

MC/16/3980

Date Received: 27 September, 2016

Location: Rainham Methodist Church, Station Road, Rainham, Gillingham, ME8 7PR

Proposal: Change of use from church (Class D1 use) to residential (Class C3 use) to accommodate 09 flats (3 x 1 bedroom and 6x 2 bedrooms) involving roof light windows on the northern elevation, provision of 10 on site parking spaces and provision for cycle and refuse storage buildings.

Applicant: Mr Coveney

Agent: Mr Edwards Edwards Planning Consultancy 83 Clock House Road Beckenham BR3 4JU

Ward Rainham North

Case Officer Majid Harouni

Contact Number 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 10 May 2017.**

**Recommendation: Approval subject to:**

A. The submission of a Unilateral Undertaking to secure £2012.22 (£223.58 per new dwelling) towards Designated Habitats Mitigation.

B. And the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

04 Rev A10 Rev B, 11 Rev B, 12 Rev B, 13 Rev A, 14, Rev A, 15 , 16 Rev B received on 10/10/2016 and 27/03/2017.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development shall not commence until full details of the external joinery to be used in the conversion of the building hereby permitted have been submitted at scale 1:20 to and approved in writing by the Local Planning Authority and the development shall be constructed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development.

- 4 The refuse and bicycle storage facilities as shown on drawing 10 Rev B received on 27/03/17 shall be provided prior to the first occupation of any of the units hereby permitted. The refuse and bicycle storage facilities shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and bicycle storage in accordance with Policies T4 and BNE2 of the Medway Local Plan 2003.

- 5 With the exception to the second bedroom windows of flat No. 9 and the most westerly window of the second bedroom of flat No. 6, all other first floor windows on the northern flank elevation of the building shall be obscure glass, and the roof lights/windows shall have a cill height of no less than 1.7 metres above the internal finished floor level of the room it serves. This work shall be carried out and completed before the flats are occupied and shall be retained at all times thereafter.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking of adjoining property, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 6 The development hereby approved shall be carried out in accordance with recommendation and mitigation measures proposed in the Desk Study undertaken by Lustre Consulting dated October 2016 and submitted in support of the development hereby approved. The recommended asbestos survey shall be carried out prior to the commencement of the building work to convert the building to flats. The result of the survey and any mitigation recommendations shall be submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of residential amenities and in compliance with policy BNE2 of the local plan.

- 7 The flats hereby permitted shall not be occupied, until the area shown on the submitted layout as vehicle parking space drawing 10 Rev B received 27/03/17 has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking area.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T13 of the local plan.

- 8 All the plaques on the southern flank elevation of the building shall be retained in situ and shall not be removed or relocated without approval in writing of the Local Planning Authority.

Reason: To preserve the historical identity of the building that adds to its significance as a non-designated heritage asset and in compliance with NPPF.

- 9 The development shall not commence until full details of mechanical ventilation, flues, soil, vent or other pipes to be installed including location, dimensions, colour, material and method of fixing have been submitted to and approved in writing by the Local Planning Authority and the works thereafter shall be carried out in accordance with the approved details and maintained as such thereafter:

Reason: To preserve the historical identity of the building that adds to its significance as a non-designated heritage asset and in compliance with NPPF.

- 10 No flat shall be occupied until the details of the bicycle storage facility has been submitted to and approved in writing by the local planning authority. The structure shall be provided in accordance with the approved plan and thereafter be retained solely for that purpose.

Reason: In the interest of amenities of the future residents and in compliance with policy T4 of the local plan.

- 11 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage surface water during and post construction and for the lifetime of the development.

**For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.**

## **Proposal**

Change of use from church (Class D1 use) to residential (Class C3 use) to accommodate 9 flats (3 x 1 bedroom and 6 x 2 bedrooms) involving roof light windows on the northern elevation, provision of 10 on-site car parking spaces and provision for a cycle and refuse storage buildings.

## **Site Area/Density**

Site Area: 0.885 hectares (1/4.5 acres)

Site Density: 101 dph (40 dpa)

## **Relevant Planning History**

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|-------------------|--|
| <b>GL/73/115F</b> | New entrance lobby and alterations to elevation of church.<br><b>Decision</b> Approval with Conditions<br><b>Decided</b> 09/01/1987  |
| <b>GL/73/115D</b> | Permission to increase number of children attending playgroups from 20 to 40 sessions.<br><b>Decision</b> Approval with Conditions<br><b>Decided</b> 28/04/1983  |
| <b>GL/73/115C</b> | Demolish existing single kitchen classroom and toilets and replace with 2 classrooms, kitchen and toilets.<br><b>Decision</b> Approval with Conditions<br><b>Decided</b> 23/07/1982  |
| <b>GL/73/115B</b> | Change of use from Church Hall and play group use for 20 children ages 2-5 years, Mondays to Fridays 0815 to 1300 during school terms only. Accommodation to be used: hall at rear of Church, toilets and kitchen (as amended by applicant's letter of the 6/4/76).<br><b>Decision</b> Approval with Conditions<br><b>Decided</b> 22/04/1976 |

## **Representations**

The application has been advertised on site in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties.

With respect to the initial scheme 33 letters were received objecting to the application for the following reasons:-

- Harm will result to the appearance of the building.
- Harm to the highway safety and amenities of the local residents due to inadequate on-site car parking.

- Recent development of Johnson's shop has added to the parking problems.
- Noise and disturbance from lorries coming to the site.
- Noise during the construction of period.
- Overdevelopment of the site due to the number of dwellings proposed.
- Pressure on the existing old and inadequate drains and sewerage system.
- Loss of trees and shrubs will impact on the local wildlife.
- Church membership might have declined but others used the building regularly.

Following submission of the revised drawing in March 2017 and re-consultation, 24 letters of representation have been received raising the following objection:-

- The changes to the building since the first submission are cosmetic.
- Inadequate on-site car parking provision. There should be 2 parking spaces per flat plus more for visitors.
- Future residents will get residents parking permit and park on the already congested road.
- Nine flats are still too many.
- Part of Wakeley Road is too narrow and can not cope with lorries.
- Drains are old and sewerage problem is not addressed.

The applicant has provided the following supporting information to demonstrate that the change of use of the Church building would not “reduce the community’s ability to meet its day-to-day needs”:-

- Prior to its closure, the church suffered from very low membership numbers and low average weekly attendances. However, there are other Methodist churches in the area including in Gillingham, Rochester, Hartlip and Newington.
- Available information suggests that the church building was used on an infrequent and limited basis by local groups and organisations.
- There is a wide selection of local halls and similar community facilities as mentioned below in close proximity to the application site;
  - The Oast Community Centre Granary Close, Rainham, Kent, ME8 7SG. This is just 0.1 miles from the application site.
  - Rainham Social Club, 86 Station Rd, Rainham, Gillingham, Kent, ME8 7PJ. This is just 0.1 miles from the application site.
  - St Margaret’s Millennium Centre, Gatekeeper Chase, Rainham, Gillingham ME8 9BH. This is just 0.5 miles from the application site.
  - United Services Social Club 171 High Street, Gillingham. This is just 0.6 miles away from the application site.

Many of the above venues offer more modern and extensive facilities than the application site and most of the groups that used the application building have moved to some of the above-mentioned community facilities.

## **Environmental Protection Officer**

No objection but recommend an asbestos survey due to the age of the building and any imported soils used for soft landscaping be certified as suitable for use.

## **Southern Water**

No comments received at the time of writing. Any comment received will be reported to Members on the night by a supplementary agenda.

## **Southern Gas**

No objection

## **Kent Police**

No objection subject to an informative to the applicant/developer to ensure that Crime Prevention issues are addressed effectively.

## **Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2012 and are considered to conform.

## **Planning Appraisal**

### *Background*

Rainham Methodist Church is a large building on the corner of Station Road and Wakeley Road. The building has a single-storey lean-to extension on its northern and eastern elevations. The building is situated in a mixed commercial and residential area and a short walking distance from Rainham Railway Station and town centre. There are limited on-site car parking spaces.

The Rainham Methodist Church is not statutory listed and is not within a Conservation Area, however, due to its special architecture and historic character the building is considered to be of substantial local and public value to the area.

The original scheme as submitted involved substantial alterations and extensions to the building that officers considered to be unsympathetic to the building making it unrecognisable as a church. However, following extensive discussions with the applicant, a revised scheme has been submitted that resulted in the reduction of the number of flats from 12 to 9, removed the inappropriate alterations to the appearance of the building and maintains the building's character and appearance substantially.

The revised proposal would involve the installation of 10 roof lights and a small number of vents and flues on the northern elevation of the building. The aim has been not to alter the exposed and prominent elevations of the building. The proposed roof

lights would sit neatly in the roof plane on the northern elevation. There will be one roof light on the hipped roof of the lean-to extension on the eastern elevation of the building.

The recognisable twin lancet windows that are visible on all elevations of the building will be split into two at a central point to allow for a small opening unit top and bottom to serve ground and first floor rooms. The shape of the window will be retained, through new aluminium slim frames that will keep the integrity of the original windows.

Due to the proposed layout, there would be some first-floor windows on the northern elevation that will need to have clear glass due to the position of the bedrooms. These, however, will be broken up by the frame and opening light and will not have any adverse effect on the elevation.

### *Principle*

The site is within Rainham urban area where Medway Local Plan policy H4 allows for conversion/change of use of existing buildings no longer required for non-residential use provided a clear improvement in the local environment will result. In another word the proposals do not detract from the scale, character and amenity of existing or neighbouring environments and do not exacerbate noise, traffic and parking problems and amenity standards.

The Church building is regarded as providing a community facility and policy CF1 of Medway Local Plan specifically seeks to protect such buildings. The church ceased being used as a church a few years ago. Its use as a community facility also stopped a while back. Furthermore, as the applicant has stated there are a number of other alternative local community facilities in the area, therefore the loss of this building would not prevent the community from performing its day to day function as required by paragraph 70 of NPPF.

Policy S2 of the local plan is also relevant as it encourages development that maintains and improves environmental quality and design standards and a sustainable approach and mix of new development.

In addition, although the building is not listed it is an important local feature that forms part of Rainham local history, it is therefore appropriate to find a suitable use for the building that would ensure its longevity.

The proposed use for residential purpose though the conversion approach is supported by the Council's Conservation Officer and the sensitive approach taken by the applicant (following extensive negotiation and discussion) has culminated in the submission of revised scheme which retains the historic appearance of the building and in turn preserves the character of the area.

It is therefore considered that the loss of the community facility through the proposed conversion to provide residential units is considered to be acceptable. The proposed development would be in compliance with Policies S2, H4 and CF1 of the local plan and paragraph 70 of the NPPF; therefore the principle of the proposed change of use is acceptable.

The acceptability of the application, therefore, rests upon the detail of the scheme, which are considered below.

### *Design and Impact on the area*

The site accommodates an existing church building and associated car parking. Whilst the building is not listed, it is considered to have substantial architectural merit which makes a valuable contribution to the street scene and wider townscape. The building, given the corner location, also forms an important local landmark. As such, it is important to assess the design impact of the proposal on the character and appearance of the streetscene.

The proposal seeks to retain the existing building with internal and external alterations to support its conversion to provide residential units. In terms of the design, the external alterations proposed would involve minimal intervention and as such would maintain the historic character of this part of Rainham, whilst ensuring the building has a viable use which contributes to the character and streetscene of Station Road and Wakeley Road. The proposed alteration to the building is therefore considered to be acceptable.

The notable external changes to the building would be the insertion of rooflights on the northern elevation of the main church building and rooflight to the single-storey lean-to extension on the eastern side of the main building to allow natural lighting into the upper floor living areas of the building.

The proposal involves a total of 10 roof lights, 8 on the main part of the church building and 2 on the single-storey lean-to roof. These roof lights are considered to be commensurate with the accommodation and light needed for rooms within the roof area. Furthermore, efficient conversion of the building will unavoidably require such a number of openings to light the space and allow the creation of a satisfactory living environment for the future residents of these dwellings.

The proposal would utilise the existing main front door facing Station Road as well as other entrance doors on the other elevations of the building. No new external door will be required for the proposed development.

The proposal would involve the replacement of the existing windows with matching openable steel framed slimline windows. The proposed replacement windows are considered to be acceptable and would have no detrimental impact on the character and appearance of the building.

Accordingly, the alterations proposed externally are considered acceptable when balanced against the desire to preserve this church building and secure its longevity as a local landmark for future generations. The proposal therefore complies with the objectives of sustainable development of the NPPF.

As such, the design impact of the proposals is considered to be acceptable and in compliance with Policies BNE1 and H4 of the local plan and paragraphs 56 and 135 of the NPPF.



### *Impact upon adjoining residential amenity*

Policy BNE2 of the local plan requires that all development secure the amenities of its future occupiers and protect the amenities enjoyed by nearby and adjoining properties.

The proposal would involve the provision of residential accommodation on the ground, first and second floor/roof space levels within the building. It is important therefore to assess the potential impact that this would have on the amenity of neighbouring occupiers.

The proposal as already stated would involve the provision of rooflights, and while the existing windows on the building would be utilised with minor alterations. The proposed rooflights would have cill height of 1.7m above the respective room floor level as such this aspect of the proposal would not result in overlooking or adverse impact upon neighbouring amenity. The alteration and replacement of the existing windows would allow better lighting to the rooms they will serve and this is not expected to result in significant levels of overlooking that would be harmful to the living conditions of neighbouring occupiers, when considered in particular to the neighbouring property to the north and east of the application site.

The proposal would have five flats arranged on the ground floor; one of the units (the one to the back of the building within the lean-to extension) will have its second bedroom within the roof level. On the first floor there would be four flats with all having additional bedroom on the second/roof level.

All these flats would be served by existing window openings and new rooflights to the roof slope. Whilst it is considered that the window opening are existing, given the nature of the proposed use and the rooms these windows would serve, there is potential for additional overlooking to the neighbouring properties in particular to the occupiers to the north and east. Given the location of the site within an urban area, this level of overlooking is not uncommon, however as the proposal introduces a new use on the site it is recommended that a condition requiring some of the windows on the north elevation to be fitted with obscure glass would be necessary to minimise the impact of the proposed development on the neighbouring occupiers.

On balance it is considered that, having regard to the position and relationship of the building with the neighbouring properties to the north, south, east and west, the proposed development would not detract from the residential or visual amenity currently enjoyed by the occupiers of these properties. As such, no significant harm will arise from the proposal.

It is also necessary to consider whether adequate habitable space would be provided for the future occupier of the proposed dwelling units in compliance with the Technical housing standards - nationally described space standards March 2015.

The tables below show minimum gross internal floor area expected against the proposed dwellings floor areas.

	Number of bedrooms	Number of bed spaces(person)	Single storey dwellings m2
standard	1b	2p	50
proposed Flats 1, 2 and 3	1b	2p	50

standard	2b	3p	61
proposed Flat 5	2b	3p	68

	Number of bedrooms	Number of bed spaces(person)	Two storey dwellings m2
standard	2b	3p	70
proposed Flats 6, 7, 8 and 9	2b	3p	82, 86, 84 and 77 respectively

standard	2b	4p	70
proposed Flat 4	2b	4p	82

In light of the above, the proposed dwellings also comply with the Technical Housing Standards March 2015, with respect to bedrooms, lounge and kitchen size areas. It is therefore considered that the proposed new dwellings would provide a satisfactory living space for the future occupiers.

Furthermore, the provision of additional homes on the site also adds further public benefits especially in light of the significant shortfall with regard to the Council's 5 year housing supply. It is considered that this is a clear case of balancing the benefits of the development versus limited harm to the amenities of the property to the north.

In summary, it is considered that the proposed accommodation and layout are acceptable and in accordance with the Policies BNE1, BNE2 and H4 of the Local Plan and NPPF.

#### *Parking and highway safety issues*

The development would be served by 10no on-site parking spaces, equal to one car parking space per dwelling unit plus one visitor space. In addition, there is on-site provision for bicycle storage facility. Furthermore, the site is situated within a very short walking distance from Rainham Railway Station, Town Centre, good bus and

taxi services. It is therefore considered that the proposal would not be in conflict with policies T13 and T4 of the local plan.

Moreover, the proposed development in comparison with the previous use of the building as a church would generate significantly less car parking demand and less traffic; as such would have no negative impact on the highway or pedestrian safety and amenities of the local residents. In this respect, the proposal is considered to be in accordance with Policies BNE2 and T13 of the Local Plan and as such is acceptable in highway terms.

### *Refuse Storage*

Refuse/bin storage for the proposed flats would be provided within the rear of the site adjacent to the parking area. This provision is in line with the Council's refuse requirement.

### *Bird Mitigation*

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest.

Natural England has advised that an appropriate tariff of £223.58 per dwelling (excluding legal and monitoring officer costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. The strategic measures are in the process of being developed but are likely to be in accordance with the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014.

The interim tariff stated above should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation), in anticipation of:

- An administrative body being identified to manage the strategic tariff collected by the local authorities;
- A memorandum of understanding or legal agreement between the local authorities and administrative body to underpin the strategic approach;
- Ensure that a delivery mechanism for the agreed SAMM measures is secured and the SAMM strategy is being implemented from the first occupation of the dwellings, proportionate to the level of the housing development.

The applicant has agreed to pay this tariff and has submitted a unilateral undertaking. No objection is therefore raised under Paragraph 118 of the NPPF and Policies S6 and BNE35 of the Local Plan.

## *Ecology*

Adjoining neighbour has expressed concern about the loss of a tree and hedge along the north-east corner of the site. It is important to note that the proposal as amended would not result in the loss of any tree or hedge on the site.

## *Local Finance Considerations*

There are no local finance considerations relevant to this development.

## **Conclusions and Reasons for Approval**

On balance, the proposal will bring a vacant (former church) building and its ground into good use and help to retain this important building that has been a local landmark and part of its history for many years. The proposal would put the building to a use that will secure its long-term protection and provide much needed new housing.

The proposal as amended represent a sympathetic conversion with minimum external changes to the appearance of this valued landmark building without causing harm to the amenity of the occupiers of the adjoining properties. The proposed development has, in terms of its impact on the street scene, the character of the area, design and layout, responded to the concerns raised by the officers and local residents. The proposed flatted dwellings are therefore considered acceptable having regard to the daylight, sunlight and outlook of the future residents and the adjoining properties. Matters relating to materials and fenestration issues are dealt with by appropriate planning conditions.

The proposed development is considered to be in accordance with the Framework and the Local Plan Policies S2, BNE1, BNE2, H4, T1, T4 and T13 of Medway Local Plan, and is therefore recommended for approval.

*The application would normally fall under officer delegated powers for determination but is being reported to Committee due to the number of representations received expressing a view contrary to the recommendation.*

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## **Background Papers**

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess.medway.gov.uk/online-applications/>