Residential Development in Darley Hillside
- 3.3. Other:
The National Planning Policy Framework (2021)
National Planning Practice Guide

4.0 RELEVANT PLANNING HISTORY:

None

5.0 CONSULTATION RESPONSES

Environmental Health

5.1 No objections.

Highway Authority

5.2 Raised no objections to a previous application for the conversion to a single dwelling, subsequently allowed following an appeal. A subsequent pre-application enquiry was received by the Highway Authority, demonstrating an alternative proposal of 4 apartments - taking account of the existing/potential use as a church with a permitted range of community activities, it was not considered that 4 apartments would significantly increase vehicular activity to a level that would warrant a highway objection. The current proposals are demonstrating 1.5 parking spaces per unit and, as previously recommended, secure cycle parking within the building. The improvements to the existing access have been extended and the downhill sightline now meets current standards for the posted speed limit.

Darley Dale Town Council

5.3 Object to the application due to the location of the access and number of cars associated with 4 dwellings. Moor Lane is a single-track road with limited passing places.

6.0 REPRESENTATIONS RECEIVED

6.1 Six letters of objection has been received which are summarised below:

- a) Apartment 3 is only 30m² which is below the Government recommended 47m² in the Housing Standards Review.
- b) Insulation may not be sufficient and the apartments have little room to install it.
- c) It would result in an increase in traffic to 24 movements per day to a site with a restricted access and there is insufficient parking proposed.
- d) The site would be constrained with minimal landscaping and insufficient space for bin storage.
- e) Clarification on how foul waste will be disposed of is required.
- f) Can a condition restrict that the flats are not used as holiday lets as the inclusion of a manager's store make it seem likely.
- g) The proposed improvements to visibility are not possible.
- h) There is no on-street parking as Moor Lane is narrow.
- i) One parking space per dwelling is not sufficient in this area where car ownership is high and the only access to public transport is via the A6.
- j) The building has not been in use for 5 years so no comparison to traffic levels should be used and when in use it was at a lower number than stated.
- k) There is insufficient space within the site for bin storage.
- l) There is no visibility up the lane from the access.
- m) The lane is icy in winter with residents parking lower down.
- n) The proposal would alter the beauty of this old architectural and historic church into a commercialised property.
- o) Three windows would overlook Oak Cottage's back yard.
- p) Increase in noise levels.
- q) The site is not easily accessible to the nearest shops and services and thus residents would be reliant on the car.

7.0 OFFICER APPRAISAL

The following material planning issues are relevant to this application:

- Principle of development
- Character and appearance
- Highway Safety
- Residential Amenity

Principle of development

- 7.1 The site is outside the Settlement boundary of Darley Dale and thus within the countryside. Local Plan Policy S4 is therefore relevant and seeks to ensure that new development protects and enhances the landscape's intrinsic character and distinctiveness and comprises of conversion and re-use of buildings in accordance with Policy HC8. Policy HC8 permits conversions of existing buildings to residential provided that the building is of permanent and substantial construction, the form, bulk and general design of the building makes a positive contribution to the character and appearance of its surroundings, it can be converted without extensive alteration, rebuilding or extension and conversion does not have a detrimental impact upon the character and appearance of the building and its surroundings.
- 7.2 Planning permission 20/00854/FUL was refused for conversion but was subsequently allowed at appeal. The main issue was that the building is currently a Methodist Church and as such Policy HC15 was relevant and requires sufficient marketing evidence to prove it was not required for community use. The Inspector determined that sufficient marketing had been undertaken to justify the permanent loss of the existing community facility. Therefore on the basis of the appeal decision, the principle of a conversion to residential has been established and the proposal accords with Policy HC15.

Character and appearance

- 7.3 Policy PD1 requires development to be high quality that respects the character, identity and context and contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials and the relationship to adjacent buildings and landscape features.
- 7.4 The building is considered to be in a good state of repair with no evidence of any openings in the roofs, walls or existing windows. The building although not highly visible in the streetscene due to screening and a higher land level is considered to make a positive contribution to the character and appearance of the area due to its former use and design. The majority of existing openings would be retained and as such it is considered to be a sympathetic conversion with the only significant change proposed involving a side and gable roof extension on an existing flat roof extension and utilising the roofspace and inserting rooflights. The extension in the northern eastern part of the building has a gable roof that matches the roof on the existing extension on this elevation. The principle of the extension was accepted by the Inspector at appeal and only minor changes to the door openings on the ground floor of the extension and removal of a rooflight on the western elevation are now proposed when compared to the appeal proposal. The proposed conversion is therefore considered acceptable and in accordance with Policy PD1 and HC8. The design would reflect the character of Darley Hillside as described by neighbourhood plan policy NP12.

Highway Safety

- 7.5 Local Plan Policy S4 requires safe access and Policy HC19 seeks to ensure development would not lead to an increase in on street parking to the detriment of the safe and efficient

operation of the highway network. In the previous application the Highway Authority took the view that the building could be used as a church / community facility at present and a conversion to a dwelling would result in a reduction in vehicle movements. This proposal for 4 apartments would be more intensive but is not considered to amount to a significant increase that would warrant any objection, the access is considered safe and sufficient parking, turning and cycle parking is accommodated. The proposal is therefore considered to accord with Policies S4 and HC19.

Residential Amenity

- 7.6 Policy PD1 requires development to achieve a satisfactory relationship to adjacent development in relation to visual intrusion, overlooking, shadowing and overbearing impacts. The building is fairly enclosed within the site with screening to the south east and a 4m high retaining wall to the east and north east. The existing three windows on the ground floor would serve a bedroom for apartment 2 and on the boundary is tree and hedge screening. This elevation would be adjacent to bottom of Orchard House's garden where there is a shed adjacent to the boundary and the property itself sits to the south west on lower ground. Amenity impacts on this neighbouring property are thus not considered adverse. Due to the land level of the site to the north east being higher and the position of Oak Cottage set forward of the building to be converted the insertion of a first floor windows in the gable of the extension serving the living room of apartment 4 would not have a significant impact on the residential amenity of this property in accordance with Policy PD1.
- 7.7 Whilst it is noted that the one bed apartment is 30m² which is below the National Space Standards there is no policy basis for requiring compliance with these requirements. Furthermore, the residential conversion is considered acceptable and would offer sufficient amenity for occupants and therefore a restriction on holiday let use is not considered reasonable or necessary.

Conclusion

- 7.8 The proposal would not result in any significant adverse impacts in relation to highways or residential and visual amenity and the loss of a place of worship was accepted in the previous appeal. There would be a number of benefits to the appeal proposal, including the redevelopment of the site which would make efficient use of previously developed land, securing four residential units and boosting the supply of new homes in accordance with the National Planning Policy Framework. There would be a modest economic benefit arising from the construction phase, and all weigh in favour of the proposal.

8.0 RECOMMENDATION

That planning permission be granted subject to the following conditions.

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

Reason:

This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out other than in accordance with the following approved plans: OS Location Plan scale 1:1250; 1914-Block; 1915-04 C, 1915-05 rev B; 1914-06 rev C; 1914-07 rev C; 1914-08 rev C and 1914-10 rev C, subject to the following conditions.

Reason:

For the avoidance of doubt and in the interests of the proper planning of the area.

3. Samples of all materials to be used in the construction of the external surfaces of the proposed extension shall be submitted to and approved in writing by the Local Planning Authority before any work to any external surface is carried out. The development shall be constructed in accordance with the approved details.

Reason:

In the interests of preserving the character and appearance of the building and its surroundings in accordance with the Adopted Derbyshire Dales Local Plan Policy HC8 and PD1.

4. Details of all new external window and door joinery and/or metal framed glazing shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The submitted details shall include depth of reveal, details of heads, cills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The development shall be carried out in accordance with the approved details.

Reason:

In the interests of preserving the character and appearance of the building and its surroundings in accordance with the Adopted Derbyshire Dales Local Plan Policy HC8 and PD1.

5. Details of the proposed rooflights (including size, manufacturer and model number) shall have been submitted to and approved in writing by the Local Planning Authority prior to installation. The new rooflights shall be of a design which, when installed, do not project forward of the roof plane. The development shall be carried out in accordance with the approved details.

Reason:

In the interests of preserving the character and appearance of the building and its surroundings in accordance with the Adopted Derbyshire Dales Local Plan Policy HC8 and PD1.

6. All window and door frames shall be recessed in their openings a minimum of 50mm behind the front face of the external walls of the building hereby approved.

Reason:

In the interests of preserving the character and appearance of the building and its surroundings in accordance with the Adopted Derbyshire Dales Local Plan Policy HC8 and PD1.

7. A scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, the details of which shall include:

- a) indications of all existing trees, hedgerows and other vegetation on the land;
- b) all vegetation to be retained including details of the canopy spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- c) measures for the protection of retained vegetation during the course of development;
- d) all plant species, planting sizes, planting densities, the number of each species to be planted and plant protection;
- e) finished site levels and contours in relation to the extension;
- f) means of enclosure, and;

g) hard surfacing materials.

Reason:

To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features in accordance with the Adopted Derbyshire Dales Local Plan Policy HC8 and PD1.

8. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason:

To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features in accordance with the Adopted Derbyshire Dales Local Plan Policy HC8 and PD1.

9. The dwellings hereby approved shall not be occupied until the existing access has been modified in accordance with Plan No. 1914-10 rev C.

Reason:

In the interests of highway safety in accordance with Adopted Derbyshire Dales Local Plan Policy HC19.

10. Prior to the occupation of any dwelling on-site parking shall be provided, clear of turning area and maintained thereafter free from any impediment to its designated use.

Reason:

In the interests of highway safety in accordance with Adopted Derbyshire Dales Local Plan Policy HC19.

11. Details of all new or replacement external chimneys, flues, extract ducts, vents, grilles and meter housings shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall thereafter be carried out in accordance with the approved details.

Reason:

In the interests of preserving the character and appearance of the building and its surroundings in accordance with the Adopted Derbyshire Dales Local Plan Policy HC8 and PD1.

12. All gutters, downpipes and other external plumbing shall be constructed in metal with a black painted finish and so retained thereafter.

Reason:

In the interests of preserving the character and appearance of the building and its surroundings in accordance with the Adopted Derbyshire Dales Local Plan Policy HC8 and PD1.

9.0 NOTES TO APPLICANT:

1. The Local Planning Authority considered the application as submitted to be acceptable. On this basis, there was no need to engage with the applicant in a positive and proactive manner to resolve any planning problems and permission was granted without negotiation.
2. The Town and Country Planning (Fees for Applications and Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (SI 2012/2920) stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 30 of the Town and Country Planning (Development Management Procedure) Order 2010. Where written confirmation is required that one or more Conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £97 per request. The fee must be paid when the request is made and cannot be required retrospectively. Further advice in regard to these provisions is contained in DCLG Circular 04/2008.
3. This permission relates to the following plans and document:

Plan No's 1914-02, 03, 05B, 06C, 07C, 08C, 09 and 10C
Design and Access Statement.
4. Pursuant to Section 184 of the Highways Act 1980 prior notice shall be given to the Highway Authority before any works commence in highway on the modifications to the existing access. Email: Highways.hub@derbyshire.gov.uk