

DOV/17/00704 - Change of use and conversion into 9 no. self-contained flats (5 x 2 bed and 4 x 1 bed) - Beacon Church and Christian Centre, London Road, Dover

Reason for report - Number of contrary views (6).

a) **Summary of Recommendation**

Planning permission be granted.

b) **Planning Policies and Guidance**

Core Strategy Policies (2010)

CP1 - Settlement Hierarchy

DM1 - Settlement Boundaries

DM11 - Location of Development and Managing Travel Demand

DM13 - Parking Provision

National Planning Policy Framework (NPPF) (2012)

Paragraph 7 - Identifies the three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles.

Paragraph 11 states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 12 states that development which accords with an up-to-date development plan should be approved and development which conflicts should be refused unless other material considerations indicate otherwise.

Paragraph 14 - Presumption in favour of sustainable development for decision-taking.

Paragraph 17 - Core planning principles which identify that planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives; proactively drive and support sustainable economic development to deliver the home and thriving local places that the country needs; always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Paragraph 32 - requires all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 49 - Housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 50 - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand and where they have identified that affordable housing is needed, set policies for meeting this need on site.

Paragraph 56 - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 61 Planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraph 70 – To deliver the social, recreational and cultural facilities and services the community needs which should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments; guard against the loss of valued facilities; ensure established facilities are retained for the benefit of the community; and ensure an integrated approach to considering community facilities.

Paragraph 103 - When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment.

Paragraph 109 - The planning system should protect and enhance valued landscapes, recognising the wider benefits of ecosystem services and minimise impacts on biodiversity and providing net gains in biodiversity. Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 120 - To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Paragraph 128 - states that local planning authorities should require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting.

Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated

heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Kent Design Guide (2005)

The guide provides criteria and advice on providing well designed development.

c) Relevant Planning History

DOV/14/00155 – Outline application with all matters reserved for the erection of 9 self-contained flats (Existing church to be demolished) – Refused.

d) Consultee and Third Party Representations

DDC Environmental Health: Across all floors there are rooms with potentially noisy environments such as kitchens and bathrooms positioned directly above or below rooms such as bedrooms that may be adversely affected by noise migrating from noisier rooms. Where stacking arrangements are poor we would require the sound insulation to be of a higher standard than the requirements of Approved Documents E of the Building Regulations. Conditions should be attached in respect of a scheme of sound insulation, noise mitigation measures and external noise mitigation measures to deal with traffic noise from London Road.

KCC Highways and Transportation - Note no off-street parking is provided. However, the proposals are unlikely to generate a significantly greater demand for parking than the existing and permitted use of the site and parking controls are in place in the immediate vicinity of the site. The site is located close to public transport services and local amenities. Taking all of the above into account I would not recommend refusal on the lack of off-street car parking subject to imposition of conditions regarding no doors or windows to open out over the highway and the provision and retention of 9 covered cycle parking spaces.

KCC Archaeology: Building is a non-designated heritage asset and contributes to the setting of the conservation area. Support the principle of conversion. Provision should be made for the recording of the chapel prior to conversion and provision should be made for a specification and timetable by condition.

Southern Water - Request a condition in respect of details of the means of foul and surface water disposal prior to commencement. The applicant should be advised of the need for a sewer capacity check and the need for a formal application for connection to be made by an informative.

Dover Town Council: Support, need incorporation of proper waste facilities.

Dover Society: Supportive in principle and wish to see the building brought into an alternative use but the proposed development is over intensive and unsatisfactory. Waste needs to be controlled in a suitable and screening area. Will affect local car parking facilities including local shops that will be compromised. Development should be rejected.

Third Party Representations: Five letters of representation have been received; objections have been made on the following grounds:

- Concern about outlook over a bin storage area.

- Concern that there are no elevation details and that the building could reduce light to neighbouring properties.
- Potential for overlooking of gardens and reduction in privacy.
- Parking should be provided on site as without it, existing on-street pressures would be exacerbated.
- No right of access across church car park to building

e) 1. **The Site and the Proposal**

The Site

- 1.1 The site is situated in Dover and therefore within the settlement confines. The application site consists of the Beacon Church & Christian Centre located on the corner of London Road and Beaconsfield Road, extending to Bartholomew Street in the north-east where access to the relocated church and main hall is located. It is comprised of the original church building and the church hall with some very limited space around the exterior of the building. The church was built in 1901 and is now in poor condition, resulting in the congregation moving to the adjacent church hall. The church was formally decommissioned on the 30th June 2013. Adjoining the site to the north-east are residential properties that front onto Beaconsfield Road and Bartholomew Street. Opposite the site on Beaconsfield Road is a former garage, now being used as a hand car wash. The site is less than 20m away from the London Road Conservation Area to the south-east.

Proposal

- 1.2 Planning permission is sought for the conversion of the existing church building to form 9 self-contained flats. 5 x two-bedroom units and 4 x one-bedroom units would be provided over three levels of accommodation. The flats would be accessed from three separate entrances off London Road, Beaconsfield Road and access through the car park on Bartholomew Street. Two areas are provided for refuse and cycle storage, (one space per flat). No on-site car parking would be provided to serve the new flats. The church constitutes an area of 309 square metres.
- 1.3 The following documents have been submitted in support of this application:
- Structural Engineers Report
 - Design & Access Statement
 - Heritage Statement
 - Supporting Statement
 - Clarification of legal access
- 1.4 A number of amendments have been submitted since submission including minor changes which have sought to provide secure refuse storage facilities and cycle parking spaces, repositioning of rooflights, obscure glazing and oriel windows to a number of the units. In addition, due to concerns regarding potential overlooking one of the flats has been changed from a two bedroom flat to a one bedroom flat. Clarification in respect of the loss of the community use and legal access to the site have also been submitted to further support the application.

2. **Main Issues**

- 2.1 The main issues to consider are:
- Principle of Development
 - Loss of Community Facility
 - Heritage Considerations
 - Impact on Residential Amenity
 - Highways Issues
 - Other Material Considerations

Assessment

Principle of Development

- 2.2 The application site is located within the settlement confines of Dover, as identified on the policy proposals map. The Settlement Hierarchy as set out by Policy CP1 of the Core Strategy identifies Dover as being the major focus for development in the District, suitable for the largest scale developments. Policy DM1 of the Core Strategy (CS) states that development will not be permitted on land outside the urban boundaries and rural settlement confines. In this instance, due to the location of the site within Dover, the principle of residential development is accepted and it would be an appropriate land use subject to site specific considerations.
- 2.3 The NPPF confirms that applications must be determined in accordance with the development plan unless material considerations indicate otherwise and that sustainable development which accords with the development plan should be approved without delay. In terms of sustainability, the site is within the urban confines and is well located to the town and local facilities, with amenities all within walking distance. It is therefore considered to be an appropriately located site for residential development.
- 2.4 Nine residential units would also contribute to the provision of housing accommodation within Dover and add to the supply of housing accordingly. A further nine units would therefore add to the housing supply figures and contribute towards the Council's Five Year Supply of Housing which should be encouraged for a sustainable site in a central location.
- 2.5 The proposed conversion would also bring back into use a currently disused building in a prominent location which would add to and enhance the character of the local area. The NPPF attaches great importance to the design of the built environment and indicates that good design is indivisible from good planning and should contribute positively to making places better for people and respond to local character and history of the area. It is considered that the proposed development would achieve these aims by bringing a historic building back into use and could potentially encourage other investment in the immediate area.
- 2.6 The principle of the conversion is therefore in line with the NPPF and the re-use of an existing unused building into a residential use is acceptable in principle subject to the assessment of other material considerations and the impact on residential amenities.

Loss of Community Facility

- 2.7 In terms of the loss of a community facility, paragraph 70 of the NPPF requires that planning decisions should deliver the social, recreational and cultural facilities that the community needs and that they 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. The proposal would result in the loss of a social, recreational and cultural facility but one that no longer serves the local community.
- 2.8 The applicant has submitted supporting information to demonstrate that there is no demand for the use of the building for a community facility. Marketing information has been provided and the site has been on the market for a community or commercial use for a number of years but with limited interest. There had been interest from a gym group who pulled out due to lack of car parking. Furthermore, the title deeds of the building have imposed a number of restrictions including any consumption of alcohol and that the church cannot be used as a place of worship by another user. This further restricts the use of the building for a number of community uses.
- 2.9 In addition, a comprehensive options study has previously been undertaken which has concluded that the church building is no longer financially viable and surplus to requirements for worship in the area due to a lack of maintenance and the need for a large capital investment in order to bring the church back into operation. The previous Methodist church occupiers therefore built a new church hall adjacent and moved into this building. Since this date the church building has been closed and was decommissioned in 2013 and has not been in use. The proposal involves the provision of nine self-contained flats, however the car park and access on Bartholomew Street are retained for the adjacent church/community use. Due to the size of the building and the need for considerable repair, the costs associated with bringing the building back into good repair can therefore only be justified by a conversion into nine flats.
- 2.10 As a result it has been sufficiently demonstrated that there is no longer a demand for this church building, and that there is no interest to take it forward to provide alternative uses that could ensure its long-term retention. The proposal would therefore be considered to accord with the core sustainability objectives of the NPPF including, following the above submission, paragraph 70.

Heritage Considerations

- 2.11 The property has clearly suffered from a lack of maintenance expenditure over many years, partly due to ongoing discussions regarding the future of the building and whether it should be refurbished or redeveloped which has prevented major expenditure. Despite this, some ongoing maintenance has taken place which has prevented significant deterioration. The conclusion being that the building is now semi-derelict but structurally sound and therefore it is appropriate to convert it to a residential use.
- 2.12 The date of the building is circa 1902, a plaque confirms this. Externally the very steeply pitched roof dominates and the external walls are rendered. Formerly the frontage was to London Road and was built right back up to the

back of pavement where there is now a lay-by. Photographs of the church show a more Gothic style roof and facades, all contemporary, which were destroyed in the war. The former church building is what remains of a larger complex. A two-storey flat roofed extension projects at the west end of the church facing the main road which is in poor condition. The tall single space interior is of architectural interest having slender timber pseudo-hammer beam roof trusses (with steel tie rods). At the east end is a first floor gallery fronted by three plain Gothic arches. The original complex timber alter, pulpit etc. were contemporary with the rest of the building and designed for it. (These have since been removed prior to the sale along with the stained glass windows.) At the west end is a small first-floor projecting gallery. Taking all these factors into consideration, it is felt that this building would qualify as a non-designated heritage asset.

- 2.13 It is also considered that the church contributes to the setting of the nearby London Road Conservation Area. If brought back into good external order its architectural contribution would be enhanced. It already makes an historical contribution to that setting as a result of its location. The character of the lay-by and space in front has the long term potential for streetscape improvements and this could further contribute to the setting of the conservation area.
- 2.14 Annex 2 of the NPPF defines a heritage asset as a building, monument, site, place or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority, including local listings. Paragraph 128 of the NPPF states that the applicant should describe the significance of any heritage asset affected, including any contribution made by their setting. The site lies adjacent to the London Road Conservation Area, which is also a designated heritage asset, and the impact of any proposals on its setting must take this into account. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 2.15 The site and church building is in a prominent corner location and currently makes a positive contribution to the setting of the adjoining conservation area, it is a landmark historic building and would be classed as a non-designated heritage asset in its own right. The principle of conversion to a residential use is accepted and will result in the renovation of the building and its long-term protection which are a benefit to this non-designated heritage asset, the immediate area and street scene and the setting of the nearby conservation area. Such a proposal is therefore supported and is in line with the NPPF, although will need to be subject to conditions in respect of further details of all external alterations to ensure the long-term protection of this landmark building.
- 2.16 In terms of Archaeology, the site lies in an area of archaeological potential associated with the historic development of Dover. The site lies adjacent to London Road, which approximately follows the line of the main Roman road from Dover to Canterbury. However the conversion of a building would not

normally have implication for buried remains and no further archaeological work or conditions are required in relation to this proposal. KCC Heritage have however requested that provision is made by condition for the recording of internal features of the chapel prior to its conversion, although it is appreciated that a number of the original features have already been removed by the previous owners. Nevertheless, a record of the key features that remain in the building should be undertaken and can be addressed by a condition.

Impact on Residential Amenity

- 2.17 The church building retains a two-storey form but with a tall pitched roof. No extensions or alterations are being proposed to the external size and form of the building, other than cycle and bin storage areas. The proposed building therefore is only being altered in terms of the insertion of rooflights to the roof form and some amendments to the existing window openings. However, the use is changing from a church to nine residential units that increases the potential for overlooking and a loss of privacy to adjacent residential properties in particular those along Bartholomew Street that back onto the existing building No. 16 and Beaconsfield House (the corner property).
- 2.18 To ensure there is no direct overlooking of adjacent residential properties and their garden areas resulting in a reduced level of privacy, following negotiations six windows have now been obscured glazed and will need to have restricted openings, four rooflights has been repositioned above cill level and two oriel windows are now proposed (one to each flank elevation). In addition a window has been added to the rear elevation to enable a view from the bedroom window of Unit 5. This will overlook commercial properties only.
- 2.19 The proposed changes to the window openings and the insertion of (Conservation style) rooflights are considered to be appropriate to enable the conversion of the building to a residential use with the minimum number of changes to the elevations. The proposed windows and rooflights would be unlikely to significantly change the character of the existing building when viewed from neighbouring properties to a degree that would significantly affect their existing residential amenities and would not be significantly greater than the impact of the existing church as all existing openings at ground and first floor have been retained. Whilst outlook would be altered, I do not consider that it would be unacceptably compromised and it is felt that the amended window treatments have been sympathetically designed so that windows are positioned to not result in a significant loss of privacy. I am satisfied that the proposal would not be significantly detrimental to residential amenities and would be acceptable on the restricted site and to enable the building to be brought back into an active use.
- 2.20 Accordingly, it is unlikely that any adverse impacts with regard to privacy and overlooking, loss of outlook are anticipated for either existing or future occupiers of the existing and proposed dwellings respectively. Therefore the juxtaposition of the proposed units suggests no adverse amenity issues. However, to ensure this relationship is retained and the impact on the amenities of the occupiers of the adjacent flats is maintained it is considered reasonable to include a condition to ensure all windows identified as obscure glazed/high level or oriel are implemented and retained in the form proposed. In addition details of all joinery including rooflights has been included as a

condition to ensure the character of the building is maintained.

- 2.21 The plans therefore demonstrate that the proposed development can be accommodated in a manner which would ensure a reasonable relationship between windows for existing dwellings and their respective rear gardens and the proposed residential units and therefore a reasonable standard of accommodation can be achieved. Given the above, it is not considered that the living conditions of any residential properties would be directly or significantly harmed by the proposed development.
- 2.22 In respect of the future living conditions of the proposed new flat units, the layout and size of the proposed units is more than sufficient to demonstrate that a reasonable standard of living accommodation is being proposed and would be acceptable. It would be necessary, so that the future residents have a degree of safeguarded amenity from noise and disturbance, for enhanced noise mitigation measures and insulation to be higher than normal standards. This aspect is discussed further below but with such a scheme the future amenities of residents is considered to be acceptable and in line with current government technical standards.

Highway Matters

- 2.23 The relevant Core Strategy policies are DM11 and to a lesser degree DM13. DM11 requires planning applications for development that increase travel demand to be supported by an assessment to quantify the amount and type of travel likely to be generated and include measures that satisfy demand to maximize walking, cycling and the use of public transport. Whilst policy DM13 requires that development provides a level of car and cycle parking which balances the characteristics of the site, the locality, the nature of the proposed development and design objectives. Although a transport statement has not been provided due to the size of the development being proposed, it is considered that the increased traffic impact of 9 units is limited overall and the site is already situated in a sustainable location with easy access to local facilities and public transport.
- 2.24 KCC Highways note no off-street parking is provided. However, they consider that the proposals are unlikely to generate a significantly greater demand for parking than the existing and permitted use of the site (Church use) and parking controls are in place in the immediate vicinity of the site. The site is located close to public transport services, bus stops and local amenities and would be environmentally sustainable as it is unlikely for there to be a reliance on private modes of transport. Taking all of the above into account KCC would not recommend refusal on the lack of off-street car parking subject to imposition of condition regarding the provision of 9 covered cycle parking spaces. I concur with their conclusions and consider that the proposal would not be detrimental to highway safety as a result.
- 2.25 Concerns have been raised by third parties that the development would significantly and detrimentally increase traffic and have an impact on the local highway network which is identified as struggling to cope with existing levels of traffic locally. However KCC Highways have not raised an objection and the proposal would not result in a severe highway impact and would therefore accord with paragraph 32 of the NPPF. It is therefore considered that the highway aspects of this proposal are in accordance with all the relevant

standards, the NPPF and policies DM11 and DM13.

Other Material Considerations

2.26 Noise Mitigation

With regard to potential noise this needs to be assessed in respect of the transmission of internal noise paths between existing floors and dwellings and also external noise due to the close proximity of London Road. Environmental Health have confirmed that the residential amenities of future occupiers could be acceptable in this regard, subject to conditions relating to noise mitigation schemes to address the internal stacking/transmission of noise between floors and external noise sources due to the proximity of London Road to ensure that the living conditions of the occupiers of the future dwellings are safeguarded to a reasonable degree.

- 2.27 During negotiations on the application the matter of noise issues associated with poor stacking arrangements were discussed and amended where possible. However due to the unique building design the ability to stack living, kitchen or bedrooms spaces was limited. The applicants were already aware of this potential issue and have advised that it is the intention to provide noise mitigation above the requirements of Approved Document E, however these details are limited and a more detailed scheme would need to be provided in respect of the imposed condition. The proposed schemes of mitigation would sufficiently address these concerns and safeguard the amenities of future residents.

2.28 Landscaping

It is not entirely clear from the plans the extent of the curtilage along London Road. Although very limited there could be small areas of land that have the potential for some soft landscaping or would be hardsurfaced. Nevertheless, there is a strip of land running along the Beaconsfield Road boundary and enclosed by a low wall. This is currently shown to be hardsurfaced and could benefit the building, site and surrounding area if it provided an area of soft landscaping. It is considered that these matters could be addressed by a landscaping condition for further details to be submitted for approval.

2.29 Drainage and Flooding

The site lies within Flood Risk Zone 1, where there is the lowest risk of flooding. It is however appropriate to consider whether the development would be likely to lead to localised on or off-site flooding. The NPPF, paragraph 103, states that local planning authorities should ensure that flooding is not increased elsewhere and priority should be given to the use of sustainable drainage systems. The conversion of an existing building with very limited curtilage does not provide the scope to provide a SuDS drainage system as all existing drainage is already in place. It would therefore be unreasonable to request such details in respect of this development. Southern Water have raised no objection in principle to the proposed development. However, as no details of drainage measures have been submitted with the application it would not be unreasonable to request these details are dealt with through the imposition of a suitable condition to ensure that the site is adequately drained to avoid localised flooding. The proposal is therefore acceptable in this regard.

2.30 Bin Store/Refuse Storage

Details of the bin/refuse storage areas is shown although full details of the materials enclosing these stores and their size to be sufficient to accommodate the refuse and recycling needs the number of flats, would need to be submitted by condition. Such a condition would ensure their provision and retention.

3. Conclusion

- 3.1 Development of this site within the settlement boundaries is acceptable in principle and is in accordance with Policies DM1 and CP1 of the Core Strategy and the NPPF. Paragraph 14 of the NPPF identifies a presumption in favour of sustainable development and identifies the need to approve development proposals that are sustainable or accord with the development plan without delay. The views expressed by residents have been taken into account in the determination of this application and on this basis the proposal safeguards existing residential amenity, whilst enabling the re-use of a semi-derelict historic building. It is considered that the proposed scheme would have a beneficial impact on the character and visual amenity of the street scene and the setting of the adjacent conservation area and would not detract from the amenities of the future occupiers. The proposed conversion is unlikely to give rise to any significant adverse impact on residential or visual amenity, heritage or highway considerations subject to conditions. The proposed development is therefore an acceptable form of sustainable development for this site, in line with paragraph 14 of the NPPF and accords with relevant development plan policies. Accordingly, it is recommended that planning permission be granted, subject to conditions.

g) Recommendation

- I. PLANNING PERMISSION BE GRANTED subject to the following conditions to include:
- 1) Standard Time
 - 2) Approved plans list
 - 3) External materials to match
 - 4) Provision and retention of cycle parking
 - 5) Provision and retention of refuse storage
 - 6) Scheme of noise attenuation/insulation to be submitted for approval
 - 7) Landscaping scheme submitted for approval
 - 8) Details boundary treatment
 - 9) Meter boxes
 - 10) Obscure glazing
 - 11) Joinery details
 - 12) Recording of building features
 - 13) Foul and surface drainage details submitted for approval
- II. Powers to be delegated to the Head of Regeneration and Development to settle any necessary planning conditions in line with the issues set out in the recommendation and as resolved by Planning Committee.

Case Officer
Lucinda Roach