
APPLICATION NO.	P11/W0976
APPLICATION TYPE	FULL
REGISTERED	28.06.2011
PARISH	BENSON
WARD MEMBER(S)	Mr Felix Bloomfield Miss Rachel Wallis
APPLICANT	Mrs Karen Hamer
SITE	37 High Street Benson
PROPOSAL	Conversion into a three-bedroom dwelling of a former non-conformist chapel, including the removal of lean-to outbuildings at the rear, installation of a new first floor structure and installation two roof windows.
AMENDMENTS	None
GRID REFERENCE	461987/191776
OFFICER	Mrs G Brown

1.0 INTRODUCTION

- 1.1 The application has been referred to the Planning Committee because the recommendation conflicts with the views of the Parish Council.
- 1.2 The application site is shown on the OS extract **attached** as Appendix 1. The building has, until 2009, been used as a church and since then it has remained unoccupied. The exterior of the building is finished in a grey facing brick with orange brick detailing and the pitched, ridged roof is finished in slates. There is an enclosed, pitched roof single-storey entrance porch at the front of the building where it faces onto High Street, and an assembly of single-storey lean-to outbuildings have been added at various times to the rear. The site is surrounded by a brick wall and is located between an empty retail unit and a take-away restaurant with residential properties to the rear.
- 1.3 The site lies within the Benson Conservation Area and within Flood Zones 2 and 3 of the River Thames.

2.0 PROPOSAL

- 2.1 This planning application seeks full planning permission for the change of use of the chapel to a three bedroom dwelling.
- 2.2 The application was accompanied by a Planning Statement and a Biodiversity Report. These can be viewed on the Council's website www.southoxon.gov.uk. The plans of the proposed development are **attached** as Appendix 2.

3.0 CONSULTATIONS & REPRESENTATIONS

- 3.1 Benson Parish Council -** Object. This application has no provision for parking, relying instead on the proximity of a public SODC controlled car park. The car park referred to is currently being discussed with a view to ownership being transferred from SODC to Benson Parish Council, hence its status and operational conditions are likely to change in the future. Benson has very little village centre car parking for a community of its size, and this is already an issue. There are only approximately 66 parking spaces to serve Benson, plus surrounding communities and of course RAF Benson personnel using our facilities. A local shopping survey in 2010 identified village centre parking as a key issue for shoppers, with a clear indication that shoppers would go elsewhere if they cannot park in the village centre. Hence the Parish Council view is that village centre parking is a vital resource in the sustainability of Benson.
- 3.2 County Archaeological Services -** No comments
- 3.3 Conservation Officer -** No objections to these proposals, which will not result in many external changes to the original late 19th century chapel.
- 3.4 Countryside Officer -** No objection
- 3.5 Highways Officer -** No objection
- 3.6 SODC Drainage Consultant -** The applicant should be required to incorporate flood proofing / resilience and resistance techniques in the building conversion, up to the height of the local flood level.

4.0 RELEVANT PLANNING HISTORY

- 4.1** None

5.0 POLICY & GUIDANCE

- 5.1** Adopted South Oxfordshire Local Plan Policies (SOLP 2011):
- D1: Good design and local distinctiveness
 - D2: Vehicle and bicycle parking
 - D3: Plot coverage and garden areas
 - D4: Privacy and daylight
 - D8: Promoting efficient use of energy
 - D10: Provision for the management of waste
 - H4: Development in the towns and larger villages
 - G2: Protection and enhancement of the environment
 - G6: Promoting good design
 - CF1: Safeguarding community facilities
 - CON5: The setting of listed buildings

CON7: Proposals affecting a conservation area
C8: Species Protection

Planning Policy Statements (PPS's):
PPS1: Delivering sustainable development
PPS3: Housing
PPS22: Renewable energy
PPS25: Development & Flood Risk

South Oxfordshire Design Guide; All sections.
Benson Parish Plan

6.0 **PLANNING CONSIDERATIONS**

6.1 The main considerations in the determination of this application are:

- Principle: Loss of a community facility
Whether a residential use is appropriate
- Amenity provision
- Sustainability
- Flood risk
- Wildlife

6.2 **Principle.**

Loss of a community facility

The building has remained vacant since 2009 when the congregation had dropped to just two individuals. The Evangelical Fellowship of Congregational Churches approached Benson Parish Council (BPC) to seek ways of using the building for the benefit of the community at large and Benson Community Action Group (BCAG) set up two committees; one to produce a Feasibility Study and Business Plan for use of the church as a Community Building, and the other to investigate having a Post Office within the Co-op or in the former newsagents shop. It had already been concluded that a Post Office would have to form part of a larger project for use of the building, but this initiative drew to a close after an Outreach Post Office was officially opened on November 30th.

Throughout the months following the closure of the church, a number of uses for the empty building were considered including a Pre-school, Post Office (as part of a larger project), a Library and two residential apartments

The Planning Statement accompanying the application states that 'In January 2011, it was reported that the pews and organ had been removed from the church and that no feedback had been received from BCAG regarding a business plan for use of the building as a community facility. Finally in March 2011, having failed to find an alternative use, the EFCC sold the building by auction with Entire Vacant Possession'.

Based on the information that has been provided by the applicant regarding the alternative uses that have been explored and discounted and having regard to the size of the congregation before the Free Church closed its doors in 2009, your officer's consider that the proposal would not result in the loss of an essential community facility

6.3 Whether residential use is appropriate

The site lies within the built up limits of the settlement of Benson which is listed under para. 5.17 of the Local Plan as a larger village outside the green belt. The proposal will therefore be considered against the criteria of Policy H4 of the Local Plan

which states that proposals for housing on sites of up to 0.5 hectares within the larger villages outside the green belt will be permitted provided that it complies with the five criteria of the policy. The red-edged area measures some 0.033 hectares and as such, the principle of the proposed development is acceptable subject to the following criteria being met:

6.4 **(i) an important open space of public, environmental or ecological value is not lost nor an important public view spoilt.**

The proposal is for the conversion of an existing building and as such, an important open space or public view would not be spoilt as a result of the development.

6.5 **(ii) the design, height, scale and materials of the proposed development are in keeping with its surroundings.**

The exterior of the building is to remain largely unchanged, particularly in views from the High Street. No changes are proposed to the front (south east facing) elevation whilst to the rear (north west) the existing single storey extensions are to be removed to allow an amenity area to be provided and two ground floor and three first floor windows are to be introduced as well as a new back door. The size and shape of the openings are considered to be sympathetic to the established character of the building and all joinery is to be in timber to match the existing windows and door. It is also proposed to install one conservation style roof light within the north east facing roof slope and one within the south west facing roof slope which will provide a means of emergency escape to two of the first floor bedrooms. Interventions to the roof slope have been kept to a minimum and having regard to the sympathetic nature of the other, minimal changes to the exterior of the building, officers consider that the design, height, scale and materials of the proposed development are in keeping with the site and its surroundings.

6.6 **(iii) the character of the area is not adversely affected**

The site lies on the historic High Street and is located within close proximity of a number of listed buildings. There is a mixture of commercial and residential properties along the High Street and having regard to this established character and to the fact that the changes to the exterior of the building are minimal, officers consider that neither the proposed use, nor the proposed alterations would detract from the character of the area or from the setting of neighbouring listed buildings.

6.7 **(iv) there are no overriding amenity, environmental or highway objections.**

The proposal includes the insertion of three new first floor windows to the rear of the building which would serve a bedroom, bathroom and en-suite. These windows would look on to the rear of the terrace on Crown Lane which comprises four, two storey dwellings. Having regard to the existing first floor windows within the rear elevation of the terrace, there is an existing level of mutual overlooking between the properties and your officers consider that the introduction of the new windows at a 90 degree angle to the terrace would not have a material impact on the level of amenity that is currently enjoyed by the occupants of those properties. Furthermore, no representations have been received from any of the occupants of the terrace.

The Council's parking standard for a property of this size is two spaces. The applicant has been unable to secure access across the parking area to the rear of the terrace to enable off-road parking at the rear of the chapel and as such, there is no parking provision for the proposed dwelling. A material consideration is that as a church, the building currently falls within Class D1 of the Use Classes Order and under this Class, the building could be occupied for a number of different uses such as a health centre, crèche, museum, library or museum without the need for a planning application to be

made. Having regard to these various uses which could all theoretically generate a large number of vehicle movements and would require numerous parking spaces, as well as the fact that the site is in a sustainable location at the centre of the village within close proximity of a range of services, public car parking and transport links, officers consider that the Council would not successfully be able to defend a reason for refusal at appeal which is based purely on a lack of parking.

6.8 (v) if the proposal constitutes backland development, it would not create problems of privacy and access and would not extend the built up limits of the settlement.

The site has a road frontage and the proposal does not constitute backland development.

6.9 Amenity provision

Policy D4 of the adopted SOLP states that 'new dwellings should be designed to ensure adequate privacy for existing and new residents to enable them to enjoy their homes without undue intrusion from neighbours or from the public'. The area to the rear and sides of the building measures some 140 square metres and the private amenity area required by the Council's standards for a property of this size is 100 square metres. In addition, there is a public recreation ground within some 300 metres of the site.

Whilst the amenity area would be overlooked from the first floor windows of properties on Crown Lane, your officers are satisfied that there would not be any greater level of overlooking than could be expected in a residential area such as this one.

6.10 Sustainability

The District Council encourages the use of renewable energy technologies, especially where new build is proposed. The application is for the conversion of an existing building but the Planning Statement advises that the dwelling will be retro-fitted with energy efficient heating and thermal insulation and that 'every practical opportunity will be taken to improve the thermal efficiency and to bring it in line with current Building Regulations under Approved Document L'.

6.11 Flood risk

The site lies within Flood Zone 3 of the River Thames and the use of the building as a dwelling rather than as a chapel would make it more vulnerable to flooding (as defined in Table D.2: 'Flood Risk Vulnerability Classification' of Annex D of PPS25). In order to ensure that the building will be able to cope appropriately with floodwaters and to minimise the time for re-occupation after a flooding event officers recommend that a note is attached to any planning permission advising the applicant to have regard to the flood proofing / resilience and resistance techniques set out in 'Improving the flood performance of new dwellings' CLG (2007), and that appropriate measures should be considered for incorporation in to the building conversion up to the height of the local flood level.

6.12 Wildlife

The Council's countryside officer has visited the site and has concluded that there is no reasonable likelihood of bats being present within the building. As a precautionary approach however, the applicant will be advised of the need to have regard to the requirements of UK and European legislation related to the protection of certain wild plants and animals if bats are discovered during the course of the development.

7.0 **CONCLUSION**

- 7.1 Alternative uses for the community facility have been explored and discounted by community groups. The development lies within the well defined confines of the built up part of Benson and there is no objection to the principle of housing development. There is no parking provision for the dwelling but the site lies in a sustainable location within close proximity of local services, public car parks and transport links and the scheme is otherwise generally in accordance with Development Plan Policies.

8.0 **RECOMMENDATION**

- 8.1 **That Planning Permission is granted subject to the following conditions**

1. **Commencement 3 yrs - Full Planning Permission**
2. **Compliance with approved plans**
3. **External ducts and flues (details required)**
4. **Windows and external doors to specification**
5. **Withdrawal of permitted development**

Author: Gabriella Brown
Contact No: 01491 823282
Email: planning.west@southandvale.gov.uk