

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2324/OF1	
2.	Proposed Development:	CHANGE OF USE FROM CHAPEL TO RESIDENTIAL PROPERTY	
3.	Location:	ST BEES METHODIST CHURCH, MAIN STREET, ST BEES	
4.	Parish:	St. Bees	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change	
6.	Publicity Representations & Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
	<p>This application relates to St Bees Methodist Church which is located on Main Street within the centre of St Bees village. The site lies within the St Bees Conservation Area and is located within the main group of terrace properties. The property also sits in front of two semi-detached properties, with all three sharing a single access to their rear/front gardens. The Church building is currently vacant.</p>		
	Proposal		
	<p>This application seeks planning permission for a change of use from a chapel to a residential property. The proposed conversion will be within the footprint of the existing chapel and will not involve any</p>		

external extension to the property. The only external alterations to the property will include the refurbishment of the existing stonework and large traditional church windows, and the replacement of the existing lower ground floor rear door and windows with painted timber sash openings. Any double glazing will be added as secondary glazing to the original upper floor levels.

Internally, the lower ground floor of the property will incorporate a store, utility/boot room, a double bedroom, a shower room, a double bedroom with an ensuite bathroom. The proposed ground floor will accommodate an open plan lounge, study area, kitchen and dining room. A mezzanine level will also be added to the property to create a lounge/occasional bedroom.

Consultation Responses

St Bees Parish Council

No objections.

Cumbria County Council – Highway Authority & LLFA

It is noted that there is no onsite parking provision for this building, a point your Authority may wish to consider when determining this application, however this has always been the case and given its past usage this is unlikely to adversely impact on the on-street parking situation overall.

Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

United Utilities

No comments received.

Natural England

No comments to make on this application.

Copeland Borough Council – Conservation Officer

9th August 2021

This proposal will retain the building's architectural and historic character while improving the aspects that are in poor condition or of poor appearance. There will be a positive effect on the character and appearance of the conservation area and settings of the heritage assets nearby, including the grade II listed Redbourne House, subject to the detailing of the rooflights.

I expect flush mounted rooflights are the intention, but for the avoidance of doubt I'd request a condition requiring this, as at least the forward rooflight on the south elevation is likely to be visible

from certain angles.

26th August 2021

Since my first consultation response (09/08/21) I have received confirmation that although there is not a standard conservation rooflight of sufficient size to meet the requirements for air supply given the un-opening windows, a rooflight can be specified with a single vertical glazing bar and a grey recessed flashing kit.

I would view this as entailing negligible harm, but to be fully justified.

25th October 2021

I have received updated details from the agent, showing some obscured glazing transfers applied to the windows on the rear elevations, as well as a taller obscure-glazing guardrail on the mezzanine.

I do not believe these proposals will have an effect on the heritage significance of the building, the conservation area, or any surrounding buildings.

1st November 2021

I have received details of the proposed rooflights reflecting an email discussion we had. The rooflights have been specified to avoid having to specify opening windows to the main elevations, and this necessitates a non-conservation type. However, with recessed flashing kit and glazing bar, I understand the difference is the dark grey colour rather than black. Given the very limited possible view of the roof from any surroundings, the justification and minimal difference compared with a heritage type rooflight, I view this as reasonable

Cumbria County Council – Historic Environment Officer

26th July 2021

Our records indicate that St Bees Methodist Chapel dates to the second half of the 19th century and is a heritage asset of local architectural and historical interest. It built in the Victorian Gothic tradition and displays many original architectural features of note. When constructed, the chapel would have formed a social and religious focus for the village.

It is considered that the proposed conversion work will alter the character and appearance of the chapel and so I recommend that, in the event planning consent is granted, it is recorded prior to alteration. This recording should be in accordance with a Level 2 Survey as described by Historic England's document Understanding Historic Buildings A Guide to Good Recording Practice, 2016. I advise that this be secured by attaching a condition to any planning consent you may otherwise be minded to grant.

25th August 2021

In light of information provided by the applicant's agent, I have reassessed the level of recording of the chapel that I recommended to you in a letter dated 26 July 2021.

I now recommend that, in the event planning consent is granted, the chapel is recorded prior to alteration in accordance with a Level 1 Survey (with existing architects plans and elevation drawings included) as described by Historic England's document Understanding Historic Buildings A Guide to Good Recording Practice, 2016. I advise that this be secured by attaching a condition to any planning consent you may otherwise be minded to grant.

10th November 2021

I confirm that the submitted Archaeological Building Survey Level II is adequate and that I consider it fulfils the requirements of the condition I previously recommended.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to five properties. One letter of support was received which asked whether the change of use would reduce water supply to existing properties and if the church could have its own water supply from the Main Street.

Planning Policy

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy T1 – Improving Accessibility and Transport

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM13 – Conversion of Buildings to Residential Use within Settlement Limits

Policy DM22 – Accessible Developments

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (2021)

National Design Guide (NDG).

Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

The Conservation of Habitats and Species Regulations 2017 (CHSR).

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation which ended on 30 November 2020. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

Assessment

Principle of Development

Policy ST1 and ST2 of the Copeland Local Plan supports the principle of new housing and seeks to concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The principle of new housing is also supported by in the Copeland Local Plan through policies SS1, SS2 and SS3. These policies seek to promote sustainable development to meet the needs and aspirations of the Boroughs housing market, as well as having consideration

for the requirements of smaller settlements within the Borough, which respect their scale and function.

The application site lies within the designated settlement boundary for St Bees, which is identified as a Local Centres in Policy ST2 of the Copeland Local Plan. This policy allows for new housing developments within the defined physical limits of the settlement. This policy also allows the development of infill and windfall sites. The proposed development would utilise an existing vacant Chapel within the centre of St Bees, as such the principle of development is considered to be acceptable.

Scale, Design and Impact on Neighbouring Properties

Policy ST1, DM10, DM11, DM12 and section 12 of the NPPF seeks protection of residential amenity, a high standard of design, fostering of quality places, and proposals, which respond to the character of the site. DM13 of the Copeland Local Plan seeks to allow for the conversion of building within settlement limits to those which can provide adequate internal space, off street parking in accordance with parking standards, and adequate amenity space. This policy also states that conversions should conserve the character of the building and will not create amenity issues for residents of the adjacent properties.

The application seeks planning permission to change the use of an existing vacant chapel to a single residential property. The change of use will accommodate the dwelling within the existing structure of the chapel with no external extensions. In order to conserve the traditional character of the building the application seeks to refurbish the existing stonework and large traditional church windows. Double glazing will be added as secondary glazing to the original upper floor windows to further ensure the development conserves the character of the chapel. The only external alterations relate to the lower ground floor windows which will be replaced with timber sash windows.

The change of use will create a two/three bedroom property with a large open plan living space. Whilst the property benefits from little external amenity space, the site is located within the centre of the village within walking distance of a number of village amenity spaces including St Bees beach and play park.

Initially concerns were raised with the application in relation to the potential overlooking of the existing residential properties to the rear of the site. Policy DM12 of the Copeland Local Plan sets out the required separation distances for new residential properties. The property is currently located within the centre of St Bees, where the existing built form of the village does not meet these required standards. The existing use of the site would have allowed for overlooking of neighbouring properties, however the change of use to a residential dwelling will intensify the use of the site, which has been vacant for a number of years. Whilst the relationship with the properties on Main Street is accepted to reflect the existing form of the village, issues relating to overlooking of the two existing properties to the rear of the site on Dawson Place was raised with the agent. Whilst there is already a significant element of overlooking with these properties additional mitigation was

requested to protect the existing residential amenity. Based on these concerns the agent for the application has amended the submitted plans for this application to include the following:

- Sandblast obscure glazing in lower ground rear door panel and sandblast obscure glazing in the lower panel of the rear lower ground bedroom window.
- Sandblast obscure glazing to lower panel of existing rear chapel windows. Given the floor level of the ground floor this will obscure the occupant's line of site to 1.45m.
- The installation of a 1.5m sandblasted guard rail upon the upper mezzanine level.

Whilst these amendment will help to mitigate some of the overlooking concerns with the development, there will still be some impact on the amenity of the occupiers of the existing dwellings to the rear. As these amendments seek to reduce the harm and give the occupiers of the rear properties some level of privacy which they currently do not benefit from, and no objections have been received from the occupiers of any of the neighbouring properties, the development is considered on balance to be acceptable. An appropriately worded planning condition is proposed to ensure that these mitigation measures are installed prior to the first occupation of the dwelling and that they are retained at all times thereafter.

On the basis of the amended plans for this application, it is considered that the proposal complies with the policies of the Copeland Local Plan and Section 12 of the NPPF.

Highway Safety

DM13 of the Copeland Local Plan seeks to allow for the conversion of building within settlement limits to those which can provide off street parking in accordance with parking standards. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context. Section 9 of the NPPF promotes sustainable transport.

The application site does not include any provision of off street parking. The site fronts onto Main Street, which has no parking restrictions and is therefore used by numerous properties within the localized area for on street parking. Cumbria Highways have noted this lack of onsite parking provision, however they have stated that this has always been the case for this site and given its past usage this is unlikely to adversely impact on the on-street parking within the village. Cumbria Highways have therefore officer no objections to the proposed development as it is considered that it will not have a material effect on existing highway conditions.

Although the site does not provide onsite parking, the change of use is considered to reduce parking requirements in the area, and therefore it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

Impact on Conservation Area & Heritage Assets

Policy ST1, ENV4, DM27 of the Copeland Local Plan seek to protect, conserve and where possible enhance the historic, cultural and architectural character of the Borough's historic sites.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need "in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest" [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

Section 72 of the 1990 Act states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area."

Paragraph 194 of the National Planning Policy Framework (NPPF) states that "In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation..."

NPPF para. 199 states, in the case of designated heritage assets, "great weight should be given to the asset's conservation", irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 202).

Paragraph 203 of the National Planning Policy Framework (NPPF) states the effect on the significance of a non-designated heritage asset should be taken into account when making decisions.

Referring to assets in a conservation area, NPPF para. 207 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 201) or less-than-substantial harm (under paragraph 202). In new development, opportunities should be sought to enhance or better reveal the significance of conservation areas (NPPF para. 206).

Initially, the Council's Conservation Officer stated that the proposal will retain the building's architectural and historic character while improving the aspects that are in poor condition or of poor appearance. The Officer confirmed that the development will have a positive effect on the character and appearance of the conservation area and settings of the heritage assets nearby, including the grade II listed Redbourne House. However, the Officer requested a condition to secure flush mounted rooflights. Further to the submission of amended plans the Officer has confirmed that he does not believe that the proposal will have an effect on the heritage significance of the building, the conservation area, or any surrounding buildings. As there are no conservation rooflights which meet building regulation requirements, and in order to avoid a condition requiring the submission of details the agent has provided specifications of the proposed flush mounted rooflights to be used within the development. The Council's Conservation Officer has confirm that non-conservation type rooflights in this location is reasonable given the limited view from any surroundings, the justification provided, and the minimal difference with heritage type rooflights. In order to ensure the

development is carried out in accordance with these details an additional condition is proposed to ensure the retention of the proposed rooflights.

Cumbria County Council's Historic Officer has confirmed that St Bees Methodist Chapel dates to the second half of the 19th century and is a heritage asset of local architectural and historical interest. The Officer has stated that the proposed conversion works will alter the character and appearance of the chapel, therefore it was requested that a condition requiring a Level 2 Survey was carried out before works commenced. Further to this request the agent submitted photos of the existing interior of the building to show the level of disturbance to the building and lack of character features. Based on this information the Historic Officer confirmed that he was happy to accept a Level 1 Survey for recording this site. In order to avoid this requirement as a pre commencement condition, the agent subsequently submitted an Archaeological Building Survey Level II. The County Council's Historic Officer has reviewed this document and has confirmed that it is adequate and fulfills the requirements of the previously suggested condition.

On the basis of the above it is considered that the proposal complies with policies of the Copeland Local Plan and the NPPF.

Ecology

Policies ST1, ENV3 and DM25 of the Copeland Local Plan and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposal that are likely to have an effect on nature conservation sites, habitats and protected species.

The building to which this application relates falls within the planning and development trigger list for bat surveys contained within the Bat Conservation Trust Bat Surveys Good Practice Guidelines. The bat survey submitted for this application concludes that no evidence of bats roosting was found although there is a possibility of opportunistic use by low number of bats at some times of the year. The report states that the level of use is not considered likely to be significant and precautionary mitigation is proposed, meaning significant disturbance and/or the loss of roost sites is unlikely to occur. The survey identified a number of mitigation measures including making contractors aware of the possible presence of bats before works commence, details of what to do if bats are found, and ensuring the removal of all roof coverings by hand. As the survey highlights a number of mitigation measures an appropriately worded planning condition will be attached to any permission to ensure the development is completed in accordance with these proposed mitigation measures. An informative has also been included within the decision notice to ensure that if any bats, or evidence of this species, are found during construction works the applicant informs the relevant bodies.

On this basis, it is considered that the proposed mitigation is acceptable and the development complies with ENV3 of the Copeland Local Plan.

	<p><u>Planning Balance & Conclusion</u></p> <p>The application seeks planning permission to convert a vacant Chapel, located within one of the Council’s Local Service Centres, delivering a new residential unit within a sustainable location.</p> <p>Whilst there is no onsite parking proposed as part of the development, based on the former use of the building the proposed change of use is unlikely to adversely impact on the on-street parking within the village, and is likely to reduce overall demand.</p> <p>The change of use of the property from a Chapel to a residential property is however likely to have some impacts on the amenity of the occupiers of the adjacent properties, particularly to the rear of the site. Although there is already an element of overlooking from the site and no objections have been raised from any neighbouring properties, attempts have been made by the applicant to mitigate against overlooking concerns and to reduce the level of harm.</p> <p>Overall, based on the amended details of the application and the proposed mitigation measures, it is considered that the benefits of giving this traditional and prominent building within the Conservation Area a viable use significantly and demonstrably outweighs the identified impacts from the development.</p> <p>The Council’s Conservation Officer has confirmed that the proposal will not have an effect on the heritage significance of the building and that the use of non-conservation type rooflights is justifiable in this instance.</p> <p>On this basis the proposal is therefore considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p>

2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

- Existing Building Plans I and Section, Scale 1:50, Drawing No 21.13.01, received by the Local Planning Authority on the 16th July 2021.
- Existing Building II Elevations, Scale 1:50, Drawing No 21.13.02, received by the Local Planning Authority on the 16th July 2021.
- Proposed Floor Plans, Block Plan and Site Location Plan, Scale 1:200 & 1:1250, Drawing No 21.13.06c, received by the Local Planning Authority on the 16th July 2021.
- Proposed Elevations, Section, and Window Detail (Amended), Scale 1:10 & 1:100, Drawing 21.13.07c, received by the Local Planning Authority on the 1st November 2021.
- Bat Survey, Prepared by Envirotech July 2021, received by the Local Planning Authority on the 16th July 2021.
- Design and Access Statement, received by the Local Planning Authority on the 1st November 2021.
- Proposed Rooflight Details: GGL Single Installation into Natural Slate, Scale 1:5, File Name: GGL-END-0114-1104, received by the Local Planning Authority on the 1st November 2021.
- Archaeological Building Survey Level II, received by the Local Planning Authority on the 10th November 2021.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Prior to Occupation Conditions:

3. Prior to the first occupation of the dwelling hereby approved the rear lower ground floor and ground floor windows and mezzanine railguard must be fitted with obscuring glazing in line with the approved plan 'Proposed Elevations, Section, and Window Detail (Amended), Scale 1:10 & 1:100, Drawing 21.13.07b, received by the Local Planning Authority on the 23rd September 2021'. The obscure glazing must be permanently retained at all times thereafter.

Reason

To safeguard the amenities of occupiers of adjoining properties.

Other Conditions

4. The development must be carried out in accordance with and implement all of the mitigation and compensation measures set out in the approved document Bat Survey, Prepared by Envirotech July 2021, received by the Local Planning Authority on the 16th July 2021.

Reasons

To protect the ecological interests evident on the site.

5. The development must be carried out in accordance with the approved document Archaeological Building Survey Level II, received by the Local Planning Authority on the 10th November 2021.

Reason

To protect the architectural and historical interest evident on the site.

6. The proposed rooflights to be installed within the development hereby approved must be in accordance with the following approved plans:

- Proposed Elevations, Section, and Window Detail (Amended), Scale 1:10 & 1:100, Drawing 21.13.07c, received by the Local Planning Authority on the 1st November 2021.
- Proposed Rooflight Details: GGL Single Installation into Natural Slate, Scale 1:5, File Name: GGL-END-0114-1104, received by the Local Planning Authority on the 1st November 2021.

The development must be retained in accordance with the approved detail at all times thereafter.

Reason

To safeguard the traditional appearance of the buildings in the interests of visual amenity.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking or re-enacting that Order with or without modification) no external alterations, including replacement windows, doors or skylights and roof coverings, or painting or rendering shall be carried out to the property, nor shall any building, enclosure, extension, porch, domestic fuel container, pool or hardstanding be

constructed within the curtilage without the prior written consent of the Local Planning Authority.

Reason

To safeguard the traditional appearance of the buildings in the interests of visual amenity.

Informative:

During construction if any bats or evidence of bat is found within this structure the application should contact the National Bat Helpline on 0345 1300 2288 for advice on how to do works lawfully.

Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: C.Burns

Date : 10.11.2021

Authorising Officer: N.J. Hayhurst

Date : 12/11/2021

Dedicated responses to:- N/A