



Appeal Decision

Site visit made on 26 July 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th August 2022

Appeal Ref: APP/W3005/W/22/3293149

Wesleyan Reform Church, Forest Road, Annesley Woodhouse NG17 9HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Richard Stewart against the decision of Ashfield District Council.
 - The application Ref V/2021/0437, dated 1 June 2021, was refused by notice dated 17 September 2021.
 - The development proposed is described on the planning application form as "the widening of the front door way of the building and part removal of the front wall to enable vehicle access into the building".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The location and description of the development varies between the planning application, decision notice and subsequent appeal documents. I have taken those details of the development in the heading above from the planning application form, but I have made my decision on the basis of the evidence submitted with the appeal as I consider that it accurately represents the proposal.

Main Issues

3. The main issues are the effect of the proposal on:
 - The character and appearance of the appeal site and the streetscape, with due regard to a non-designated heritage asset;
 - Highway safety; and
 - Other considerations relevant to the planning balance.

Reasons

Character and Appearance

4. The appeal site consists of a church building facing onto the through-road of Forest Road. Although the building was boarded up at the time of my visit and had security fencing to the front, based on the evidence before me the church

- is an attractive and prominent feature which contributes positively to an otherwise understated streetscape.
5. The building is not listed or within a conservation area, although the Council has identified the building as a non-designated heritage asset. The Council's Conservation Officer identifies the heritage significance of the building as arising from its architectural and social interest.
 6. With regards to architectural interest, the Council's Conservation Officer refers to a number of original features of the building, despite its understated character. This includes the main entrance with a moulded stone surround and pointed arch; memorial plaques built into the principal façade; lancet windows with stone arches and weather moulding; and the original plank doors with Arts and Crafts inspired hinges. The brick boundary wall, piers, gates, cast iron railings and stone detailing also appear to be original.
 7. In respect of social interest, the building is evidence of the development of different denominations in the village, particularly when considered in relation to a chapel in the vicinity. The site also has some group value with a 19th Century terrace of shops adjacent to the site.
 8. Based on what I have seen and read, the comments of the Conservation Officer are a good summary of the heritage interest of the building. The extent and form of original detailing, the prominence of the building, and its contribution to the appreciation of the social history of the area contribute to its importance as a heritage asset. Although religious buildings of this design and scale are relatively common, I conclude that the appeal site is of moderate and local heritage significance.
 9. The proposal includes a number of changes to the fabric of the building, particularly to the front elevation in order to provide vehicular access to proposed parking spaces within the building. The proposed access arrangement is based upon details in a technical note prepared by the appellant's highways consultant (the HAS Note¹) where the entrance to the building would be widened and would project further beyond the footway.
 10. As a result of the proposed access, the distinctive pointed arch of the existing entrance would be lost. A widened and more rounded entrance would be created, although this would not reflect the original design and would appear as a clumsy and obtrusive feature inserted into the façade of the church. Furthermore, the lower parts of the lancet windows on either side of the entrance would be removed, losing their vertical emphasis with commensurate harm to the contribution that they make to the composition of this prominent building.
 11. The plank wood door would also be removed, replaced by a bi-fold door set further inside the building. The loss of the distinctive original door and associated detailing would be unfortunate, and even if a suitable alternative was proposed then its visibility would be limited due to the inset distance within the building. The void created between the proposed doors and the main façade of the front elevation would also be an incongruous and contrived feature projecting into the building.

¹ Highways Access Solutions, 27 July 2021.

12. The removal of an extent of the wall and railings to the front, as well as the reduction in height of the remaining means of enclosure and pillars, would also detract from the original design of the church and its setting, as well as its distinct separation from the edge of the highway. The relocation of the original gates to the pedestrian entrance to the side would do little to mitigate for the unfortunate appearance of the proposal. The proposed dropped kerb access leading to the removal of the existing steps would also be a stark and utilitarian feature to the front of the building.
13. A number of lancet windows on the right elevation would also be affected by the proposal, where the lower extents would be removed to provide parking bays. Although this elevation is not readily visible from the public realm, the loss of these original features would harm the architectural significance of the building.
14. The Council's decision refers to a lack of a Heritage Statement, and that the appellant has failed to address the architectural significance of this building and potential harm. I have had regard to the Heritage Statement submitted by the appellant, although this is set out in general terms and does not represent a robust analysis of the heritage interest of the building. Furthermore, this does not demonstrate the feasibility of the various interventions proposed for the building, even given the appellant's previous experience in converting buildings of this nature. For these reasons, and given inconsistencies between other elements of the appellant's evidence, the submitted Heritage Statement carries little weight in favour of the appeal.
15. I conclude that due to its unsympathetic design, the proposal would lead to significant harm to the character and appearance of the building and the streetscape. For the same reason and due to the loss of original features, the proposal would also lead to great harm to the significance of this non-designated heritage asset, although that harm would be less than substantial. When considering proposals which affect non-designated heritage assets, the National Planning Policy Framework (the Framework) states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. I will return to this matter later in my decision.

Highway Safety

16. The appeal proposal relates to a building in a community use. It is proposed to create 3 parking spaces within the front portion of the building, although gaps would be inserted into the right elevation to enable vehicles to be parked.
17. Access to the parking area would be taken from Forest Road, which is a classified 'C' road and a principal through-road for this large village. The Highway Authority refer to a daily traffic count of 6000 vehicles, and this reflects my own observations where I saw that this road was relatively well-trafficked. Although the traffic speeds I observed were not excessive, the speed of vehicles was relatively high commensurate with the nature of this through-road.
18. In response to concerns on highways issues, the appellant has submitted the HAS Note which includes a swept path analysis of the internal parking. However, this analysis only relates to the middle bay, and does not demonstrate that vehicles using the bay on either side would be able to enter

and leave the site in forward gear. Cars would also not be able to turn within the site should they enter the car park and find all the spaces occupied. For these reasons, the proposal would lead to vehicles reversing onto the highway.

19. Although it is proposed to provide a visibility splay and reduce the height of the means of enclosure to the front of the site, drivers of vehicles reversing out of the building would have limited visibility along the pavement which passes across the site entrance. Vehicles parked on the highway would also reduce the visibility of drivers leaving the site as well as for drivers approaching along Forest Road. The swept path analysis also shows that vehicles would swing into the opposing lane when turning left. The combination of awkward vehicle manoeuvres resulting from the proposal and limited visibility would increase the likelihood of collisions between vehicles and other highway users, to the detriment of highway safety.
20. The sensitivity of the site entrance is increased due to the location of a bus stop diagonally opposite the site. This would create further highway incidents such as buses pulling away from the stop, vehicles overtaking stationary buses, and pedestrians crossing the road to pass to or from the stop. The introduction of the awkward vehicle movements associated with the proposal, along with limited visibility, would only add to the potential for collisions in this sensitive location.
21. The appellant refers to the number of vehicle movements and potential to manage traffic entering or leaving the site, such as by signage. However, the management arrangements for the site could change over time and the use of the premises could intensify. I am therefore not persuaded that the management solutions proposed by the appellant can be relied upon. In any event, this would not address the limited visibility and the sensitive nature of the highway in the vicinity of the site.
22. Although the proposal would provide 3 parking spaces, these would be for private use associated with the community use of the building. The proposal would result in the loss of 1 public on-street parking space, and the Council refers to high demand for on-street parking in this area. However, the appellant has provided detailed evidence showing parking capacity in this area, and at the time of my visit a number of spaces were available. I am also mindful that this road has a number of commercial uses which were active at the time of my visit. Viewed objectively and in context, I do not consider that the reduction in public on-street parking would be of a degree that would warrant the refusal of planning permission. However, this does not negate my concerns in respect of the proposed parking and access.
23. I conclude that, due to the nature of vehicle movements arising from the proposed parking and access, the proposal would lead to significant harm to highway safety. The proposal would therefore be contrary to policy ST1 of the Ashfield Local Plan Review 2002 (ALPR) and the Framework due to its unacceptable impact on highway safety.

Other Considerations

24. Reference has been made to a previous consent granted for the construction of dwellings on the site. This would have led to the demolition of the church with obviously substantial harm to its significance as a heritage asset. However, I have not been provided with full details of that permitted development or

whether it remains valid as a fallback scheme. On that basis, the previous consent and potential demolition carries little weight in favour of the appeal before me.

25. Various community uses have been referred to for the proposal, including a bicycle museum in the HAS Note, and a church with a worship area as shown on the proposed plans. The evidence suggests that the extant permitted use is also as a church. These uses would fall within Class F1 'Learning and non-residential institutions' of the Use Classes Order², and I have considered this proposal on that basis. The appellant refers to the recent underuse of the building, and I consider that it would be beneficial for the community if this building was brought back into a more active use. However, it has not been demonstrated that the works proposed are required to return the building to such a use. This matter therefore does not weigh positively in favour of the proposal.
26. Reference has been made to the provision of improved pedestrian access to the building, including for those using wheelchairs or mobility scooters. However, this could be achieved through a more sensitively designed scheme, as could the increased use of an existing dropped kerb. These matters therefore carry no more than limited weight in favour of the proposal.
27. The appellant refers to the poor quality of bricks on the front elevation. However, this does not justify the negative impacts arising from the works proposed.

Other Matters

28. The appellant refers to various options for the design of the doorway. However, the appeal process should not be used to evolve a scheme, and I have considered this appeal based on the proposal on which the Council reached its decision.
29. I note the frustrations expressed by the appellant in relation to the advice and level of communication from the Council as well as the decision process leading up to this appeal. However, this is not a matter for this appeal which I have determined on its planning merits.

Planning Balance and Conclusion

30. I have concluded that the proposal would lead to significant harm to the character and appearance of the building and the streetscape. The proposal would also lead to great harm to the significance of this non-designated heritage asset, and I attach considerable importance to that harm even given the moderate and local significance of the building.
31. I am mindful of the benefits arising from the proposal, but considered individually and cumulatively these other considerations carry no more than limited weight in favour of the appeal.
32. On balance, these benefits would not justify the scale of the harm to this non-designated heritage asset. The scheme would also lead to significant harm to the character and appearance of the building and the streetscape. The proposal would therefore be contrary to the requirement of policy ST1 of the ALPR in

² The Town and Country Planning (Use Classes) Order 1987 (as amended)

respect of development character, and would also conflict with the Framework with regard to achieving well-designed places as well as conserving and enhancing the historic environment

33. The proposal would conflict with the development plan and the Framework when read as a whole due to the harm to character and appearance, a heritage asset and highway safety. There are no material considerations which indicate that the proposal should be determined other than in accordance with the development plan. For the reasons given, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR