

DELEGATED DECISION REPORT

SMD/2024/0380
Valid 24/09/2024

METHODIST CHURCH
ANKORS LANE
THORNCLIFFE

**THIS APPLICATION IS FOR
CHANGE OF USE FROM
CHAPEL (USE CLASS D1) TO
RESIDENTIAL DWELLING
(USE CLASS C3).**

(FULL - MINOR)

MAIN ISSUES

- Impact on character and appearance
- Living conditions for existing and future users of development
- Impact on protected species
- Impact on highway safety
- Impact on water quality and the pollution of the environment

DESCRIPTION OF SITE

A small roadside former Methodist chapel to the edge of Thorncliffe. The building has a very small curtilage, essentially limited to the footprint of the building, and surrounded by fields not under the applicant's ownership. The building is of stone construction with a plain tile roof. A small lean to at the side of the building has a shallow metal sheet roof.

A small open field parcel (1/2 acre) on the opposite side of the road to the chapel is now under the applicant's ownership and edged in blue on a revised location plan. The field is surrounded by maturing woodland, has recently had an agricultural field gate access installed under planning permission SMD/2021/0794. The road edge is marked by a low grassy bank loosely supported by drystone walling. Behind the bank is a pronounced dip in the field forming an undulation which runs parallel with the road. The field then rises on the far side of the dip to a narrow low ridge before dropping steeply into a wooded ravine.

PROPOSAL

Repeat application for a change of use and conversion of the building to provide what would be a two bed holiday let, as confirmed in the application statement. The conversion essentially to be carried out within the envelope of the building. Window alterations would be limited to the introduction of roof lights. An alteration to the lean to roof to create a parapet roof terrace would facilitate the introduction of a small below eaves window in bedroom two.

Unlike a previous attempt, this revised proposal does not include a material change of use in respect of the land parcel opposite, and it is not part of the proposal to provide garden and off road parking within that area of land.

The proposal does however, include the installation of a sewage treatment plant in a small area of excavation on the opposite side of the road (10m from water course and 15m from the development). Details are provided confirming the dimension of the plant at 2.6m x 1.68m with an area of excavation at 3m x 2m to a depth of 2m. The 110mm diameter inlet pipes would pass through bore holes beneath the highway.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

S01 Spatial Objectives
SS1 Development Principles
SS9 Smaller Village Strategy
SS10 Other Rural Area
DC1 Design Considerations
DC3 Landscape Character
E4 Tourism
T1 Development and Sustainable Transport
NE1 Biodiversity and ecology
SD4 Pollution and water quality

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2021/0794 (land opposite) new field access. Approved.
SMD/2023/0018 Change of use of Chapel to holiday let. Withdrawn.
SMD/2024/0142 Change of use of Chapel to holiday let. Refused.

CONSULTATIONS

Publicity

Site Notice expiry date: 19/11/2024
Neighbour consultation period ends: 19/11/2024
Press Advert: N/A

Public Comments

3 Objections received from near neighbours:

- The roof terrace would overlook adjacent property, planning conditions should prohibit its use by occupants
- Sky lights on western side of roof would look directly into adjacent kitchen window
- While this proposal does not include parking provision there should be restrictions in place to prevent parking on the land at a later date
- The septic tank will degrade this area of natural beauty and lead to habitat loss
- The road is narrow, busy and on a blind bend. It can not cope with the traffic that comes through. Roadside parking would make the road more dangerous for future occupiers and other road users.
- The dip in the road to the northeast of the chapel is prone to local flooding

- Worshipers visiting the chapel used to park at Grove Bank Farm not on the roadside

Town / Parish Comments

Tittesworth PC: No objections in principle, two concerns:

We understand that SCC Highways have taken the position that as there was no parking for the previous use parking is not required for this use. The road is not restricted and therefore there is nothing to prevent the occupants parking on the road. Whilst we understand this position we have concerns for safety and the safe progress of traffic. The road outside the property is narrow and is used by large agricultural and commercial vehicles.

The type of plant proposed for the treatment of water and waste is now a non-electric sewage treatment plant. However the exact model and precise location have not been specified. A precise location and specific model will enable the feasibility of installation in the proposed location to be confirmed taking into account the proximity of hedges, walls, watercourses and the existing ground levels. The quality and point of discharge should be confirmed. The connection from the property to the treatment plant should also be specified to ensure that it is feasible.

Environmental Health

No Objection.

Asbestos: A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition/renovation of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: <http://www.hse.gov.uk/>

Contamination: The site has historically been used as a Methodist Chapel, which typically don't have any associated grave yards, It is also not clear if any garden provision is provided in this application, or if this will be over the road associated with the carpark. The unexpected contamination condition is recommended as a precaution.

Drainage Officer Comments re. submitted document: No objection subject to installation in compliance with Building regulations but we would advise consultation is made to the Environment Agency due to proximity of watercourse.

Staffordshire County Council Highways

Acceptance/No objection

While the Highway Authority raises no objection to the proposal, the waste water connection between the chapel and the tank crosses under the highway. The owner of the pipe is required to take responsibility for the pipe connection and any trenching and reinstatement and be liable for future maintenance and any claims made relating to the private pipe and trench reinstatement. A licence under S50 Highways Act 1980 is required for private apparatus within the highway. Details are available at Permissions and licences - Staffordshire County Council

Construction works including pipe connection will require traffic management on the highway. This will require approval from SCC Traffic and Network. Details are available at Permissions and licences overview - Staffordshire County Council and Permission to temporarily manage traffic on the public highway - Staffordshire County Council

The developer should contact Traffic and Network as early as possible to ensure road space can be booked and works programmed on the highway. The developer should allow adequate time for processing of the application.

No parking is proposed at the site. However, no parking is available for the former use. Foul water is now proposed to discharge to a package treatment plant on the opposite of the road. A private pipe will be required under the highway. This is acceptable subject to application for approval for private apparatus in the highway. Traffic Management and permit to dig will be required.

Current records show that there were no Personal Injury Collisions on Ankers Lane within 50m either side of the property frontage in the previous five years.

Waste Collection

No issues regarding waste collection

OFFICER COMMENTS

Principle of Development

Thorncliffe is not identified in the Staffordshire Moorlands Local Plan as one of the 'smaller' or 'larger' villages for the purposes of the spatial strategy. In this case therefore, the site is within an 'other rural area' this comprises the open countryside where development is normally unacceptable, within these areas there are some groups of houses and hamlets which are not identified as 'smaller villages' because of their predominantly open character and loose-knit nature. Local Plan 'Other Rural Area' Strategy SS10 only provides for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside.

This to be achieved through actions which include meeting housing requirements by, inter alia, allowing the conversion or replacement of an existing rural building in accordance with Policy H1 (allowing conversion where the building is suitable and worthy in physical, architectural and character terms for conversion). As a stone building it is in good condition and has an obvious rural character and appearance associated with its previous use and heritage. The building is suitable and worthy of conversion, its longevity and protection within the landscape is welcomed and desirable.

Formerly a place of worship, the existing premises would qualify as a community asset. Where the development would involve the loss of a community asset, it should, under Local Plan policy C1, be resisted unless an alternative facility of the same type and quality that meets the needs of the community is available in the locality; or a viability appraisal including a marketing exercise demonstrates that there are no options for continued or shared use as any type of community facility. The conversion and residential use of the chapel could be supported. As a chapel or place of worship the building clearly reached the end of its usefulness and it remained on the market for some time before it was purchased by the applicant. The building is small and does not obviously lend itself to a range of other uses and purposes or as a community facility. The tests under policy C1 would be met.

While the building and scheme would provide living accommodation on a compact scale (two bedrooms provided at first floor within roof space and an open plan hall to

ground floor with kitchen offset within outrigger), the development would be absent of outdoor amenity space and off road parking. The bedrooms would have limited outlook and natural light provided only by roof lights and the space and head height would not meet nationally prescribed space standards. Overall, the standard of accommodation would not be standard compliant or satisfactory to provide an open market dwellinghouse that provides a primary residence. The applicant confirms however, that the development would provide only holiday let accommodation and in those regards the development is capable of providing suitable or enjoyable living conditions for persons on a short term or occasional basis.

As a holiday let the development would bring the benefits associated with the provision of overnight tourist accommodation, and the additional spend and support that visitors make within local shops, restaurants and attractions. Use of an existing building within proximity to a small hamlet settlement and existing pubs and restaurants would be compliant with Local Plan tourism policy E4.

This repeat application omits a previous proposal to change the use of the agricultural land opposite to provide garden, where parking and septic tank would be provided. Such a change of use would not have been acceptable in principle when considered against the other rural area strategy, it would not meet the tests of essential countryside development.

Design and Impact on Character and Appearance

Policy DC1 of the Local Plan requires all development to be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design Guide SPD.

The SPD guidance says that "Alterations need to be undertaken with care. Insensitive changes can easily spoil a building. The key to a sensitive approach is to take note of what is there already before preparing the design and to work with and not against the building's character (All extensions should harmonise with the parent building). An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing. Setting back the new section from the building line and keeping the eaves and ridge lower than the parent building will help".

Where conversions are concerned, the design guide says that "The guiding principle behind the design of any conversion should be that the character of the original building and its setting should be respected and retained. This means that in most cases the barn should afterwards look like a converted barn, and not like a new house. When converting traditional buildings, new uses should not normally require the construction of extensions or ancillary buildings"

The stone building, although simple in form and architecture, is distinctly recognisable as a building of a particular type, function and age, it makes positive contribution to the character and appearance of the area and the setting of the hamlet settlement.

Any conversion scheme and the arrangement of living accommodation would be expected to work well and respectfully within the fabric of the building with a limited amount of external alteration. With comparison to previous design approaches, the

scheme with this application has simplified the treatment of the existing building (the introduction of a dormer and a roof terrace has been omitted).

The proposed accommodation would make use of existing window and door openings and introduce four small roof lights (two to each roof plain). The tin lean to roof to the east elevation would be replaced with a flat roof behind a parapet wall that would allow light and ventilation to the bedroom through an existing internal window light that currently opens into the lean-to roof space. The window is not of a size that would allow practical access to the flat roof area for it to be used as a terrace.

With simple limited alteration the conversion treatment would comply with the policy and design guidance and would not introduce significant harm to the character and appearance of the building and the locality.

The land on the opposite side of the road is attractive farmland that is open to wider countryside beyond, the land together with the chapel make quality contribution to the character and appearance of the area. No longer part of the proposal to provide a garden and parking on this land, works would be limited to the installation of the small sewage treatment plant and the small area of excavation necessary. Once covered over the land would be restored and the small maintenance hatch barely perceptible.

In these regards there would be conflict with policies SS10, DC1 and DC3 of the Local Plan.

Impact on Amenity

The roof slope facing west is approximately 16m from the nearest residential property at Grove Bank Farm – that neighbour raises concerns about overlooking from roof lights. The proposed scheme would introduce two small roof lights on this slope serving a bedroom and shower room. The small windows on this elevation could be obscured glazed and it is not considered that their introduction need have an unreasonable impact on this neighbour's amenity. Some objectors raise concerns about overlooking that might arise from the proposed roof terrace, however, it is not within obvious or close proximity of any near residential property and faces out onto open land. Moreover, the applicant has clarified that the purpose is not to provide accessible roof terrace or balcony but to facilitate a small first floor window at eaves height to serve bedroom two. The terrace/flat roof arrangement would allow light and limited outlook to that window but personnel access through that window would not be practical as it would have a height of no more than 1m from floor height. A patio type door at that level has been dropped from the scheme. A condition prohibiting the use of the flat roof as a terrace could be attached in the interests of protecting the amenity of the area and the character and appearance of the building given that persons sat on the roof with furniture etc could cause visual clutter and be unsightly in a prominent position. Overall, the scheme would not have unreasonable impact on the amenity or living conditions of existing residents. There would be no conflict with policy DC1 or SD4 in these regards.

Heritage

The nearby Thorncliffe Grange is a Grade II Listed Building to the west. Consideration should be given as to whether the development would affect the historic significance of this building as a result of being within its setting. With only very minor works to be

carried out on the agricultural land opposite the chapel there would be no impact or harm to the setting of the Grade II listed farmhouse.

Although Thorncliffe Chapel this has no designated heritage status, its obvious age and character, it was built in 1839, and that it carries significant status in social history, make it appropriate that it should be regarded as a non-designated heritage asset within the meaning of the NPPF. A balanced judgement is therefore needed to consider the degree of any impact and harm to this building. With the modifications that have simplified the scheme of building alterations, the impact can reasonably be judged neutral towards the heritage significance of the chapel.

Highway Safety

The highway authority acknowledges that this proposal would not provide off road parking provision, the building's curtilage does not allow for it. Roadside parking on the lane is available and unrestricted. The existing lawful use of the building is that of a Chapel with a F1(f) Class of the Use Classes Order 'Public worship/religious instruction'. Within that use class the building could be used, without permission, for various non residential institutional and community purposes, which could at any time bring a considerable number of associated car borne visitors with parking requirements, with the roadside providing the only available parking.

The highway authority acknowledge this and do not object, to the use of the chapel as a holiday let which is likely to bring just one car. It is also likely that given the location of the Chapel on the edge of the Peak District visitors may be walking or cycling on route and the chapel would provide sustainable overnight accommodation.

One of the objectors suggests that visitors of the Chapel always parked at the adjacent farm and so roadside parking has never been an issue. There may well have been a friendly community concession in those regards, although another contributor has picked up on this comment and suggests it was not always the case and roadside parking was common. In any event it would have been an informal arrangement and could not be a guaranteed upon at all times or associated with all future lawful uses of the chapel.

Ecology, Water Quality, Biodiversity and Wildlife Habitat

The applicant has submitted a Phase I Preliminary Bat Roost Assessment from a qualified ecologist. The report finds that there is a probable confirmed bat roost on site. Additionally, three bat emergence/re-entry surveys, during the appropriate season for bat activity (May to August, sometimes September) have been carried out with the ecologist's results submitted in a report. It is confirmed that a bat license would be required and that mitigation measures could be implemented accordingly. In these regards the development could be carried out without conflict with Local Plan Policy NE1.

The land on the opposite side of the road is part of a wider site of Biological Importance, a locally significant wildlife site. The installation of the small sewerage treatment plant and the limited extent of necessary excavation would affect an area of much less than 25 sqm. The application includes technical details of the plant and a location plan, it would be compliant with Environment Agency and Building

Regulations, and would not result in a loss of habitat and grassland plant diversity. In these regards there would be conflict with Local Plan Policy NE1.

CONCLUSION / PLANNING BALANCE

The development would not harm the character and appearance of the area or the setting and heritage significance of the grade II listed Thorncliffe Grange and the non-designated heritage asset of the Methodist Chapel. In these regards there would not be conflict with policies SS10, DC1, DC2, and DC3 of the Staffordshire Moorlands Local Plan and the terms of the NPPF.

The development would be 16m from the nearest residential neighbour it would not have principal first floor windows or areas of outdoor amenity that would cause overlooking or an unacceptable loss of privacy for that neighbour. The flat roof would not have practical personnel access and a condition could prohibit its use. No conflict with policy DC1 in those regards.

The land opposite the building is part of a site of biological importance, a local wildlife site, development on this land would be limited to the installation of the foul water tank system that would require a small area of excavation. The installation would not be harmful to the ground water environment or the quality of the natural environment and result in a loss of habitat. There would be no conflict with policies SS10 and NE1 of the Staffordshire Moorlands Local Plan and the terms of the NPPF.

The proposal does not provide off road parking, it relies on the roadside parking arrangements available to the previous and established use. There would be no additional harm to highway safety. There would be no conflict with policy T1 of the Staffordshire Moorlands Local Plan and the terms of the NPPF.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 28/01/2025

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council