

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(4)	21/01012/FUL Kintbury Parish Council	29 June 2021 ¹	<p>Change of Use from redundant Methodist Church to residential dwelling (Use Class C3). Proposals will retain the front elevation onto Inkpen Road unchanged, with the introduction of patio doors to the rear elevation in the location of the existing kitchen window. Internally, the works will involve the creation of a living, kitchen dining area, separate living room, 2no. bedrooms and bathroom.</p> <p>Kintbury Methodist Church Inkpen Road Kintbury Hungerford RG17 9TU</p> <p>Mr Tim Cork</p>
¹ Extension of time agreed with applicant until 26 July 2021			

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=21/01012/FUL>

Recommendation Summary: To **DELEGATE** to the Head of Development & Planning to **REFUSE PLANNING PERMISSION**

Ward Member(s): Councillor Dennis Benneyworth
Councillor James Cole
Councillor Claire Rowles

Reason for Committee Determination: Call-in request from Ward Member(s).

Committee Site Visit: 15th July 2021

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1. Introduction

- 1.1 This application seeks planning permission for the Change of Use from redundant Methodist Church to residential dwelling (Use Class C3).
- 1.2 The application site is a vacant former church building. The application site is situated on Inkpen Road, Kintbury which is within the established settlement boundary. It is also within the North Wessex Downs AONB and the Kintbury Conservation Area.
- 1.3 The proposal is seeking to retain the front elevation onto Inkpen Road unchanged. It will introduce patio doors to the rear elevation in the location of the existing kitchen window. Internally, the works will involve the creation of a living, kitchen dining area, separate living room, two bedrooms and bathroom.

2. Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision
144459	Conversion of former Methodist church into single dwelling.	Granted.

3. Procedural Matters

Environmental Impact Assessment (EIA)

- 3.1 Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.

Publicity

- 3.2 Site notice displayed on 26 May 2021 at the location site; the deadline for representations expired on 16 June 2021.
- 3.3 Newbury Weekly News Planning Notice – 13 May 2021

Community Infrastructure Levy (CIL)

- 3.4 CIL is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development at a rate per square metre (based on Gross Internal Area) on new development of more than 100 square metres of net floorspace (including extensions) or when a new dwelling is created (even if it is less than 100 square metres).
- 3.5 CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

- 4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Kintbury Parish Council:	Objection.
WBC Highways:	Objection.
WBC SuDS:	No comments received.
WBC Conservation:	Conditional approval.
North Wessex AONB Management Board:	No comment received.

Public representations

- 4.2 Representations have been received from 12 contributors, 1 of which support, 10 of which object and 1 of which provide comments to the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following issues/points have been raised:

Amenities	<ul style="list-style-type: none">• Concerns over the scale of the proposed amenity space.• Concerns over the disturbance of the construction vehicles.
Highways and Access	<ul style="list-style-type: none">• Concerns over parking issues.• Concerns over highways safety.
Other Issues	<ul style="list-style-type: none">• Lack of notification to neighbours in this planning application.• Concerns over the property valuation.

5. Planning Policy

- 5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.

- Policies ADPP1, ADPP5, CS1, CS4, CS5, CS13, CS14, CS16, CS17 & CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies C1, C3, P1 of the Housing Site Allocations Development Plan Document 2006-2026 (HSA DPD).

- Policies TRANS1, OVS.5, OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).

5.2 The following material considerations are relevant to the consideration of this application:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- North Wessex Downs AONB Management Plan 2014-19
- WBC House Extensions SPG (2004)
- WBC Quality Design SPD (2006)
- Planning Obligations SPD (2015)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Amenity
- Highways and parking provision

Principle of development

6.2 According to Paragraph 010 of Planning Practice Guidance (PPG)¹, the planning history of a site may be a relevant consideration in the determination of an application. However, the Paragraph goes on to state that the factors to take into consideration including evidence as to the reasons why an earlier permission was not implemented, the time that has elapsed since the previous permission expired and the number of similar applications made for the same site are relevant when considering an application.

In this case, a planning permission for a conversion of the former church building into single dwelling was granted in 1994. Though the principle of the development has been previously established, the WBCS and the HSA DPD are formally adopted in 2012 and 2017 respectively and it is considered that this application should be assessed against those up-to-date documents.

Location of New Housing in the Countryside

6.3 WBCS ADPP1 Spatial Strategy sets out a spatial strategy for the distribution of housing throughout the District. The policy seeks to accommodate development in the most sustainable way, focusing the majority of development in settlements with existing facilities and services. The supporting text indicates most development will be within or adjacent to the settlements included in the settlement hierarchy and that the majority of development would take place on previously developed land. Policy CS1 makes it clear that new homes will primarily be built on suitable previously developed land or other suitable land within settlement boundaries or on land allocated in a Development Plan Document. HSA DPD Policy C1 states that there is a presumption in favour of development and redevelopment within the settlement boundaries, including Kintbury.

¹ Reference ID: 21b-010-20190315

- 6.4 The principle of development as residential use is considered to be acceptable in this case.

Character and appearance

- 6.5 Achieving well-designed places and conserving and enhancing the natural environment are core planning principles of the NPPF. Paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB. Policy ADPP5 of the WBCS states that new development will respect and respond to the historic environment of the AONB. Policy CS14 clearly sets out that new development must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. Policy CS19 seeks to ensure development is appropriate in terms of location, scale and design.
- 6.6 Policy C1 of the HSA DPD goes on to state that planning permission will not be granted where a proposal harms or undermines the existing relationship of the settlement within the open countryside, where it does not contribute to the character and distinctiveness of a rural area, including the natural beauty of the AONB or where development would have an adverse cumulative impact on the environment or highway safety. Policy C3 goes on to state that the design of new housing, including replacement dwellings, must have regard to the impact individually and collectively on the landscape character of the area and its sensitivity to change.
- 6.7 Conservation Officer has raised no objection to the proposed development subject to conditions. The proposal will maintain the frontage character of the building and are otherwise respectful of its historic and architectural character. However, further information is needed for the details of all windows and doors and roof lights to be of conservation type flush with the roof. A pre-commencement condition is recommended in this case to obtain such information before the commencement of development hereby permitted.
- 6.8 Given the tightness of the site, it is considered that a condition should be recommended in this case to remove the permitted development rights on additions or extensions to the dwelling shall be built or ancillary buildings, structures or other means of enclosure erected within the curtilage.
- 6.9 The former church building is a non-designated heritage asset in the Kintbury Conservation Area (CA) and the North Wessex AONB. No designated heritage assets are identified near the application site. The proposal is not seeking to alter the external appearance of the former church building and therefore it is not considered that the proposal would not have an adverse impact of the character and appearance of the surrounding areas and the setting of the AONB and the Conservation Area subject to adequate development control measures.

Amenities

- 6.10 Paragraph 130 of the NPPF sets out that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area, taking into account any local design standards or style guides in plans or supplementary planning documents. The Quality design SPG states that a reasonable provision of outdoor space should be provided, i.e. at least 100 square metres of outdoor space should be provided for a 3bedroom houses.
- 6.11 There is a concern over the impacts of the construction vehicles on the neighbouring amenities during the construction. In order to minimise the impact on neighbouring

amenity, a condition shall be recommended to restrict the hours of operation during the construction works.

- 6.12 Based on the submitted information, the proposal is seeking to provide one bedroom on the ground floor, one bedroom and one study room on the first floor. According to the submitted floor plan, the size of the study room is about 6.95 square metres and it meets the minimum size of a habitable room for an adult to sleep which is 6.51 square metres. As such, it is considered that the proposal is for a 3-bedroom dwelling.
- 6.13 The proposed rear outdoor space is only about 9.65 square metres. The total area of the outdoor space is only about 14 square metres, even the front outdoor space is included. The proposed outdoor space is far below the required standard and it is not considered that such scale of the outdoor space is reasonable in this case.
- 6.14 It is considered that this application is a change of use proposal and therefore there is a restriction to the provision of additional amenity space without any alteration or demolition works on the existing building. However, it is considered that the Quality design SPG applies to all residential development including the change of use proposal. Given that the size of the proposed outdoor space is far below than the suggested standard, it is considered that the proposal would not provide adequate and suitable outdoor amenity space for future residents. This is contrary to the NPPF, Policy CS14 of the West Berkshire District Core Strategy 2006 to 2026 and the Quality Design – West Berkshire Supplementary Planning Document Part 2 Residential Development.

Highways and parking provision

- 6.15 According to Policy P1, this will require three on site car parking spaces. However due to the confines of the site, it is not possible to provide any off road car parking.
- 6.16 A number of letters of objection have raised concerns over parking and highways safety issues. Kintbury Parish Council and Highways both have raised objection to the proposed development. Further information related to cycle storage is requested from Highways.
- 6.17 The applicant has provided a revised plan and the cycle storage is included. The applicant also sets out that the existing use of the former church building would require more parking spaces than the proposed use and the current proposal is the option which requires the least number of parking spaces provided. The applicant also argues that there is exception circumstance in this case where the parking spaces provided do not need to accord with the required levels as it is a change of use of an existing building.
- 6.18 In this case, three parking spaces are required but no off-road car parking can be provided in this case. It is considered that the proposal would convert the vacant former church building to residential. In an absence of any public benefits, no exceptional circumstance unfortunately can be identified to support that there is a case for providing parking that does not accord with the required levels set out in Policy P1.
- 6.19 Though the proposed residential use would require the least number of parking spaces provided when comparing with the existing use, it is considered that the proposal will introduce an overnight car parking demand along with all other residential properties in this location. Given that there is existing car parking congestion, the proposal undoubtedly will result in on street parking in the vicinity and this will adversely affect road safety and the traffic flow.
- 6.20 In conclusion, the proposal fails to meet the parking standard set out in the local planning policy. The proposal will also adversely affect road safety and the flow of traffic. This is

contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026 and Policy P1 of the Housing Site Allocations DPD 2017.

Other Issues

- 6.21 Other issues raised by objection letters will be addressed in this section.
- 6.22 The Council is no longer posting notification to neighbours. However, an orange site notice has been displayed at the location site between 26 May 2021 and 16 June 2021. An advertisement has also been displayed at Newbury Weekly News on 13 May 2021.
- 6.23 Property Valuation is not a material consideration when assessing this planning application.

7. Planning Balance and Conclusion

- 7.1 This application seeks planning permission for the Change of Use from redundant Methodist Church to residential dwelling (Use Class C3). The proposal is seeking to retain the front elevation onto Inkpen Road unchanged. It will introduce patio doors to the rear elevation in the location of the existing kitchen window. Internally, the works will involve the creation of a living, kitchen dining area, separate living room, two bedrooms and bathroom.
- 7.2 The proposed outdoor space is far below the required standard and it is not considered that such scale of the outdoor space is reasonable in this case. Given that the size of the proposed outdoor space is far below than the suggested standard, it is considered that the proposal would not provide adequate and suitable outdoor amenity space for future residents. This is contrary to the NPPF, Policy CS14 of the West Berkshire District Core Strategy 2006 to 2026 and the Quality Design – West Berkshire Supplementary Planning Document Part 2 Residential Development.
- 7.3 Three parking spaces are required but no off-road car parking can be provided in this case. It is considered that the proposal would convert the vacant former church building to residential. Though the proposed residential use would require the least number of parking spaces provided when comparing with the existing use, it is considered that the proposal will introduce an overnight car parking demand along with all other residential properties in this location. Given that there is existing car parking congestion, the proposal undoubtedly will result in on street parking in the vicinity and this will adversely affect road safety and the traffic flow. The proposal fails to meet the parking standard set out in the local planning policy. The proposal will also adversely affect road safety and the flow of traffic. This is contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026 and Policy P1 of the Housing Site Allocations DPD 2017.

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to REFUSE PLANNING PERMISSION for the reasons listed below.

Refusal Reasons

1.	Under-provision of Outdoor Spaces The proposed outdoor amenity space falls far below the recommended standard of at least 100 square metres for a 3 bedroom dwelling set out in Part 2 (Residential Development) of the Council's Quality Design SPD. Given that the size of the
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	proposed outdoor space is far below than the suggested standard, the proposed works would fail to provide adequate and suitable outdoor amenity space for future residents. This is contrary to Paragraph 130 of the National Planning Policy Framework 2019 and Policy CS14 of the West Berkshire District Core Strategy 2006 to 2026, which seeks, inter alia, for new development to make a positive contribution to the quality of life in West Berkshire, and the Quality Design – West Berkshire Supplementary Planning Document Part 2 Residential Development.
2.	Lack of Parking and Highways Safety Three parking spaces are required but no off-road car parking can be provided in this case. Though the proposed residential use would require the least number of parking spaces provided when comparing with the existing use, it is considered that the proposal will introduce an overnight car parking demand along with other residential properties in this location. Given that there is existing car parking congestion in the vicinity of the site, the proposal will increase pressure for on street parking in the vicinity and this will adversely affect road safety and the traffic flow. This is contrary to Policy CS13 of the West Berkshire District Core Strategy 2006 to 2026 and Policy P1 of the Housing Site Allocations DPD 2017.

Informatives

1.	In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application there has been a need to balance conflicting considerations, and the local planning authority has also attempted to work proactively with the applicant to find a solution to the problems with the development; however, an acceptable solution to improve the economic, social and environmental conditions of the area could not be found.
2.	This application has been considered by West Berkshire Council, and REFUSED. Should the application be granted on appeal there will be a liability to pay Community Infrastructure Levy to West Berkshire Council on commencement of the development. This charge would be levied in accordance with the West Berkshire Council CIL Charging Schedule and Section 211 of the Planning Act 2008.