



Appeal Decision

Site visit made on 15 July 2025

by **David Murray** BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2025

Appeal Ref: APP/D3640/W/25/3361608

20 Salisbury Grove, Mytchett, CAMBERLEY, GU16 6BP

- 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 Ms Hazel Timms against the decision of Surrey Heath Borough Council.
 - The application Ref is 24/0857/FFU.
 - The development proposed is a change of use from meeting rooms used in connection with Mytchett Baptist Church (Class F1 (f)) to a one bedroom apartment (Class C3) with associated alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the existing community space is no longer needed or there is no other demand for such facilities in the context of Core Strategy Policy DM14;
 - Whether the apartment proposed would afford reasonable living conditions for the occupiers; and
 - The effect on the Thames Basin Heaths Special Protection Area (TBHSPA).

Reasons

Background

3. The appeal site forms land to the rear of Mytchett Baptist Church and contains a parking area for the church as well as a two-storey building presently used as meeting rooms and ancillary office and toilet on the first floor, and warehouse space on the ground floor. The detached building was erected in 2018 but the appellant says that the parishioners prefer to meet in the main church rooms and the meeting rooms are frequently unoccupied. The proposal is to convert the upper floor to a small residential apartment which could be used to provide accommodation for a new minister within the church property.

Loss of Community Space

4. Core Strategy Policy DM14 indicates that the loss of existing community and cultural facilities will be resisted unless, in summary, the demand for these can be met by alternative facilities, or it is demonstrated that there is no demand for such facilities. This policy is consistent with the guidance in section 8 of the National

Planning Policy Framework (the Framework) which indicates in paragraph 98(c) that planning decisions should guard against the loss of valued services and facilities particularly if it would reduce the community's ability to meet its day-to-day needs.

5. The submitted plans show that the upper floor of the building is laid out as modern meetings rooms which could reasonably be expected to cater for other groups in the community if not needed by the church. However there is no evidence before me to demonstrate that there is no local demand for such a facility.
6. I note that the appellant suggests that the proposed apartment could be used by a new minister, but the application is put forward for a general Class C3 use, i.e. it would be available for anybody to occupy residentially. There is no legal agreement put forward or explicit agreement to an occupancy condition that the residential apartment would be 'tied' to the church to ensure that a separate planning unit would not be established.
7. On the evidence submitted I find that it has not been reasonably established that there is no local demand for this Class F1 (Learning and non-residential institution) use or that it would remain within the overall planning unit as a church with ancillary facilities. As such the proposal would conflict with Core Strategy Policy DM14.

Effect on living conditions

8. Originally the Council took issue with the lack of private amenity space for the occupiers of the proposed residential apartment. The appellant suggests that a revised plan is now proposed which puts forward an area of 50sqm for private amenity space together with a parking area for 4 cars. Although it is not clear from drawing CR3110/2 where the amenity space would be located, the Council is now satisfied that an area of private amenity space could be established and still leave adequate space for parking for the church. I find that this issue could be resolved though the proper submission of amended plans which could be secured by condition if all other parts of the scheme were acceptable.

Effect on Thames Basin Heaths SPA

9. The site of the proposed apartment lies within 400m of the Special Protection Area. Core Strategy Policy CP14B applies and this indicates that new residential development in this area will only be permitted where it is demonstrated that it will not give rise to likely significant adverse effects upon the integrity of the SPA. This could take the form of avoidance or mitigation measures which would need to be secured through a legal agreement.
10. The appellant does not put forward any mitigation but refers to six other developments that are said to have been approved by the Council and are close to the church site. However, the Council's representations address each of these sites and confirm that the proposals did not involve a net increase in residential units. The developments were therefore in accordance with Policy CP14B.
11. The appellant also suggests that the problem associated with additional recreational pressures on the SPA could be overcome by the imposition of a condition which stipulated that 'no animals would be allowed on the site'. However, this is impractical and it would be very difficult to enforce such a

restriction. It would therefore not meet the tests of conditions set out in the Framework.

12. As the proposal stands, no mitigation has been secured to avoid the adverse effects on the SPA and the proposal conflicts with Policy CP14B.

Planning balance

13. On the main issues I have found that the proposed residential apartment use would not accord with Policy DM14 as it has not been demonstrated that there is not a demand locally for the existing community use. Moreover, while it has been shown that provision can be made for the proposed apartment to have adequate amenity space, the additional residential unit proposed would be likely to contribute to significant adverse effects on the integrity of the TBASPA without securing appropriate mitigation. The proposal therefore conflicts with the relevant provisions of the development plan as set out above.
14. This has to be balanced with other considerations. I have taken account of the appellant's desire to provide residential accommodation for a new minister. However, this has not been well defined in the formal proposal for a general residential use and without this I am not satisfied that conditions could reasonably be imposed to restrict the occupancy of the apartment. I am therefore not able to place great weight on this aspect.
15. Overall I find that the other considerations put forward do not outweigh the conflict with the development plan and this indicates that the appeal should not be allowed.

Conclusion

16. For the reasons given above I conclude that the appeal should be dismissed.

David Murray

INSPECTOR