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<b>APPLICATION NO.</b>	<a href="#">P11/W0162</a>
<b>APPLICATION TYPE</b>	FULL
<b>REGISTERED</b>	04.02.2011
<b>PARISH</b>	HORSPATH
<b>WARD MEMBER(S)</b>	Ms J Carr Mr A Hodgson
<b>APPLICANT</b>	Trustees for Methodist Church Purposes
<b>SITE</b>	Horspath Methodist Chapel The Green Horspath
<b>PROPOSAL</b>	Change of use of chapel to single dwelling. Minor alterations (as amended by agent's e-mail and accompanying plans dated 25 February 2011).
<b>AMENDMENTS</b>	Revised siteplan received 25 February 2011
<b>GRID REFERENCE</b>	457114/204707
<b>OFFICER</b>	Mr D.Burson

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1.0 **INTRODUCTION**

- 1.1 This application is referred to the Committee as the Officer's recommendation differs with that of the Parish Council.
- 1.2 The application site is a chapel set to the west of Horspath Village Green, the chapel is detached and of brick construction with stone detailing. The application site is set within the Oxford Green Belt. The location of the application site is shown on the Ordnance Survey extract **attached** as Appendix A.

2.0 **PROPOSAL**

- 2.1 This application seeks planning permission for the conversion of the chapel to a four bedroom dwelling. The only external alteration proposed to the structure is the insertion of a single rooflight to serve a bathroom; internal alterations are proposed to facilitate the change of use.
- 2.2 Copies of the proposed and existing floorplans and elevations and site plan along with photographs of the existing chapel are **attached** to this report at Appendix B.

3.0 **CONSULTATIONS & REPRESENTATIONS**

3.1 **Horspath Parish Council**

- Refuse
- The chapel has been used for many years for community purposes and worship
- Organisations and individuals would be willing to take on the chapel if transferred at nominal cost
- An easement is required for vehicular access
- If planning permission is granted the exterior should not be altered

**Oxfordshire County Council Archaeological Services**

- No comment

#### **Contaminated Land Officer**

- Residential use is particularly sensitive, a precautionary approach should be adopted to land contamination

#### **Neighbours**

- 1x objection
  - The chapel offers an alternative, less formal space for worship
- The chapel is used for meetings and social gatherings different from the village hall

#### **4.0 RELEVANT PLANNING HISTORY**

4.1 **P72/M0213:** Increase size of existing church hall- *Planning Permission on 17 May 1972*

**P71/M0579:** Increasing size of hall with two new classrooms to existing Methodist church- *Planning Permission on 17 August 1971*

**P57/M0701:** Toilet accommodation and kitchen- *Planning Permission on 04 September 1957*

#### **5.0 POLICY & GUIDANCE**

##### **5.1 South Oxfordshire Local Plan 2011 policies:**

G2- Protection and enhancement of the environment

G6- Promoting good design

D2- Vehicle and bicycle parking

D3- Plot coverage and garden areas

D4- Privacy and daylight

H5- Larger villages within the Green Belt and smaller villages throughout the district (Housing)

CF1- Safeguarding community facilities and services

T1- Transport requirements for new developments

T2- Transport requirements for new developments

#### **South Oxfordshire Design Guide 2008**

#### **6.0 PLANNING CONSIDERATIONS**

6.1 The main considerations in this application are:

**i) Whether the principle of the conversion of the chapel is acceptable**

**ii) Whether the proposal satisfies the amenity requirements set out under policy H4 of the South Oxfordshire Local Plan 2011**

**i) Whether the principle of the conversion of the chapel is acceptable**

6.2 Horspath Methodist Chapel lies centrally in Horspath village as a place of worship. Within the terms of the South Oxfordshire Local Plan 2011 places of worship are community facilities, and as such subject to protection under policy CF1.

6.3 Under policy CF1 planning permission will not be granted for proposals that result in the loss of a community facility unless suitable alternative provision for that facility exists in the locality.

- 6.4 In assessing whether a community facility is 'essential' it is necessary to assess whether the facility is needed through evaluating the current usage of the facility, the provision of that type of facility elsewhere in the locality, local support for the facility and whether another community use can show a requirement for the site building.
- 6.5 The applicants state the chapel is surplus to the church's needs due to reduced congregations, the regular congregation of 5 was not sustainable and services have been combined with others in Oxford. The applicants have also cited that it would not be possible for the applicant to retain the facility for other groups to use as the low level of use would be insufficient to fund the upkeep of the structure.
- 6.6 Although subject to full consultation as a planning application the proposal has not received a high level of interest. Beside the Parish Council a single resident has responded in opposition to the proposal.
- 6.7 The parish council in their consultation response state that the chapel has been used for many years as a place of worship. They also state that organisations and individuals in the village would be willing to take on responsibility for the chapel if it were transferred at 'nominal cost'.
- 6.8 A single objection has been received from a local resident on the basis that the chapel offers a different space to other facilities in the village, as a more informal space than St Giles' Church for worship and a smaller space than the village hall for gatherings.
- 6.9 The village currently benefits from a good range of community facilities. In addition to the chapel there is a primary school, village hall, public house and a village shop and post office.
- 6.10 The applicants cite that there are inadequate congregation numbers to support the chapel for Methodist services, they also supply information based upon census statistics to demonstrate that no other religious group in the village, which does not already benefit from accommodation, has a sufficient population in the village to support the chapel. The applicants have added that St Giles C of E church was the largest place of worship in the village and held the largest congregation. They have indicated to the Methodist Church that it does not have funds to acquire the chapel. Having considered the information provided there is adequate accommodation elsewhere in the village to support demand for places of worship. The chapel does not constitute an 'essential community facility' as a place of worship within the terms of policy CF1.
- 6.11 In addition to a place of worship chapels also have potential to play a role as meeting places. The chapel has previously been used by some community groups, however although the chapel is not currently used regularly. The applicants cite that Horspath benefits from a village hall with flexible accommodation and have supplied booking calendars to demonstrate that while well used, opportunities remain for bookings in the hall. In addition Horspath benefits from two public houses for informal meetings.
- 6.12 In terms of use levels of the chapel as a meeting place beside the Church use a mother and baby group was the only regular user of the chapel. The group used the chapel weekly for two hours, the group however ceased to hire the premises and it is understood no longer meets at all. Such a low level of use is not such that it would render the chapel an 'essential community facility' within the meaning of the Local Plan policy as such a level could realistically be accommodated elsewhere in the village.

- 6.13 The Parish Council in their response indicate that other groups or individuals with the support of the Parish Council would be willing to undertake responsibility for the maintenance of the chapel if it were transferred for a 'nominal sum'.
- 6.14 The applicant has clarified that discussions were held informally with the Parish Council to explore the community use of the chapel. One option considered was for the church to retain ownership but pass operation of the venue to the Parish Council; this was not pursued as it was considered unlikely to generate sufficient income to pay for upkeep. This was partly due to Church Law prohibiting drinking on church premises making them less desirable for social events. Consideration was given to the sale of the premises. Although it has been suggested that organisations were willing to take on the facility for a 'nominal sum' no suggestions were made that anyone would be willing to take on the chapel as a community facility for its true value as an assembly place. The applicants indicate that the Charity Commission governs the sale of Church property and would not allow for premises to be disposed of at a reduced value. Under policy CF1 there is no requirement for non-commercial facilities to be placed on the open market prior to an application for change of use.
- 6.15 Considered on balance, the chapel, although a community facility, does not constitute an 'essential community facility' within the meaning of policy CF1 due to the limited level of use and public support for its retention combined with the ample provision of alternative facilities within the village. In addition no other community use in the village has demonstrated a realistic alternative community use, nor does there seem to be a need.
- 6.16 While policy CF1 does not prohibit the loss of the chapel as a community facility in this instance, the Local Plan requires that the suitability of alternative uses be considered before reverting to residential use.
- 6.17 It has been established that use as an alternative meeting place would not be sustainable; in addition in view of the level of village facilities this is not something the council could insist upon.
- 6.18 The application site is adjoined to either side by residential properties, both closely located to their boundaries. The close relationship between the application building and site to neighbouring properties means a commercial use would be likely to be intrusive to neighbours, particularly number 15 to the north through the use of the building itself and the likely increase in vehicle movements above that of a dwelling. In view of the unsuitability of the site in its present form for commercial use, including both offices and industry the proposed residential use is considered the most appropriate use for the application site.
- 6.19 In view of the above your officer is of the opinion that the chapel does not constitute an 'essential community facility' within the meaning of policy CF1, as such Local Plan policies do not preclude the change of use of the site. Due to the established character of the area and the close relationship with neighbouring dwellings the use of the site for commercial purposes would not be appropriate, in view of this the change of use of the property to residential use would be acceptable subject to satisfaction of the criteria listed below.

**ii) Whether the proposal satisfies the amenity requirements set out under policy H4 of the South Oxfordshire Local Plan 2011**

- 6.20 Horspath is classified as one of the district's larger villages and is sited within the Oxford Green Belt. Under policy H5 of the South Oxfordshire Local Plan 2011 the

principle of a dwelling on the application site is acceptable so long as the criteria set out under policy H4 can be satisfied.

*'An important open space of public, environmental or ecological value is not lost, nor an important public view spoilt'*

6.21 The application site stands to the west of Horspath village green. The site is developed with the chapel building and an area of hardstanding running to the side and lawn to the rear. The proposal would not result in the loss of a space of environmental or ecological value. While the chapel is currently a community facility it does not constitute a public open space within the spirit of this policy.

6.22 The external works as part of this proposal are very limited; as such the impacts of the proposal on views would be minimal.

*'The design, height, scale and materials of the proposed development are in keeping with its surroundings and impact on the openness of the Green Belt'*

6.23 The proposal involves minimal external alterations; as such the visual impact on the locality would be very limited. As proposed the development would not have an impact on the openness of the Green Belt.

6.24 While the proposal would have a very limited visual impact on its surroundings the change of use to a dwelling would confer permitted development rights upon the dwelling for extensions and external alterations. The chapel currently stands as an attractive building that contributes to the village green setting. Unsympathetic external alterations would be detrimental to the amenity of the locality while inappropriate extensions would be detrimental to the openness of the Green Belt. It is recommended that a condition removing permitted development rights for extensions and external alterations be attached to any planning permission for change of use to a dwelling to preserve the visual amenity of the locality and the openness of the Green Belt.

*'The character of the area is not adversely affected'*

6.25 In view of the limited external alterations in the proposal and subject to effective control of future alterations the proposal would not have a detrimental impact on the character of the area visually.

6.26 The chapel is set to the western side of the green in a row of dwellings; the introduction of a residential use in this location would not be detrimental to the character of the area in your officer's view.

*'There are no overriding amenity, environmental or highway objections'*

6.27 The application building occupies the front portion of the application site with a grassed area to the rear.

6.28 The proposed accommodation would be set entirely at ground floor level and would not give rise to overlooking to neighbouring properties. The sole external alteration to the dwelling is a single rooflight. The limited physical development means that the proposal would not result in any additional impacts on neighbours in terms of loss of light or overbearing impacts.

- 6.29 Windows in the northern elevation of the chapel face 15 The Green, a single storey dwelling. The most closely related window would be the window to serve the proposed dining room. Although the relationship between windows of the properties is closer than would normally be expected the relationship between them is existing. The windows in the chapel also have a higher cill height than a typical dwelling. Having regard to the existing relationship between the chapel and number 15 the proposed change of use to a dwelling would not materially impact on the amenity of occupiers.
- 6.30 The lawn area to the rear of the chapel is proposed to be used as domestic garden. The southern boundary of the site is closely sited to the rear of 2 Oxford Road, a two storey dwelling. Although the rear elevation of number 2 is sited in relatively close proximity to the boundary the dwelling is set at an angle, as a result views from upper floor windows toward the application site would be limited to the western ends of the site. The boundary between the application site and number 2 is currently a relatively low block wall. In order to preserve the amenity of the occupiers of 2 Oxford Road and future occupiers of the Chapel it is necessary to secure appropriate boundary treatments by condition. Subject to this condition the amenity of neighbouring properties can be effectively preserved.
- 6.31 As proposed the converted chapel would be a four bedroom dwelling. The lawn to the rear would be of sufficient size to act as private amenity space to satisfy the council's standards.
- 6.32 The application site offers adequate parking provision to satisfy the council's maximum parking standards, the Parish Council have however commented that they need to grant an easement for vehicular access to the site that is not currently present. While the council would not be involved in matters of land ownership and access rights it would not be acceptable for the chapel to be used as a dwelling without proper parking. In view of this it is recommended that a condition be imposed on any permission requiring the parking area to be in place prior to any residential occupation of the site. For security an informative should also be attached to the planning decision to inform the applicants planning permission does not give the right to enter or work upon land not within their ownership without the consent of the owner.
- 6.33 No objection is raised to the proposal on environmental grounds; the Contaminated Land Officer has however requested that a precautionary condition be applied to any permission to investigate the potential for land contamination prior to any residential use.

*'If the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built limits of the settlement'*

- 6.34 The proposal does not constitute backland development.

## 7.0 CONCLUSION

- 7.1 This proposal accords with development plan policies. Adequate alternative provision of similar facilities exists in the village and residential use represents the most suitable alternative use for the site. The proposal would not have a detrimental impact on the character or appearance of the area and would result in an acceptable impact on neighbouring properties.

8.0 **RECOMMENDATION**

8.1 **That planning permission is granted subject to the following conditions:**

1. **Commencement within 3 years**
2. **Condition listing approved drawings**
3. **Withdrawal of permitted development rights classes A, B, C and D**
4. **Boundary treatments to be approved**
5. **Formation of vehicular access**
6. **Land contamination**

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