

## PLANNING COMMITTEE – 26 MARCH 2019

<b>Application No:</b>	<b>18/01902/FUL</b>	
<b>Proposal:</b>	<b>Change of use to a glassblowing studio with internal alterations.</b>	
<b>Location:</b>	<b>St Nicholas's Church, Newark Rd, Hockerton, Nottinghamshire</b>	
<b>Applicant:</b>	<b>Miss Ingrid Pears</b>	
<b>Registered:</b>	<b>08.11.2018</b>	<b>Target Date: 03.01.2019</b>

**This application is before the Planning Committee for determination given that the professional officer recommendation differs from the views of the Highways Authority. In any event, given the difficult balance that needs to be struck between safeguarding the longevity of a Grade II\* listed building and the highway impacts it is considered appropriate for the Committee to determine this scheme regardless of the recommendation.**

### The Site

The site is located within the main built up area of Hockerton and accommodates the former St Nicholas's church, a Grade II\* listed building set in grounds limited to the existing church yard. There is no parking area around the church and the site only comprises of the building and graveyard.

To the north is The Old Rectory with Manor Farm, Rectory Barn and the recent development of other residential properties to the south and west.

Church Lane is located to the west of the site which serves the new residential development at Manor Farm and where access is gained to the Church. This is a no-through road.

The site is raised from Church Lane by approximately 1.5m and is therefore significantly elevated from the surrounding area. The boundary is defined by a traditional red brick boundary retaining wall which links the site round to the A617.

### Relevant Planning History

18/01903/LBC - Internal alterations to include creating a mezzanine office, spiral staircase, and disabled toilet – Pending consideration.

### The Proposal

The application is for a change of use to a glass blowing studio, with internal alterations. The proposals include external works to the fabric of the building, internal works including the provision of an enhanced electrical power cable, potable water, internet and means of foul water disposal. The proposal is for the building to be used and visited by patrons and artisans in connection with glass blowing to work on commissions, educate and to allow observing of the

glass blowing by the public. The provision of a toilet, kitchen and office would be provided in the tower and adjacent area in the north-west of the nave. The glass blowing and work areas would be located in the chancel. The vertical tower space would be divided vertically by forming a mezzanine level with an office above for the sole use of the proprietor with a services/utility area below containing some storage. A spiral staircase would facilitate access to the mezzanine.

The following has been submitted with the application:

Location Plan  
Site Plan 1:100  
Mezzanine Office Details 1:20  
Floor Plan Sections 1:50  
Site Plan 1:100  
Stove and Flue Pipe Details  
Photographs  
Structural Engineers Report  
Schedule of Works  
Explanatory Note Mission and Pastoral Measure 2011  
Heritage Impact Assessment  
Design and Access Statement

#### Departure/Public Advertisement Procedure

Occupiers of eight properties have been individually notified by letter, a site notice posted and a press notice published.

#### **Planning Policy Framework**

##### **The Development Plan**

##### **Newark and Sherwood Core Strategy DPD (adopted March 2019)**

Spatial Policy 1 Settlement Hierarchy  
Spatial Policy 3 Rural Areas  
Spatial Policy 7 Sustainable Transport  
Spatial Policy 8 Protecting & Promoting Leisure & Community Facilities  
Core Policy 6 Shaping Our Employment Profile  
Core Policy 7 Tourism Development  
Core Policy 9 Sustainable Design  
Core Policy 14 Historic Environment

##### **Allocations & Development Management DPD (adopted July 2013)**

Policy DM5 Design  
Policy DM9 Protecting and Enhancing the Historic Environment  
Policy DM12 Presumption in Favour of Sustainable Development

#### **Other Material Planning Considerations**

- National Planning Policy Framework 2019
- Planning Practice Guidance 2014

## Consultations

**Hockerton Parish Council:** No comments received

**Historic England:** The medieval Church of St Nicholas, Hockerton is listed at Grade II\* placing it within approximately the top 8% of listed buildings in the country. It has phases of building from the C12, C13 and C14 and was restored in 1876 by Hodgson Fowler. The church consists of tower, aisleless nave and chancel and has a small south porch. Various interior fixtures, fittings and furniture survive including the font, pews - some of which have C16 bench ends, and memorial plaques dating from the C18. The church has since ceased use as a place of worship and has been redundant since 2014.

The proposal is for the change of use and conversion of the church to a glass-blowing studio. The conversion entails the horizontal sub-division of the tower along with the insertion of a mezzanine floor. A utilities area is proposed in the base of the tower; with the insertion of a pod containing a WC on the northeast return wall of the tower. The mezzanine will accommodate a small office area that will be accessed via a proposed spiral stair. The actual glass studio space is proposed in the chancel, where installation of a free-standing wood-burning stove is also proposed.

We believe that the proposed new use of the building as a glass studio would be compatible with its form and fabric, and is a use that is consistent with its conservation. We therefore have no objection in principle to this proposal. We note that the proposed scheme seeks to preserve much of the historic plan-form and spatial qualities of the church, and making efficient use of the tower seems a sensible and logical approach. However, we have some concerns and wish to suggest some revisions that we believe would help to further reduce the impact to significance of the heritage asset.

If the proposed WC was instead to be inserted into the base of the tower, and a more low-key utilities area - by way of discrete, free-standing units placed along the north wall that read as pieces of ecclesiastical furniture, with sink/ draining board that could be concealed beneath a neat fold-down worktop when not in use, the overall visual impact would be significantly reduced. This is the usual approach that we have taken with churches that have proposed similar schemes of reordering, and one that we have found to be successful in both heritage and operational terms. Also, the spiral stair could be moved further into the nave, which would allow some 'breathing space' between the stair and the wall and window.

**NSDC Conservation:** St Nicholas' Church is a Grade II\* listed building. To the northeast is the associated former rectory, a non-designated heritage asset. In the wider area, Bank Cottages to the north are Grade II listed, and Manor Farmhouse and associated former barns to the south are all Grade II listed.

The church appears has been formally closed and no longer in ecclesiastical use. As such, the building no longer benefits from ecclesiastic exemption from listed building control.

Conservation provided pre-application advice on this proposal in 2017 (ref PREAPP/00236/17). The proposal submitted is consistent with those discussions.

### Significance of heritage asset(s)

The Church of St Nicholas was designated in August 1961. The list entry advises: "Parish church. C12, C13, C14, restored 1876 by Hodgson Fowler. Ashlar. Plain tile roofs with decorative ridge.

Chancel, nave and porch with coped gables and single decorative ridge crosses. Tower, nave, south porch and chancel. Embattled diagonally buttressed tower of 2 stages with bands, upper stage C14, set on a chamfered plinth with moulded band over. Single worn gargoyle on each side. West side has a moulded arched doorway with hood mould and decorative label stops. Above is a single restored C14 arched 3 light window with cusped panel tracery, hood mould and human head label stops. Above is a single small blocked trefoil arched opening. There are 4 arched C14 bell chamber openings each with 2 arched and cusped lights. The west side has a single and the south side 2 rectangular lights. The north nave is set on a shallow chamfered plinth, the western most side with a moulded band continuing from the tower. Blocked moulded arched doorway with hood mould and label stops. Above and to the right is a single pointed arched light. To the left is a single C14 3 light window with arched and cusped lights under a flat arch with hood mould and human head label stops. The chancel is set on a chamfered plinth and has in the north wall a blocked arched doorway with hood mould and to the left a single C14 window with 3 arched and cusped lights under a flat arch. The east chancel has a single C14 window with 3 arched and cusped lights, mouchettes, flat arch, hood mould and label stops over is a flush relieving arch. To the right is a carved C14 grotesque head. The buttressed south chancel has a single restored window with 3 arched and cusped lights and tracery under a flat arch. The dressed coursed rubble south nave is set on a low ashlar plinth and is buttressed to the right. Single restored C14 window with 3 arched and cusped lights, tracery and flat arch. To the left is a single small chamfered arched C12 light. The porch is set on a chamfered plinth and has an arched entrance with hood mould and impost bands. The side walls each have single small arched lights. Inner Caernarvon arched doorway with stoup in the east wall and decorative wooden bench end inscribed "O M 1599". To the left of the porch is a single C13 lancet with hood mould. Interior. Double chamfered tower arch, chamfering to arch only. Unmoulded C12 chancel arch. The south chancel has an arched recess with hood mould and label stops, and inner worn decoratively carved C14 niche, probably the remains of an Easter Sepulchre. Restored C16 alms box. Some bench ends C16 decorated with carved indents with C19 replicas, font and remaining furniture C19. In the north chancel is an oval marble plaque to John Augustine Finch, 1780. The memorial to John Whetham, 1781, has an oval inscription plaque with fluted brackets supporting an entablature surmounted by a decorative urn with shroud draped over. The apron has a decorative shield. In the tower is a board detailing "Donation To The Poor of Hockerton" dated 1832." The building fabric dates principally from the 12th to the 15th century with some later alterations and phases (notably Fowler's restoration in 1876). The majority of the medieval fabric remains throughout. The chancel arch and south wall of the nave appear to be at least 12th century, whilst the tower is 14th with 15th century alterations. The churchyard is rectangular in shape with the church offset into the north-west corner. There are burials on all sides except the north where the boundary of the former rectory abounds the Church. Unsurprisingly, the potential for the survival of below-ground archaeology in the churchyard is considered to be high. Similarly, the potential for medieval and post-medieval interest below ground within the building interior is high to very high, and the stratigraphy is likely to be punctuated by burials.

#### Condition of building

The building is identified on the national heritage at risk Register (Historic England): "The church is in very bad condition. Previous historic movement is evident to the stonework, and it is possible this is still ongoing. Rainwater goods are defective and choked with vegetation and detritus. There are numerous slipped and missing slates to pitched roofs and some ridge tiles are loose. Mature trees in close proximity to the north elevations have branches brushing against roof coverings." The County Council Heritage Team has also surveyed the building and have noted: "Guttering damaged in all locations and full of vegetation. East chancel wall severe subsidence crack. West door - stone eroded. Vegetation growing from buttress on S. side of nave. S porch gutter failed

and causing deterioration of stone on west side of porch. Very overgrown to the north side of the church causing shade, walls here covered in algae and ivy. Moss to north inside of chancel roof. In a very sorry looking state.”

### Assessment of proposals

The proposal seeks to change the use of the Church to a glass-blowing studio with various associated works. Alterations to the interior of the building include a mezzanine floor running into the tower with a spiral staircase, window screens, new toilet facilities, kitchen/office area, seating area and glass blowing workshop space. Additional basic works also include utility, plumbing and electrical improvements. Externally, renovations to the existing steps are planned, along with significant restoration works to the building fabric and the installation of flues associated with the change of use.

We consider the change of use to be compatible with the fabric of the listed church. The internal works have been well-considered and broadly sustain the open qualities of the plan-form. The interventions are not unduly prominent and the legibility of the church is retained. The new use will help sustain the long-term future of the listed building. The repairs to the building fabric are welcomed, and we concur with the strategies proposed to address masonry defects and fabric maintenance.

Overall, we are content with the details submitted, and consider that the proposed alterations and change of use will cause no harm to the special interest of the listed building. The proposal causes no harm to any other heritage assets. The proposal therefore accords with the objective of preservation required under sections 16 and 66 of the Act, as well as heritage policies contained within the Council’s LDF DPDs and section 16 of the NPPF.

If approved, in accordance with the expert archaeological advice from Louise Jennings, a scheme for historic building recording should be agreed in addition to the Written Scheme of Investigation. An updated schedule of works which reflects the WSI, as well as general repairs and renovations, should also be agreed on the listed building consent only prior to commencement to ensure that the precise extent, method and specification of works to the listed building is clear (some of the assumptions made in the proposal are based upon visual inspection and may require refinement as the project evolves). In addition, further details of the window screens and external flue (including finish preference for black metal) should be agreed. Any other external accretions (if applicable) should also be agreed.

**Access and Equalities Officer:** It is recommended that the developer’s attention is drawn to Approved Document M and K of the Building Regulations, which are available online. Inclusive access to, into and around the proposal should be considered together with available facilities designed so as to be equally convenient to access and use.

It is recommended that the developer be advised to make separate enquiry regarding Building Regulations requirements and be mindful of the provisions of the Equality Act.

**Environmental Health:** No objections

**LCC Archaeology:** Any alterations and groundworks associated with this development are likely to disturb historic fabric and archaeological remains. I recommend that the building undergo historic building recording to record the present layout of the church before alterations are made. In addition, a scheme of monitoring and recording should be undertaken on all groundworks.

Recommend prior to any groundworks the developer should be required to commission a Scheme of Archaeological Works (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook (2016)) in accordance with a written scheme of investigation submitted to and approved in writing by the local planning authority. This should be secured by an appropriate condition to enable heritage assets within the site to be recorded prior to their destruction. Initially I envisage that this would involve monitoring of all groundworks, with the ability to stop and fully record archaeological features, and recording of the building prior to alteration.

'Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.' Policy 199 National Planning Policy Framework (2018)'. A brief will be produced by this department which will lay out the details above, and the specification for the work should be approved by this department prior to the commencement of works. Please ask the developer to contact this office for further details.

**NCC Highways: 27.02.2019 – Object:**

'It is understood there are no specific visitor times for this facility and the number of visitors at one time cannot be confirmed. Also, as stated in my previous comments, there is no parking provision for employees or visitors.

The concern is that this proposal could result in considerable on street parking in the vicinity of the church. Therefore, it is recommended that this application be refused for the following reason:

The proposed development fails to make adequate provision for the parking of vehicles within the site curtilage resulting in an increase in the likelihood of danger to other users of the highway due to the likelihood of vehicles being parked on the public highway, to the detriment of highway safety.'

**Previous comments** received on 17.12.2019 'This proposal is for the change of use of the former church building to a glassblowing studio. The information submitted states the proposed studio will be used for demonstrations, educational purposes and visits from tourists. The application form indicates that 2 full time and 3 part time employees are proposed.

The concern is that there are no parking facilities provided for this use for either employees or visitors. Could more information be submitted i.e. is this use a seasonal use and/or only open specific days at specific hours, and the maximum number of visitors that can be accommodated at one time.'

**Two letters of representations have been received from local residents or other interested parties objecting on the following grounds;**

- not clear as the nature of business operations,
- no indication of opening hours,
- new flue so EIA needed due to commercial nature,
- no parking provision,
- unsuitability and detrimental impact on Church Lane,
- previous church use had a car park which has now been built on with 8 houses, also using

- Church Lane;
- no turning,
  - no room for emergency vehicles
  - no contact from applicant with local community.

### Comments of the Business Manager

#### Principle of Development

The policy context is as follows. Policy SP3 supports local services in rural communities and supports tourism and rural diversification. Policy SP8 supports the provision of enhanced community/leisure facilities and states that the loss of facilities will not be supported unless it is demonstrated the continued use is not feasible and sufficient alternative provision has been made elsewhere. Policy CP6 supports the provision of new employment and encourages tourist development. Policy CP7 supports tourism and visitor-based development where appropriate to the settlement and includes supporting the re-use of buildings.

The proposal comprises the change of use of the building from a place of worship to a glass blowing studio. The church was closed to public worship in 2014 as the congregation numbered dwindled to three and remained at this for some time. The community of Hockerton were unable to raise monies for essential repairs and funding bids for grants were unsuccessful. This closure followed the Church Commissioners and the Deanery concluding in 2009 that keeping the church open for worship was unsustainable. It was noted in making this decision that Kirklington St Swithin and Winkburn St John of Jerusalem churches are located within 0.5 and 2 miles respectively to provide sufficient alternative provision for worship in the area. The building as a place of worship has therefore been deconsecrated and no longer benefits from ecclesiastical exemption for repairs and renovations and as such listed building consent is required for such works. An associated listed building application is currently being considered alongside this full planning application.

From the information provided it has been established that the church was no longer required and has been closed since 2014 with nearby churches offering alternative places for worship. I am therefore satisfied that the continued use as a church is no longer feasible that and there are sufficient provision elsewhere in accordance with SP8.

The applicant proposes to use the site as her studio to work on commissions and larger projects away from her main studio at Thoresby Hall Courtyard. However due to the nature of her work, visitors would still be welcome to the site and these would be encouraged by appointment mainly or at designated periods. The proposed use would generate new employment of 2 full time and 3 part time employees as well as sporadic visitors. It would also seek to bring back in to use a Grade II\* Listed building which is currently on the Heritage at Risk Register and is susceptible to further degrading in condition should a suitable use not be found.

It is considered that the principle of conversion with regard to its location and the use of building can be supported and complies with the policies stated above. Nonetheless the local planning authority should have due regard to other material considerations which are outlined in the following sections.

## Impact on heritage assets and design

Policy DM5 of the ADMDPD refers to the visual impact of development and the need to reinforce local distinctiveness. Policy CP9 of the Core Strategy seeks to achieve a high standard of design. CP14 seeks to secure the continued conservation and enhancement to the districts heritage assets which are mirrored by Policy DM9. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. It also states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they are enjoyed for their contribution to the quality of life of existing and future generations.

The NPPF in paragraph 192 states that in determining applications, LPAs should take in to account three considerations, one of which is the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 193 of the same document states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The proposals would have little impact on the external appearance of the building other than implementing a schedule of works to sympathetically upgrade the building and to carry out necessary repairs. The proposal seeks to re-use the building which would secure the long-term use of the historic building and would include appropriate works to repair and safeguard the building. The specific details of the conversion, beyond repairs, are limited to internal works which are assessed more fully in the associated listed building application (18/01903/LBC).

As can be seen from the consultation section above, Historic England has suggested that they have some concerns and that the internal alternations could be done differently to further reduce the impact on the heritage asset and have helpfully made some suggestions as to how this could be done. Whilst these concerns are noted, the Council's Conservation Officer does not share the same concerns. They concur that the use would be compatible with the fabric of the building but that the internal layout has been well-considered and broadly sustain the open qualities of the plan-form. The interventions are not unduly prominent and the legibility of the church is retained. Therefore in considering the impact of the development it is necessary to weigh up the harm) if any id identified) caused by the proposed alterations against the benefits the scheme will deliver.

The building is a vacant former church which is on the heritage at risk register and is Grade II\* listed. There is no dispute that the proposed use will work within the existing fabric of the building however the alterations requested by Historic England I consider, are not fundamental to the acceptability of the application. I agree with the Council's Conservation Officer in that the proposal causes no harm to the significance of the Listed Building and the alterations suggested by Historic England would only seek to undertake the matters in a different way rather than negate any harm. Having put these suggested alterations to the applicant they are equally reluctant to make them as they do not consider it necessary. Historic England have not stated that without such alterations the proposal would cause harm in any way just that the "overall visual impact would be reduced". I therefore consider that in balancing the impact of the proposal, it is acceptable.

I therefore consider that the proposal would result in no harm upon the significance of the listed building and would have no detrimental impact upon the special architectural or historical interest



of the building. The proposal would therefore accord with Core Policy 14 of the Core Strategy and policy DM9 of the ADMDPD as well as the NPPF (2019).

The design of the external elevations of the building would be largely unchanged albeit apart from a new flue on the north elevation. The building requires some repair to which a report has been submitted however these would benefit the longevity of the building and would not prejudice the visual amenity of the building or the resulting design. As such I consider that the resulting appearance of the building would reinforce local distinctiveness and would accord with policy DM5 of the ADMDPD.

#### Impact on Neighbouring Amenity

Policy DM5 refers to residential amenity and states that proposals should have regard to their impact on the amenity or operation of surrounding land uses and where necessary mitigate for any detrimental impact. CP9 also require uses to remain compatible.

When considering the impact of the proposed use it is pertinent to note that the historic use of the building as a place of worship would have led to a number of visitors to the premises for weddings, funerals, christenings etc.; at times more frequent than are likely to visit the glass blowing business.

The site shares an existing vehicular access as do other residential properties on Church Lane. However the church is relatively separated from neighbouring properties and the proposed use would be confined to inside the building. The only likely noise generation would be limited noise from visitors arriving/leaving but this would not be at a harmful level and is unlikely to be excessive and frequent.

It is noted that comments have been received with regard to the presence of a flue and the likely impact from such an activity. Having consulted with the Council's Environmental Health Officer they raise no objections to the proposal. I therefore do not consider the proposal to cause a detrimental impact upon neighbour amenity from the activity proposed.

As such, it is considered the proposed use is compatible with its surroundings in terms of safeguarding the residential amenities of neighbouring properties and complies with policy DM5 and CP9 of the Development Plan.

#### Parking and Impacts on Highway Safety

Policy SP7 seeks to ensure development does not create new or exacerbate any existing on street parking and Policy DM5 states parking provision should be appropriate and adequate access provided. The NPPF (2019) states the development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109). In addition the NPPF states that applications should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles (paragraph 110).

The applicant has stated that the use would provide for 2 full time employees and 3 part time employees as well as generating visitors to the site as is the case at the applicant's other operation at Thoresby Hall Courtyard.

The proposal therefore has potential to generate some traffic and demand for parking. The site, due to the confined nature of the boundaries, does not have any parking provision and due to the small scale of the site, it does not have the ability to provide any parking. The access from Church Lane is also mainly limited to a single track with little space either side to accommodate parking which would not conflict with other users. Nottinghamshire County Council Highways have raised an objection on this basis and state that the concern is with no parking facilities there is likelihood that considerable on-street parking would be dispersed to the surrounding area which includes the A617, and would pose a danger to other users of the highway.

Conversely having taken this information on board it is also pertinent to mention that the previous use as a place of worship would at times, have generated a greater level of traffic and parking than the proposed use. Nonetheless this is a new visitor use which is being considered by the local planning authority with no guarantee on the number of visitors expected due to the nature of the facility. In addition with no designated places to park, it is likely that they would have to park on the highway which would potentially mean the unrestricted A617. In this regard the proposal would fail to accord with Spatial Policy 7 of the Core Strategy and Policy DM5 of the ADMDPD.

Members should also be aware that should this application not be successful, it could open up as a place of worship again or other such use falling within Use Class D1 (non-residential institution) which includes a day nursery, church hall, art gallery, under permitted development through the Use Classes Order, with no input or restriction from the local planning authority and indeed no parking provision.

It is accepted that due to the lack of parking provision and the lack of the ability to provide any parking within the site, the use could lead to an increase in the demand for parking in the area which would lead to on street parking which would be to the detriment of highway safety. However the use proposed is one of the least impactful uses that such a building could reasonably expect to secure, with two full time employees and 3 part time employees (presumably not all on site at the same time on a regular basis) plus the occasional visitor during the daytime. Conversion to a single dwelling for instance would likely require 3 parking spaces for a building of this size and cars would be parked on the highway during the evenings also. When looking at the realistic fallback position of using the building for other D1 uses which would not need any planning application I find that such uses would likely generate even more highway impacts.

### Overall Balance and Conclusions

This application requires a difficult balance to be struck between perceived highway harm and seeking to ensure the longevity of an important Grade II\* listed building, such that it is considered appropriate for this decision to be made by the Planning Committee. The proposal is indeed finely balanced and it is one which Officers have deliberated over due to the sensitive nature and the implications of any such decision.

In favour of the scheme, the proposal would provide for a compatible use within the fabric of the building and would seek to bring back into use a Grade II\* listed building which is also on the heritage at risk register without significant interventions in terms of external or internal alterations. Benefits also include that repairs would be carried out to the building supported by the Diocesan Office and the Council's own Conservation Officer, bringing the building back in to a viable use, providing employment (albeit limited number) and generating a small-scale visitor attraction which could benefit the local economy and allow members of the public to still enjoy its interior.

On the other hand it is acknowledged that the scheme would result in a potential highway conflict by not being able to provide for any off-street parking. The objection from NCC Highways Authority has not been taken lightly and it is rare for officers to recommend against their views given that highway safety is clearly of paramount importance.

However if determining that the scheme is unacceptable, there are a number of issues that the decision makers (Members in this case) need to take into account. Firstly, unless the church is to be demolished, a viable use needs to be found for the building. It is hard to foresee what use would have a lesser impact than the one proposed. For example uses falling within the same use class as the church (Class D1) would not need planning permission and therefore uses such as an art gallery or children's day nursery for example could be operated without further reference to the LPA. Even a single dwelling would require off-site parking provision for which there is none and would result in cars being parked on the roadside during the daytime and night-time which is also unlikely to be palatable to NCC Highways. Conversion to a dwelling would also likely require far more intervention to the fabric of the building to facilitate such a use. Secondly failure to secure a viable use for this Grade II \*listed building could result in the building having to be demolished for which planning permission is not required under Schedule 2 Part 11 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) subject to certain provisions.

I give great weight to the fallback position of a D1 use operating at the site and consider that this use is one that would have the least harm to highway safety. Taking all of the above matters into account, on a fine and difficult balance I conclude that this should tip the scheme towards an approval.

### **RECOMMENDATION**

Approve subject to the following conditions:

#### Conditions

01

The development hereby permitted shall not begin later than three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

02

The premises shall be used for glass blowing studio as detailed in the application submission and for no other purpose unless agreed through a separate planning application.

Reason: For the avoidance of doubt the use approved is considered to be sui generis (a use of its own) and therefore would need planning permission for any alternative use.

03

The development hereby permitted shall not be carried out except in accordance with the following approved plans, reference:

Location Plan  
Site Plan 1:100  
Mezzanine Office Details 1:20  
Floor Plan Sections 1:50  
Site Plan 1:100

unless otherwise agreed in writing by the local planning authority through the approval of a non-material amendment to the permission.

Reason: So as to define this permission.

04

Prior to any internal groundwork taking place, a Scheme of Archaeological Works (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook (2016)) shall be submitted to and approved in writing by the local planning authority. The agreed scheme shall be implemented in the development.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building.

05

No development shall take place within the building until the applicant or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted and approved in writing by the Local Planning Authority. The programme shall thereafter be carried out in accordance with the approved details, prior to the commencement of development, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

06

No development shall be commenced in respect of the features identified below, until details of the design, specification, fixing and finish in the form of drawings and sections at a scale of not less than 1:10 have been submitted to and approved in writing by the local planning authority. Development shall thereafter be undertaken and retained for the lifetime of the development in accordance with the approved details.

Window screens

Rainwater goods

Extractor vents

Flues

Meter boxes

Airbricks

Soil and vent pipes

Reason: In order to safeguard the special architectural or historical appearance of the building and in the interests of the character and appearance of the area.

#### Notes to Applicant

01

With regard to Condition 5 above, it is envisaged that this would involve monitoring of all groundworks, with the ability to stop and fully record archaeological features, and recording of the building prior to alteration.

02

The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

03

The applicant is advised that all planning permissions granted on or after the 1st December 2011 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at [www.newark-sherwooddc.gov.uk/cil/](http://www.newark-sherwooddc.gov.uk/cil/)

The proposed development has been assessed and it is the Council's view that CIL is not payable on the development given that there is no net additional increase of floorspace as a result of the development.

04

The scheme also requires listed building consent and should be read in conjunction with listed building decision 18/01903/LBC.

#### BACKGROUND PAPERS

Application case file.

For further information, please contact Lynsey Tomlin on ext. 5329

All submission documents relating to this planning application can be found on the following website [www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk).

**Matt Lamb**  
**Director of Growth and Regeneration**

Committee Plan - 18/01902/FUL

