

DELEGATED DECISION REPORT

SMD/2025/0080
Valid 27/02/2025

**RUSHTON METHODIST
CHURCH**
SUGAR STREET
RUSHTON SPENCER

**CHANGE OF USE OF FORMER
CHAPEL TO OFFICE AND
SEPARATE DWELLING WITH
PROPOSED RETROSPECTIVE
CONSENT FOR ROOFLIGHTS
AND REPLACEMENT
WINDOWS**
(FULL - MINOR)

MAIN ISSUES

- Associated parking and amenity space
- Location sustainability
- Neighbour amenity
- Drainage

DESCRIPTION OF SITE

Large, prominently sited and distinctive red brick purpose-built chapel dating from 1898 (datestone) or 1899 (Victoria County History). A building at this site is not picked up in OS map revisions until 1922 – the earlier 1899 edition being too soon for it to be included. The agent's statement quotes the date of construction as being 1816 (p.5) but this is evidently given in error. There was however an earlier chapel at a nearby location in Alley Lane from 1816 which the current building replaced (Victoria County History). The building does not appear in the Staffordshire Heritage and Environment Record.



Fig.1 Aug 2011 street view image

A 20thC bungalow at Rose Hill to the immediate south west at a lower land level is crammed in against the retaining boundary curtilage wall of the chapel perimeter. On its south and west sides and along part of the road front the chapel building is only very narrowly set in from the boundary. Off its northern end there is a gravel parking area which backs on to field land of the open countryside. Much of this area however does not form part of the application although it is at present open to the site and it is understood the applicant currently has use of it. There is also some space to the road front alongside the northerly end of the building.

The planning use class status of the building at the time of the application submission based on its most recent last use and no alternative use having commenced will have been Class F1 which includes F1(f) 'for or in connection with public worship or religious instruction'.

PROPOSAL

The LPA has sought clarification from the agent about the parking and garden space available. This has resulted in a revised plan in which there are six parking spaces and in which the allocated area of residential garden space has been amended and clarified.



Fig. 2 – close up street view in 2011 of the original windows

The office development would occupy 193m² over two floors. The indicative internal layout shows desk spaces for six although the room space would easily allow for more. The layout also includes a large first floor 'board room' and a kitchen and server room / store at ground floor. Calculation of the office space is 15.5m x 6m gf office (+ 1.4 x 5m) + 15.5m x 6m ff = 193m².

The dwelling space would be 12m x 8m groundfloor plus 8.5m x 8 ff = 164m² in total.

A Bat and Bird Presence/Absence Survey; Planning Statement and Design and Access Statement accompany the application.

Conflicting information was initially submitted with regard to a triangle of land off the north end of the building with some details showing it to be included within the proposal and others not – it was not included within the applicant's location plan red edge. On clarification it is not land that is available to be taken into account in the planning assessment.

The description has been amended with the agreement of the applicant / agent and amended plans have been provided to show rooflight windows. Since the application was submitted the applicant has inserted new replacement windows to many of the openings.

Biodiversity Net Gain (BNG)

As a 'minor' development made valid 27th Feb 2025 this application pre-dated the mandatory requirements for BNG which came into force on the 2nd April 2024.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS9 Smaller Villages Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
E1 New Employment Development
H1 New Housing Development
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework (Dec 2024)

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 5 – Delivering a sufficient supply of homes; 6 – Building a strong and competitive economy; 8 – Promoting healthy and safe communities; 9 – Promoting sustainable transport; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None on current record

CONSULTATIONS**Publicity**

Site Notice expiry date: 27.03.2025

Neighbour consultation period ends: 26.03.2025

Press Advert: N/A

Public Comments

Two representations raising concern about parking:

“Sugar Street is narrow and several properties have no off road parking. Will the proposer have adequate parking facilities for office staff and the dwelling, without causing parking or congestion problems for immediate residents?”

“I am concerned about vehicles parking on Sugar Street outside the Chapel which is on a blind bend. Renovation is currently in progress and I find to pass by parked service vehicles I am on the wrong side of the road and unable to see oncoming traffic. If building progresses this could be a worrying problem, is the current parking space at the Chapel enough to accommodate vehicles without the need to park on a blind bend?”

Town / Parish Comments

Rushton Parish Council – consulted, no response received

Environmental Health

No objections subject to conditions – Construction Impacts; Artificial Lighting; Sound insulation (i) for internal commercial noise and office use (condition office timings), (ii) sound insulation Building Regulations; unexpected contamination. Attach advice re asbestos.

Staffordshire County Council Highways

No objections subject to condition. Sugar Street (D1076) is unclassified and is subject to a 40mph speed limit. There are no footways or streetlighting. The residential section

of the property would have 3 bedrooms and the commercial office space (use class E(g)(i) – Offices) would have office space, toilets, kitchen and server room to the ground floor with a board room above. The opening times of the offices (as stated within the application form) would be Mon – Fri 8am to 5pm with no weekend or bank holiday opening. There would be 4 full time and 2 part time employees.

The gross internal commercial floor space proposed is 69.6m² (ground floor) and 23.8m² (first floor) making a total of 93.39m². Staffordshire Moorlands Parking Standards require use Class B1, now E (g)(i) Offices, 1 space per 25m² gross floor area up to 250m², then 1 space per 30 square metres thereafter.

The Parking Standards for residential use are for a dwelling up to 3 bedrooms 2 parking spaces (2.4m x 4.8m each space) for residents and visitors is required.

A total of 6 spaces are required, 2 for the residential use and 4 for the commercial use. The property benefits from a hardstanding/parking area. The application form states there is parking for 8 vehicles, however no plan showing parking has been provided with the application. It is considered the proposal would not have a detrimental impact on the highway. Condition – Notwithstanding any details shown on the approved plans no development shall be commenced until revised details indicating the following has been submitted to and approved in writing by the Local Planning Authority: A revised plan showing 8no.car parking spaces whereby a parking space consists of a minimum width of 2.4m and a minimum length of 4.8m per car. The parking and layout shall thereafter be carried out in accordance with the approved details and be completed prior to first use and shall thereafter be retained as such for the lifetime of the development.

United Utilities

The site overlies the sandstone rock at depth, in a Groundwater Source Protection Zone (SPZ) 2. This forms an aquifer, abstracted at shallow depth by United Utilities for local public drinking water supply at nearby Rushton Spencer boreholes, located 400m to the west. The applicant should follow best practice on their use and storage of fuels, oils, chemicals and construction wastes, to remove the risk of causing pollution during construction.

Given the sensitive nature of the site in relation to the groundwater abstraction, and the particular sensitivity of the catchment to nitrates, it is the preference of United Utilities that a new private wastewater treatment system which is suitably designed for the development is installed. Should the applicant intend to build a private Wastewater Treatment Works, the consent of the Environment Agency would be needed for the discharge of treated effluent. We would not wish to adopt the works on completion.

We ask that the applicant provides an indicative foul and surface water drainage strategy for the site. We request that this information is submitted for our review and comment prior to the determination of this application. On receipt of this information, we will be able to provide further comment.

Case officer

Further communications then followed over a protracted period leading to a final response 3rd Nov 2025. This includes the following:

UU further response 4th Nov 2025

We have concerns regarding the impact of the applicant's proposals on groundwater quality in the Source Protection Zone. There may be a pollution risk which could impact public drinking water supply. Based on the information currently available, United Utilities require information on the drainage of foul sewage in the southwest of the site (from office toilets and kitchen); SuDS proposals for surface water disposal and design of a large domestic / office fuel tank.

Two conditions are requested.

Firstly with regard to the proposed use of a Private Wastewater Treatment Plant the UU consultation response notes that the proposal is to discharge to a non-standard historic soakaway, located in the adjacent lower lying field, which would imply discharge directly to the underlying sandstone, rather than a surface watercourse. UU recommends that the applicant discuss the potential pollution risks with the Environment Agency to confirm the need for an Environmental Permit. Given the potential pollution risk and two separate approaches to wastewater drainage, UU would request the LPA place the following condition:

Prior to development commencing a Wastewater Drainage design for [Site] must be submitted to, and approved in writing by, the local planning authority.

Prior to occupation of the development (hereby permitted) wastewater drainage shall be completed in accordance with the agreed design and subject to receipt of an Environmental Permit if required.

Reason: To manage the risk of pollution to the underlying aquifer, abstracted for drinking water supply and to promote sustainable development.

Secondly with regard to an Oil Storage Tank, the UU consultation response notes that a large tank, shown on the Site Plan, is new and for storage of fuel oil for both domestic and office use. Given the potential pollution risk to groundwater from release of mobile or dissolved contaminants at this site, UU request the following condition:

No development shall take place until a design for fuel storage has been submitted to, and approved in writing by, the local planning authority. The design must consider measures to avoid release of pollutants to the environment, during use and supply of domestic fuel.

Reason: To prevent pollution of groundwater, to ensure there is no contamination to public water supply.

Case officer

As well as the conditions an informative should be added to draw the applicant's attention to the UU response in full. The applicant meanwhile maintains that the oil tank is pre-existing. The LPA observes that an oil tank in the current position appears in air photos since 2011. The applicant has added a note to their further revised site plan drawing 010724-007-P2 (Nov 2025) stating: "Retain existing bunded oil storage tank to side of building currently serving the chapel", describing it as being positioned

“on existing brick bund” and that “No works are required to the existing tank to satisfy the proposals nor does the tank need to be replaced”. Revised wording of the UU requested condition (if used) will be needed.

SMDC Waste Collection

No issues raised

Staffordshire Wildlife Trust Ecology Advice

No objections subject to conditions – bat licence to be obtained from Natural England prior to any works taking place; bat mitigation and enhancement measures, as detailed in the Evolution Ecology Report (September 2024) to be implemented; and a sensitive lighting scheme to avoid disturbance to roosting and foraging bats.

OFFICER COMMENTS

Principle of Development

The relevant strategic spatial policy is SS9 for the smaller villages. In the pre-amble this notes (6.58): *“The smaller villages have a more limited role as service centres, but they are vital to the rural areas particularly in terms of providing for local housing and rural employment needs.”* The opening paragraph ends: *“The proposed strategy for the smaller villages therefore seeks to allow an appropriate level of sensitive development which enhances community vitality.”* There is caution at paragraph 6.59 that large scale development would be unsustainable by generating disproportionate journey traffic.

Policy SS9 states:

These settlements shall provide only for appropriate development which enhances community vitality or meets a social or economic need of the settlement and its hinterland. The Council and its partners will achieve this through the following actions: [relevant or potentially relevant to this proposal]

2. Meet community, social or economic need by: Enabling limited new housing development, including small infill schemes in accordance with Policy H 1; Enabling small-scale new employment development including ‘live-work’ developments which are for a rural enterprise or an existing authorised business use;

Policy SS9 is set out also to:

Ensure that new development reflects and enhances each village’s special character and heritage by protecting and enhancing the setting and historic character of the village, including heritage assets.

Thus LP Policy SS9 provides for new housing development subject to being in accordance with H1. It also supports small-scale new employment development including ‘live-work’ developments which are for a rural enterprise or an existing authorised business use. The policy commits to ensuring that new development reflects and enhances each village’s special character and heritage by protecting and enhancing the setting and historic character of the village, including heritage assets.

In terms of housing, as a proposed conversion scheme utilising an existing building that is worthy of retention as being physically robust and architecturally characterful in the street scene, the housing element of the proposal can be considered compliant with H1(5)(d). There is thus in-principle policy support for the residential element of this development.

Whether the proposed business office use is supported in principle is less clear cut. Certainly it would appear in tune with the 'sentiment' of the policy which evidently sets out to give 'guarded' support for additional employment provision. The policy however requires this to be for "a rural enterprise or an existing authorised business use" which is perhaps not exactly met by the application. The applicant meanwhile lives in Rushton and states an intention to use the office part of the development for their own business activity (rural tourism property lettings).

Whilst this scheme is not specifically a live-work development it arguably does have parallels. Moreover, there is further relevant policy contained at E1. In particular this states (p.85) that "Schemes involving the re-use of rural buildings for commercial enterprise, including tourism uses, will be considered favourably where the proposed use does not harm the building's character and/or the character of its surroundings."

Overall from the above it can reasonably be concluded that there is in-principle policy support for the development as proposed. It is also noted that unlike many 'smaller villages' Rushton is moderately well served in transport terms being on the main Leek-to-Macclesfield road which continues at the present time to carry a bus service. The village has a primary school, two pubs and other small businesses including light industry and two vehicle sales and/or repair premises.

The main further issues are as listed at the head of this report.

Design

Appearance / neighbour amenity

With the exception of window framing physical changes to the external appearance of the building itself are minimal and raise no design appearance concerns. Revised drawing 010724-006-P1 refers and includes amendments at LPA request to omit the phrase 'retaining facade where possible' the significance or intention of which was not understood and would have given rise to unacceptable ambiguity in the plans. The plans have also been amended (again at LPA request) to show the three rooflight windows already inserted (pre-application) in the westerly facing roof slope (not street facing). They can be considered appropriately sized and positioned and thereby acceptable in design appearance terms.

The applicant's decision to replace the building's original windows without reference in the submitted plans and without consultation with the Local Planning Authority is unfortunate and extremely disappointing. The new windows are dramatically different from the original ones and amount to a significant material change in the building's appearance. There are no permitted development rights that would have allowed this

alteration to the building without consent being obtained. The applicant has said that they appointed Derbyshire Building Control Partnership and were advised in terms of Building Regulations that the originals were bowed and that replacement was recommended. As this was not raised with the LPA there has been no opportunity for this to be verified or for alternatives to be discussed. However, in a further communication (24.11.2025) the applicant has itemised: safety glazing required on first floor sections of windows that are glazed within 800mm of the floor level; requirement for opening windows as means of escape on both ground and first floor levels; ventilation requirements through trickle vents and opening windows; and energy efficiency demands.

There is reference in the application to solar panels and air source heat pump but no details. In response to LPA query the applicant replied in e-mail dd 12.03.2025: *The suggested solar panels will sit on the south facing roof elevation. The heat pump sits on the external ground on the outside of the building, we have suggested it will be fitted to the southern side of the building...* Potentially this would be in proximity to a neighbouring dwelling. This could raise issues of noise disturbance subject to the specification details. The matter needs to be addressed by condition or informative in event of approval. In an e-mail dated 20th Nov 2025 the agent confirmed acceptance of this position.

Outside space

Site layout design is shown in amended layout drawing 010724-007-P1 rev P1. This defines an area of 69.7m² as outside space for the dwelling. Although this is somewhat limited in that it is awkwardly shaped it is largely to the westerly light-benefitting aspect and it does meet the Council's minimum 65m² threshold. It can also be noted that the rural location would give occupiers ready access to the immediate countryside surroundings by way of the public footpath network.

Parking provision

Parking provision is also awkward and is an issue raised in public representations out of concern about increased roadside parking. The Council's adopted LP Appendix 2 guidance calls for a minimum of two spaces for a three-bedroomed dwelling (as proposed here) and that is what is shown. Parking to serve the business office is proposed as paired tandem arrangements to the property front. This somewhat interferes with the main pedestrian access. Nevertheless the minimum provision required by the adopted guidance is met. The developer has little alternative and if the layout cannot be accepted the scheme as a whole would fail. Importantly the County Highways Officer recommends approval of these arrangements.

Drainage

Following protracted engagement with United Utilities the proposed drainage scheme has been significantly amended from that first submitted. Drawing PGC1385-DR-C-001 rev P1 refers. The UU requested conditions should be attached in event of approval.

Other Matters

Protected Species

There is a breeding bat colony roost within the premisses and the applicant's ecology adviser stipulates that Natural England Licensing will be required. This appears from the information to have every prospect of being likely to be granted. SWT recommend approval subject to conditions.

Heritage

The NPPF defines heritage asset as follows:

Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

Whilst not included in a Local List it would be appropriate to note this former chapel as 'a building' with 'heritage interest' due to its age, form and character and one-time community role and therefore having a degree of significance meriting consideration in planning decisions. The former chapel is an imposing and well-built structure and although not as early in date as the applicant first submitted it nevertheless makes a significant contribution to the area history at the turn of the 19th / 20th Century. This leads to the conclusion that it is a non designated heritage asset.

CONCLUSION / PLANNING BALANCE

In order for this building to be retained a replacement use must be found. It is clear from the report that there are significant site constraints particularly with regard to parking. The building is in some ways over-large for its plot and its location is also compromised in terms of travel sustainability. Whilst there is necessarily some reservation about the proposed office business use to a part of the building it is nevertheless on balance concluded that the scheme as a whole should be approved. Various matters as set out in the report need to be addressed by condition.

OFFICER RECOMMENDATION : Approve subject to conditions

Case Officer: Arne Swithenbank

Recommendation Date: 14.11.2025 – revised 24.11.2025

X *J Curley*

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council