



Appeal Decision

Site visit made on 4 February 2025

by Joanna Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th February 2025

Appeal Ref: APP/K0235/W/24/3351327

Methodist Chapel, Bedford Road, Great Barford, Bedford MK44 3JJ

- 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 A Vidler on behalf of Hammer Helping Heroes Charity against the decision of Bedford Borough Council.
 - The application Ref is 24/00347/COU.
 - The development proposed is change of use of place of worship to Use Class E(a).
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Decision

1. The appeal is dismissed.

Applications for costs

2. A costs application was made by Mr A Vidler for Hammer Helping Heroes Charity against Bedford Borough Council. This is the subject of a separate decision.

Preliminary Matters

3. The revised National Planning Policy Framework (NPPF) was published on 12 December 2024. I have not asked the main parties for comments on the revised NPPF as the revisions would not alter the main parties' cases.

Main Issues

4. The main issues in this appeal are a) whether having regard to the development plan and national planning policy there is sufficient justification to resist the proposed development on the grounds of an unacceptable loss of a community facility; and b) the effect of the proposal on highway safety, with particular regard to parking and servicing.

Reasons

a) Community facility

5. Located on Bedford Road's northern side, the site contains a Methodist church. The red brick building is set behind a small open space bounded by low brick walls and railings. The building is considered to be a non-designated heritage asset. It has not been registered as an asset of community value and was granted permission by The Methodist Church to close on 19 June 2022.
6. The proposal would involve the change of use of the place of worship (Class F.1 (f)) to Class E (a) for use for the display or retail sale of goods, other than hot food, principally to visiting members of the public. The proposal would involve only very limited alterations. Chairs and tables would be placed on the small green space outside the building. Use would be made of the existing kitchen.

7. The registered charity Hammer Helping Heroes raises funds for Help for Heroes through raffles, car boot sales, bingo and other events, football cards, and collecting and selling donations, including household items. The site would be used to store and sell donated items and for a café selling cold food and hot and cold drinks. Reference is also made to hire of the meeting hall and building.
8. To support a prosperous rural economy, NPPF paragraph 88 d) states that decisions should enable the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
9. Policy 99 of the Bedford Borough Council Local Plan 2030 (BBCLP) deals with the loss of existing sports and community facilities and requires one of two criteria to be met. Criterion i expects up to date evidence to be provided that demonstrates the facility is surplus to existing and future needs, while criterion ii outlines that the facility is to be relocated and is of a similar scale, equivalent standard, and able to serve the same community. Criterion ii is not relevant as the facility has not and would not be re-located.
10. Policy CF1 of the Great Barford Neighbourhood Plan 2020 – 2030 (made 19 January 2022) (GBNP) confirms that proposals that result in either the loss of or significant harm to a community facility will be strongly resisted, unless it can be clearly demonstrated that its continued use is no longer viable. Evidence is required that the property has been actively marketed, commensurate with its use, at an open market value for a period of at least 12 months.
11. The appellant argues that the proposal is for a community use and community fundraising events. However, the appeal is for change of use from a place of worship to a commercial, business or service use. It is therefore necessary to consider whether the aforementioned policies have been met.
12. No evidence has been submitted to indicate that active marketing has taken place over at least 12 months at an open market value. The Parish Council has highlighted that the chapel had suffered a dwindling congregation over a long period, had become unviable as a cost-effective place of worship, there was no interest in it continuing in its original role, and that it was marketed for a significant time. However, the letter from the St Neots and Huntingdon Methodist Circuit dated 27 April 2023 does not outline the marketing efforts. Marketing has not been appropriately demonstrated and GBNP Policy CF1 is not met.
13. No up to date evidence has been provided that demonstrates the facility is surplus to existing and future needs. Given the absence of marketing, it has not been demonstrated that a community group would not wish to use the building as a community facility. BBCLP Policy 99 criterion I has not been met.
14. There has been discussion about restricting the proposed use to the charity, as if the use was Use Class E (a), the site could be used by a commercial operator. The Planning Practice Guidance¹ asserts that planning permission usually runs with the land and it is rarely appropriate to provide otherwise. There may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who would benefit from the permission.

¹ Paragraph 21a-015-20140306: Is it appropriate to use conditions to limit the benefits of the planning permission to a particular person or group of people?

However, no exceptional need has been put forward and limiting the permission to a charity would not be enforceable and reasonable as there is nothing preventing the control of the charity being transferred to other persons without affecting the charity's legal personality.

15. The proposal might meet the local community use requirements of Use Class F.2 (a)(i) as a shop mostly selling essential goods, including food, to visiting members of the public where the shop's premises are not more than 280m². However, it would fail to meet Use Class F.2 (a)(ii) as there is another such facility within 1000m radius². Additionally, this appeal is for a change of use to Use Class E (a).
16. Attendance at Christian churches has declined both locally and nationally, despite attempts being made to attract new members to congregations. Religious buildings have historically offered scope for ceremony, memorial, peace, meditation, charity and friendship as well as faith. Re-use of such buildings can be beneficial in various ways, including maintaining and building community cohesion and in preserving historic buildings such as the chapel. However, these positive attributes of the proposal would not overcome the absence of evidence outlined above.
17. Local residents consider that the proposal would provide an affordable meeting point for local residents and interest groups as well as a charity shop. I appreciate that the building is not presently in use, the nearby café on Bedford Road has closed, and that the two public houses in the village may not be open during the middle of the week. Local residents view the proposal as an opportunity to regenerate a building and maintain some form of community use. However, my concerns with regard to the lack of evidence are not assuaged.
18. I conclude that having regard to the development plan and national planning policy there is sufficient justification to resist the proposed development on the grounds of an unacceptable loss of a community facility. There would be conflict with BBCLP Policy 99, GBNP Policy CF1 and NPPF paragraph 88 as set out above.

b) Highway safety

19. Formerly a major route between Bedford and the A1, Bedford Road is a main road through Great Barford. There are double yellow lines near the site on both sides of the road, with three on-street parking spaces in front of the site. Beyond the double yellow lines, there are zigzag markings for a nearby pedestrian crossing. Double yellow lines continue around the corners of nearby Silver Street, where there is a car park for a row of retail units, which house a takeaway, a food store, and a vacant unit which was formerly a café/coffee shop. There are also double yellow lines on the corners of Chapel Field. Though there is scope for on-street parking beyond the corners of Silver Street and Chapel Field, parking spaces on both roads are limited by other on-street parking and dropped kerbs for off-street parking. The chapel has no off-street parking or servicing area of its own.
20. NPPF paragraph 113 asserts that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network. NPPF paragraph 115 b) seeks to ensure that safe and suitable access to a site can be achieved for all users, while NPPF paragraph 116 confirms that development should only be prevented or refused on highways grounds if there

² The Village Food Store, Bedford Road and the Great Barford Post Office and Stores, High Street.

would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe taking into account all reasonable future scenarios.

21. BBCLP Policy 29, amongst other things, requires development to integrate functional needs such as car and cycle parking. BBCLP Policy 31 seeks to ensure that new development does not have any significant adverse impact on access to the public highway, including parking provision. The Council has also produced Parking Standards for Sustainable Communities: Design and Good Practice Interim Policy and Supplementary Planning Document (2014) (SPD).
22. The SPD sets maximum parking standards of one space per 18m² and therefore five off-street parking spaces would be expected. The village is within Zone 3 of the parking standards where the maximum amount of parking (90% to 100%) would be required. This is based on accessibility assessed by the Council on a borough-wide basis. This therefore provides a reasonable justification for the use of maximum standards. Normally, the parking standards would expect a space for servicing by an articulated lorry for non-residential floor area of less than 250m². The Council has confirmed that when considering parking standards for changes of use, discretion may be exercised.
23. The proposal would not provide off-street car parking or servicing. No cycle parking is provided but this could be addressed by condition. No parking survey has been submitted. The proposal indicates opening hours of 0900 – 1830 Monday to Saturday and 1000 – 1700 on Sundays and Bank Holidays.
24. I appreciate that my site visit represents a snapshot in time. However, during the site visit, a large lorry had parked on double yellow lines outside the retail units. After the lorry departed, another car pulled up partially onto the pavement and on the double yellow lines to visit the food store. It was necessary for vehicles to slow and move out to pass the parked vehicles. At the same point, a taxi had pulled onto the pavement between the chapel and the zigzag markings of the pedestrian crossing. I cannot be certain how frequently such inappropriate parking occurs.
25. As the proposal would be open seven days a week and would likely attract people passing the site or meeting as part of a group, it is probable that some people visiting the building would travel by car. Given the absence of a parking survey or any reference to trip generation for similar forms of development, it has not been demonstrated that the proposal would not cause harm to highway safety by reason of additional parking which would affect the free flow of traffic.
26. Although the proposal may not require use of an articulated lorry for deliveries, this appeal is for a change of use to a retail use. As such, it is not unreasonable to consider servicing when the change of use is proposed. Certainly, if the site were to be used by a commercial operator, servicing by lorry would be neither unusual nor unlikely. The use of the site by the charity cannot be satisfactorily restricted by personal condition as set out above. As such, in the absence of information on servicing, it has not been demonstrated that the proposed servicing arrangements would prevent negative effects on the free flow of traffic.
27. Both the appellant and local residents have referred to the existing lawful use as a place of worship. It has been asserted that the chapel had up to 90 people attending services and no parking issues occurred. Though unrestricted due to its longevity of use, the use of the building as a place of worship would typically have

involved Sunday services and Sunday School and several activities during the week. The Council suggests that many of the chapel's users would have walked to the services and meetings, given its local nature. The appellant notes that the Council's parking standards for the existing lawful use would be more onerous than those for Class E (a) and that those parking standards could not be met.

28. I am aware of case law³ where the fallback position has to be only more than a merely theoretical prospect. I afford the existing lawful use as a place of worship significant weight as a material consideration. However, the appellant's contention, that the building could be in use mornings and evenings, weekends and weekdays, by different religious groups, for yoga and pilates, creche or nursery, or by various groups and organisations, is extremely unlikely for a building of this size without dedicated car parking. The fallback position, though of significant weight, does not alter my concern that there is insufficient evidence to demonstrate that parking and servicing the proposal would not give rise to harm to highway safety.
29. Local residents consider that the charity shop and café would attract very few visitors from outside the village and would be more attractive to local residents who would arrive at the chapel on foot. Local residents have also suggested that a usage agreement could be sought with the owners of the Silver Street car park. No such agreement is before me for consideration.
30. The Parish Council has asserted that following Bedford Road's de-trunking, removal of parking restrictions could be beneficial in slowing traffic in a residential area, similar to the Council's view about on-street parking on the nearby High Street. Furthermore, the Parish Council highlights that future housing development west of Great Barford will likely involve additional traffic calming measures to Bedford Road. The Parish Council considers that further on-street parking along Bedford Road could benefit both local residents and the chapel's re-use. These changes to parking restrictions and traffic calming measures have not occurred and I have no timescale for their introduction. I have assessed the appeal in light of the current highway environment.
31. I conclude it has not been adequately demonstrated that the proposal would not harm highway safety, with particular regard to parking and servicing. This would conflict with BBCLP Policies 29 and 31, and the SPD set out above.

Conclusion

32. For the reasons given above, the appeal should be dismissed.

Joanna Gilbert

INSPECTOR

³ Schneck v SSHCLG & West Berkshire DC [2022] EWHC 3335 (Admin).