

Proposed conversion of former chapel into nine residential flats and associated development

Report Item No
A1

Kegworth Wesley Methodist Church High Street Kegworth

Application Reference
23/00933/FUL

Grid Reference (E) 448505
Grid Reference (N) 326745

Date Registered:
21 July 2023

Consultation Expiry:
9 October 2023

Applicant:
Mr Leigh Morris

8 Week Date:

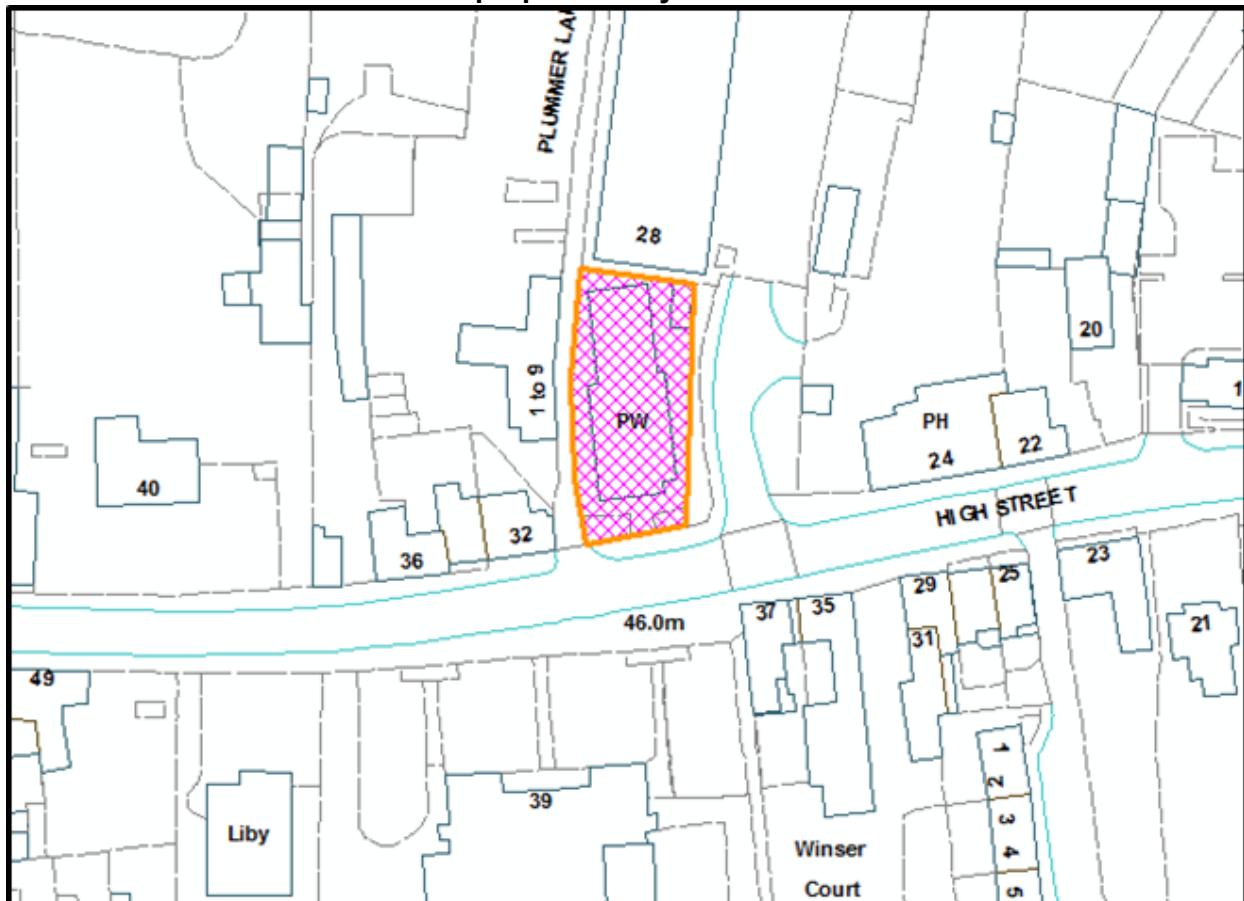
15 September 2023

Case Officer:
Donnella Wood

Extension of Time:
None Agreed

Recommendation:
PERMIT

Site Location - Plan for indicative purposes only



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Reasons the case is called to the Planning Committee

The application is brought before Planning Committee as the application has been requested to be 'called in' by Councillor Sutton on the grounds of lack of parking and highway safety and a high proportion of residential properties on High Street are given over to Houses in Multiple Occupation, flat accommodation and Air bed and breakfast facilities.

RECOMMENDATION - PERMIT, subject to the following conditions;

- 1 Standard Time Limit -3 years
- 2 Approved Plans - received 6 September 2023
- 3 Historic Building Recording – Details to be provided in relation to any artefacts of archaeological value to be submitted to and agreed prior to any commencement of development on site.
- 4 Construction Environment Management Plan to minimise the impact of the scheme on passenger flights from EMA – to be submitted to and agreed prior to any commencement (East Midlands Airport)
- 5 Aviation Perspective Glint and Glare Assessment to be submitted to and agreed prior to any installation of the proposed solar panels (East Midlands Airport)
- 6 External Materials - details to be submitted to and agreed post damp proof course installation
- 7 New external windows and doors and any alteration to existing openings - details to be submitted to and agreed post damp proof course
- 8 Cycle Parking Provision – details to be submitted to and agreed prior to first occupation
- 9 Landscaping and Boundary Treatments – to be provided on site prior to first occupation
- 10 Conservation Style Rooflights - to be installed as part of the scheme.
- 11 Obscure Glazing - to be installed for the ground and first floor windows serving bathrooms on the east and west side elevations
- 12 Removal of Permitted Development Rights for extensions and alterations to the property
- 13 Netting of Solar Panels to prevent birds from accessing to prevent issues with passing aeroplanes (East Midlands Airport)
- 14 No Reflective Materials, including solar panels other than clear or obscure glass shall be added to the building so as not to impact negatively on aviation (East Midlands Airport)
- 15 Exterior Lighting to be capped at the horizontal with no upward light spill (East Midlands Airport)

MAIN REPORT

1. Proposals and Background

Full planning permission is sought for the conversion of the former Chapel into nine residential flats and associated development.

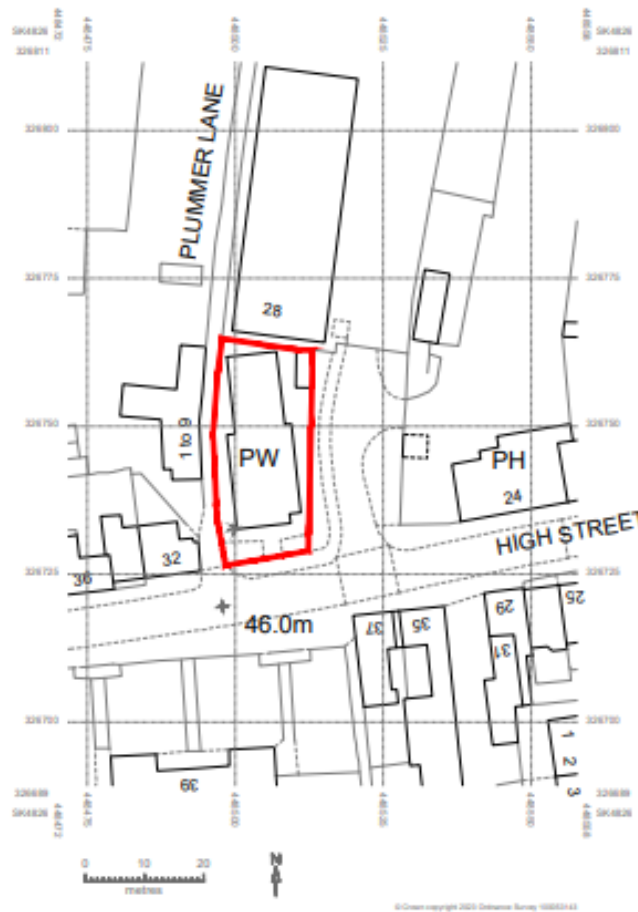


The site is adjoined to the west by flats 1-4 (32 High Street) and Plum Cottage and the Flat Plum Cottage on Plummer Lane. There are no immediate residential properties to the east or north of the site, and the site is located directly opposite the Kegworth County Primary School.

The site is located off the High Street which is a classified C road subject to a 30mph speed limit with double yellow lines to the frontage.

The site falls within the Kegworth Conservation Area and the Limits to Development, as defined by the policy map to the adopted Local Plan. The site location plan is shown below.

Site Location Plan



The site does not benefit from an existing vehicular access and the proposals do not propose the construction of one particularly as there is no room on the site to facilitate a vehicle access or car parking spaces. The site will therefore remain as pedestrian access only in the same way that it was when it was an operating chapel.

The scheme proposes to construct a total of nine apartments comprising 2 x 2 bed apartments and 7 x 1 bed apartments.

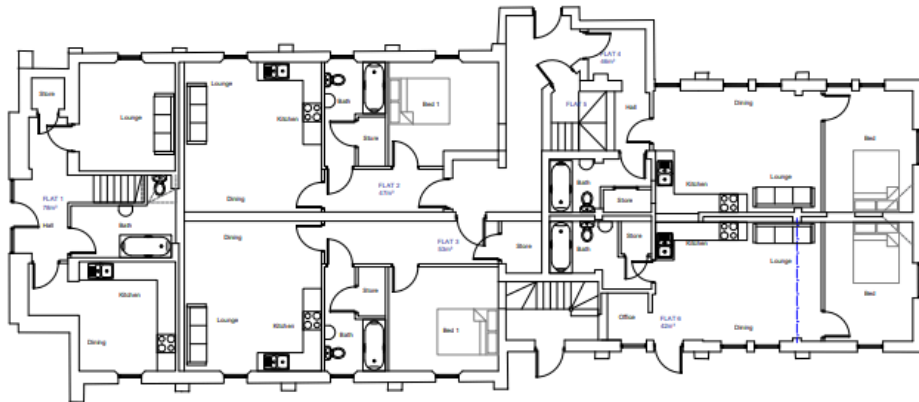
Details of the proposed development are shown below.

Site Layout Plan Showing Proposed Development

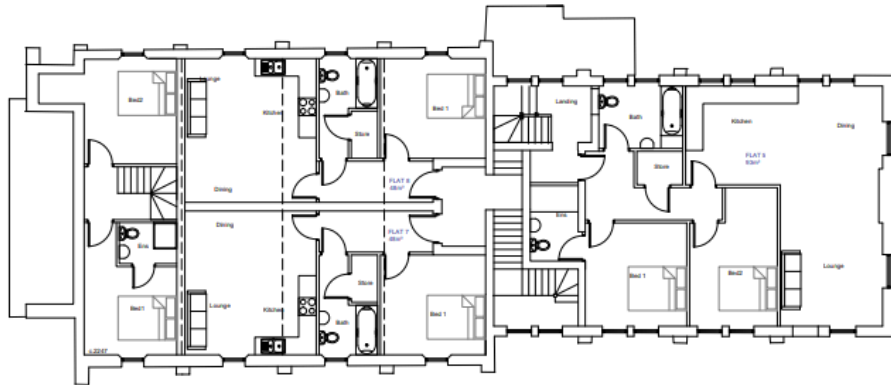


Proposed Floor Plans

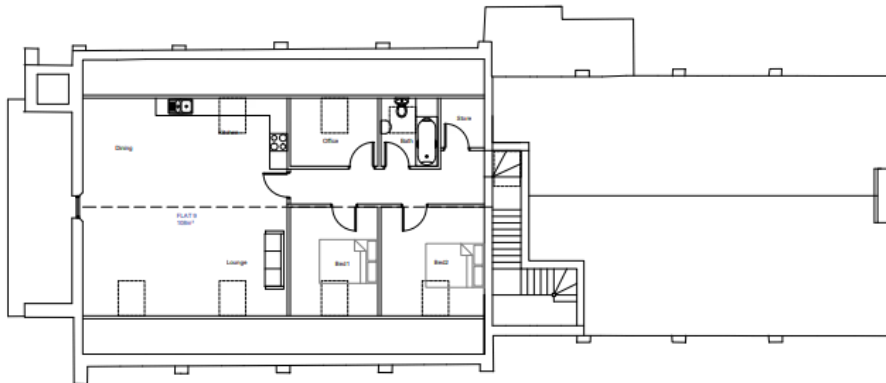
Ground Floor



First Floor



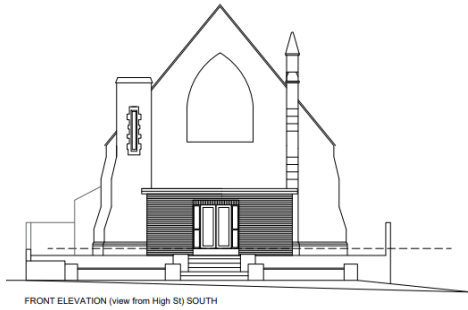
Second Floor



Roof Plan



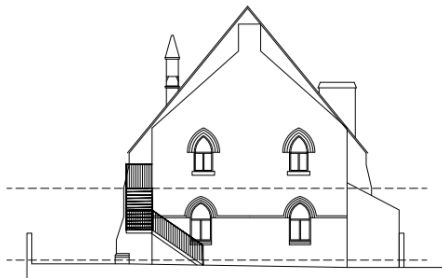
Existing Front Elevation



Proposed Front Elevation



Existing Rear Elevation



Proposed Rear Elevation



Existing Side Elevation (West)



Proposed Side Elevation (West)



Existing Side Elevation (East)



Proposed Side Elevation (East)



Existing views of the site



View looking east on the High Street standing outside no. 34



View looking directly to the frontage of the church



View looking west from the High Street



View of the publicly visible east elevation of the church

Recent Planning History

No relevant planning history

2. Publicity

34 Neighbours have been notified.
Site Notice displayed 03 August 2023.
Press Notice published 09 August 2023.

3. Summary of Consultations and Representations Received

Councillor Sewell – As the neighbouring ward Councillor she **objects** to the application on the basis that no-off road parking is available and on-road parking is extremely limited, especially at School drop-off and collection time and that there are no public car parking spaces on the Croft and endorses the comments made by the Community Focus Officer and Conservation Officer.

Kegworth Parish Council - Objects to the application on the following grounds:

“The planning proposal does not provide any off-road parking. There are already significant issues with parking and safety on the roads in the area, which cause sensitivities. The school safety zone is very close by, Skylink buses use the route, and large vehicles park regular to make deliveries. Commuters and users of East Midlands Airport also use the area for parking and there are HMOs in the area, all of which add to the problem.

LCC Highways have suggested the use of The Croft as a suitable parking place. There are no public parking spaces on the Croft as this is a private, unadopted road. The Market Place area nearby will also be subject to parking restriction limits once the NWLDC Public Realm Project is completed next year, so this should not be considered to be an alternative, nearby parking area.

Councillors disagreed with the Edwards & Edwards analysis given in the LCC Highways response that the site is currently "operating with a shortfall of 71 spaces". Comments about hypothetical previous use are irrelevant for the proposed use. The building has not been used actively for some time as there was no viable congregation and, therefore, the statement is misleading.”

No objection from: -

NWLDC Environmental Protection

No objection subject to condition/note to applicant from

NWLDC Conservation Officer
Leicestershire County Council Ecology
Leicestershire County Council Highway Authority (Local Highway Authority)
Leicestershire County Council Archaeology

Third Party Representations:

18 letters of neighbour representation have been received raising objections on the following grounds:

Subject	Reason for Objection
<p>Lack of Parking and Highway Safety</p>	<p>High Street parking is overwhelmed together with the primary school traffic and the safety zone taking up a large area, double yellow lines, and bus stop for the secondary school children and Skylink bus stop and inconsideration parking from airport uses.</p>
	<p>High Street already has significant parking problems with several HMOs and the recent commercial business Gateway Apartments which offers rooms to rent with no parking. This parking problem is illustrated by the council's own property - the library - blocking its car park off due to illegal parking. In addition the nursery does not provide parking for its staff.</p>
	<p>Side roads are being used for parking which in turn is causing more problems, especially on Broadhill.</p>
	<p>No parking provided for 9 dwellings could lead to an additional 20 cars, added to the existing in the area.</p>
	<p>It is optimistic in the extreme to anticipate that residents in the flats will use public transportation and / or bicycles.</p>
	<p>Highly unlikely that the residents of the flats will not own cars or have visitors.</p>
	<p>Will lead access to the school to be very dangerous and significant risk to residents.</p>
	<p>Parking provision should be included within the application and apartments here would parking is a disaster waiting to happen.</p>
	<p>The proposal will lead to illegal parking on pavements and tensions between residents.</p>
	<p>Cycle travel is dangerous in the area, rat runs from the M1, and other main roads combined with the lack of safe cycleways compound this problem.</p>
	<p>Nearest parking is Market Square which is restricted and ingress and egress from this carpark is also unsafe as buildings block the line of sight for drivers.</p>
	<p>Access for articulated dray deliveries to the Red Lion is required at all times, as is access for IGEM parking for its workforce and visitors.</p>
<p>CCTV enforcement would be required.</p>	
<p>The assessment of a theoretical 71 spaces to meet current parking</p>	

	standards is absurd and excessively high – most walked to and from the church and does not accord with actuality and to compare a building that had occasional use to full time residential use is not reasonable.
	The planners are requested to carry out a site visit between 8.30 and 9.00 or 3.15 and 3.45 on a week day during term time so that an informed assessment of the difficulties regarding parking at the proposed location can be undertaken.
	Where are the builders skips going to be put is anyone’s guess.
Other	Kegworth needs a proactive community hub in this building due to its historic context and not just more residential development.
	Kegworth has had no additional resources as a village, despite hundreds of new houses and families in the last few years.
	Disruption during development and noise during the working day on lessons at the Primary School.

Six letters of neighbour representation have been received in support of the application on the basis that: -

- This is an attractive building in a Conservation Area and the proposal makes good use of a large building and keeps the church in its original form by sympathetically converting it.
- The church wasn’t used in the community and housing is desperately needed.
- If the proposal is not granted what will happen to this building? It will simply become derelict and unsafe building in not many years’ time.
- The proposal to convert to residential would cause less issues with parking than if it was to be made into something else such as commercial.
- The issue with parking near the church is people dropping their children off at school and parking dangerously- the conversion of the church has no impact on the school and the issue with parking.
- A community hub whilst a lovely idea is a non-starter unless the village has a benefactor with extremely deep pockets.

Two letters of neighbour representation are in support of the application on the basis that it is a good use of the building and would help preserve the character of the street and to ensure that the boundary wall is repaired, but still raise concerns and objections over the lack of any car parking for the proposed use.

4. Relevant Planning Policy

National Planning Policy Framework (2023)

The following sections of the National Planning Policy Framework (NPPF) are considered relevant to the determination of this application:

Paragraphs 8 and 10 (Achieving sustainable development);
Paragraph 11 (Presumption in favour of sustainable development);
Paragraphs 55, 56 and 57 (Decision-making);
Paragraphs 60, 69, 74 and 75 (Delivering a sufficient supply of homes);
Paragraph 93 (Promoting health and safe communities);
Paragraphs 104, 105, 110, 111 and 112 (Promoting sustainable transport);
Paragraphs 119, 120, 123 and 124 (Making effective use of land);
Paragraphs 126, 130, 132 and 134 (Achieving well-designed places);
Paragraphs 152, 154, 157, 159 and 167 (Meeting the challenge of climate change, flooding, and coastal change);
Paragraphs 174, 182, 183, 184, 185 and 186 (Conserving and enhancing the natural environment); and
Paragraphs 197 and 199-202 (Conserving and enhancing the historic environment).

Adopted North West Leicestershire Local Plan (2021)

The North West Leicestershire Local Plan forms the development plan, and the following policies of the Local Plan are relevant to the determination of the application:

S1 - Future Housing and Economic Development Needs;
S2 - Settlement Hierarchy;
D1 - Design of New Development;
D2 – Amenity;
IF2 – Community and Cultural Facilities;
IF4 - Transport Infrastructure and New Development;
IF7 - Parking Provision and New Development;
En1 - Nature Conservation;
En6 - Land and Air Quality;
He1 - Conservation and Enhancement of North West Leicestershire's Historic Environment;
Cc3 - Water - Sustainable Drainage Systems; and
Ec5 - East Midlands Airport: Safeguarding.

Other Guidance

Good Design for North West Leicestershire SPD - April 2017
Kegworth Conservation Area Appraisal
Leicestershire Highways Design Guide (Leicestershire County Council)
Highway Requirements for Development (HRfD) (Leicestershire County Council)
National Design Guide - October 2019
National Planning Practice Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations').

5. Assessment

Principle of Development

Policy S2: Local Service Centre

In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the development plan which, in this instance, includes the adopted North West Leicestershire Local Plan (2021).

The site is located within Limits to Development, as defined by the adopted Local Plan. Policy S2 defines Kegworth as a 'Local Service Centre' 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.

As the application site is within the defined Limits to Development and relates to the conversion of existing building to residential development, it would accord with Policy S2 of the adopted Local Plan.

Given the sites' sustainable location, the Local Planning Authority are satisfied that the application would accord with Local Plan Policy S2, and the sustainability aims on the NPPF.

Accordingly, there is no objection in principle to the proposal, subject to all other matters being adequately addressed.

Policy IF2: Loss of a Community and Cultural Facility

In respect of the loss of the building as a community and cultural facility, Paragraph 93 of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs as well as ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.

Policy IF2 of the adopted Local Plan states that the loss of key services and facilities will be resisted unless an appropriate alternative is provided, or there is demonstrable evidence that the facility is no longer required and/or viable and that suitable alternative community uses have been considered.

The accompanying Planning Statement states that the building is a disused Methodist Chapel which was recently sold after the use as a place of worship ceased. The building had also been used as a music room, school rooms and hall, however the accommodation was deemed surplus to requirements by the church hence the recent sale.

The Planning Statement sets out: -

“The church determined that the building was no longer needed which has led to the recent sale. The National Forest East Methodist Circuit run several churches in the area with the nearest in Castle Donington. This demonstrates both that the church was no longer viable to operate as the decision was taken by the church and that they consider suitable alternative provision is available in the locality. Furthermore, there are two more churches in the village of Kegworth which are the Baptist Church and St Andrews Parish Church. In addition, Kegworth is

well served by community facilities. These include two churches, Kegworth Community Library, Kegworth Heritage Centre, Kegworth Primary School, Kegworth Village Hall together with several pubs and cafes that provide accommodation for community purposes.”

It is considered that it has been demonstrated that the facility is no longer required as a religious building that there is evidence of other existing, similar uses in the vicinity.

Both letters of objection and support have been received in relation to the future use of the building. Letters of objection have referenced the need for a community hub, whilst letters of support have stated that this is a non-starter without financial backing.

Officers acknowledge the significant scale of the building, together with the need for repair work and future maintenance. However there isn't a proposal in place to repair and make use of the building as a community facility with this proposal currently being the only option for consideration. Therefore this case has must be considered under its own planning merits having regards to the above.

As such, on the basis that there are existing community uses in Kegworth and the conversion to the residential use would enable the building to be retained and refurbished/repared, on balance, the loss of the building as a community use, could not be resisted in this case.

Asset of Community Value

Following a nomination from Kegworth Players Youth Arts (KPYA), the Wesley Methodist Church was designated as an Asset of Community Value (ACV) on 12 September 2022. The nomination was accompanied by letters of support from Kegworth Neighbourhood Watch and One Kegworth.

The nomination as an asset of community value and the letters of support that had been received noted the contribution, they felt that the facility had made to the community's social well-being/interests in the past and its potential future community use.

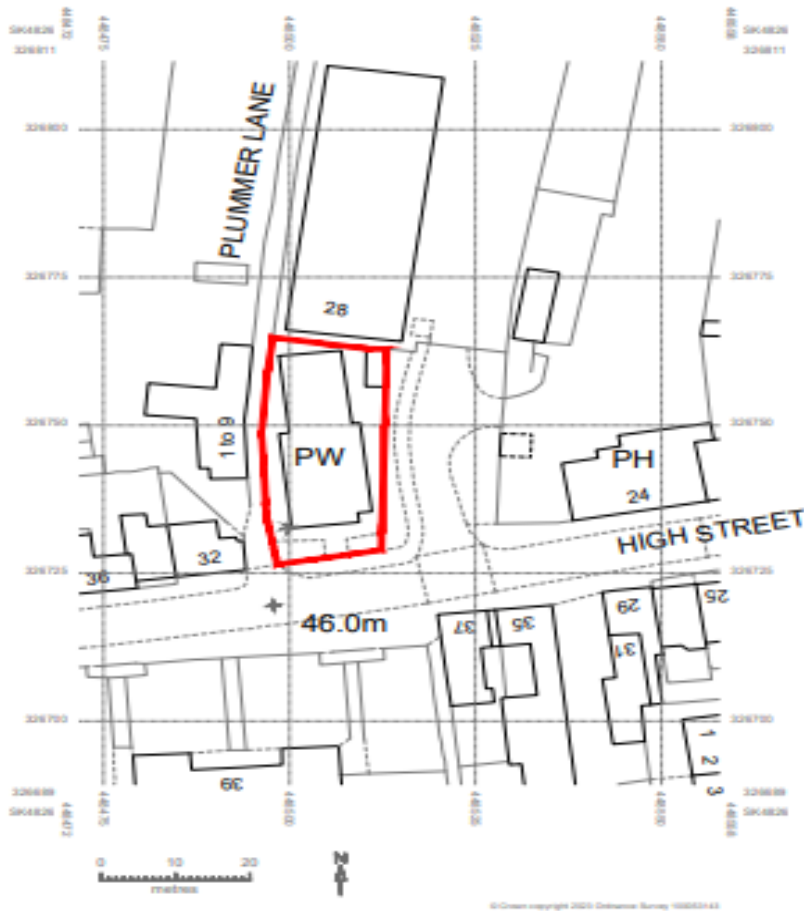
The Methodist Church informed North West Leicestershire District Council (NWLDC) of its intention to dispose of the asset on 13 September 2022, which triggered the ACV disposal process. KPYA notified NWLDC of its intention to bid on 21 October 2022, with the full moratorium set as 30 December 2022.

As no community bid was received by this date, the property was subsequently sold and following its sale the ACV designation was removed as per the ACV legislation.

Overall, it is considered that the proposal would represent a sustainable form of development and would accord with the policy aims of the adopted Local Plan and would be acceptable in relation to the NPPF. Therefore the development is acceptable in principle, subject to other material considerations.

Design and Impact upon Heritage Assets

The site is located within the Kegworth Conservation Area and is adjoined to the west by No. 32 (flats -1-4) High Street which a Grade II Listed Building.



The need for good design in new residential development is outlined in Policy D1 of adopted Local Plan and the Council's Good Design Supplementary Planning Document (SPD) and also in the NPPF. Policy He1 of adopted Local Plan is concerned with the conservation and enhancement of the historic environment.

Paragraph 197 of the NPPF states that 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. It further indicates (at paragraph 199) that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

It is a statutory requirement that any new development should at least preserve the character of the Conservation Area and significant weight has been given to preserving the setting of Listed Buildings.

The scheme proposes to construct a total of nine apartments comprising two x 2 bed apartments and seven x 1 bed apartments. Five apartments are proposed on the ground floor, three on the first floor (with Flats 1 and 6 are split between the ground and first floor) and one flat at second floor level, within the roof space.

Following concerns raised by the Council's Conservation Officer amended plans have been received to address the issues raised by reducing the number of external door openings to be formed, the retention of a pair of window openings on the first floor west elevation, removal of an external door opening and fire escape stair and removal of solar panels to the east roof slope.

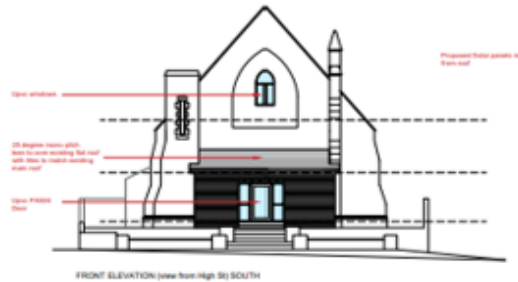
Following amendments to the scheme, the external works proposed to the building are: -

- To the front elevation, facing High Street, the existing single storey flat roof is proposed to gain a lean-to with tiles to match the main roof, replacement central doors and a single high level window is proposed;
- To the east (side elevation) 4 no. conservation rooflights are proposed, an existing doorway re-instated replacement windows into existing openings, solar panels to the rear roof part and existing external staircase removed;
- To the west (side elevation) 4 no. conservation rooflights are proposed, solar panels to both roofs and replacement windows into existing opening; and
- To the rear elevation the existing external staircase removed.

Existing Front Elevation



Proposed Front Elevation



Existing Rear Elevation



Proposed Rear Elevation



Existing Side Elevation (West)

Proposed Side Elevation (West)



Existing Side Elevation (East)

Proposed Side Elevation (East)



The proposed lean-to to the front elevation is modest in scale and proposes appropriate roof tiles to match the main roof and whilst the scheme proposes some external alterations to facilitate the conversion, these are considered to be minimal. Planning conditions are recommended to be imposed requiring the submission of materials, window and door details and conservation style rooflights.

The Council's Conservation Officer states that the scheme still introduces several rooflights and misses an opportunity to remove a single storey side extension and to restore the gable above the front door opening, however he concludes that the degree of harm would be less than substantial and as these matters are relatively small scale. A refusal of the application could not be defended on these grounds.

Having regard for the level of harm identified above, the benefits of the proposal are required to outweigh the harm in order to be acceptable having regard for Paragraph 202 of the NPPF. It is considered that the proposal would provide a viable opportunity to utilise the building ensuring its long term survival and therefore continue to positively contribute to the setting of the Conservation Area. Furthermore, the economic and social benefits of the proposal, through the contribution of additional residential accommodation to the Council's housing supply and the economic benefits arising from additional expenditure on local facilities and services would provide modest benefits and the scheme would also make a renewable energy contribution from the solar panels, also weigh in favour of the proposal. Overall therefore the public benefits of the proposal are considered to outweigh the less than substantial harm and the scheme therefore accords with Paragraph 202 of the NPPF.

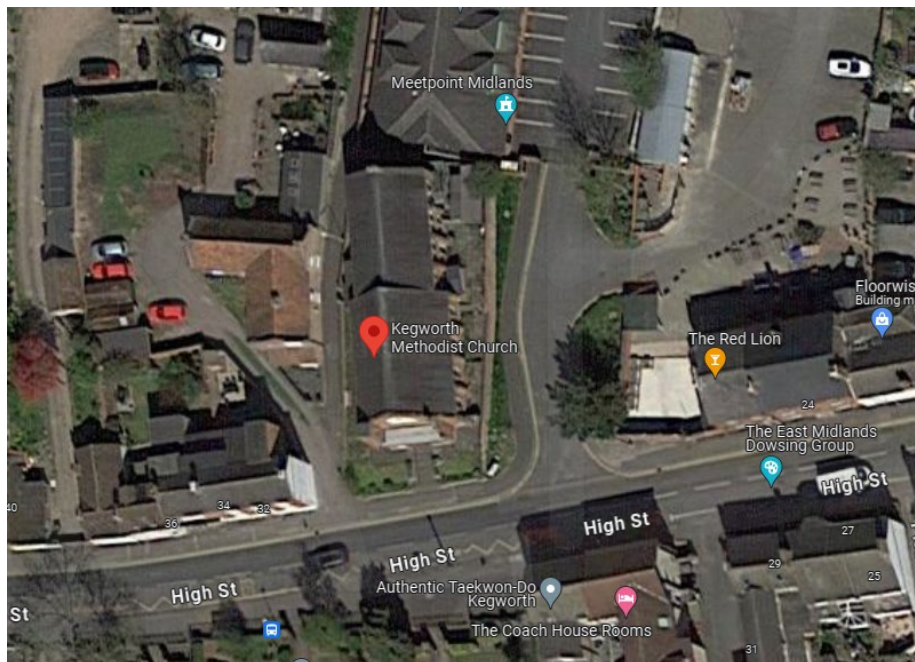
The Leicestershire County Council Archaeology team considers that the building is, or has the potential to constitute a heritage asset (or assets) with an archaeological and heritage interest and recommends that a condition is imposed requiring an appropriate level of building survey and recording, prior to any alteration. A historic building recording condition is recommended to be imposed to address this issue.

Overall it is considered that the scheme proposes minimal external changes and those proposed are considered to have an acceptable design that would be in keeping with the character and appearance of the existing building, would not harm the setting of the adjoining Listed Buildings and would preserve the character and appearance of the Conservation Area. Therefore, the proposal is considered to be in accordance with Policies D1 and He1 of the adopted Local Plan, the Council's Good Design SPD, the advice contained in the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact upon Residential Amenity

Policy D2 of the adopted Local Plan outlines that development proposals will be supported where they do not have a significant adverse effect on the living conditions of existing and new residents through loss of privacy, excessive overshadowing, and overbearing impacts, which is supported by the Council's Good Design SPD.

Paragraph 185 of the NPPF states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.



There are no immediate residential properties to the west or north of the site, and the site is located directly opposite Kegworth County Primary School. The residential dwellings most immediately impacted upon as a result of the proposal would be those to the west of the site, flats 1-4 (32 High Street) and Plum Cottage and the Flat Plum Cottage on Plummer Lane.

The building is physically separated from the residential properties by Plummer Lane and as the scheme relates to a conversion, there would not (except for the lean-to, to the frontage) be any other additional extensions or alterations that would lead to any loss of light, overshadowing, or overbearing impacts, over and above that of the existing arrangement. To the west elevation, facing Plummer Lane there would not be any new additional openings (with the existing windows to be replaced only) apart from 4 no. rooflights in the side roof slope.

Given the minor external works to facilitate the conversion of the building given the siting of the other neighbouring dwellings it is not considered that any other neighbouring dwellings would be directly impacted upon because of the proposed conversion.

Objections have been raised about disruption during development and noise during the working day on lessons at the adjacent Primary School. It is considered that this is an inevitable temporary manifestation of any development project, which is not the concern of the planning system. The Council's Environmental Protection Team has not raised any objections to the application in this respect, nor has it requested that conditions be imposed so as to mitigate any impacts. It is therefore their opinion that the impacts arising from the construction of the scheme would not be significantly adverse to the adjacent Primary School to request limitations on the working hours of the construction of the scheme and in any case this would be impractical as it would restrict works at the site during the working day and would potentially defer them to other less attractive times of the day for the surrounding residential occupiers. It is also the case that if a statutory nuisance issue was to arise then the Council's Environmental Protection Team would be able to address this matter under their own legislation.

Overall, the proposal is not considered to result in significant impacts upon surrounding residential amenity. Therefore, the proposed development is considered to be in accordance with Policy D2 of the adopted Local Plan, the Council's Good Design SPD and the NPPF.

Highway Considerations

Policy IF4 of the adopted Local Plan requires that development takes account of the impact upon the highway network and the environment, including climate change, and incorporates safe and accessible connections to the transport network to enable travel choice, including by non-car modes, for residents, businesses and employees. Policy IF7 of the adopted Local Plan (requires that development incorporate adequate parking provision for vehicles and cycles in order to avoid highway safety problems and to minimise the impact upon the local environment.

The Leicestershire Highways Design Guide (LHDG) and Highway Requirements for Development (HRfD) provides guidance on the standards expected for access, parking and manoeuvrability.

Objections have been received from Kegworth Parish Council and neighbouring properties on insufficient parking, the siting of the scheme in relation to the school opposite and related highway safety grounds.



The site is located lies off the High Street which is a classified C road subject to a 30mph speed limit with double yellow lines to the frontage. The site does not benefit from an existing vehicular access and the proposals do not propose the construction of one. The site will therefore be pedestrian access only.



View of the site looking west showing the existing parking restrictions in place



View looking east along the High Street showing the extent of the parking restrictions in place

The scheme, including a Highway Report dated June 2023 produced by Edwards and Edwards Consultancy has been considered by the Local Highway Authority (LHA).

The LHA confirm that parking for residential dwellings where car ownership may be low, such as town centres and other locations where services can easily be reached by walking, cycling or public transport can be provided based on one space per dwelling and based upon the development site specific circumstances, the LHA would therefore consider that the proposals represent a shortfall in nine spaces.

The LHA, however, has considered this shortfall in comparison to the site's extant use, (in accordance with Highway Requirements for Development (HRfD) Part 4) and agree with the accompanying Highway Report that a minimum of 71 car parking space would be required based upon a floor space of 430sqm.

The LHA state that no parking provision is currently provided for the site's extant use as a place of worship, the site therefore operates with a shortfall of 71 car parking spaces which represent a significant reduction in the shortfall of parking provision in comparison to the proposed shortfall of nine spaces, because of this development. The LHA therefore conclude that it would be unreasonable to seek to resist the proposal based on no parking provision, in this case.

The LHA has also requested a condition be imposed to secure the details of cycle parking on the grounds of the site for the use of the residents and to offer a sustainable travel option to them.

Overall, therefore, subject to the imposition of a cycle storage condition, the highway safety aspects of the scheme are considered to be acceptable. The proposal is considered to comply with the aims of Policies IF4 and IF7 of the adopted Local Plan, LHDG, HRfD and the NPPF.

Ecology and Biodiversity Net Gain

Policy En1 of the adopted Local Plan supports proposals that conserve, restore or enhance the biodiversity of the district.

During the application process a Preliminary Ecological Appraisal has been submitted which identified that the chapel is of a low bat roost potential due to a small number of external roost features associated with the slate tiled roof.

Leicestershire County Council Ecologist has been consulted on the application and concur with the findings of the report confirming that the Preliminary Ecological Appraisal has demonstrated a reasonable conclusion as to why these locations will not be impacted by the proposals and why no further nocturnal presence/absence surveys are required. Accordingly, the County Ecologist raises no objection to the application, subject to a note to applicant detailing the appropriate actions to take if a bat is found during the works.

In terms of Biodiversity Net Gain (BNG), the mandatory requirement for 10% Biodiversity Net Gain on this scale of residential development has not yet been enacted through the Environment Bill (expected in April 2024 for non-major applications). At present, Paragraph 174(d) of the NPPF sets out a requirement to minimise impacts on biodiversity and provide net gains in connection with the schemes.

Whilst no metric calculations have been provided the proposed development would relate to the conversion of an existing building which is of low biodiversity value. Existing areas of greenery, planting and a tree are to be retained and the scheme shows new areas of grassland around the site which would have a biodiversity gain from the existing situation.

Overall, having considered the nature of the proposal and the scale of the development, it is not considered that the application would result in any unacceptable ecology impacts. The proposal would accord with Policies En1 and En3 of the adopted Local Plan the aims of Paragraphs 174-175 of the NPPF and The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations').

Airport Safeguarding

The site is within the safeguarded area of East Midlands Airport. The Safeguarding Authority for East Midlands Airport has assessed this proposal and its potential to conflict with aerodrome Safeguarding criteria and confirm that they have no objection, subject to the imposition of conditions and informatives, including a Construction Environment Management Plan (CEMP) which relates specifically to ensuring that the construction works on site have no impact or as little impact as possible on aviation, a Glint and Glare Assessment for the proposed installation, no reflective materials, and all exterior lighting shall be capped at the horizontal with no upward light spill.

Subject to the imposition of the aforementioned conditions it is considered that the scheme would be compliant with Policy Ec5 of the adopted Local Plan.

Drainage and Flood Risk

The site is located within Flood Zone 1 which is land at least risk of flooding from fluvial sources. Given that the proposals relate to the conversion of an existing building, and the scheme shows new areas of grassland around the site it is considered that the proposal would not lead to an increase of surface water run off over and above the existing arrangement and would not therefore exacerbate any localised flooding.

Conclusions

In conclusion, the site lies within the Limits to Development of Kegworth where the principle of residential development and the conversion of an existing building is considered acceptable. Subject to the imposition of conditions, the proposed development would not give rise to any significant impacts regarding residential amenity, heritage, design and visual amenities, flood risk and drainage, ecology, safeguarding issues, or highway safety. There are no other material impacts identified, that would indicate that the proposal is not in compliance with the NPPF or local development plan policies. Accordingly, the application is recommended for planning permission, subject to the imposition of planning conditions.