

**5d 3/12/1440/FP – New chapel/community facility including parking and change of use of land from agriculture to recreation land at Glebe Land, Acorn Street, Hunsdon, SG12 8PA for Hunsdon Parochial Church Council**

**Date of Receipt:** 03.09.2012

**Type:** Full – Minor

**Parish:** HUNSDON

**Ward:** HUNSDON

**RECOMMENDATION**

That planning permission be **REFUSED** for the following reasons:

1. The application site lies within the Rural Area, as defined in the East Hertfordshire Local Plan where development will only be allowed for certain specific purposes. The Council is not satisfied that there is sufficient justification for the size and scale of the development proposed, nor that the community benefits of the proposal would outweigh its detrimental impact on the character, appearance, and use of this important public open space within the village. The proposal would thereby be contrary to the aims and objectives of policies GBC2 GBC3, ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007.
2. The siting of the proposed chapel and associated parking area would result in the loss of open space designated in the adopted Local Plan for sport and recreation use. The proposed compensatory sport and recreation land would not offer a suitable alternative facility in terms of quality and accessibility to that which would be lost as a result of this proposal. The development would thereby be contrary to policy LRC1 of the East Herts Local Plan Second Review April 2007.

\_\_\_\_\_ (144012FP.SE)

**1.0 Background:**

- 1.1 The site is shown on the attached OS extract. This application seeks permission for the erection of a new chapel/community facility with associated parking on land known as Glebe Land on the southern edge of the built up area of the village of Hunsdon. Glebe Land has been leased by Hunsdon Parish Council from the diocese of St. Albans for around 60 years. The application site is located within a 'finger' of land that is surrounded to the north, east and west by the Hunsdon village boundary. The application site is located within the Rural Area Beyond the Green Belt as designated within the Local Plan.

### **3/12/1440/FP**

- 1.2 The Chapel and associated parking area is proposed to be sited close to the eastern boundary of the application site adjacent to Acorn Street. The proposed chapel building would be approximately 26 metres in length and 18.5 metres in width. It is proposed to have a pitched roof form with a ridge measuring 6.7 metres in height to the ridge and two lean-to 'wings' to the flank elevations. The proposal also include a parking area for 12 vehicles (2 being disabled parking spaces) to the northwest of the chapel building.
- 1.3 The application site is also designated within the Local Plan as land reserved for sport and recreation facilities. As some of this land would be lost as a result of the proposals, the application also seeks permission for the change of use of an area of agricultural land to the south west of the existing recreation ground to replace that sports and recreation land lost.
- 1.4 Adjoining the Glebe Land to the north is an Area of Archaeological Significance and the village's Conservation Area.

### **2.0 Site History:**

- 2.1 The only planning history relating to this site is reference 3/11/1490/FP for the development of a new chapel community facility including parking. This application was withdrawn by the applicant due to advice from planning officers that the application was likely to be refused due to the proposal being contrary to the Local Plan.

### **3.0 Consultation Responses:**

- 3.1 The Council's Landscape Officer recommends refusal of the application. In respect of the loss of the boundary hedge along Acorn Street, they comment that the hedge is a prominent landscape feature which makes a positive contribution to the overall streetscene and is integral to the landscape character within the area. Turning to the landscape impact on the streetscene, they comment that the proposed building footprint and car park will be relatively large in comparison with other built forms of development in the local area, and will stand out, both from along Acorn Street and within the wider context of Hunsdon because of its size.
- 3.2 In respect of the landscape impact upon Glebe Land open space and recreation ground, the Officer states that the Glebe Land can be described as amenity open space, which encompasses an equipped play area, tennis courts and unmarked football pitch (with goal posts). It is an accessible, safe and attractive public open space used for sport,

recreation, leisure and play. As the amount of leisure time people enjoy increases, the demand for recreational facilities will grow and so accessible open spaces such as this form a valuable part of the range of facilities available for Hunsdon. The value of this site therefore lies in the amenity, informal recreation and play provision it makes available.

- 3.3 The Landscape Officer comments that the site is pleasantly enclosed by hedges and trees (for the most part) although there are views in from several surrounding properties, which allows for some natural surveillance, but this is unobtrusive. The introduction of a new building of this scale and in the proposed location however will be visually intrusive and (in the proposed layout) have an adverse impact on the appearance and use of the amenity open space and recreation ground, the character and landscape quality of which will be compromised or lost as a result.
- 3.4 They comment further that the proposal offers the introduction of a built form that fails to assimilate well with the surroundings. It is important that recreation grounds and amenity open space are preserved by only developing them (where necessary), in a sustainable way that meets the needs of the 21st century – balancing out environmental, social and economic considerations. Admittedly, there is often an overlap between recreation and community facilities and both provide important facilities and services for local people as well as a focal point for community activities, but the benefits should be weighed against the cost and any loss involved in terms of the large scale (and therefore higher adverse impact) of this proposal.
- 3.5 Turning then to the consideration of mitigation/compensation for the loss of recreational land, the Landscape Officer comments that, in this case, an offer has been made of additional recreational space to the west of the Old Rectory and south of the tennis courts, but for such compensation to be effective, a reliable assessment is needed of the nature, value and extent of the resource that would be lost, so that like can be replaced with like, or where this is not possible, measures of equivalent value are provided. He considers, however, that the new LRC1 land offered in compensation for this development is unlikely to be of any real benefit to current or future users of Glebe Land, whereas the negative effects of the proposed development will be both immediate and for the indefinite future.
- 3.6 The elements of the physical landscape most affected are open green space, hedge and boundary. The landscape characteristics affected are the pattern and combination of landscape features which includes views into and out of the site and the scenic quality.

- 3.7 In conclusion, the Landscape Officer states that the site (Glebe Land) will be adversely affected by the proposals in landscape terms. The footprint for the building and car park will account for the loss of a significant proportion of the recreation ground together with a change of use and landscape character. The additional LRC1 land proposed does not, in the officer's view, provide any noteworthy compensation in real terms and the landscape and visual impact on the amenity open space will be significant.
- 3.8 Sport England states that the site is not considered to form part of, or constitute a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184), therefore Sport England has considered this a non-statutory consultation.
- 3.9 They comment that as no playing pitches are, or have been, marked out on the open space affected by the proposed development, they advise that the site would not be defined as a playing field as it would not meet the Government's definition of a playing field as set out in Statutory Instrument 1817 (1996) as amended (2009). In summary, a playing field is defined as the whole of a site which encompasses at least one playing pitch and a playing pitch is defined as a delineated area which, together with any run-off area, is of 0.2 hectares or more. Sport England have visited the site and while two goal posts are sited on the open space there is not a delineated pitch (i.e. no line markings). Aerial photographs do not indicate that a delineated pitch has been marked out in the past on the site. Consequently, Sport England is of the view that the site is not a playing field and they would instead consider the area to be an informal open space containing goal posts. If evidence can be provided that a delineated pitch has been marked out in the past either through line markings or demarcated through temporary cones (on a regular basis), Sport England would be willing to review their position on whether the site is defined as a playing field.
- 3.10 Sport England therefore have no comment to make on the proposal to develop part of the open space for a chapel/community facility as it would not appear to affect an area that is used for formal sport.
- 3.11 County Highways does not wish to restrict the grant of permission subject to conditions requiring: the prior approval of junction and access arrangements; visibility splays; the provision of parking and access areas; the prior approval of surfacing materials; prior to first occupation the provision of cycling facilities; wheel washing facilities; and prior approval of construction vehicle movements.

### 3/12/1440/FP

- 3.12 The County Archaeologist considers that the scheme is unlikely to have an impact upon significant heritage assets.
- 3.13 Through the previously withdrawn application reference 3/11/1490/FP, the Council's Conservation Officer recommended approval in considering that the design of the 'new chapel/community facility' is contemporary with the buildings function, resulting in a mass and scale that does not reflect the immediate and wider character and appearance of the area. However, on balance the screening provided by the existing boundary which encloses Glebe Land and the location of the building which is removed from the boundary of the Conservation Area, the proposal is considered to have little impact on the character and appearance of the area. In summary, the proposed new chapel/community facility is considered to have little impact on the setting of The Rectory as a Grade II listed building or the neighbouring Conservation Area.
- 3.14 Whilst the Conservation Officer was not consulted as part of this current application, Officers considered that since this current scheme offers little change in terms of size, scale, siting and design, the above comments are still relevant and therefore appropriate for consideration.

#### **4.0 Parish Council Representations**

- 4.1 Hunsdon Parish Council (HPC) have commented that the area of land on which the proposed development of a new chapel would take place is the village recreation ground which has been leased by Hunsdon Parish Council (HPC) from the diocese of St Albans for more than 60 years. When it was initially taken over it was only a rough grass field with a hedge but over the years HPC has continually endeavoured to improve the facilities for the benefit of the community to the point where it now also has a dedicated and equipped children's play area and tennis courts.
- 4.2 HPC recognises that the church has a community need to replace the current St Francis chapel, which is beyond economic repair. However, what is being proposed is a much larger building incorporating many additional facilities. It is in effect a large community centre in both design and proposed usage, identifiable as a chapel solely by the proposed name on the outside.
- 4.3 HPC have commented that the site is designated on the East Herts Local Plan for public open space and subject to Policy LRC1. The development will reduce the use of the only flat open green space in the

village by 25%, excluding the current fenced children's play area and the tennis court. This recreational area is regarded as the village green and has had recreational use since the 1950's. The offer of suitable alternative facilities which are at least equivalent to the ones that would be lost, as required by the guidance (LRC1a), is totally unacceptable. The additional area of land on offer is somewhat removed from the main playing area and retrieved from an arable field attached to another small piece of land to the rear of the tennis courts. This in turn is reached by a narrow path alongside the tennis courts and in effect creates a separate proposed playing area. The question of security and safety has also to be raised. The proposed additional plot is isolated and not overlooked, the adjacent property in Rectory Close having put up a high fence for privacy. Research shows that location is perhaps the single most important factor in how well children use open spaces. Children like to play where they can be seen, see others and meet others. This proposed additional land does not meet this specification and is therefore unacceptable. In addition, the north eastern corner of the proposed land is surrounded by the Old Rectory hedge and cannot be seen from anywhere outside the site, thus any undesirable activities there could take place unobserved.

- 4.4 HPC consider that the proposed new building will dominate the local area to a disproportional extent. The impact of loss of open land has been considered in the application but the impact on the appearance of the locality is considerable. Eighty metres of native broadleaf hedge on a main approach to the village from the south will be lost and not replaced by a suitable alternative. The existing site is already a recreation and amenity feature and the development will reduce potential use. The limited replanting/ landscaping proposed is not sufficient to compensate for the loss of native natural habitat particularly as the partial replacement for the loss of 80 metres of native hedge is by non-native box hedging which is not conducive to biodiversity. There is no evidence of a tree and hedge survey having been completed.
- 4.5 HPC comment that the significant lack of parking for the development will result in overflow traffic parking in the surrounding roads, particularly Wicklands Road, Acorn Street and the High Street in areas which are already busy. This proposed development, together with the already approved new Croudace development of 16 dwellings in Acorn Street, will inevitably result in increased traffic flows and congestion.
- 4.6 HPC consider that, whilst the development has been planned to reduce impact on the environment, concerns remain that the frontage on Acorn Street would have a significant impact on the approach to the village. The removal of hedges will alter about 80 metres of frontage to Acorn

### 3/12/1440/FP

Street on a major and important approach to the village. Additionally, the proposed building would be on land elevated above the road surface, thus dominating the street scene and increasing its impact.

- 4.7 HPC comment that the impact of the development is understated in the application in some presentational elements. For example, there is no complete location plan showing the extent of the building in relation to its environs and buildings opposite, in particular. The development fronts 80 metres of the approach to the village.
- 4.8 HPC are concerned about the impact of transport in that only 12 parking spaces are provided when the stated capacity of the main hall in the chapel would be 100+ persons, plus additional office use. The Vehicle Parking Standards (Appendix 2, non-residential: Places of Worship) do not appear to have been met as the requirement is for one parking space per 10 square metres (gfa) for places of worship. The overall building appears to be approximately 400 sq metres, which would seem to indicate 40 parking spaces are required. Even taking into account that all areas of the building will not be used at the same time and to maximum capacity and that, as the submission states, some church members will be able to walk or to share cars, the development is most likely to generate more traffic and the current proposed parking capacity would seem to be inadequate. There are therefore concerns about traffic overflow to the surrounding roads due to the insufficient parking arrangements.
- 4.9 HPC are in agreement with the point of concern raised by Herts Highways regarding the pedestrian access undoubtedly leading to vehicles parking on Acorn Street.
- 4.10 HPC state that Hunsdon Village Hall is a registered charity and HPC is the official Custodian Trustee. It is managed by a Village Hall Management Committee (VHMC) but the VHMC was never consulted in the preparation of the chapel planning application. Not surprisingly, therefore, there are several factual errors in attempting to describe why the village hall is not suitable for various activities otherwise proposed for the new chapel, which can be summarised as follows:
- (a) The hall does have an accessible rear entrance and has full disabled access throughout;
  - (b) The room labelled “snooker room” on the application is, in fact, a meeting room and periodic doctors’ surgery waiting room and is available for private meetings;
  - (c) Children can use the meeting room if they are not wanted in the main hall;

### 3/12/1440/FP

- (d) WC provision is new and fully meets the required standard, including full disabled access;
- (e) Noise disturbance to neighbours has never been an issue related to use of the hall;
- (f) There is external fenced space (hard and soft surfaces) for children and others to use;
- (g) The hall has three dedicated disabled parking spaces at the rear of the hall.

- 4.11 HPC have commented that the Parochial Church Council (PCC) first submitted a planning application for a new chapel in 2011 but this was withdrawn immediately after a public meeting on 3 October 2011 when the application was met with much opposition and was clearly controversial. In December 2011 HPC invited the PCC to a meeting to discuss the application with a view to preparing a more acceptable proposal, including alternative sites, accessibility and traffic management. There was no response until June 2012 at which point the PCC agreed to a meeting with HPC in July 2012. At this meeting HPC advised the PCC on a recommended consultation process involving the village at large. No new or revised plans for a new chapel were tabled or discussed and, as far as HPC were aware, none had been prepared. Subsequently there was no further consultation with HPC or the public. The first time that HPC or the public became aware of a new application was when East Herts District Council published and circulated details of the application in September 2012 in the normal manner.
- 4.12 In conclusion, HPC have commented that it is felt that the proposed new chapel is totally out of scale with the needs of the village and it presents a very real threat to the current historic St Dunstan's church, which would be less attractive and more expensive to use, and the existing village hall, with which it would compete. There is no need for a new community centre in the village which is already blessed with a centrally located and recently refurbished and expanded village hall. Many of the non church-related activities proposed for the new chapel, eg cinema club, Citizen Advice Bureau, lunch club etc, could easily be accommodated in the village hall which has been specifically refurbished at great expense to the village with such activities in mind.
- 4.13 HPC state that the recreation ground is available for use today and for future generations. Recreation areas lost to development can never come back into recreational use. Access for future generations to recreational space depends on this generation protecting it now. The loss of such a facility to a new development should not be permitted unless there is guaranteed provision of equivalent or better replacement

## **3/12/1440/FP**

facilities nearby. It is believed that a more modest replacement chapel, in a different location, might be more beneficial and acceptable to all villagers. The proposed development as it now stands is not in the best interests of the majority of local residents – or their children.

### **5.0 Other Representations**

5.1 The application has been advertised by way of press notice, site notice and neighbour notification.

5.2 122 letters of representation have been received which can be summarised as follows:

#### **76 letters of objection**

- No pre-application meeting held between the applicant and the community with regard to the application;
- The development of the visibility splays will result the loss of hedgerow and trees that would be harmful to the street scene;
- Contrary to Rural Area policy;
- The additional space offered to compensate for the area taken by the proposal is not suitable;
- The use of the proposed Chapel would be harmful to the viability of other businesses in the community;
- Insufficient parking provision;
- The proposed building is of an excessive size and scale;
- The village does not require two community centres;
- It would abandon the existing church;

#### **46 letters of support**

- The new chapel will meet the need of the community; Improvement of existing facilities;
- Sympathetic design;
- Existing chapel in poor state of repair;
- Existing chapel is too small with no services;
- Existing church is hard to get to and cold in the winter

### **6.0 Policy**

6.1 The relevant 'saved' Local Plan policies in this application include the following:

### 3/12/1440/FP

GBC3	Appropriate Development in the Rural Area Beyond the Green Belt
LRC1	Sport and Recreation Facilities
ENV1	Design and Environmental Quality
ENV2	Landscaping
TR7	Car Parking – Standards

6.2 The National Planning Policy Framework is also of relevance in this matter.

## **7.0 Considerations**

7.1 The determining issues in relation to this application are:

- Principle of Development and impact on rural character of area;
- Loss of LRC1 land;
- Impact on Conservation Area and setting of nearby listed buildings;
- Neighbour Amenity;
- Parking and Highway; and
- Other Matters.

### Principle of Development and impact on rural character of area

7.2 The application site is located within the Rural Area Beyond the Green Belt as designated in the Local Plan. Policy GBC3 sets out the types of development and uses of land which are considered to be appropriate development within the Rural Area. The erection of a chapel/community facility is not outlined in Policy GBC3 of the Local Plan as being appropriate development in the Rural Area. The proposal therefore represents inappropriate development, and it is necessary to consider whether material considerations exist in this case to warrant a departure from policy.

7.3 The applicant has acknowledged that this proposal does not comply wholly with Policy GBC3 of the Local Plan. However, the submitted Planning Statement outlines reasons why the applicant considers that this proposal should be viewed favourably and their justification for the proposed development. Firstly, they set out the problems with the existing church facilities serving the village – at St. Dunstan’s Church and St. Francis Chapel which are summarised below:

### St Dunstans Church:

- Limited facilities (Lack of adequate sanitary provisions, limited

refreshment facilities, restricted space does not allow for mixed activities at same time of service, lack of storage, unsafe areas for infant and junior activities and studies and no safe area for service time crèche);

- Limited non-effective heating (extremely cold in winter and expensive to heat);
- Inadequate lighting;
- Limited disabled access provisions;
- Restricted disabled access through the church (lots of steps);
- Unsafe pedestrian routes to and from the vehicle area (due to road bend);
- Inability for expansion due to Grade 1 ecclesiastical listing;
- Access limited to car due to distance and no public transport.

St Francis Chapel:

- Structural instability;
- Limited facilities (No sanitary provisions, no refreshment facilities, restricted space does not allow for mixed activities at one time, no storage and no safe area for service time crèche);
- Inadequate heating;
- Inadequate lighting;
- No disabled access and provisions ;
- Access limited to foot traffic or offsite parking on highway;
- Inability for expansion due to grade II listing by curtilage and non-build area of TPO trees.

7.4 The applicant states that the existing Church building does not fully meet the needs of its congregation. They consider that the restrictions upon the existing church, due to its status as a Grade I listed building, do not allow the possibility for adaptation in the future resulting in its failure to meet the congregation's current needs. The applicant also states that, whilst it could be argued that works could be carried out to the building to aid with the retention of heat and lighting, the Church will never overcome the primary problem of being located too far from Hunsdon Village. The applicant highlights the fact that, for a period of 50 years, St Francis Chapel has been assisting the church by providing a congregation facility closer to the village.

7.5 The applicant states however that the structural problems suffered by St. Francis Chapel have caused concern about the building's safety and viability, and that even if the Chapel were structurally sound; it no longer provides the space, facilities and resources which a modern church requires. They also consider that the costs associated with rectifying

the severe structural deformation of the building are too great, and when this is considered alongside the inability to extend the building, they consider that it is clear that a new ancillary chapel is needed elsewhere.

- 7.6 Whilst Officers acknowledge the deficiencies with the existing Church and Chapel, it does not appear to have been adequately demonstrated that the existing facilities cannot continue to be used. Whilst the accommodation provided may not be considered to be comfortable at all times i.e. temperature fluctuations, etc. it is considered that works could be undertaken to the facilities to improve some of the deficiencies, and this does appear to be acknowledged by the applicant in their Planning Statement.
- 7.7 Turning firstly to the location of St. Dunstan's Church, Officers consider that, whilst the Church may not be ideally located for many of the church community to access it by foot, its siting some 0.8 miles from the edge of the settlement is not uncommon in rural locations/settlements. The distance of St. Dunstan's church from Hunsdon alone is not considered to be sufficient justification in this case to warrant a departure from policy.
- 7.8 Turning now to the size of the existing facilities, it does not appear that there are significant concerns about the size of St. Dunstan's Church or the Chapel being sufficient to accommodate the congregation. It appears from the applicant's submissions that the main concerns relate to the lack of additional facilities at both of these locations, in particular WC and refreshment provision; space for other activities and the lack of expansion potential. With regard to the proposed requirements of a new chapel building, the applicant states that the proposal would primarily be a place of worship to meet the needs of the worshipping Christian community. The centre would provide all the provisions required from a modern place of worship on Sundays and Wednesdays plus the ability to cater for the various other group activities which run alongside the regular services, i.e. Children and teenage groups, elderly groups, Crèche during service periods and male and female weekday studies and services. The applicant considers that the proposed chapel brings the added benefit of a comprehensive facility for villagers, offering meeting rooms for work with, but not limited to, children and young people. They set out in the submitted Planning Statement that the following requirements must be accommodated within a new building:
- WC Provisions (not relying on those within the Reverend's Home);
  - Additional rooms of varying sizes;

### 3/12/1440/FP

- Refreshment provisions;
- Large hall;
- Private office for the Reverend, and
- Storage Provision.

- 7.9 Officers acknowledge the benefits of providing a new facility within the village. However, these benefits must be weighed against the harm that would result in terms of Rural Area policy and the impact of the proposal on the public open space and the character and appearance of the surrounding area.
- 7.10 The proposed chapel would have a gross internal floor area of 444 square metres. This includes a chapel (153 sqm), 3 meeting rooms (totalling 82.6 sqm), an office (13.9 sqm), a kitchen (18 sqm), foyer (57.8 sqm) and other ancillary facilities including toilets and table and chair store (48.8 sqm). For comparison, the existing chapel has an internal floor area of approximately 50.7 square metres. The proposal would therefore result in approximately a 200% increase in the size of the chapel when compared to the size of the existing Chapel, and the provision of some 291 square metres of additional accommodation i.e. meeting rooms, etc.
- 7.11 Whilst Officers acknowledge the aspirations of the Church, they question the proposed size and scale of the building when compared to the existing facilities, and whether there is sufficient justification for a building of this size to be permitted, contrary to policy, in the Rural Area.
- 7.12 Turning firstly to the need for the building, the number of representations received in support of the proposal has been noted (although a number of these state that they are members of the church). However, it is also clear from the level of representations received in objection to the proposal and the strength of the comments from Hunsdon Parish Council that there is also strong objection to the application. This level of objection and the concerns raised must be given some weight when considering the level of community benefit that can be attributed to the proposal.
- 7.13 Furthermore, it is also questioned whether the existing Village Hall could not provide for some of the additional activities which are proposed to be undertaken in the new chapel. Whilst it is acknowledged that the existing Village Hall may not be suitable for dual use as a chapel, it is considered that some of the activities that are proposed to be provided at the new chapel building could conceivably be provided at the Village Hall. If this were to be the case, the size of

the building proposed could be reduced.

- 7.14 Turning now to the impact of the proposed development on the character and appearance of this rural area, the concerns of the Council's Landscape Officer in respect of the size of the building have been noted. The Officer has commented that the footprint of the building and its car park will be relatively large in comparison with other built forms of development in the local area, and will stand out both from along Acorn Street and within the wider context of Hunsdon because of its size. Whilst not objecting to the application, the Council's Conservation Officer does acknowledge that the mass and scale of the proposed building does not reflect the immediate and wider character and appearance of the area. Furthermore, the issue of the size and scale of the proposed building and its impact was one which was also raised by Hunsdon Parish Council and numerous local residents who objected to the application.
- 7.15 The proposal would also result in the loss of a large section of existing hedgerow. It is understood that the loss of the majority of the hedgerow is necessary due to the need for the creation of visibility splays for reasons of highway safety. The Council's Landscape Officer has commented that this hedge is a prominent landscape feature which makes a positive contribution to the streetscene and is integral to the landscape character of the area. Again, this is a matter which has been raised by the Parish Council and local residents. Officers consider that the loss of this extent of hedgerow would have a harmful impact, and would be contrary to policy ENV2 of the Local Plan. Furthermore, it is considered that even with the proposed replacement landscaping scheme, the character of this part of Acorn Street will be permanently altered.
- 7.16 It is therefore considered that significant weight should be attached to the adverse impact of a building of the size and scale proposed on the character and appearance of the area, and the harmful impact of the loss of the existing hedgerow. These matters therefore weigh against the proposal.
- 7.17 Taking into account all of the above considerations, whilst the deficiencies of the existing Church and Chapel are acknowledged, as are the aspirations of the Church, Officers are not satisfied that the benefits of the proposal outweigh the policy presumption against it within the Rural Area and the harm that would be caused to the character and appearance of the area and the impact on the use of the recreation land. There is, therefore, in Officers' view, insufficient justification in this case to warrant a departure from policy for a building

of the size and scale proposed.

- 7.18 Furthermore, concern is also raised with the future use of St Dunstan's Church and the existing Chapel if this application were to be approved. Whilst the applicant has stated that St Dunstan's would continue to be used primarily for weddings and funerals, it is not clear how the existing chapel building would be used or whether structural repairs would be undertaken to this building. The Chapel of course is a Grade II listed building and there is therefore a duty to preserve this building and to ensure a viable use for it. Officers are concerned as to the future of this building if permission were to be granted for this new building.

#### Loss of LRC1 land

- 7.19 The proposed chapel is to be sited on land which is designated in the Local Plan for sport, recreation and open space. Policy LRC1 of the Local Plan states that proposals which will result in the loss of public or private, indoor or outdoor, sports, recreation and open space facilities, or school playing fields, will be refused unless:
- (a) Suitable alternative facilities are provided on the site or locally, which are at least equivalent in terms of quantity, quality and accessibility to the ones that would be lost; or
  - (b) It can be demonstrated that the facility is no longer needed and that there is no viable demand for an alternative facility.
- 7.20 The applicant has stated in the submitted Planning Statement that there are a number of open green spaces within and outside of the village and public footpaths through farmland. They state that the proposed application site is located on a single area which has predominantly only been used for 5-a-side football. They state that the siting of the proposed building will not cause the loss of the pitch, and that the proposed building will provide the benefits of toilets and refreshment areas for users and could conceivably, by arrangement, even provide changing facilities.
- 7.21 This application also proposes the change of use of existing agricultural land to additional recreational space measuring some 1030 square metres in size. This land is some 120 metres to the south east of the proposed chapel and approximately 45 metres to the west of the Old Rectory. The applicant considers that this piece of land provides space which is a suitable alternative area within the locality of that used and of equivalent quantity, quality and accessibility to the one that would be lost.

7.22 Officers consider that the proposed replacement land, whilst equivalent to that lost in terms of quantity, is not equivalent in terms of quality and accessibility. Turning to the issue of quality, it is evident from many of the representations received the value that is placed on the Glebe Land. This land has been used for some 60 years for recreation purposes for the villagers. The existing land upon which it is proposed to site the chapel is located at the entrance to the Glebe Land from Acorn Street and is easily accessed from Acorn Street. It may be argued therefore that, due to its location and proximity to the playground, this forms the most accessible piece of land within the village. The proposed additional land, by contrast, is located some 120 metres to the south east of the existing land (upon which it is proposed to site the chapel) and is accessed either through the existing Glebe Land via a small path that passes to the west of the tennis court, or via a small path that passes to the south of garages to the end of Rectory Close. Other than for those who live to the west of the proposed additional land, the proposed new area of LRC1 land would be less accessible than the existing area. Concern has also been raised that, by reason of its more secluded location, it would not be a particularly safe place for children to play due to the lack of surveillance. Officers concur with these views and consider that the proposed replacement recreation land would not accord with Policy LRC1 and would not replicate the quality and value of the land to be replaced. This conclusion adds further to the concerns with the principle of the development.

7.23 The comments from Sport England have been noted in considering this element of the proposal. Notwithstanding the lack of objection from Sport England, this is not a matter which Officers consider would outweigh the concerns expressed above in relation to the quality and accessibility of the land.

7.24 Additionally the proposed replacement LRC1 land involves the change of use of agricultural land resulting in the encroachment of more formal sport and recreation land into the corner of the field. Officers consider that this would result in a further change to the rural character of the adjoining area and this further weighs against the proposal.

#### Impact on Conservation Area and setting of nearby listed buildings

7.25 The northern boundary of the application site lies adjacent to the boundary of the Hunsdon Conservation Area. Therefore whilst the application site is located outside of the Conservation Area, regard must be had to the impact of the proposed development on its setting. Regard must also be had to the impact of the proposed building on the

setting of nearby listed buildings, namely the Old Rectory to the south of the site. Whilst the Conservation Officer has commented that the mass and scale of the building does not reflect the immediate and wider character and appearance of the area, they conclude that on balance the screening provided by the existing boundary which encloses Glebe Lane and the location of the building which is removed from the boundary of the Conservation Area, it is considered that the proposed development would have little impact on the setting of The Rectory as a Grade II listed building or the neighbouring Conservation Area.

### Neighbour Amenity

- 7.26 Officers consider that the properties most affected by the development of the Chapel are numbers 1 to 7 Acorn Street, number 3 Vicary Cottages, 4 and 6 High Street, and Yewtree House. With regard to loss of light and overbearing considerations, it is the opinion of Officers that the proposed chapel building will be located at an appropriate distance from these properties so as not to cause harm. With regard to noise nuisance, it is the opinion of Officers that neighbouring dwellings may be affected to some degree due to the manoeuvring of vehicles within the car parking area, and the dropping off and picking up of visitors to the chapel and the use of the chapel. However, it is considered that the degree of this impact would not be to such a degree to warrant refusal of the application.

### Parking and Highway

- 7.27 The submitted plans indicate that the gross floor area (gfa) of the chapel calculates to just over 400 square metres. Policy TR7 and Appendix II of the Local Plan states that such a use should provide a maximum 1 space per 10 square metre gfa, which would equate to a maximum of some 40 spaces in this case. Officers therefore share the concern of some of the local residents that the application only proposes 12 car parking spaces.
- 7.28 In calculating the required parking provision, the applicant has only assessed the requirement in relation to the chapel, and has not included the other floorspace created by the building. This approach is not correct, and has resulted in an under provision of car parking spaces being proposed when compared to the requirements of Appendix II of the Local Plan. However, the submitted Transport Assessment considers that the level of parking provision is appropriate particularly with the proximity of the site to local residents and public transport.

### **3/12/1440/FP**

- 7.29 Concerns have been raised by the Parish Council and the residents of the nearby dwellings that the siting of the proposed chapel combined with the limited parking provision would result in excessive on-road parking.
- 7.30 County Highway was consulted on the application and has commented that the application is acceptable in a highways context. County Highways have further commented that lack of a separate pedestrian access onto Acorn Street is welcome as it reduces the likelihood of parking on Acorn Street.
- 7.31 With regard to the above, whilst Officers consider that the parking provision proposed is significantly lower than the maximum standards as set in policy TR7 and Appendix II of the Local Plan, it is acknowledged that the location of the proposed chapel is within safe walking distance of the majority of the village. Given the accessibility of the proposed chapel and the lack of objection from County Highways, Officers consider that this proposal is acceptable in a highway and parking context.

#### **Other Matters**

- 7.32 It is also noted that this proposal is located adjacent to an Area of Archaeological Significance. A consultation response from the County Archaeologist confirms that the scheme is unlikely to have an impact upon significant heritage assets.
- 7.33 Concerns have been raised about the impact of the facilities proposed to be provided within the chapel building (including the sale of Fairtrade Goods) on the viability of other businesses and facilities within the local area including the Village Hall. Whilst Officer's understand those concerns, it is not considered that the level of facilities proposed within the chapel building would be at such a level that would prejudice the viability of existing businesses and facilities within Hunsdon.

#### **8.0 Conclusion:**

- 8.1 The proposed chapel does not comply with the categories of appropriate development as described in policy GBC3 of the Local Plan. Officers acknowledge the benefits of the proposal and the constraints faced by the applicant in respect of the siting of the existing church and the inadequate facilities in the church and the chapel. However, it is not considered that these matters are sufficient to outweigh the harm caused to the character, appearance and use of the public open space by the scale of development proposed nor that they justify a departure

### **3/12/1440/FP**

from the Local Plan.

- 8.2 The siting of the proposed chapel on policy LRC1 land would result in the loss of open space designated for sport and recreation for the community as a whole. The proposed compensatory LRC1 land does not offer a suitable alternative facility in terms of quality and accessibility to that lost, and also raises concern with regard to security issues due to its lack of natural surveillance, and its intrusion into the surrounding rural landscape.
- 8.3 In accordance with the above considerations, Officers therefore recommend that planning permission be refused for the reasons set out at the head of this report.