
Report of the Head of Planning and Development**HEAVY WOOLLEN PLANNING SUB-COMMITTEE****Date: 13-Feb-2020****Subject: Planning Application 2019/93284 Alterations to convert former church to 6 dwellings Clayton West United Reformed Church, Church Lane, Clayton West, Huddersfield, HD8 9LY****APPLICANT**Chris Phillips, Clayton
Court Apartments Ltd**DATE VALID**

07-Oct-2019

TARGET DATE

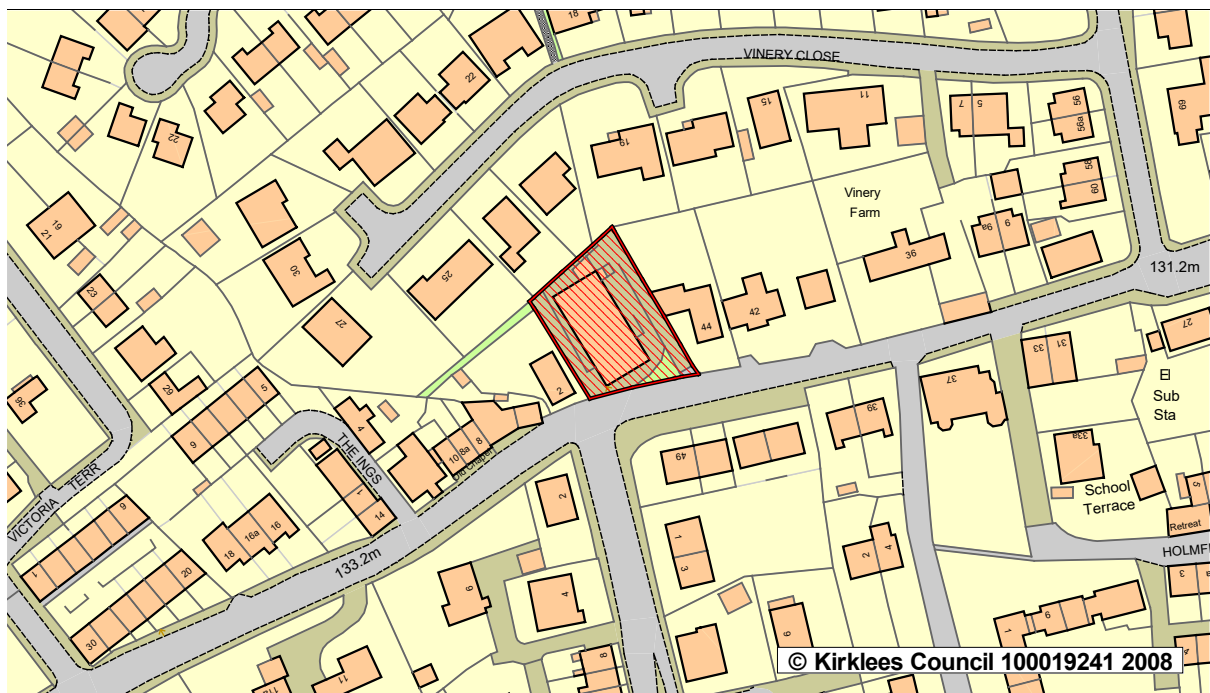
02-Dec-2019

EXTENSION EXPIRY DATE

17-Feb-2020

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN

Map not to scale – for identification purposes only

Electoral Wards Affected: Denby Dale

NO

Ward Members consulted
(referred to in report)

RECOMMENDATION:

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

- 1.1 This application is reported to the Heavy Woollen Planning Sub-Committee as the application has received 23 representations following the period of public consultation, which is considered to constitute significant representation. This is in accordance with the Council's Scheme of Delegation.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site is an unlisted former chapel located on Church Lane within the village of Clayton West. Historic maps show that the hammer dressed stone building with slate roof dates back to the mid-19th Century. The façade of the building holds a pair of slender pinnacles at eaves level and symmetrical gothic arched windows, a pair of arched head doors and a circular window at high level. All openings have ashlar stone surrounds with hood moulds and carved corbels.
- 2.2 The site decreases in gradient from South to North. There is a sloped vehicle access to the East of the chapel which leads to the rear. The access is enclosed by a low stone boundary wall which extends along the frontage of the site.
- 2.3 The site is bounded by Church Lane/Chapel Hill to the South and residential dwellings on Vinery Close to the North. The site is set within a predominantly residential area with detached and semi-detached two storey dwellings and semi-detached bungalows, comprising of a mix of materials and built form.
- 2.4 The site is Unallocated within the Kirklees Local Plan. The Chapel is considered to be a non-designated heritage asset.

3.0 PROPOSAL:

- 3.1 The application is for the conversion of a vacant former chapel to 6 dwellings with off-street parking for 9 no. vehicles to the East of the site. The dwellings would comprise of 4 no. two bedroom dwellings and 2 no. 3 bedroom dwellings.
- 3.2 *Units 1 and 2*
Units 1 and 2 are located on the lower ground floor and accessed via private entrance doors within the East and West elevations. The dwellings would accommodate living/dining area with separate kitchen; 2 no. bedrooms and study.
- 3.3 *Units 3 and 4*
Units 3 and 4 are located on the ground floor and accessed via internal doors from the communal entrance hall accessed via the main doors within the South elevation. The dwellings would accommodate living/dining area with separate kitchen; 2 no. bedrooms and study.
- 3.4 *Units 5 and 6*
Units 5 and 6 are located on the first floor and accessed via internal doors and staircase from the communal entrance hall accessed via the main doors within the South elevation. The dwellings would accommodate living/dining area with separate kitchen; 3 no. bedrooms and study. The living space is located to the frontage of the building.
- 3.5 The existing windows would be retained throughout the building. The lower glazed panel on each different floor level will be obscurely glazed.
- 3.6 The existing stone boundary wall to the frontage of the site and to the West of the existing access would be removed. The existing access to the East of the building from Church Lane would be widened to accommodate 9 no. off-street parking spaces within the site.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 2001/91446 Erection of toilet extension and ramped area
 CONDITIONAL FULL PERMISSION

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The officer provided feedback to the agent on the submitted proposal when all consultation responses were received. Following this feedback, amended plans were submitted showing a revised site plan which increased the level of off-street parking spaces from six to nine and the location of the bin collection point.
- 5.2 Amended floor plans and elevational drawings were also submitted; and included the removal of proposed windows within the North elevation, the addition of obscure glazing to windows within the East and West elevations and alterations to the floor plans.
- 5.3 The amended plans were advertised via neighbour letter for a further consultation period of 10 days.

6.0 PLANNING POLICY:

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is Unallocated within the Kirklees Local Plan.

6.2 Kirklees Local Plan (LP)

LP 1 – Sustainable Development

LP 11 – Housing mix and affordable housing

LP 21 – Highway Safety and Access

LP 22 – Parking

LP 24 – Design

LP 35 – Historic Environment

LP 51 - Protection and improvement of local air quality

6.3 National Planning Policy Framework (NPPF):

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 16 – Conserving and enhancing the historic environment

6.4 Supplementary Planning Guidance/documents

Highways Design Guide Supplementary Planning Document

West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application has been advertised by means of neighbour notification letter and site notice.

- 7.2 23 Representations were received following the period of public consultation. A summary of the comments received is set out below:

Objections (14)

Highway Safety

- 6 dwelling is too many for the location as most people of 2 cars and there is already a parking issue around the building which is most evident after 5pm.
- The development will lead to further parking on the highway
- The road is a main bus route on a narrow road at a blind hill
- On-street parking is used already for the bungalows opposite
- There is no provision for visitor parking
- Increasing on road parking would have significantly increase the risk of there being a serious traffic accident or potentially fatal accident
- The parking spaces would be difficult to manoeuvre in and out of
- The access will cause a significant risk to traffic

Residential amenity

- Parking of residents or visitors to the site would have a serious impact on the health and well-being of residents
- Impact of overlooking
- The potential 6 families living in the dwellings would cause noise and disturbance for potentially up to 18 hours per day/7 days per week.
- The new windows within the rear elevation would result in significant overlooking
- Increased light disturbance from cars
- Location of the wheelie bins would cause noise disturbance and vermin
- Main bus route through the village
- Impact of children walking to school
- Impact on access for emergency vehicles
- Increase in dangerous exhaust fumes

Ecology

- The application does not mention the bats that reside in the roof of the Chapel

Other Matters

- There has been no planning notice erected at the site
- Discrepancy between the public consultation end date on the website and letter sent
- Not an appropriate use of the building
- Significant depreciation of the value of house

7.3 Representations submitted following advertisement of amended plans (23rd December 2019 to 10th January 2020)

Objections (7)

Highway Safety

- Insufficient parking spaces within the site which will lead to increased parking on Church Lane
- The amendments to the plans do not reflect the reality of the space available on the land.
- The road outside the chapel is already an issue due to overcrowded parking on what is a main bus route, on a narrow road at a blind hill.
- Main route for pedestrians walking to and from school.
- Main route for horse riders from one bridle path to another.
- The footpath opposite the site is already used for parking for residents of the bungalows.
- Parking of residents or visitors will have a serious impact on health and well-being of residents
- There is still not enough parking spaces proposed.
- The road infrastructure surrounding the chapel does not have the correct layout to facilitate on further on street parking

- Complexity of parallel parking arrangements on a steep slope will deter people from using the parking provided
- On street parking will impact traffic exiting the junction from Cliffe Street and safe access onto Church Lane/Chapel Hill.
- Highway concerns are further exacerbated during icy or wet conditions.

Visual Amenity

- The amended plans show full removal of the front wall which will negatively impact the appearance of the prominent building

Residential amenity

- Impact of noise from cars and bins will be in issue and would like to a solid fence proposed to minimise the impact
- The East elevations have no or limited obscured windows which would impact privacy
- Impact from cars has been exacerbated by the increased parking and location of turning area
- The layout of the dwellings looks unappealing with living space to the front and bedrooms to the rear
- Changing the windows from the North to the East does not eradicate the privacy problems
- Householders opposite will now be affected as will those on Vinery Close
- Safe access in and out of neighbouring driveways will be impacted

Drainage

- The drains are insufficient to deal with the proposal

Other Matters

- Impact of the conversion of bats
- No planning notice has been displayed outside of the site
- Concern as to the level of work already undertaken which suggests that the developers have been advised that the plans will be passed.
- There is an error on the boundary plans

Support (2)

- The proposal for 11 parking spaces is an improvement
- Implementation of a new traffic speed limit along Church Lane/Chapel Hill
- Happy that the Chapel is not going to ruin and the developers do seem to care.
- To provide 9 off-street parking spaces would be an improvement
- The use of the building as a Church often led to disruptions on the highway as vehicles could not enter the site. The proposal has addressed this.
- To see apartments in the area will meet a need for a certain type of residence which will give older generations the options to downsize but remain in the same area.

- The amendments have addressed the concerns of the impact on privacy, drains and the boundary.
- The re-siting of the lamp post adjacent to the site and removal of the boundary wall will be an improvement
- Remain convinced that parking will increase but the proposal to reduce the speed limit to 20mph would improve safety

7.4 **Denby Dale Parish Council:**

Object on the grounds of overlooking into properties to the rear (Vine Close) and on the proposed limited parking provision which would lead to increased road parking which could prove hazardous due to the proposal being on the brow of a blind summit and due to the narrowness of the road. It was considered that a bat survey should also be undertaken on the existing property'

8.0 **CONSULTATION RESPONSES:**

8.1 The following is a brief summary of consultee advice (more details are contained within the assessment section of the report, where appropriate):

8.2 **Statutory Consultees:**

K.C Environmental Health – No objection to the proposal subject to the addition of a condition to secure electric charging points in accordance with the National Planning Policy Framework and Air Quality & Emissions Technical Planning Guidance from the West Yorkshire Low Emissions Strategy Group.

K.C Highways Development Management – No objection subject to the addition of conditions which will restrict development or planting within a strip of land 2.4m deep from the carriageway which exceeds 1m; restriction of the gradient of the access to not exceed 1 in 10 and for all areas for parking to surfaced and drained appropriately.

8.3 **Non-statutory Consultees:**

K.C Conservation and Design – No objection as the development will bring the vacant building, which is considered to be an undesignated heritage asset, into a sustainable and viable use with the external appearance and character substantially retained.

9.0 **MAIN ISSUES**

- Principle of development
- Visual amenity/local character
- Residential amenity
- Highway issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

- 10.1 Policy LP1 of the Kirklees Local Plan states that the Council will take a positive approach that reflects the presumptions in favour of sustainable development contained within the National Planning Policy Framework to secure development that improves the economic, social and environmental conditions in the area. Proposals that accord with policies in the Kirklees Local Plan will be approved without delay, unless material considerations indicate otherwise.
- 10.2 The application has no specific allocation within the Kirklees Local Plan. As such, Policy LP24 of the KLP is relevant in that it states that proposals should promote good design in accordance with a specific set of considerations. All the considerations are addressed within the assessment. Subject to these not being prejudiced, this aspect of the proposal would be considered acceptable in principle.
- 10.3 The vacant Chapel is considered to constitute a non-designated heritage asset, as such Policy LP35 of the Kirklees Local Plan applies which outlines that 'proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will be permitted only where benefits of the development outweigh the harm'. This guidance is also reflected within paragraph 197 of the NPPF.
- 10.4 The building became vacant and was marketed by the Church in 2019, demonstrating that its use as a Chapel was no longer viable.
- 10.5 The proposal would convert the Chapel into six dwellings which would require the subdivision of the internal spaces. Although this would result in the loss of the significant spaces within the Chapel, the internal context has already been lost with the removal of the fixtures and fittings.
- 10.6 The external fabric of the building will remain predominantly as existing with just the addition of obscurely glazed panels within existing window openings in the East and West windows. The window frames will be altered to anthracite grey uPVC which could be acceptable subject to the use of slim line frames.
- 10.7 It is considered that the proposal for conversion of the Chapel and alterations to the existing window frames, subject to an acceptable design of windows, the harm to the exterior of the building and its contribution to the character of the area will be minimal and the benefits of bringing the building into a sustainable and viable use will outweigh any harm. The building will remain visible on the skyline and will be clearly understood as a former Chapel from its external appearance.
- 10.8 It is considered by Officer's that in light of the above, the proposed development would not cause significant harm to the non-designated heritage asset which is considered to be outweighed by the public benefit of bringing the vacant building back into a sustainable use. The principal of the proposal is therefore considered to comply with Policies LP35 and LP24 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework

Impact on visual amenity

- 10.9 Policy LP24 of the KLP states that good design should be at the core of all proposals. Proposals should incorporate good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape and landscape. This is supported by the National Planning Policy Framework (NPPF) which sets out that, amongst other things, decisions should ensure that developments are sympathetic to local characterwhile not preventing or discouraging appropriate innovation or change (para.127 of the NPPF).
- 10.10 The application site is considered to be a non-designated heritage asset as such Policy LP35 of the KLP applies which outlines that 'proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will be permitted only where benefits of the development outweigh the harm'.
- 10.11 The proposal will retain all existing features within the fabric of the Chapel building with no additions. The existing window frames will be replaced with anthracite grey uPVC window frames and grey composite doors to the side and rear elevations. Although the replacement of windows may cause slight harm to the non-designated heritage asset, it is considered by Officer's that the use of a slim line frame could be acceptable and retain the character of the building. A condition is recommended which would secure the submission of full details prior to the commencement of the development.
- 10.12 The low stone boundary wall to the frontage of the site would be removed. The wall is not considered to be a feature which contributes to the significance of the non-designated heritage asset however, it does contribute to the overall character of the street scene and would also provide an element of defensible space for future occupiers of the development. It is therefore considered appropriate to impose a condition, should planning permission be approved, requiring full details of all boundary treatments which, officers would expect to include the provision of a solid boundary treatment e.g. stone wall, along part of the frontage of the site.
- 10.13 As a point of clarification, because the proposal is for dwellings which are in a flat format they would not benefit from permitted development rights. As such a condition would not be required to remove permitted development rights for the extension or alteration of the converted building.
- 10.14 In summary, Officer's would not consider there to be undue harm to the visual amenity enjoyed by neighbouring occupiers or the setting and character of the non-designated heritage asset. As such, the application is considered to comply with policies LP1, LP24 and LP35 of the Kirklees Local Plan and guidance contained within chapters 12 and 16 of the NPPF.

Impact on residential amenity

- 10.15 A core planning principle set out in the NPPF is that development should result in a good standard of amenity for all existing and future occupiers of land and buildings. Policy LP24 of the KLP states that proposals should promote good design by ensuring that they provide high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings.

- 10.16 The closest neighbouring dwellings which could be impacted by the development are 2 Chapel Hill; 44 Church Lane; 49 Church Lane and 23 Vinery Close.
- 10.17 2 Chapel Hill is a detached stone built dwelling located to the West of the application site. There is a separation distance of 1.73m from the existing Chapel building to the boundary wall/fence which is separated from 2 Chapel Hill by their private driveway and parking area which leads to a lawned area. The site follows the same gradient at the application site which decreases in gradient to from North to South.
- 10.18 The existing windows within the West elevation would serve habitable rooms. The proposal includes the installation of obscurely glazed panel into the first panel opening of each floor which will each be at a height of 1.9m above floor level. The use of the obscure panels within the existing windows will restrict overlooking to and from the windows which would minimise the impact on residential amenity. As the Chapel building would not be increased in scale, there would be no considered impact from overbearing.
- 10.19 44 Church Lane is a detached dwelling set to the East of the application site and is built on level with the highest point of the application site. The sites are separated by the existing access for the Chapel at a distance of 8.1m. There are no habitable room windows within the West elevation of the neighbouring dwelling but there are habitable room windows within the roof form of the attached garage which face North. The proposal would include habitable room windows within the East elevation. As the windows will overlook the side elevation of the neighbouring dwelling and driveway there would be considered to be no detrimental impact on residential amenity.
- 10.20 49 Church Lane is a semi-detached dwelling set to the North of the application site and separated by Church Lane at a distance of 20m. Although the conversion of the Chapel will introduce habitable room windows into the front elevation of the former Chapel, as this relationship between residential dwellings is existing within the street scene there is considered to be minimal impact on residential amenity.
- 10.21 23 Vinery Close is a detached dormer bungalow set to the North of the application site at a much lower level. The bungalow is separated by an established hedge and proposed parking/turning area for the former Chapel. The existing windows at lower ground floor and ground floor within the North elevation of the Chapel will be retained. There are no windows existing or proposed at first floor level. The retained windows will serve habitable rooms (kitchen and bathroom). The windows are lower ground floor level will be screened by the established boundary hedge and the existing windows at ground floor are very small in scale and located within the corner of the room therefore any level of overlooking would be significantly reduced.
- 10.22 It is acknowledged that the proposal does not include amenity space for the residents apart from a small area to the North West to the rear of the building. It is considered, however, that as the development is for the change of use to dwellings which are in a flat format and the site is in close proximity to an area of green space (approx. 170m) to the South East on Holmfield Road, the proposal would offer the future occupants options for outdoor space within close vicinity to the site.

- 10.23 In summary, Officers consider that the scheme has now been amended to minimise any impact on the residential amenity enjoyed by occupiers of neighbouring properties and future occupiers of the site. As such, the application is considered to comply with Policies LP1 and LP24 of the Kirklees Local Plan and guidance contained within Chapter 12 of the NPPF.

Highway Safety

- 10.24 The application seeks approval for alterations to convert a former Chapel to 6 no. dwellings located at Church Lane, Clayton West. The proposal would include the creation of four 2 no. bedroom dwellings and two 3 no. bedroom dwellings.
- 10.25 The proposed dwellings would be served by nine off-street parking spaces which are located to the East of the site. The proposal would include the removal of the existing stone boundary wall which would allow for an increased width of the existing access. *(on further consideration, officers suggest that the retention of part of the wall along the frontage would be more appropriate – this can be secured via condition)*
- 10.26 Following receipt of amended plans, the proposed off-street parking provision and layout is considered by Officers to be sufficient to serve the development.
- 10.27 The allocated bin store and collection points are considered to be acceptable.
- 10.28 Due to the restrictive site and proximity to neighbouring residential dwellings, it would be considered appropriate to add a condition requiring a construction management plan to be submitted and approved by the Local Planning Authority prior to the commencement of development.
- 10.29 It has been brought to the attention of Officers that the applicant has suggested that an application would be made to alter the speed limit on Church Lane to 20mph and also to relocate the lamppost to the West of the frontage. These alterations cannot be considered as part of the planning application and would require consent from other areas of the Council and relevant bodies. As such, they are not material to the consideration of this application.
- 10.30 For the reasons outlined above, the proposed development is considered acceptable subject to the addition of conditions to secure the adequate surface and drainage of the access and parking areas; the restriction of development over 1m in height within 2m of the site frontage and the gradient to not exceed 1 in 10. Subject to these suggested conditions, the proposal is acceptable from a highway safety and efficiency perspective, in accordance with Policies LP21 and LP22 of the KLP.

Other Matters

Climate Change

- 10.31 On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.
- 10.32 This application has been assessed taking into account the requirements summarised and provides opportunity for development that is considered to meet the dimensions of sustainable development. Furthermore, the inclusion of a condition relating to the provision of electric vehicle charging point(s) would contribute positively to the aims of climate change.

Representations

- 10.33 23 representations were received following the period of public consultation for the application. In so far as the point have not been addressed above, officers respond as follows:

Highway Safety

- 6 dwelling is too many for the location as most people of 2 cars and there is already a parking issue around the building which is most evident after 5pm.
Response: Further parking spaces were added to provide 9 spaces which is considered acceptable by KC Highways DM.
- The development will lead to further parking on the highway
Response: A full assessment of the impact on highway safety is contained within the report above; the parking provision proposed, following receipt of amended plans, is considered acceptable to serve the development.
- The road is a main bus route on a narrow road at a blind hill
Response: A full assessment of the impact on highway safety is contained within the report above; sufficient parking provision has been demonstrated following receipt of the amended site plan.
- On-street parking is used already for the bungalows opposite
Response: A full assessment of the impact on highway safety is contained within the report above; following receipt of amended plans, the proposal is considered to provide adequate parking provision within the site to serve the development without the need for on-street parking.
- There is no provision for visitor parking
Response: A full assessment of the impact on highway safety is contained within the report above; following receipt of amended plans there is one visitor space proposed within the application site.

- Increasing on road parking would significantly increase the risk of there being a serious traffic accident or potentially fatal accident
Response: A full assessment of the impact on highway safety is contained within the report above; following receipt of amended plans, adequate parking provision to serve the development has been demonstrated on the submitted site plan.
- The parking spaces would be difficult to manoeuvre in and out of
Response: A full assessment of the impact on highway safety is contained within the report above; following receipt of amended plan, the parking layout is considered acceptable following consultation with Highways Development Management.
- The access will cause a significant risk to traffic
Response: A full assessment of the impact on highway safety is contained within the report above; following receipt of amended plans, the parking provision is considered acceptable, as is the access into the site.
- Main bus route through the village
Response: A full assessment of the impact on highway safety is contained within the report above; parking would be provided within the application site and the access is considered acceptable.
- Impact of children walking to school
Response: A full assessment of the impact on highway safety is contained within the report above; the proposal is not considered to result in any pedestrian safety implications.
- Impact on access for emergency vehicles
Response: A full assessment of the impact on highway safety is contained within the report above; the proposal includes sufficient parking provision within the site.

Residential amenity

- Parking of residents or visitors to the site would have a serious impact on the health and well-being of residents
Response: A full assessment of the impact on residential amenity is contained within the report above; the position of the parking within the site, in addition to the number of vehicular movements that would be generated from the proposed development is not considered to result in serious impacts to health and well-being of surrounding residents.
- Impact of overlooking
Response: A full assessment of the impact on residential amenity is contained within the report above; amendments have been received during the course of the application to minimise any overlooking.
- The potential 6 families living in the dwellings would cause noise and disturbance for potentially up to 18 hours per day/7 days per week.
Response: A full assessment of the impact on residential amenity is contained within the report above; the building is to be converted into residential use which is considered compatible with the surrounding residential uses that surround the site.
- The new windows within the rear elevation would result in significant overlooking
Response: A full assessment of the impact on residential amenity is contained within the report above; amended plans are, in the opinion of officers, considered to have addressed this impact.

- Increased light disturbance from cars
Response: A full assessment of the impact on residential amenity is contained within the report above; with the inclusion of appropriate boundary treatment, any impact from the parking area would be minimised.
- Location of the wheelie bins would cause noise disturbance and vermin
Response: noise disturbance and reports of vermin should be reported to Environmental Health.
- Increase in dangerous exhaust fumes
Response: persistent impact of fumes should be reported to Environmental Health.

Ecology

- The application does not mention the bats that reside in the roof of the Chapel
Response: The application site is not within a bat alert area on the Kirklees mapping system. The roof and structure of the building is not being altered.

Other Matters

- There has been no planning notice erected at the site
Response: A site notice was erected on 14.11.2019 at the frontage of the site.
- Discrepancy between the public consultation end date on the website and letter sent
Response: The consultation end date will change depending on the date that the site notice is erected.
- Not an appropriate use of the building
Response: The principle of the use of the Chapel for residential use is assessed fully in the above report.
- Significant depreciation of the value of house
Response: This is not a material planning consideration.

Representations submitted following advertisement of amended plans (23rd December 2019 to 10th January 2020) are considered to raise similar issues to those already addressed above.

Objections (7)

Highway Safety

- Insufficient parking spaces within the site which will lead to increased parking on Church Lane
Response: A full assessment of the impact on highway safety is contained within the report above
- The amendments to the plans do not reflect the reality of the space available on the land.
Response: A full assessment of the impact on highway safety is contained within the report above

- The road outside the chapel is already an issue due to overcrowded parking on what is a main bus route, on a narrow road at a blind hill.
Response: A full assessment of the impact on highway safety is contained within the report above
- Main route for pedestrians walking to and from school.
Response: A full assessment of the impact on highway safety is contained within the report above
- Main route for horse riders from one bridle path to another.
Response: A full assessment of the impact on highway safety is contained within the report above
- The footpath opposite the site is already used for parking for residents of the bungalows.
Response: A full assessment of the impact on highway safety is contained within the report above
- Parking of residents or visitors will have a serious impact on health and well-being of residents
Response: A full assessment of the impact on highway safety is contained within the report above
- There is still not enough parking spaces proposed.
Response: A full assessment of the impact on highway safety is contained within the report above
- The road infrastructure surrounding the chapel does not have the correct layout to facilitate on further on street parking
Response: A full assessment of the impact on highway safety is contained within the report above
- Complexity of parallel parking arrangements on a steep slope will deter people from using the parking provided
Response: A full assessment of the impact on highway safety is contained within the report above
- On street parking will impact traffic exiting the junction from Cliffe Street and safe access onto Church Lane/Chapel Hill
Response: A full assessment of the impact on highway safety is contained within the report above
- Highway concerns are further exacerbated during icy or wet conditions.
Response: A full assessment of the impact on highway safety is contained within the report above

Visual Amenity

- The amended plans show full removal of the front wall which will negatively impact the appearance of the prominent building
Response: a condition will be added to secure the retention of part of the wall along the frontage

Residential amenity

- Impact of noise from cars and bins will be in issue and would like to a solid fence proposed to minimise the impact
Response: A full assessment of the impact on residential amenity is contained within the report above
- The East elevations have no or limited obscured windows which would impact privacy
Response: A full assessment of the impact on residential amenity is contained within the report above

- Impact from cars has been exacerbated by the increased parking and location of turning area
Response: A full assessment of the impact on residential amenity is contained within the report above
- The layout of the dwellings looks unappealing with living space to the front and bedrooms to the rear
Response: A full assessment of the impact on residential amenity is contained within the report above
- Changing the windows from the North to the East does not eradicate the privacy problems
Response: A full assessment of the impact on residential amenity is contained within the report above
- Householders opposite will now be affected as will those on Vinery Close
Response: A full assessment of the impact on residential amenity is contained within the report above
- Safe access in and out of neighbouring driveways will be impacted
Response: A full assessment of the impact on residential amenity is contained within the report above

Drainage

- The drains are insufficient to deal with the proposal
Response: The drainage would be used as existing.

Other Matters

- Impact of the conversion on bats
Response: The application site is not within a bat alert area on the Kirklees mapping system. The roof and structure of the building is not being altered.
- No planning notice has been displayed outside of the site
Response: A site notice was erected on 14.11.2019
- Concern as to the level of work already undertaken which suggests that the developers have been advised that the plans will be passed.
Response: Any work already completed is to the inside of the Chapel only which would be permitted without permission.
- There is an error on the boundary plans
Response: This would be considered to be a private matter and one in which planning would have no powers of control.

Support (2)

- The proposal for 11 parking spaces is an improvement
- Implementation of a new traffic speed limit along Church Lane/Chapel Hill
- Happy that the Chapel is not going to ruin and the developers do seem to care.
- To provide 9 off-street parking spaces would be an improvement
- The use of the building as a Church often led to disruptions on the highway as vehicles could not enter the site. The proposal has addressed this.

- To see apartments in the area will meet a need for a certain type of residence which will give older generations the options to downsize but remain in the same area.
- The amendments have addressed the concerns of the impact on privacy, drains and the boundary.
- The re-siting of the lamp post adjacent to the site and removal of the boundary wall will be an improvement
- Remain convinced that parking will increase but the proposal to reduce the speed limit to 20mph would improve safety

10.34 The representations received during the course of the application have been carefully considered however, when assessed in relation to relevant local and national planning policy, the proposals are, in the opinion of officers, considered acceptable with the inclusion of the suggested conditions.

10.35 There are no other matters considered relevant to the determination of this application.

11.0 CONCLUSION

11.1 Taking all material considerations into account, for the reasons outlined above, the principle of the conversion of the former Chapel to create 6 no. dwellings would be considered to be acceptable so as to not cause significant harm to the non-designated heritage asset and amount to a level of public benefit though the reinstatement of use of a previously vacant building in line with Policies LP35 and LP24 of the KLP. Furthermore, following the receipt of amended plans and with the inclusion of appropriate conditions, the proposal is also considered acceptable from a residential amenity and highway safety perspective.

11.2 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

11.3 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. Standard 3 year timeframe for commencement of development
2. Development to be completed in accordance with the submitted plans and specifications
3. Nothing to be planted or erected within a strip of land measuring 2.4m deep from the carriageway edge of Church Lane along the full frontage of the site
4. Areas to be used by vehicles / parking to be surfaced and drained
5. Maximum gradient of private drive(s) shall not exceed 1 in 10
6. Full details of the replacement window frames
7. Provision of Electrical Vehicle Charging Points
8. Notwithstanding the submitted plans, full details of all boundary treatments

Link to the application details:-

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f93284>

Certificate A signed and dated 04.10.2019