



Appeal Decisions

Site visit made on 17 June 2024

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th July 2024

Appeal A Ref: APP/J4423/W/23/3333851

Woodhouse Trinity Methodist Church, Chapel Street, Woodhouse, Sheffield S13 7JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Barry Moss against the decision of Sheffield City Council.
 - The application Ref is 22/04490/FUL.
 - The development proposed is alterations to former church including provision of mezzanine floor and ramp to front to form 8 apartments with parking provision and a new vehicular access through the south western boundary wall (Amended Plans/Description).
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Appeal B Ref: APP/J4423/Y/23/3333852

Woodhouse Trinity Methodist Church, Chapel Street, Woodhouse, Sheffield S13 7JL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Barry Moss against the decision of Sheffield City Council.
 - The application Ref is 22/04491/LBC.
 - The works proposed are alterations to former church including provision of mezzanine floor and ramp to front to form 8 apartments with parking provision and a new vehicular access through the south western boundary wall (Amended Plans/Description).
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Decision

1. **Appeal A:** The appeal is dismissed.
2. **Appeal B:** The appeal is dismissed.

Preliminary Matters

3. These decisions address both planning and listed building consent appeals for the same site and the same scheme. To reduce repetition, and for the avoidance of doubt, I have dealt with both appeals together within a single decision letter. I have used the description from the Council's decision notices, which accurately and succinctly describe the extent of the proposal.
 4. The appellant has submitted a Preliminary Roost Assessment and a Viability Appraisal Report as part of the appeals in response to concerns raised by the Council. As the Council and interested parties had the opportunity to comment on these documents during the appeals process, they have not been prejudiced by their submission.
 5. The Council's concerns are focussed on the effect of the proposal on the Grade II listed building known as the Trinity Methodist Church and its setting.
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Accordingly, I have had regard to the statutory duty under sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). However, I have also been referred to the Grade II listed building known as the gateway and railing to Trinity Methodist Church. As both parties have addressed this heritage asset within their evidence, their interests have not been prejudiced by my consideration of it in my decision.

Main Issue

6. The main issue is whether the proposal would preserve the Grade II listed buildings or their settings, known as Trinity Methodist Church and the gateway and railing to Trinity Methodist Church, and any features of special architectural or historic interest which they possess.

Reasons

Special interest and significance

Methodist Church

7. The Trinity Methodist Church (the Church) dates from 1878 and is built with a coursed squared stone with ashlar dressings and a slate roof in a Romanesque style. It has been vacant for a lengthy period of time and many windows are boarded up and broken. Even so, it remains a strikingly attractive building and despite being two storeys in height its front gable and south west facing side elevation have an imposing presence in the street.
8. The appellant's Heritage Statement has sought to categorise elements of the building and their relative levels of significance. The north west front elevation was categorised as being of high significance, along with the south west roof due to their condition, architectural detailing and grandeur (in respect of the front elevation) and prominence. The north east elevation, south east elevation (and roof slope), south west elevation and stained glass windows were categorised as being of medium significance.
9. I largely agree with these categorisations. However, I disagree with the categorisation for the windows. The consistency in their design and treatment throughout the building remains legible. In my view, their materials and design including the stained-glass margins contribute to a high degree to the building's significance and legibility as an ecclesiastical building. In this regard, I consider the windows to hold a high degree of significance despite the varied condition of the glass.
10. Turning to the internal elements of the building, the appellant categorises the pulpit and war memorial as being of high significance, the entrance area, ground floor, and gallery as medium, the organ as low/medium and the staircase, ceiling, pews, panelling and columns as being of low significance.
11. In this instance, I find that the coved cross beams with their decorative foliage corbels and bosses on the ceiling to be of medium significance as they are distinctive features seamlessly flowing between the ceiling and walls. I accept that individually the pulpit, organ, pews, gallery, supporting columns and wall panelling have different degrees of distinctiveness and their condition varies. However, their significance lies in their collective arrangement and with the striking tiered inward facing gallery providing open views toward the pulpit and organ. Collectively they are highly important elements of this listed building

and of high significance in revealing the historical use and function of this Methodist Church as a place of worship.

12. The land to the west and headstones were categorised as being of low significance by the appellant. The Church is set within small grounds containing, amongst other things, overgrown vegetation, and a small number of headstones. Some headstones are positioned leaning onto the Church building. However, a small number are located sporadically in the grounds, including one laid horizontally.
13. The Council's Historic Environment Record indicates that the existing Church is located on the site of an earlier 19th century chapel with an associated graveyard. This contrasts with the appellant's understanding that the headstones in the grounds are memorial stones rather than grave markers. In this regard, the appellant has provided an email from the Methodist Church who confirmed that they understood the land not to be a burial site. The appellant's evidence advises that a memorial stone was laid in 1878 the year before the new chapel was opened. Considering the records of the Church, I find the archaeological significance of the land to the west of the Church to be low.
14. In any case, although the soft landscaping within the grounds is now somewhat neglected it continues to make a positive contribution to the understanding of the historic use of the building as a Church. This is because the grounds would have historically been used for quiet contemplation and to pay respects to the deceased even if no burials took place. In this regard, I consider the grounds to have medium significance and these physical qualities do make a positive contribution to the setting and thus the significance of the listed Church.
15. The Church is positioned centrally within Woodhouse in a highly visible location within the settlement core along Chapel Street. Due to its relatively modest height, the Church is not viewed in long distant views. Instead, it is within close proximity, on the approaches to the Church that its significance as a building of considerable historical, social and cultural importance within the local community is experienced. Although small, the undeveloped and soft qualities of the Church grounds can be seen over the low stone boundary wall. Such views, form part of its setting, and the experience of understanding and appreciating the significance of the Church.
16. In so far as it relates to these appeals, the Church's historical use as a religious site, its internal layout, surviving fabric including internal fixtures, its striking front gable façade and external Romanesque architectural character all contribute to the Church's special historical and architectural interest and significance.

Gateway and railings

17. The separately listed gateway and railings were categorised as being of high significance by the appellant, to which I agree. The significance and special interest of the gateway and railings is derived from its age, materials and decorative form including the decorative machicolated caps topped with small domes on the piers and the traceried cast-iron railings. The attached stone wall also contributes to a small degree to the significance of the listed gateway and railings through its materials and continuation of the historical boundary alignment. Its setting is intrinsically linked to the Church's setting and forms

part of the experience of understanding and appreciating the significance of the Church as well.

18. In so far as it relates to these appeals, the age, quality of design, elegance, and positional prominence in relation to the entrance of the Church, contribute to the special architectural and historical interest of the separately listed gateway and railings.

Appeal proposal and effects

Methodist Church

19. The proposal would result in significant internal interventions to facilitate the conversion of the building. In particular, the extent of the removal of the gallery, pews, organ, and pulpit, in combination with the compartmentalisation of the building would have a high degree of harm as the internal spacious and inward facing layout would be substantially lost.
20. The existing and proposed floor plans and external elevations are drawn at 1:100 scale. In this regard, there are no detailed drawings at a more in-depth scale comprehensively showing the full extent of the works/development proposed. This casts significant doubt as to what I would be granting were I minded to allow the appeals.
21. For example, the plans before me do not show the full details of how the building would be insulated, plastered, heated, cooled and services added. Moreover, the plans do not show the extent of retained timber panelling or the coved cross beams and the extent that they would be retained, lost, or concealed and how they would tie in with new floors, ceilings, and walls. Similarly, it is unclear how the steel columns would be treated with the increase in floor height and there are no firm details regarding the windows, including those to be replaced or how the bisected windows on the front gable would be treated.
22. The appellant's Heritage Statement refers to the replacement windows as having clear glazing for improved outlook. However, the loss of the stained-glass margins and replacing them with clear glazing would not be an authentic replacement of the windows on this particular listed building and would significantly erode the consistency in the window design through the building. Harm would also ensue from the bisection of the front windows from the dividing wall and floor notwithstanding the level of detail on this matter.
23. The appellant suggests that details of the windows can be reserved by way of a condition. However, the window treatment has the potential to markedly alter how the building is appreciated both internally and externally and to inform the level of harm. Given the degree of architectural and historical significance of these features it is not appropriate for such details to be reserved by way of a condition.
24. It is my judgment, notwithstanding the other documents and information provided within the submissions, that there is not the appropriate level of detail before me to provide the clear and convincing justification for the changes proposed. This adds to my concerns regarding the final finish of the conversion scheme.

25. Views of the Church would continue to be largely preserved in the public realm, with the building's imposing presence locally continuing to be a striking feature in its wider setting. However, the proposed car park would result in the loss of the soft undeveloped qualities of the Church grounds and the legibility of its historical use in connection with the Church. The repositioning of the headstones, so as to lean against the side of the Church, would moderate the extent of harm but there would still be harm from the shift to a functional hard surfaced space dominated by cars and the bin store enclosure. This would erode the contribution that the setting of the Church makes to its significance. In forming this assessment, I have not given weight to the unkempt nature of the vegetation on the land that could be readily tidied up with maintenance.
26. In relation to archaeological interests, the appellant has confirmed that any excavations would be limited to 27cm as shown in the typical car park detail cross section submitted as part of the application. In this regard, even if the Church's records were incorrect and burials did occur on the land, considering the depth of graves is typically deeper than 27cm, the potential to disturb any such archaeological remains would be low.
27. I am persuaded that in these circumstances appropriate mitigation through a condition of any consent would be reasonable were I minded to allow the scheme. As such, in so far as it relates to this aspect, the proposal would accord with the requirements of Policy BE22 of the Council's Unitary Development Plan (UDP) and paragraph 200 of the National Planning Policy Framework (the Framework). These say, amongst other things, that development will not normally be allowed which would damage or destroy significant archaeological sites and their settings.
28. There are positive heritage impacts from the repair of the listed building and securing its long-term future use. There are also clearly well thought out and sensitive aspects of the design, such as the retention of the pillars, doors, the entrance area and staircase, the reuse of existing openings and the general light touch approach to the external appearance of the Church.
29. These are benefits that would serve to preserve several features of the listed building that contribute to its significance. Moreover, there are elements of the scheme that would not cause harm such as the steps and ramp. However, the proposal taken as a whole would recast the building internally in an overtly residential guise that would greatly diminish its authentic ecclesiastical character.

Gateway and railings

30. The appellant's Heritage Statement indicates that the listed railings would be retained and repaired. However, this contrasts with the appellant's Statement of Case, which stipulates that no works are proposed to the gateway and railings. Moreover, no alterations to the railings are shown on the plans before me and consequently I have determined the scheme on this basis. There would be some alterations to the attached stone walling along the boundary. These alterations would provide access to the car park. However, the historic alignment of the boundary would still be preserved albeit with gaps. As such, I agree with the Council's findings that there would be no harm to the significance and special interest of the Grade II listed gateway and railings.

Conclusion on appeal proposal and effects

31. Overall, I find that, even with its positive elements and the absence of harm in relation to the listed gateway and railing, the proposal would have a harmfully erosive effect on the architectural and historic special interest of the listed building known as Trinity Methodist Church and its setting. Accordingly, the proposal would fail to preserve the special interest of this Grade II listed building and its setting. As a result, the expectations of the Act have not been met and the proposal would harm the significance of this designated heritage asset.

Public benefits and heritage balance

32. Paragraph 205 of the Framework advises that great weight be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.
33. With reference to paragraphs 207 and 208 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. I acknowledge that within each category of harm, the extent of the harm may vary. However, for the purposes of undertaking the heritage balance, the Framework does not require the decision maker to place the harm on a spectrum. In this instance, as several aspects of the building's special interest would be preserved, the harm to the listed building as a whole would be less than substantial, but nevertheless of great weight. Under such circumstances, paragraph 208 advises that this harm should be weighed against the public benefits of the proposal. This includes securing the asset's optimum viable use.
34. The main heritage benefit would be the conservation of the building following the proposed repairs, including some of the sensitive adaptation work to accommodate the change of use of the building. The building is redundant and decaying and the proposal would secure its long-term conservation with an efficient use of the building. Such matters are supported by national and local planning policies and guidance. Moreover, given the building's redundant and dilapidated condition it is understandable that there is support locally for the scheme.
35. The scheme would provide social benefits from eight new high-quality apartments, including with an accessible entrance. This would boost the supply of housing from previously developed land in a central location near services and facilities. Moreover, from the evidence before me the Council has a need for new housing and future occupiers would bolster the demand for local services and facilities. In this regard, the proposal would garner support from the Framework and the Council's existing UDP and the broad spatial strategy of the emerging Local Plan.
36. The occupation of the building would also result in improved natural surveillance around the building from its occupation. There would also be economic benefits too from the spending of future occupiers in the local area, as well as from the conversion of the building. This would stimulate

- employment, the commissioning of services, and the retention of building craft skills.
37. There is a lack of detail and certainty regarding the reuse and repurposing of the pews, organ, and pulpit. I'm told that this would involve a specialist salvage expert and, in the case of the organ, a proposed approach to the British Institute of Organ Studies. However, the lack of detail regarding these elements and their future, limits the weight I afford this reuse and repurposing strategy.
38. Paragraph 211 of the Framework says that the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted. In this regard, the ability to record the historic building as part of the scheme carries neutral weight.
39. There is no firm evidence that the proposal would result in biodiversity enhancements given the increased hard surfacing and conversion works/development. As such, I afford this matter neutral weight. The absence of harm in relation to other considerations including the parking arrangements, flood risk and drainage also carries neutral weight.
40. The Planning Practice Guidance advises¹ that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised.
41. It is suggested by the appellant that the building would not be viable for alternative uses. The property is currently advertised as a development opportunity for £200,000. However, there is no substantive evidence regarding the type and level of marketing undertaken, or how the valuation was set, or the stated restrictions on its use that potentially limit the use as a place of worship and for the sale of alcohol. As such, I give limited weight to the marketing from October 2023 to June 2024, during which time there have been no inquiries about the property. Moreover, whilst the building has been vacant for a lengthy period with no alternative user coming forward, in the absence of any substantive details of any steps to secure a user, this carries limited weight.
42. The viability evidence stipulates that the proposed eight apartments would generate a residual profit of 15.37% with a lesser quantum of apartments being unviable. The viability evidence provided includes detailed financial evidence comparing an eight-unit scheme with schemes for four and six units. I have no reason to dispute these figures.
43. However, there is no detailed evidence that a more sensitive scheme could not maintain any assumed returns or make the proposals unviable. Nor does the viability evidence provide justification for not providing an appropriate level of detail to provide the clear and convincing justification for the changes proposed. In this regard, I am not persuaded that the harm has been minimised. Accordingly, whilst the optimum viable use might be residential, clear, and convincing justification for the harm that would occur to the significance of the designated heritage asset because of the proposal, has not been provided.

¹ Paragraph: 015 Reference ID: 18a-015-20190723

44. To conclude on the main issue, even though the heritage and public benefits weigh strongly in favour of the proposal, they would not outweigh the great weight that I attach to the harm I have found. Accordingly, the proposal would be contrary to the requirements of the Act, the Framework and Policy BE19 of the UDP in so far as they relate to this main issue. These say, amongst other things, that proposals for internal or external alterations which would affect the special interest of a Listed Building will be expected to preserve the character and appearance of the building and, where appropriate, to preserve or repair original details and features of interest.

Other Matters

45. The appellant has made various amendments with a view to finding a solution. However, that is not a matter for my consideration, and I have determined the appeals on the plans before the Council when it made its determinations and on its own merits.

46. I have been referred to the conversion of a Grade II listed building known as Ebenezer Chapel. However, my concerns are not the principle of the conversion but the detailed design of the scheme. In this regard, from the evidence before me the mezzanine floor in the approved Chapel occupied a smaller proportion of the building, being pulled away from the front and side windows in contrast with the scheme before me. As such, the circumstances of that case are not directly comparable to the proposal. I have, in any case, considered the scheme on its own merits.

47. From the evidence before me the Council is unable to demonstrate a Framework compliant supply of housing land. In these circumstances, the presumption in favour of sustainable development as set out in paragraph 11d of the Framework is engaged, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposal. In this instance, after undertaking the heritage balance, the harm to the listed building provides a clear reason for refusing the proposal. As such, the presumption under paragraph 11d of the Framework is not engaged.

Conclusion

48. **Appeal A:** For the reasons given above, the proposal would conflict with the development plan when taken as a whole and I find there to be no material considerations, that would indicate that the appeal decision should be taken other than in accordance with it.

49. Therefore, for the reasons given, I conclude that Appeal A should be dismissed.

50. **Appeal B:** For the reasons given, I conclude that Appeal B should be dismissed.

Mr R Walker

INSPECTOR