

Item Number: 8
Application No: 19/01280/FUL
Parish: Huttons Ambo Parish Council
Appn. Type: Full Application
Applicant: Miss Alice Jackson
Proposal: Change of use and alterations to former chapel to form a 1no. bedroom dwellinghouse to include installation of 1no. high level window to north and south gable walls, 2no. rooflights to east and west roofslopes and raising of wall height of existing single storey extension to allow installation of section of glazed roof.
Location: Old Methodist Chapel The Green Low Hutton Malton North Yorkshire
Registration Date: 22 November 2019
8/13 Wk Expiry Date: 17 January 2020
Overall Expiry Date: 3 January 2020
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Highways North Yorkshire	Recommend refusal- lack of on-site parking
Paul Jackson AONB Manager	Comments
NYCC Natural Services	No response received
Building Conservation Officer	No objections- the Chapel could be considered to be a Non Designated Heritage Asset.
Huttons Ambo Parish Council	Support with comments

Neighbour responses: Mrs Anne Lealman, Mrs Braimbridge, Mr David Haigh, Mr Neil Hannah, Joyce Parker (all objections)

SITE:

Low Hutton is situated on the eastern boundary of the Howardian Hills Area of Outstanding Natural Beauty (AONB). It is principally a linear village of frontage development. The application site is within the village development limits and the AONB. The Chapel is located immediately to the rear of numbers 3 & 4 Club Cottages towards the southern end of the village.

The Chapel is a single storey building constructed from block limestone with a blue slate pitched roof. A red brick built lean-to extension off the northern elevation is partially collapsed and without a roof. The Chapel, including the lean-to off the north elevation, measures 6.25 metres in width by 7.2 metres in length. The Chapel stands to an eaves height of 3.2 metres and ridge height of 5.9 metres.

A timber boarded entrance door is positioned centrally within the front, east facing elevation and 'Primitive Methodist Chapel 1878' is engraved in the stone above the door. The entrance door is flanked by two timber vertical sliding sash 6/6 windows. There are two timber vertical sliding sash 6/6 windows in the rear, west facing elevation. It is understood that the Chapel has not been actively used for worship since the mid to late 1970's.

The application site boundary is tightly drawn around the building on the southern, western and northern sides. There is a paved path to the front (east) of the building 1.8 metres in width for the first 5 metres, which then narrows to 1 metre. The narrow paved area to the front door of the Chapel is elevated between 1-1.25 metres above the rear yards of numbers 3-4 Club Cottages which are to the east and are under the ownership of the applicant's father. There is a narrow strip of land currently laid to grass which leads west from the road between number 4 Club Cottages and number 1 Carr Cottages and

passes the southern elevation of the Chapel. To the west of the Chapel is a large domestic outbuilding associated with number 2 Club Cottages (numbers 1 & 2 amalgamated).

The Green which runs north-south is a no through road which leads to agricultural fields and an equestrian centre. The Rise (cul de sac) is to the south east of the site and it is understood to be a private road.

HISTORY:

09/00058/FUL- Change of use and alteration of former Methodist Chapel to a one-bedroom dwelling with external amenity area. WITHDRAWN 30.04.2009.

18/01011/FUL- Change of use and alteration of former chapel to form a one bedroom dwelling to include installation of 1no. high level window to north and south gable walls, 2no. rooflights to east and west roofslopes and raising of wall height of existing single storey extension to allow installation of section of glazed roof. WITHDRAWN 10.12.2018.

PROPOSAL:

Planning permission is sought for the change of use and alterations to former chapel to form a 1no. bedroom dwellinghouse (Use Class C3) to include installation of 1no. high level window to north and south gable walls, 2no. rooflights to east and west roofslopes and raising of wall height of existing single storey extension to allow installation of section of glazed roof.

The conversion would create an open plan living/dining/kitchen area and store at ground floor level. The lean-to extension off the north elevation would be rebuilt and re-roofed with glazed panels and would be internally linked to the main building via double doors and would function as a porch. The first floor level created by the new mezzanine would comprise a bedroom and bathroom linking to a dressing room. The upper walls of the lean-to off the north elevation would be built up approximately 1200mm to allow for the installation of a mono pitched glazed roof above the porch area.

A high level circular window (above head height) would be inserted in each of the gable end walls (north and south) at first floor level. A total of four roof lights would be inserted in the roof. The two rooflights to the front (east) would provide light to the stairwell and bathroom and each would measure 1180mm x 676mm. The two rooflights to the rear (west) would provide light to the bedroom and dressing area and each would measure 1400mm x 940mm.

The applicant has confirmed that the Chapel is structurally sound and the external fabric is in good condition. It is understood that the building is served by water, electric and wastewater drains which link to the mains sewer.

The application is accompanied by a supporting statement, a design and access statement, a parking survey, a historical survey of the building and a protected species and habitat survey.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy - Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP4 Type and Mix of New Housing

Local Plan Strategy - Policy SP11 Community Facilities and Services
Local Plan Strategy - Policy SP12 Heritage
Local Plan Strategy - Policy SP13 Landscapes
Local Plan Strategy - Policy SP14 Biodiversity
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues
Local Plan Strategy - Policy SP21 Occupancy Restrictions

Material Considerations

National Planning Policy Framework 2019 (NPPF)
National Planning Practice Guidance 2014 (PPG)

REPRESENTATIONS:

The Authority has received five representations from local residents which raise objections to the proposed development. The objections are from the occupants of the following properties: The Tofts, The Green; Bromiley 4 The Rise; Chantry House; 2 Club Cottages; 1 Carr Cottages. The objections, in the main, relate to highways and residential amenity concerns and are summarised as follows:-

Highways safety

- There is no spare capacity for on-street parking, it is already overcrowded
- The Rise is a cul de sac and private road and not available for parking
- The applicant's parking survey is misleading, flawed and not representative. There is only one parking zone (The Green on the western side) and not three as indicated by the survey
- The survey does not take account of the lengths of dropped kerb (which should not be obstructed by parked cars)
- Cars parked on the footpath are a danger to pedestrians
- The road is narrow and regularly used by HGV size horse boxes and agricultural machinery and potentially emergency service vehicles

Residential amenity

- The circular windows in the gable end walls would result in loss of privacy and should be obscure glazed
- Loss of privacy from rooflights in east facing roof slope
- The windows in the east elevation have direct views into the rear of all of Club Cottages
- The rooflights in the east elevation have direct views to the bathroom and children's bedroom of number 2 Club Cottages creating a potential safeguarding risk.
- The windows should be obscure glazed and the roof lights non-opening
- Noise disturbance from use of the converted building, parties etc
- The residential occupation of the building would make the occupant of 1 Carr Cottages feel threatened and vulnerable
- Lack of outdoor space
- The converted building could be used for short term holiday let which would give rise to a security risk and disturbance

Other matters

The objections that refer to rights of access, easements and legal covenants and other civil matters such as sale of land/buildings or otherwise are not matters for planning control. Similarly, the applicant's intentions are not a material planning consideration. Furthermore, concerns in relation to the potential for trespassing and anti-social behaviour are also not matters for planning control.

APPRAISAL:

The main considerations in the determination of this application are:

- Principle of the development;
- Loss of community facility;
- Design and impact on non-designated heritage asset;
- Impact on the Area of Outstanding Natural Beauty;
- Impact on residential amenity;
- Impact on highway safety;
- Protected Species;
- Occupancy restriction; and
- A 'fall back' position

Principle of development

The application site is within the village development limits. Development Limits for settlements define the boundary within which development in principle will be generally acceptable. Policy SP1 identifies Low Hutton as one of the 'Other Villages', where the role is the "*Consolidation of new development within current development limits, with the expansion of settlements for housing, justified only in exceptional circumstances*".

Policy SP2 (Delivery and Distribution of New Housing) establishes the amount of new housing to be delivered in Ryedale to 2027. It sets out how this is to be distributed across the settlement hierarchy (Policy SP1) and identifies the amount of new housing which will be provided at each of the different towns and some villages. Ryedale has a five year supply of deliverable housing land set out in the recently adopted Local Plan Sites document.

Policy SP2 identifies that sources of new housing in 'Other Villages' such as Low Hutton are:

- Infill development (small open sites in an otherwise continually built up frontage) restricted to Local Needs Occupancy
- Replacement dwellings
- Sub-division of existing dwellings
- Conversion and Redevelopment of Previously Developed Land and buildings within Development Limits, restricted to Local Needs Occupancy
- 100% Rural Exception Sites outside and on the edge of Development Limits in line with Policy SP3
- Change of use of tourist accommodation (not including caravans, cabins or chalets) where appropriate and restricted to local needs occupancy

The proposed conversion of the Chapel is a form of residential development covered by the fourth bullet point in the above list. Furthermore, the planning application has been brought forward on the basis that the occupant would fulfil the local occupancy requirement which is discussed later in this report.

It is considered that the proposed change of use and conversion of the redundant chapel represents a form of residential development supported in principle by Policies SP1 and SP2 and would contribute to the mix of housing available in the locality.

Loss of community facility

Policy SP11 seeks to protect existing local community services and facilities that contribute to the vitality of towns and villages and the well-being of local communities. The Policy states that the redevelopment of such facilities require applications to demonstrate that: "*there is no longer a need for the facility or suitable and accessible alternatives exist, or that it is no longer economically viable to provide the facility, or Proposals involving replacement facilities provide an equivalent or greater*

benefit to the community and can be delivered with minimum disruption to provision”.

It is understood that it is over 40 years since the Chapel was regularly used as a place of worship (Use Class D1- non-residential institution). Generally, such old and redundant buildings become a maintenance burden and at risk of vandalism, theft and structural deterioration. There has been a broad decline in regular church membership particularly for the smaller rural chapels within the District resulting in a number of chapel closures and subsequent conversion to residential use. It is acknowledged that there is a point when it is no longer viable to retain the building as a place of worship. In this case the building has been in private ownership for over 30 years and it would be reasonable to conclude that there is no need for the building as a place of worship and that suitable alternatives exist.

Taking account of the village population, declining Church membership and the existence of other Methodist churches in the District it is considered that the change of use of the Chapel to a private dwelling would not have a significant impact on the availability of community facilities in the locality and the development would not conflict with the overall aims of Policy SP11.

Design and impact on non-designated heritage asset

The Building Conservation Officer has confirmed that the Chapel could be considered to be a Non Designated Heritage Asset. The National Planning Practice Guidance defines non-designated heritage assets as *“buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets”*.

The Building Conservation Officer is of the view that the plans for conversion retain the significance of the simple vernacular architectural form of the building. The Building Conservation Officer has no objection to the proposed development noting that the historic interest will be maintained as a tangible aspect of Methodist worship in the village.

The Parish Council supports the application and acknowledge that the building is part of the heritage of the village and unless a suitable use is found for it, the concern is that it will remain unoccupied and unused and become derelict.

The proposed external additions and alterations are sympathetic and proportionate and respect the historic character and appearance of the Chapel without any significant impact on the original exterior fabric of the building. The repairs and renovation work would utilise traditional materials and retain existing openings, detailing and original external features. The rooflights would be conservation type and top hung to reduce the visual impact.

Whilst the building by dint of its current condition does not appear to be at any immediate structural risk the proposed conversion work, which would include repairs and alterations, and subsequent residential occupation would likely lessen the risk of future structural deterioration of the fabric of the building or its structural condition. The proposed use has the potential to secure the future conservation and heritage significance of this non-designated heritage asset in accordance with national planning policy. Overall, it is considered that the proposed alterations necessary to facilitate the conversion would be appropriate and sympathetic to the character and appearance of the building and there would be no conflict with the requirements of Policies SP12 and SP16.

Impact on the Area of Outstanding Natural Beauty

Low Hutton is situated on the eastern boundary of the Howardian Hills Area of Outstanding Natural Beauty (AONB). The Countryside and Rights of Way Act 2000 places a statutory duty on authorities to have regard to the purpose of conserving and enhancing the natural beauty of the AONB when exercising or performing any functions affecting land in the AONB.

National planning policy (paragraph 172 of the NPPF) states that *“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding*

Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty”.

The Chapel stands within the development limits on the western side of the village but within the landscape setting it is, and would continue to be, well related to the existing built form of the village. There would be minimal changes to the external envelope and appearance of the building and the AONB Manager has confirmed that he has no observations as regards the physical changes proposed to the Chapel building in order to convert it to residential use.

The AONB Manager states that the lack of on-site car parking could result in further over-spilling towards the area of the village green. The AONB Manager is of the view that if the road north of the shop becomes a 'regular' parking area for vehicles then this will have a detrimental visual impact on the AONB. As discussed later in this report, to meet adopted parking standards the 1 bedroom unit would require parking for a single vehicle. In landscape terms it is considered that the potential overspill of one vehicle would have a negligible impact in terms of visual intrusion or on the natural beauty and scenic qualities of this part of the designated landscape.

It is considered that the design of the development is acceptable and would ensure that the converted building would not be visually prominent with this designated landscape in compliance with the NPPF and Policies SP13, SP16 and SP20.

Impact on residential amenity

The proposed 1 bed dwelling is 'land-locked' on three sides but there is a small strip of curtilage to the front of the building. This would be enclosed and screened and would provide a very modest but private area of amenity space for the occupant as required by Policy SP4. There would be a bin storage area at the northern end of this paved area.

As required by Policy SP20 (Generic Development Management Issues) the development should respect the character of the area without having a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community. The proposed development site is set back from the road frontage to the rear of the row of cottages.

The Parish Council, whilst supporting the proposed development, note the concerns from neighbours regarding privacy and request that the Local Planning Authority take this into account when setting planning conditions for the development. The new window and roof light openings have been the subject of objections from neighbours who raise concerns in relation to loss of privacy and overlooking.

The roof lights in the front roof slope face towards the rear of numbers 3 and 4 Club Cottages. These roof lights are of the smaller variety and would not serve habitable rooms (stairway and bathroom). All four roof lights would be inserted at a height whereby the lower edge would be 1700mm above floor level as shown by the Proposed Section drawing that accompanies the application. Similarly, the high level circular windows in both gable ends would be inserted at a position above head height. As a result the windows would allow natural light to the first floor but would not provide views towards any neighbouring land or buildings. These openings have been designed to address concerns raised in response to the earlier application in relation to loss of privacy and overlooking.

It is considered that there would be no direct views from either the ground floor windows or roof lights in the eastern elevation of the Chapel into the living areas of either number 1 Carr Cottages or number 2 Club Cottages. The Chapel is orientated to face the rear of numbers 3 & 4 Club Cottages (owned by the applicant) and at present the ground floor windows in the east elevation provide a degree of uninterrupted intervisibility between the Chapel and those cottages.

The floor level of the Chapel is elevated between 1-1.25 metres above the rear yards of Club Cottages and the east elevation of the Chapel is 8 metres from the rear of the Club Cottages. The proposed two metre high artificial hedge would enclose the small, raised external amenity space to the front (east) of the building and act as a privacy screen. This would address any potential overlooking from the kitchen area towards the rear of numbers 3 & 4 Club Cottages. The second, east facing ground floor window

largely faces past the southern elevation of number 4 Club Cottages but, in any event, would provide light to a store and the stairway and views would be screened by the artificial hedge. The hedge would be mounted on a steel post and mesh sub structure. The final details of the appearance and colour of the hedge shall be secured by condition.

Policy SP20 requires that the proposed development would need to be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses.

It is not anticipated that the use of the building as a 1 bedroom dwelling would generate levels of noise that would result in unacceptable disturbance to the occupants of nearby properties. The building would be insulated and the existing and proposed openings in the walls and roof are not excessive. A condition would be imposed to ensure that any external lighting is minimal, low output and sensitively positioned in the interests of amenity and reduction of light pollution.

The concern raised by a neighbour that the residential use of the building would make the individual feel threatened and vulnerable is noted. Fear of crime is a material planning consideration. However, no specific examples have been cited and the Officer view is that limited weight can be afforded to this concern. It is arguable that the permanent residential occupation of the building to the rear of the existing row of cottages has the potential to reduce the likelihood of crime in the locality. Overall, it is considered that the use of the building for residential purposes would be compatible with the immediate locality and neighbouring land use.

In light of the above assessment it is considered that it is not necessary for any window panes to be obscure glazed or non-opening. There would be conditions imposed in the interests of residential amenity in relation to the means of enclosure, external lighting and the removal of 'permitted development' rights for alterations, additions and openings in relation to the walls and roof of the building.

The proposed use of the converted building would not give rise to an unacceptable loss of amenity to occupants of properties adjacent to the site in terms of overlooking/loss of privacy or overshadowing or overbearing impact. It is considered that the development would not give rise to any unacceptable impacts on local amenity and would comply with this aspect of Policy SP20.

Impact on highway safety

Policy SP20 also advises that *"Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads"*.

The adopted parking standards set minimum parking standards for residential development and normally requires that a 1 bed dwelling in this location is served by at least one vehicular parking space. It is acknowledged, however, that this is an existing building with a former use as a place of worship, however, any parking associated with it was sporadic at best.

The application does not propose any in-curtilage parking. With regard to alternative modes of transport there would be secure bicycle storage available in the porch on the northern elevation of the building. The lack of car parking to serve the dwelling and the associated access and highway safety implications are significant concerns of the local residents who have objected to the application.

Two representations highlight the need for HGV sized horseboxes to pass parked cars on the road. However, it should be noted that the equestrian facilities to the west/south west are associated with the dwelling known as The Coppins and are restricted by planning condition (see permission ref. 10/00905/FUL) to use for domestic purposes only by the occupants of The Coppins as it was considered that access to that site was unsuitable for commercial purposes.

The applicant's parking survey refers to three parking zones. However, the principal zone for parking is that referred to as Zone 1 which is the western side of the road immediately to the front of Carr and Club Cottages.

The character of development in this part of the settlement is a relatively dense row of small cottages along one side of the road with limited off-street parking. The terrace of cottages on the western side of road predominantly comprise two bedroom properties which, under the current adopted residential parking standards for new development, would require two spaces per dwelling. However, due to the historical arrangement of built development and the limited frontage curtilages, parking inevitably occurs on the roadside.

The highways officer has highlighted that for a one bedroom dwelling in this location, 1 car parking space would be required. The commentary provided by the highways officer is as follows:-

“The current situation on the highway outside of the site, allied to the row of old cottages, gives rise to on street parking and access issues, as some have no on-site parking provision available. Whilst an additional, single, vehicle being parked on the highway may not be a problem, it is considered significant at this locality where there is competition for space and limited room on the highway to pass parked vehicles and no turning provision at the head of the lane except by use of private land, which would potentially mean vehicles would reverse back down the lane.

It would seem the chapel has been out of use for that purpose for some considerable time, and whilst there is no evidence of what activity was associated with it, it is considered unlikely it would involve vehicles, and even if this could be proved, such activity may well be regarded as short stay”.

The highways officer considers that in the absence of adequate on-site parking space the proposed development would be likely to result in vehicles being parked outside the site on the County Highway to the detriment of the free flow of traffic and road safety. The highways officer recommends refusal on the grounds of lack of parking.

The recommendation of the highways officer is noted and the lack of parking has the potential to result in a detrimental impact on road safety in conflict with the aims of Policy SP20.

Protected Species

The application is accompanied by an Ecology report which assessed the potential impact of the conversion works and alterations on bat species. The report concluded that there was no evidence of any bat hibernation, roosting and breeding sites and that the building has low potential for habitation by bats. It is considered that there would be no net loss to biodiversity and the proposal is considered to be compliant with Policy SP14. An informative shall be included to reiterate the legal requirements should any evidence of bat habitation be discovered during works.

Occupancy Restriction

Policy SP2 (Delivery and Distribution of New Housing) states that the conversion of existing buildings for residential uses is normally supported providing that it is subject to a Local Needs Occupancy condition in line with Policy SP21(a) (Occupancy Restrictions).

Policy SP21(a), in relation to local needs occupancy, states *“To meet local housing need in the non-service villages the occupancy of new market housing will be subject to a local needs occupancy condition where this accords with Policy SP2, and will be limited to people who:*

- Have permanently resided in the parish, or an adjoining parish (including those outside the District), for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock; or*
- Do not live in the parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years, or service men and women returning to the parish after leaving military service; or*

- *Are taking up full-time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years; or*
- *Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years”.*

In terms of the existing housing stock, at the time of writing this report, there are no one or two bedroom properties for sale in the village or wider parish. There is a three bedroom property for sale in the village with a guide price of £395,000. It is acknowledged that there are limited sources of housing in non-service villages and the proposed development would make a single dwelling available to meet the needs of a local individual(s) from Low Hutton and the immediately adjoining parishes.

The applicant has lived in the village since birth living at her parent’s house in the village (Walker Cottage). It is considered that the applicant would satisfy the requirements of Policy SP21(a). The standard local occupancy condition shall be imposed on any permission granted.

A ‘fall back’ position

The LPA should take into account the ‘fall back’ position when deciding whether to grant permission for a proposed development. An alternative use of the building without the need for planning permission can be a particularly relevant material planning consideration.

In this case it is pertinent to note that the existing lawful use of the building is a place of worship which falls within Use Class D1 (Non- residential institution). Under Section 55(2)(f) of the T&CP Act 1990 planning permission is not needed when the existing and the proposed uses fall within the same 'use class'. The proposed conversion involves a change of use from D1 to C3 (Dwellinghouse) requiring planning permission. However, there would be no requirement to obtain planning permission for the use of the building for any of the following purposes: Clinic, health centre, creche, day nursery, school, non-residential education and training centre, museum, public libraries, public hall, exhibition hall or law court. Such alternatives uses would possibly have a greater impact on residential amenity and local highway conditions than the development that is proposed. The caveat is that if building work is associated with the change of use, planning permission may be required for that work.

The likelihood of the ‘fall back’ occurring affects the weight to be attached to it and in this case there is no indication that any of the ‘fall back’ alternatives would occur but nevertheless they are possible and, therefore, in the planning balance exercise, limited weight is given in support of the proposal to convert to residential use.

Conclusion

Low Hutton is a small, linear non-service village and any future source of housing within its development limits would likely arise from limited frontage infill development or the conversion or redevelopment of previously developed land and buildings, which, in both instances, would be limited to Local Needs Occupancy. The proposed conversion would create a modest residential unit that would contribute to the mix of housing available in the village and the principle of the development aligns with the aims of policies SP1 and SP2 and the applicant would comply with the occupancy requirements of Policy SP21.

It is considered that the proposed development would secure the conservation of a non-designated historic asset and the sensitive re-use and adaption of the historic building. The proposed conversion of the redundant Chapel would secure its future preservation and represents a viable use of the building. The protection and enhancement of heritage assets is promoted by Policy SP12 and it is considered that the proposed development complies with the aims of the policy. The alterations and the use of the building would not result in material harm to the natural beauty of the AONB in compliance with Policy SP13.

An alternative and viable re-use of the Chapel has been sought for a number of years and previous schemes (see planning history) have encountered issues and objections particularly in relation to loss of

privacy and the lack of on-site parking provision.

The comments made by local residents and the Parish Council in relation to potential loss of privacy are noted. The proposed development has the potential to have impacts in terms of loss of privacy and overlooking. However, the scheme is well considered and the design approach seeks to mitigate the impact through screening and the position and size of window openings. The proposed development would ensure that the use of the building would not give rise to material harm to existing levels of amenity experienced by the occupants of the nearest residential properties.

The proposed development which involves the creation of a modest residential unit through the conversion of previously developed land and building complies with the requirements of Policies SP1, SP2 and SP21. The proposed development represents a viable long term solution to ensure this building of local historic interest has a sustainable future and continues to make a positive contribution to the nationally designated landscape. The potential 'fall back' options have been noted and the retention, sensitive conservation and reuse of the non-designated heritage asset for residential purposes is considered desirable and, in these circumstances despite the lack of on-site parking, this is considered to tip the planning balance in favour of granting planning permission.

It is considered that the proposal is acceptable and complies with Policies SP1, SP2, SP4, SP11, SP12, SP13, SP14, SP16, SP19 and SP21 of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. The recommendation to Members is one of conditional approval.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Location Plan ref. 18/D24/OS/01
Site Plan ref. 18/D24/OS/02B, dated 21.09.2019
Plan as Proposed (ground) ref. 18/D24/03E, dated 30.10.2019
Plan as Proposed (first) ref. 18/D24/04B, dated 20.08.2018
Elevations and Section as proposed ref. 18/D24/07F, dated 30.10.2019

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan, the Local Plan Strategy

4 Prior to their installation, details of all windows and doors, including materials, means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an appropriate appearance.

5 The dimensions of the existing window and door openings shall be unchanged and the date stone ('Primitive Methodist Chapel 1878') on the east elevation retained throughout the life of

the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the appearance of the building.

- 6 The rooflights hereby permitted shall be of a traditional conservation type and top hung.

Reason: To safeguard the appearance of the building.

- 7 Prior to their installation, details of any chimney/flue, mechanical extraction and ventilation associated with the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an appropriate appearance and to comply with the requirements of Policies SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 Before the commencement of the development hereby permitted full details of the materials, design and colour finish of all means of enclosure (including the artificial privacy hedge) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected in accordance with the approved details prior to the occupation of the dwelling and retained and maintained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of amenity and to ensure that the development does not prejudice the appearance of the locality.

- 9 Full details of any new or additional external lighting at the site shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The details shall include the position, height, angle of lighting and illuminance level. All lighting shall be installed and maintained in accordance with the approved details.

Reason: In the interests of amenity and the reduction of light pollution.

- 10 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

Class C: Any other alteration to the roof of a dwellinghouse

Class D: Erection or construction of a domestic external porch

Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure

Class F: Provision of hard surfaces incidental to the enjoyment of a dwellinghouse

Class H: Installation, alteration or replacement of a satellite antenna on a dwellinghouse or within its curtilage.

Reason:- To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s).

- 11 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, (or any Order revoking, re-enacting or amending that Order), no windows, other than those shown on the plans hereby approved, shall be formed in the walls or roof of the dwelling(s) hereby permitted without the prior written consent of the Local Planning Authority following a specific application in that respect.

Reason:- To ensure that the appearance of the area is not prejudiced by the introduction of unacceptable materials and/or structure(s).

- 12 The dwelling hereby approved shall only be occupied by a person(s) together with his/her spouse and dependents, or a widow/widower of such a person, who:

* Have permanently resided in the parish, or an adjoining parish (including those outside the District), for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock; or

* Do not live in the parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years, or service men and women returning to the parish after leaving military service; or

* Are taking up full-time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years; or

* Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years

Reason: To satisfy the requirements of Policies SP2 and SP21 of the Ryedale Plan - Local Plan Strategy.

INFORMATIVE

All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Right of Way Act 2000) and are further protected under the Conservation of Habitats and Species Regulations 2017. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the aforementioned acts and applies to whoever carries out the work.