

Application No: 10/2927M

Location: ST JOHN THE BAPTIST CHURCH, CHURCH STREET,
BOLLINGTON, SK10 5PY

Proposal: CONVERSION OF EXISTING BUILDING INTO 13 APARTMENTS
INCLUDING ASSOCIATED PARKING

For THE SIMPLY GROUP

Registered 13-Aug-2010

Policy Item Yes

Grid Reference 393903 377803

Date Report Prepared: 11 October 2010

SUMMARY RECOMMENDATION

Approve

MAIN ISSUES

- Whether the proposal meets the sustainability objectives of PPS3
- Impact upon Listed Building / Conservation Area
- Impact upon nature conservation interests

REASON FOR REPORT

This application is before the Committee as it proposes 13 residential units as part of a church conversion.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a vacant Grade II listed church building with surrounding graveyard. The site is allocated as an Area of Existing Open Space within Bollington Conservation Area, and is situated between an Existing Employment Area and a Predominantly Residential Area as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This application seeks full planning permission to convert the existing building into 13 duplex apartments and create a parking area within the existing graveyard.

RELEVANT HISTORY

None

POLICIES

Local Plan Policy

NE11 – Nature Conservation
BE1 – Design Guidance
BE3 – Conservation Areas
BE15 – Listed Buildings
BE16 – Setting of Listed Buildings
BE19 – Change of Use of Listed Buildings
RT1 – Open Space
H13 – Protecting Residential Area
DC2 – Extensions and Alterations
DC3 – Amenity
DC6 – Circulation and Access
DC8 – Landscaping
DC9 – Tree Protection
DC40 – Children’s Play Provision and Amenity Space
DC42 – Subdivision of Property for Residential Purposes
DC63 – Contaminated Land

Other Material Considerations

Supplementary Planning Guidance on s106 (Planning) Agreements –
Macclesfield Borough Council – May 2004
Bollington and Kerridge Conservation Area Appraisal 2006

CONSULTATIONS (External to Planning)

Strategic Highways Manager – No objections subject to conditions relating to construction of access / set back of gates

Environmental Health (Contaminated Land) – No objections subject to conditions

Bollington Town Council – Recommend approval

Cheshire Fire Authority – No objections

Housing Strategy and Needs Manager – No requirement for affordable housing

Leisure – Comments not received at time of report preparation

Cheshire Archaeology Planning Advisory Service – No objections

OTHER REPRESENTATIONS

A letter has been received from Bollington Civic Society outlining their support for the application, which shows great ingenuity and imagination.

Three additional letters have been received from local residents and visitors to the churchyard raising the following concerns:

- Increased traffic
- Exacerbate existing parking problems for residents
- On site security issues
- Loss of trees will impact upon character of area and wildlife habitats
- Noise pollution. Restrictions on working practices?
- How will existing graves be maintained or be affected?
- Thought of building over a churchyard that is still in use is distasteful and upsetting
- Out of character

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a Structural Appraisal of the building, a bat survey, a report relating to rising damp and timber treatment, a PPS3 housing self assessment checklist and a design and access statement. All these documents can be viewed in full on the application file.

OFFICER APPRAISAL

Housing

The applicants have submitted a PPS3 Housing self-assessment checklist, which identifies that the scheme broadly meets the five listed criteria. The site is located adjacent to a residential area and provides a new use for a vacant building of historical interest to allow its upkeep to be maintained. As the scheme is for less than 15 dwellings, there is no requirement for the provision of affordable housing, and it provides a variety of unit sizes from 1 – 3 bedrooms, which will offer a range of accommodation to suit most needs. The site is within walking distance of shops and public transport in Bollington, and is deliverable and developable. The applicant has stated that renewable energy technologies have been considered but are difficult to incorporate without adversely affecting the Listed Building. Therefore, the primary design strategy will be one of energy use reduction with additional insulation and double glazing.

In terms of open space, there is access to a variety of public facilities in Bollington, and whilst the graveyard will be largely retained by the Church of England and maintained as open space, there is no allocated private open space for residents. Having regard to the Supplementary Planning Guidance on Planning Agreements, where play and amenity space requirements cannot be met within the site, as an alternative the Council can consider a payment in lieu of on site provision, to contribute towards the provision of new or improvement of existing open space elsewhere in the locality. However, in this case the applicant has stated that they would like the Council to consider the proposal as a form of enabling development to bring a listed building into a new sustainable use. The reason for this is that the scheme is projected to

have only limited profitability due to the extent of remedial works required and those that are currently unknown. Figures have recently been submitted, following a request from the case officer, but have not been assessed in detail at the time of writing the report. Members will be informed of the assessment of the submitted viability figures within an update report and whether a section 106 legal agreement is required.

Heritage

The main alterations to the building relate to the windows. The existing leaded windows will be replaced with metal framed, slimline, double glazed units. A stone transom will be added to these windows to replicate the existing window detail, which will hide a new floor level. Cut backs into the new ground floor will allow light into the semi-basement area, and in a similar way cuts backs to the first floor ceiling to provide some natural light to the second floor in addition to the proposed conservation rooflights. The existing stained glass windows on the east elevation fronting onto Church Street will be restored and retained. No additional openings are proposed to the stone walls of the Church.

The Council's Conservation Officer has commented on the proposal and has not raised any objection to the degree of internal alteration, but has raised concerns over the extent of interventions in the roof by the roof lights and air vents. These comments are acknowledged and the applicant's agent has been approached to see if the number of rooflights can be reduced. Most of the roof lights are at a low level and the parapet wall around the roof of the church will serve to screen them from certain vantage points. The high level rooflights are considered to be in an area where the reduction in number could be made, particularly over the stairwell, and it is in this area where the reductions are expected. Subject to the number of these high level rooflights being reduced, the Conservation Officer has indicated that he may withdraw his objection. Additional conditions may also be recommended at that time. Therefore, subject to the receipt of revised plans the proposal is considered to adequately maintain the architectural and historic integrity of the Listed Building, whilst bringing this currently vacant building back into active use.

The proposed car park and loss of trees on the site are considered to be the aspects of the development that will have the greatest visual impact upon the Conservation Area. It is understood that the applicant's agent is working with the Church to obtain the "necessary dispensing order from the Ministry of Justice to relocate the headstones". The agent has stated that as such works are often carried out at redundant churches, and this is a formality. Indeed they cite two examples of other church conversions they have dealt with that involved similar works to graveyards. The Council's Archaeologist has also stated that in light of the information submitted by the applicant, it seems appropriate to conclude that everything reasonable has been done to gain information on the location of burials and that in the (unlikely) event of remains being found during work, measures are in place to ensure that they are dealt with in an appropriate fashion. In the absence of any archaeological

concerns being identified, no further planning issues are raised to this element of the proposal.

It should also be noted that whatever the next use is for this building it is more than likely that some on-site parking will be required given the level of on street parking that currently takes place on surrounding roads.

In terms of the impact upon the character and appearance of the Conservation Area, the external alterations visible from within the Conservation Area are minimal; the trees to be removed are to the rear and side of the building, with the trees along the Church Street frontage remaining. These trees together with the existing wall and additional landscaping will serve to reduce the impact of the parked cars and bin store upon the character and appearance of the Conservation Area to an acceptable level. The proposal is therefore considered to comply with the objectives of policies BE1, BE3, BE15 and BE16 of the Macclesfield Borough Local Plan.

Trees and landscaping

The Arboricultural Officer has commented on the application and raises no objections to the removal of the four trees closest to the building (shown as T3, T4, T6 and T11 on the tree survey drawing). Two weeping Ash trees to the rear of the building (T2 and T5) are also highlighted for removal. However whilst these trees are not commonly found within the Bollington area, they are associated with churchyards, and every effort should be made to preserve them in a safe form. It is considered that these trees could be retained by appropriate pruning. This has been discussed with the agent and whilst their preference is to remove the trees, they are willing to work to retain them. Revised plans are required to show these trees as being retained.

The main concern with regard to trees relates to the car parking area. It is proposed to use Cellweb as a construction technique within the Root Protections Areas of trees. Construction details will be required in order to assess if the proposals will have a detrimental effect on the trees. Details have now been submitted and further comments are awaited from the Arboricultural Officer regarding their acceptability.

In addition, the cars will be parked below the canopies of Lime trees that do result in 'honey dew' deposits. The applicants were asked if the car park could be reconfigured to avoid parking below tree canopies. However, due to the limited size of the application and the constraints of existing (recent) graves, the location of parking is unavoidable. Such an issue is not a reason to refuse planning permission.

Amenity

Having regard to the distance of 25 metres to the houses on the opposite side of Church street, and over 45 metres to the neighbour to the side, and the relationship with these neighbouring residential properties, no significant amenity issues are raised, and the proposal is considered to comply with the

objectives of policies H13, DC3 and DC36 of the Local Plan. However, having regard to the nature of the development and the proximity of residential properties a working hours condition is recommended to protect the living conditions of residents during construction.

Highways

A total of 32 parking spaces are proposed with 6 of these being for the use of visitors to the graveyard, leaving 26 for the use of residents and their visitors. This number of spaces is at the high end of what would be expected for a development of this nature, however, having regard to the parking problems currently faced by residents as raised in the comments received in representation, the Strategic Highways Manager raises no issues in this regard, and this level of parking is considered to be acceptable. The Strategic Highways Manager has also observed that Church Street has a system of street lighting with some on street parking, and the visibility at the existing and proposed access is good. Therefore, no significant highway safety issues are raised, subject to conditions relating to the construction of the new access and the setting back of the gates to allow vehicles to pull clear of the carriageway whilst waiting for the gates to open.

Nature Conservation

Since the original submission of the application an additional bat survey has been submitted. This shows that whilst there is evidence of bat activity within and around the church no evidence of a roost was recorded during the survey.

The Nature Conservation Officer advises that bats do not present a constraint upon the proposed conversion of the church building. However as bats are active around the site, it is recommended that as much existing vegetation as possible is retained and that native species or ornamental species of value for wildlife are included in any landscaping scheme for the site to ensure there is no loss of bat foraging habitat. In addition there should be no illumination of trees or boundary features that could be used by foraging commuting bats. Any proposed lighting should therefore be low level and directional. A condition is also recommended to require the incorporation of features into the scheme for use by roosting bats to secure a nature conservation enhancement in accordance with policy NE11 of the Local Plan and the national guidance contained within PPS9.

Contaminated Land

The site includes a fuel tank and therefore there is the potential for contamination of the site and the wider environment to have occurred, and as the application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The Site Investigation Report submitted in support of the application recommends that chemical testing of soil samples is carried out. Therefore, the Contaminated Land Officer recommends that a condition is attached requiring a remediation

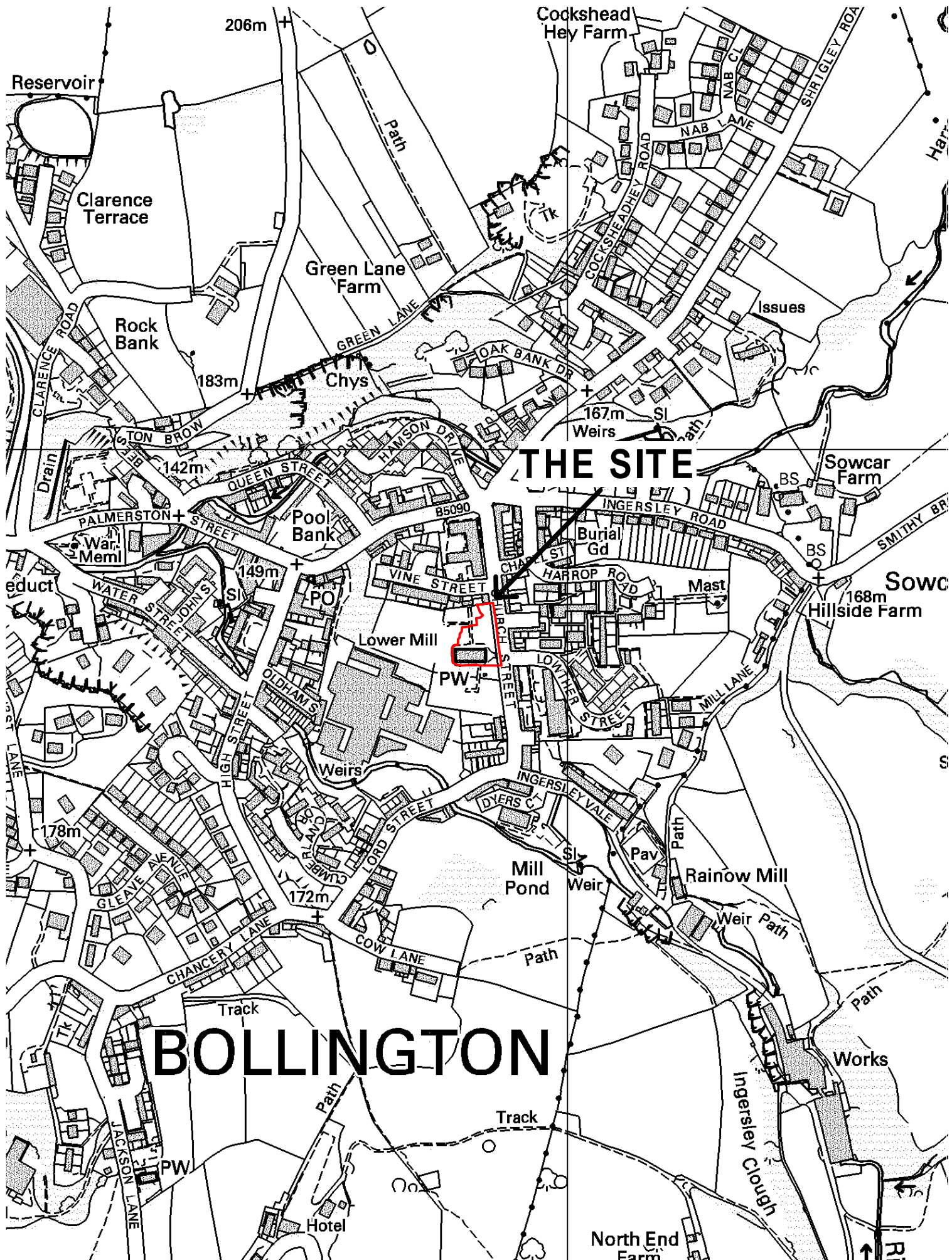
statement to be submitted to ensure that the site is suitable for its end use and the wider environment

Subject to

Responses from any outstanding consultees, and the receipt of revised plans that reduce the number of rooflights, set back the proposed entrance gates and identify trees T2 and T5 for retention. The application may also be subject to a section 106 agreement requiring a financial contribution towards the provision of off site open space.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposal is considered to bring this Listed Building, which has been vacant since 2006, back into active use, without significant harm to other matters of public interest. Therefore, for the reasons outlined above, a recommendation of approval is made, subject to the receipt of revised plans.



10/2927M ST JOHN THE BAPTIST CHURCH, CHURCH STREET, BOLLINGTON, SK10 5PY

NGR 393,900:377,800

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A11EX - Details to be approved
5. A02HA - Construction of access
6. A08HA - Gates set back from footway/carriageway
7. A01TR - Tree retention
8. A02TR - Tree protection
9. A01LS - Landscaping - submission of details
- 10.A04LS - Landscaping (implementation)
- 11.A03TR - Construction specification/method statement
12. Contaminated land
13. Enhancement for bats
14. External lighting details to be approved