

UPDATE SHEET

PLANNING COMMITTEE – 5th December 2023

**To be read in conjunction with the
Report of the Head of Planning and Infrastructure to Planning
Committee**

- (a) Additional information received after the publication of the main reports;**
- (b) Amendments to Conditions;**
- (c) Changes to Recommendations**

A1 23/00933/FUL - Proposed conversion of former chapel into nine residential flats and associated development.

Kegworth Wesley Methodist Church, High Street, Kegworth

Additional Representations

One further letter of third party representations has been received which raised concerns in relation to highways matters.

Comment

Insofar as the additional third party objection is concerned, it is noted that this relates to matters already addressed within the main report.

Other Matters

Further to queries raised at the Technical Briefing:

- It must be clarified following the Technical Briefing that the Methodist Church in Castle Donington is no longer in use as a church and that building is therefore unavailable as a substitute to the one the subject of this application.

- **Bus services in Kegworth** - There are at least two regular bus services:
 - The 901 runs every 30 minutes from Kegworth to Sutton Bonnington and further to Nottingham University.
 - The Skylink runs on a 20 minute schedule to the East Midlands Airport and on to Derby and in the other direction travels to Loughborough and Leicester.

- The applicant has confirmed that they approached multiple sources in order to secure parking for the site, including from the nearby pub however, their requests were denied, and as such, they proceeded to apply for planning permission without parking on the basis of the existing use of the church and the sustainable location of the site.

See below for a map showing parking restrictions in the area taken from the Leicestershire County Council website can be viewed below:



Councillor Sutton has provided members with a list of applications and appeals which relate to the conversion of Church buildings to alternative uses. A map of Kegworth showing the parking restrictions and a map of one of the appeal areas has also been sent and are included as an attachment to this late paper.

Comment

A number of conversion applications have been referenced by Councillor Sutton however the applications predominantly featured varying reasons of refusal for their schemes, and it hasn't been made clear if these decisions were appealed. Given two appeals were highlighted by Councillor Sutton, the Glossop appeal and the Jarrow appeal, Officers have focused their assessment on these and it is considered the appeals largely demonstrate why the conversion should be approved. The respective inspectors noted on the Glossop appeal the sustainable location of the site and that the existing church use would generate more demand for parking than the proposed residential use and the Jarrow appeal similarly concludes the proposal would not add to the existing on street parking situation. Both appeal sites were approved.

It is considered suitable to acknowledge as discussed in the wider committee report that like the Glossop site, Kegworth is classed as a sustainable settlement in the Local Plan. It is identified as a Local Service Centre, a settlement which provides some services and facilities primarily of a local nature meeting day-to-day needs and where a reasonable amount of new development will take place.

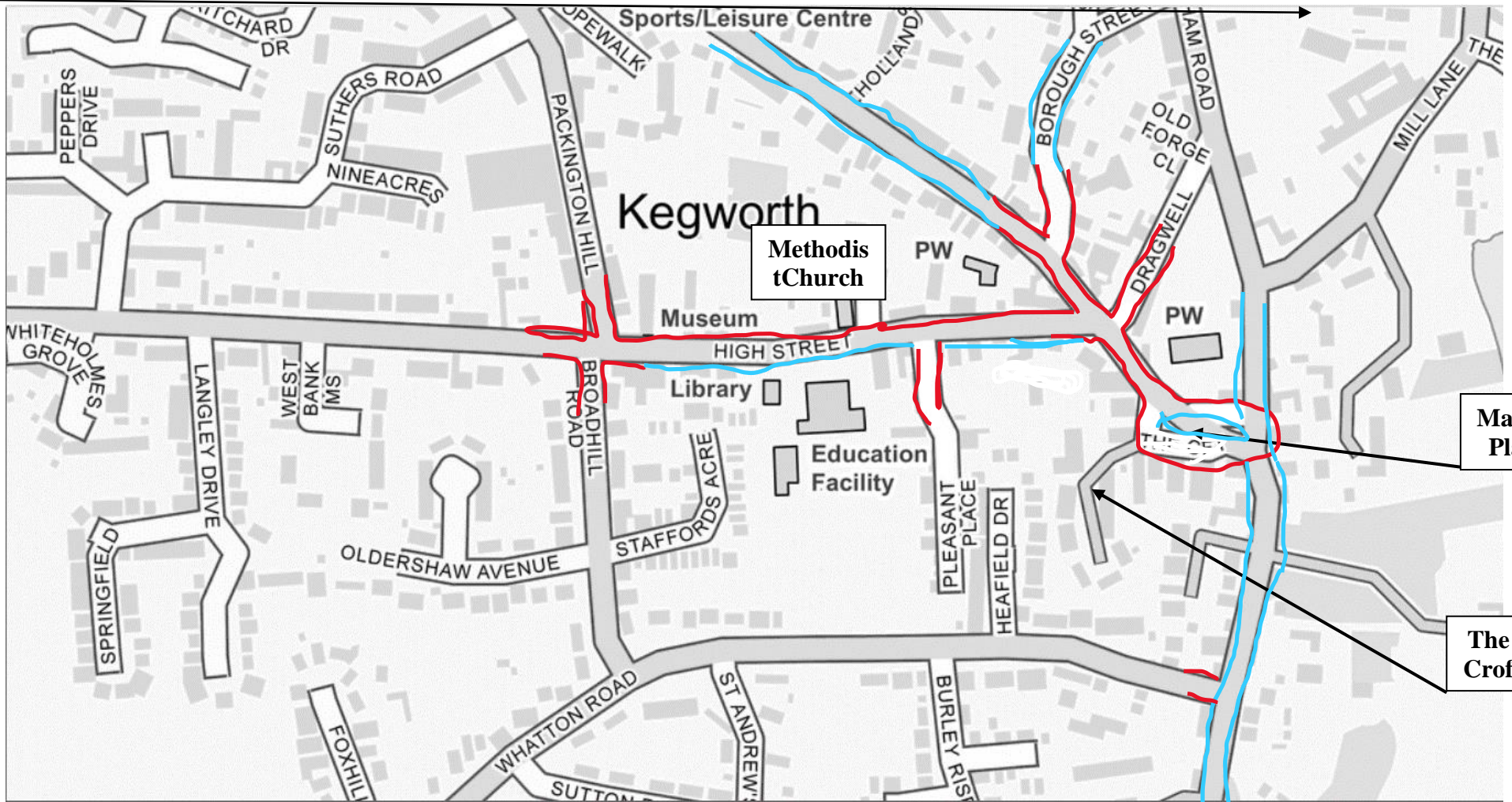
Within a short walking distance of the site there are hairdressers, an optician, a pharmacy, a grocery store, various forms of eateries including restaurants/café/takeaways, pubs, barbers, a butcher, a doctors and independent shops including a gift shop and a florist and there is a school directly opposite the site. Given the services and facilities available close to the site, the approval of the proposal in what is defined as a sustainable settlement would accord with Local Plan Policies and the sustainability aims for development in the NPPF.

Councillor Sutton also wishes to clarify the context for his call in request for this application. It's as follows:

1. The plans make zero parking provision for the nine flats proposed, audaciously comparing the parking requirements of a church congregation, dwindling for fifty years of increasing car ownership, and that only for a few hours on a Sunday morning, with the needs of full time residents.
2. High Street, a Conservation Area, is close to, and regarded as part of, the commercial centre of the village. It has relatively little on street parking. There are half a dozen businesses with their own parking.
3. The school opposite this site relies on the Red Lion's generosity in order to be able to absorb the parking pressure of the school drop-off periods. Under pressure from casual and permanent car users, the Community Library opposite this site has had to close off its limited parking spaces except when in use as intended by Library users. The Heritage Centre has no parking to my knowledge. The Baptist Church has no parking.
4. There is already a high proportion of residential properties in High St given over to HMO and flat accommodation and even Airbnb.

RECOMMENDATION - NO CHANGE TO RECOMMENDATION

0.5mile approx



5

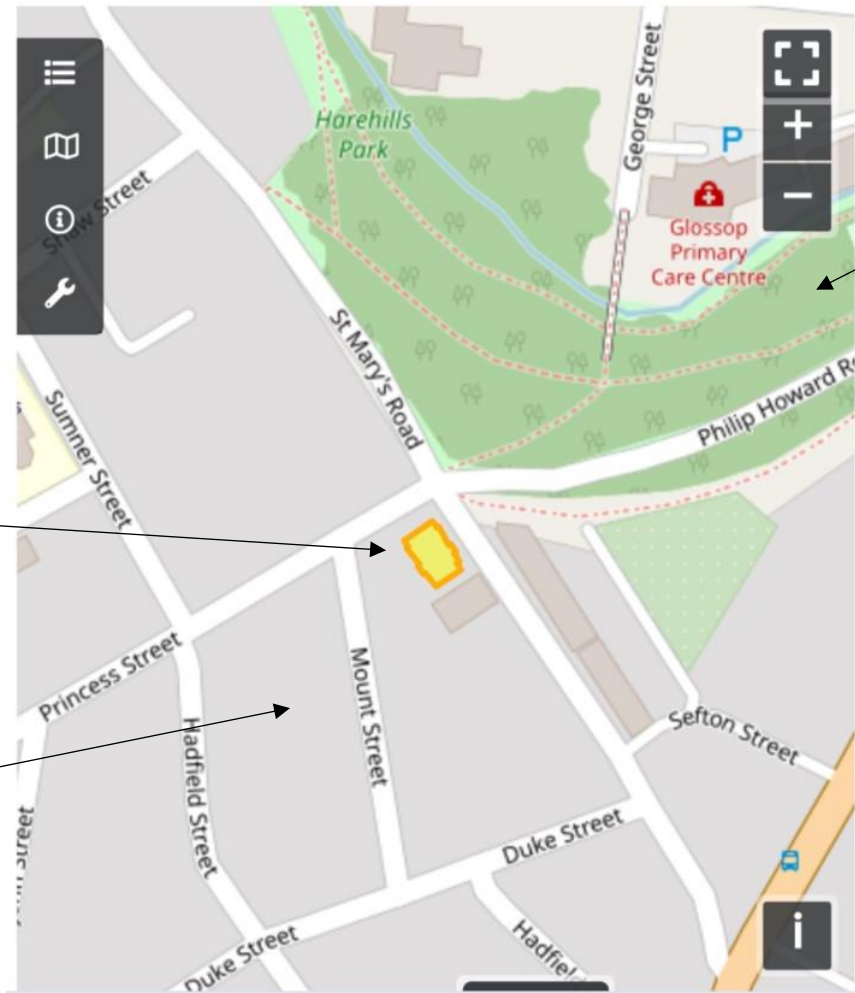
No parking (red)
sacs = 12+

Time/space restricted parking (blue)

Features: High Street parking = 35 cars, Intensely built up and narrow cul de

Glossop re appeal

Map



Appeal site

Park land
No houses

Tightly built up



0.4mile
approx

Note to Planning Committee members re item 4/A1 Methodist Church, High St Kegworth

Other central village/town Church/Chapel conversions to apartments

Planning Authority	Year	No of flats	No. of spaces offered	Approved /Refused	Link and notes
Newark and Sherwood (Newark)	2004	9	0	Refused	<p>“The site is subject to Policy H21 (Design and Layout of Housing Development) of the adopted Newark and Sherwood Local Plan, which states "Planning permission will be granted for new residential development provided", inter alia, "it has satisfactory parking and access provision..." The application is also subject to Policy T25 (Car Parking and Servicing in New Development) which states "Planning permission will not be granted for development unless appropriate vehicle parking and servicing arrangements are provided."</p> <p>In the opinion of the Local Planning Authority, the lack of off-street car parking would result in additional demands for on-street parking on surrounding streets to the detriment of residential amenity and the free flow of traffic. As such, the proposal is considered contrary to the above named policies.”</p>
Newark and Sherwood (Newark)	2004	8	8?	Approved	<p>Basement parking added?</p> <p>The flats are often for sale or rental</p> <p>https://buttercrossestates.com/property/overs-lane-newark-ng24-1hu/</p> <p>https://www.booking.com/hotel/gb/7-the-old-chapel.en-gb.html?activeTab=photosGallery</p>
N Northants (Rushden)	2022	13	0	Refused	<p>Reasons included lack of 10% affordable housing, loss of community facility, lack of S106, all carried forward to....</p>
N Northants (Rushden)	2023	10	0	Refused	<p>https://publicaccess.east-northamptonshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RRO6CWGOKJ500</p> <p>https://www.northantstelegraph.co.uk/news/people/plan-to-convert-rushden-church-into-flats-rejected-by-council-4390201</p>

Sheffield (Woodhouse)	2016	8	8+	Refused	Highway Issues – insufficient in-curtilage parking and cycle parking – further amendments required; and
Sheffield (Woodhouse)	2022	8	8	Refused	“.. development, involving the hard surfacing of the land next to the church for car parkingwould harm the setting of the...Church, a Grade II Listed Building, and insufficient information... to justify this level of harm.”
Conwy (Colwyn Bay)	2020	19	0*	Refused	<p>* There was no provision for on-site parking and a proposal for parking passes for nearby car parks was deemed insufficient. Planning officer Ceri Thomas said it “doesn’t even meet the basic parking provision of one space per property”.</p> <p>https://npe.conwy.gov.uk/Northgate/EnglishPlanningExplorer/Generic/StdDetails.aspx?PT=Planning%20Applications%20On-Line&TYPE=PL/PlanningPK.xml&PARAMO=498127&XSLT=/Northgate/EnglishPlanningExplorer/SiteFiles/Skins/Conwy/xslt/PL/PLDetails.xslt&FT=Planning%20Application%20Details&PUBLIC=Y&XMLSIDE=&DAURI=PLANNING</p> <p>“The previously approved application for 12 apartments with basement parking is considered to be a more appropriate development for a site of this size.”</p> <p>https://north.wales/news/conwy/3m-flats-plan-for-former-colwyn-bay-church-rejected-over-parking-issues-20068.html</p>
High Peak (Glossop)	2009	14 of which 50% affordable housing	0	Refused Appeal allowed*	<p>http://planning.highpeak.gov.uk/portal/services/AttachmentShowServlet?ImageName=82419</p> <p>https://www.manchestereveningnews.co.uk/news/local-news/church-flats-plan-rejected-922607</p>
Bradford (Haworth)	2011	9	9	Approved	https://planning.bradford.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LNLCT4DHC1000
Bradford (Haworth)	2018	12	12	Refused	<p>https://www.thetelegraphandargus.co.uk/news/keighleynews/17293653.conversion-plans-allow-three-extra-flats-disused-haworth-church-refused/</p> <p>“The proposal is to convert a chapel to form 3 additional flats to the 9 flats approved previously 11/02963/FUL. The previously approved access and car parking arrangement was found to be difficult to achieve satisfactorily and therefore the applicant has acquired land specifically for this purpose.” (Highways)</p>

Appeals evidence

1. High Peak (Glossop) 2012 (see above) I have highlighted factors that do not apply in the Kegworth case



See <http://planning.highpeak.gov.uk/portal/servlets/AttachmentShowServlet?ImageName=93780> of which this is a section:-

The proposed scheme would result in 5 one-bedroom flats and 9 two-bedroom flats. Due to site constraints there is no off-street parking within the site and occupiers of the flats would have to park their cars within nearby streets. Policy TR5 of the High Peak Local Plan (LP)¹ provides that development proposals should provide safe access and egress, and have a high standard of design in relation to parking, access and manoeuvring. Car parking standards are set out in Appendix 1 of the LP which provides that residential uses generally require a maximum provision of one and half spaces for each one bedroom unit and two spaces for each two bedroom unit.

7. The appeal site is located in a dense residential area, close to the town centre and railway station. There are reasonably regular rail connections to Hadfield and Manchester, as well as bus stops within the vicinity of the site which provide access to a number of regular bus services. Two primary schools and a secondary school are within 0.5 km of the site which is also within easy walking distance of a wide range of local services, shops and facilities. Overall I conclude that the site is in a highly sustainable location with good public transport linkages.

8. The residential streets around the site are quite tightly knit and parking on the highway is generally unrestricted. Princess Street and St Mary's Road are both unrestricted and have reasonable carriageway width. On my site visit I saw vehicles parked on both sides of each of these roads. Other residential roads, such as Mount Street to the west of the site, have narrower carriageway widths and on-street parking is more constrained. The site is also diagonally opposite an area of public open space adjacent to Philip Howard Road, which is a long road, running towards the town centre. Given the lack of houses along Philip Howard Road, there is additional on-street parking available which is unrelated to any single dwelling.

9. I have seen a large number of objections from local residents at both application and appeal stage, expressing concerns about the proposal leading to an increased demand for on-street parking to the detriment of highway and pedestrian safety. I have also seen a letter from the North West Ambulance Service expressing concerns about the ability of ambulances to gain access to the residential streets surrounding the site. The letter confirms that the area around the site has caused problems in the past in this regard.

10. The appellant states that the previous use ceased in early 2008 since which time the buildings have remained vacant. Aside from church services and activities the Church Hall was utilised by various groups including a playgroup, ju-jitsu, TA Cadets, Young People's Church Group, Women's Institute Meetings, Girl Guides and Ladies Fellowship. I also note the appellant's statistical data points to the appeal site being within an area containing a larger percentage of households without cars than the national average. ¹ Whilst the LP was adopted in March 2005, I note that policy TR5 and policies GD5 and H1 (referred to later) have all been saved by direction of the Secretary of State made pursuant to paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004. Appeal Decision APP/H1033/A/09/2108182 4

11. The appellant has provided a highway consultant's report which concludes that the car parking demands of the proposed use would be significantly less than the demands of the existing use. The report quotes statistics from the TRICS database, undertaking a comparison of parking demand between proposed and existing uses. The methodology for extrapolating the data appears to rely on trip rates for similar uses, although there is no clear evidence as to the base data relied upon from the TRICS database. The scenarios in both proposed and existing uses can only present a general picture as to parking demand for these particular uses.

12. Derbyshire County Council, as Highways Authority, expresses concerns about on-street parking in the area but accepts that the proposed use would generate significantly less traffic than that which could potentially be generated by the existing authorised use. It further accepts that the parking requirements for the flats would be significantly less than those of the Church and its hall.

13. Having regard to the range and number of activities and meetings described and the likely numbers of people involved, I consider that the previous use of the church and hall would probably have generated a greater and more concentrated demand for on-street parking than the proposed use. Whilst I accept that some church-goers and activity participants would walk to the site, it is also likely that others would travel by car. In addition, given that the services and meetings would have taken place at specific times, the demand would have been more concentrated than a residential use which is more likely to have staggered arrivals and departures. Also, given the nature of the accommodation proposed, as well as its location close to the town centre and the available public transport links, I consider it likely that not all of the flats' occupants would have a private motor vehicle. 14. For all of the above reasons I conclude that the proposal would not result in an increased demand for on-street parking and therefore a travel plan is not necessary. I have noted the difficulties which the ambulance service has encountered but this is an existing problem which is likely to have been caused by inappropriate parking. Other controls could be used to address this problem if deemed necessary. Even if the proposal did result increased competition for on-street parking I am not persuaded that this could not be accommodated. Whilst there is existing pressure on on-street parking, the appeal site has the advantage of being located close to Philip Howard Road which affords additional on-street parking. Neither am I persuaded that the existing level of, or an increased demand for, on-street parking is, or would be, detrimental to highway safety or the safety of pedestrians. 15. The explanatory text in the LP2 confirms that the parking standards will be applied in a common sense manner and a more flexible approach will be required if it appears that proposals will lead to on-street parking which is unacceptable in terms of residential amenity or highway safety. It also recognises that in some town centre locations, certain developments may be acceptable without any on-site provision. Having regard to the appeal site location and characteristics and the nature of the accommodation to be provided, I conclude that it is appropriate to apply the flexibility to standards envisaged by the LP and in Planning Policy Guidance 13- Transport. For all of 2 Paragraph 11.18 Access, Parking and Design. Appeal Decision APP/H1033/A/09/2108182 5 the above reasons I conclude that the proposal would be acceptable in highway safety terms, in conformity with LP policy TR5

2. South Tyneside (Jarrow) 2022/23– a fire-damaged building but the same principles for 5 replacement flats with dedicated ground floor 5-space parking and cycle storage and I have highlighted pertinent reportage of planning inspector comments



<http://planning.southtyneside.info/MVM.DMS/Planning%20Application/805000/805358/ST004021FUL%20Appeal%20Decision.pdf> and <https://www.shieldsgazette.com/news/politics/council/appeal-after-plans-refused-for-apartments-at-former-church-and-auction-rooms-in-jarrow-4040504>

However the planning inspector said the fire-damaged building's condition was "detracting from the character and appearance of the area" and that developers said it was "not viable" to reconstruct the church building to convert it to residential uses.

The planning inspector's report added: "While a large number of residents object to the loss of the use of the building as a church, I note the officer report confirms that the building ceased being a church in 2014 and the last use of the building was as an auction house.

"As such, the scheme does not propose the loss of a church use.

"Some residents have expressed concern that there is too much change in the area, and I have given careful consideration to the submitted petition with regard to concerns of the effect of allowing the proposal on residents' health and wellbeing.

"Moreover, while I acknowledge suggestions that the appeal site should be redeveloped for a community use, a café or turned into a park, I am required to determine this appeal in relation to the use proposed by the appellant which is for housing".

In response to concerns about parking and congestion, it was noted that the apartment complex would not have an "adverse effect" on highway safety.

The planning inspector also concluded there would be "no material harm to the living conditions" of neighbours living in flats on Victoria Terrace or those living opposite the appeal site on Sussex Street.

The appeal decision report added: "The appeal scheme has a modern design with glazed Juliet balconies and undercroft parking and an overall different built form and massing to the neighbouring properties.

"However, it has been designed in such a way that both aspects facing the street would provide visual interest in this prominent corner location and would contribute to a legible hierarchy of buildings and spaces in the locality.

"Moreover, the architectural detailing would reflect some of the key characteristics of the area and in doing so"

"Nonetheless, the Framework in paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Based on the evidence before me and on my observations, the appeal scheme would not add to existing on street parking and nor would it exacerbate existing congestion, to the extent that it would adversely affect highway safety or have a severe impact on the highway network."

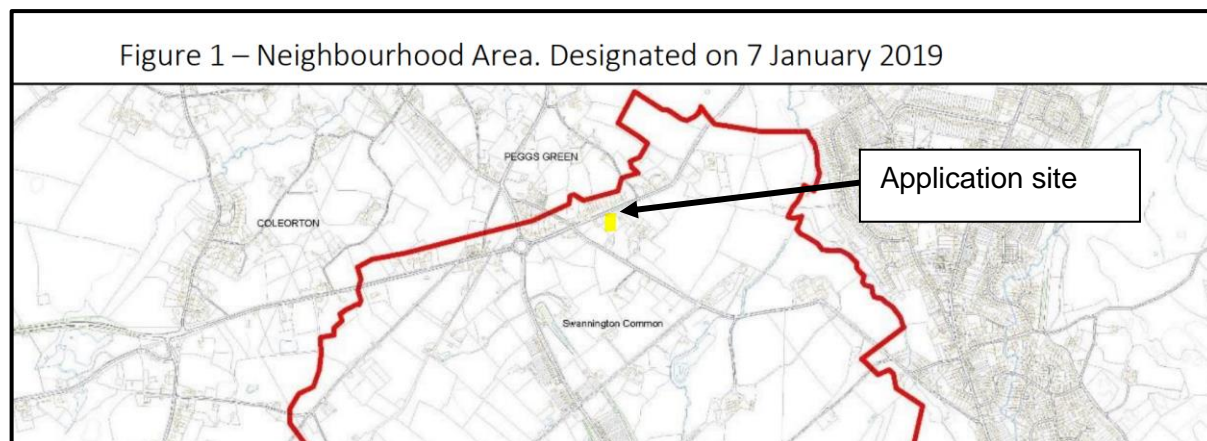
A2 - 23/01048/OUT - Erection of three self-build detached dwellings (outline application with all matters reserved except for access)

67 Loughborough Road, Coleorton, Coalville, Leicestershire, LE67 8HJ

(a) Additional information received after the publication of the main reports:

Ward and Parish Boundaries Clarification

Please note that in consideration of the proposals at No. 67 Loughborough Road, that the application site falls wholly within the Valley ward. The application site also falls within the boundaries of Swannington Parish, as outlined within the adopted Swannington Neighbourhood Plan, the boundaries from which are included below for reference with the application site highlighted:



Clarification of Swannington Neighbourhood Plan Housing Allocation

As outlined in the Swannington Neighbourhood Plan, the Neighbourhood Plan has undertaken a comprehensive assessment of potential residential development sites in a positive approach to securing sustainable development and to help meet a local need. Therefore, land is allocated for residential development under Policy H1 of the Neighbourhood Plan as follows:

Policy H1: The land at St Georges Hill as shown in Figure 2 below is allocated for residential development within the newly designated settlement boundary.

Development will be supported subject to the following criteria:

- a) The site will be allocated for around 12 units;*
- b) The existing planting will be retained and enhanced within a sensitive design solution;*
- c) Affordable housing will be sought in accordance with NWLLP Policy H4;*
- d) The development will not create an adverse impact on the character of the area, or the amenity of neighbouring dwellings; and*
- e) A footpath and vehicular link will be constructed to Leicestershire County Council's adoptability standards to St Georges Hill to serve the site.*

At the time of writing, the site is available with the last residential development proposal for the site (under application reference 14/00005/OUT) having been refused prior to the designation of the site for housing allocation under the neighbourhood plan. The siting of the residential land allocation, its positioning within the wider parish boundaries and how this relates to the siting of the current application site is demonstrated in the below figure:

Figure 2: Residential site allocation

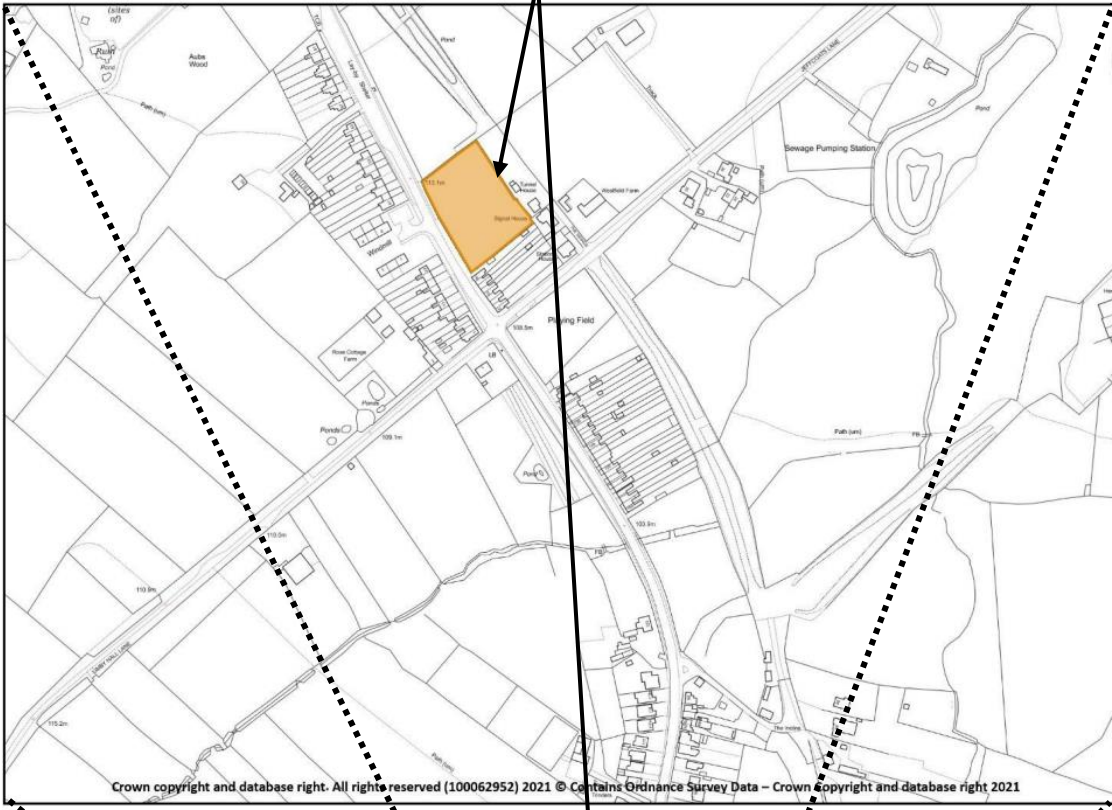
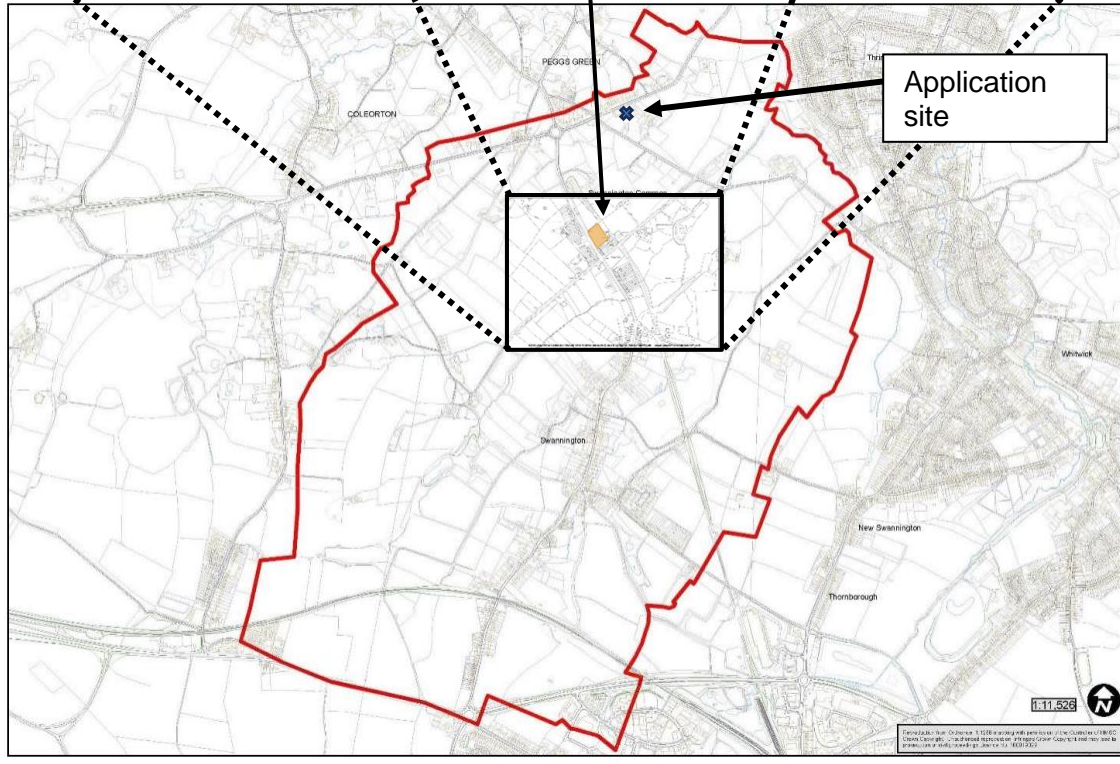


Figure 1 – Neighbourhood Area. Designated on 7 January 2019



Further consultee response – Waste Services.

Following the publication of the committee agenda, it is noted that Waste Services provided comments in relation to the positioning of the bin store. Following these comments, a revised plan was provided to indicate the positioning whereby, no objections raised in relation to the proposed bin store positioning. The full comments are included below for reference:

“I can confirm the attached plan is acceptable.”

(b) Amendments to Conditions;

There are no amendments to the proposed conditions list.

Officer comment

The above comments raise no new issues to those previously reported and therefore, officers have no further comments to make.

(c) Changes to Recommendations

RECOMMENDATION – NO CHANGE TO RECOMMENDATION.

A3 23/00905/FUL - Demolition of existing nursery and erection of building comprising children's nursery and 5 residential apartments, together with associated parking, landscaping, bin and cycle store.

8 Forest Road, Coalville, Leicestershire, LE67 3SH

Point of Clarification

It has been checked and the postal address for this application site is 8 Forest Road, Coalville, Leicestershire, LE67 3SH and this is the address submitted on the application form. However, for the avoidance of doubt, the site is located within the Hugglescote and Donington le Heath Parish in the Hugglescote St John's Ward.

Additional Consultation responses received:

An additional response has been received from the Council's Waste Collection Team who have no objections to the application.

RECOMMENDATION – NO CHANGE TO RECOMMENDATION.

A4 23/01148/FUL - Erection of two storey side and rear extension, single storey rear extension and replacement windows.

Hemingford, South Street, Ashby-de-la-Zouch

Officer Comment:

An amended plan has been received showing three parking spaces outside the property which are needed to meet the adopted parking standards.
For the sake of clarity, whilst a new garage is proposed as part of this development, it is not large enough to meet the minimum size standards for a garage and as such, it cannot be considered as a fourth parking space under the adopted parking standards.

RECOMMENDATION - NO CHANGE TO RECOMMENDATION