

Change of Use of Chapel at Upper Saxondale

At its meeting on 18 September 2023, the Upper Saxondale Parish Council ('USPC') resolved to **object** to the change of use of the chapel building to Use Class F2, a hall or meeting place for the principal use of the local community, for primary occupation by the 1st Bingham Scouts Group ('Bingham Scouts').

USPC responds to the applicants' Planning and Heritage Statement ('Statement') as follows. For ease of reference we have followed the structure of the Statement.

1.

Para 3.3 of the Statement refers to the letter from Rushcliffe Borough Council ('RBC') on 23 February 1999 (included in Appendix A of the Statement) and notes that RBC 'can see no difficulty in the building be used for other community purposes when not required for religious purposes'. However this is taken somewhat out of context, the full wording is that 'provided the primary use of the chapel is for such [religious] purposes, I can see no difficulty in the building being used for other community purposes....'. Given that religious use is ceasing, the proposed use clearly requires planning consent.

2.

In any event USPC believes that the use of the building as a hall for primary occupation by Bingham Scouts would not be a use which would benefit the local Upper Saxondale community. Upper Saxondale is a discrete community separate from from the surrounding areas of Bingham, Radcliffe-on-Trent and Cropwell Bishop. This has been recognised very recently by RBC in the creation this year of a new separate parish of Upper Saxondale with its own parish council. With regard to the provision of a hall, Upper Saxondale already has a Community Hall. With regard to use by Bingham Scouts, the demographic at Upper Saxondale is such that there are comparatively few young people of scouting age, and it is clear that the vast majority of users of the hall would come from the Bingham area.

3.

In the 1999 letter, RBC also states that it 'would not however wish to see any uses which are likely to cause disturbance to nearby residents'. USPC believes that the activities envisaged by Bingham Scouts, including the inevitable increase in vehicular traffic and the use of outdoor spaces, will cause significant disturbance to nearby residents. We will deal with this in more detail in paragraphs 5 to 9 of this submission.

4.

Para 3.6 of the Statement deals with the search by the Rock Church (the current owner) for alternative users of the building. The Rock Church contacted other organisations in January 2023 to explore this (see the list of consultees in appendix B). USPC was not in existence at that time, however the Rock Church did not contact the Upper Saxondale Residents Association (USRA) as part of that exercise (although it did see fit to contact the with Radcliffe-on-Trent Residents Association). It seems that the Rock Church made no attempt at that time to engage in dialogue with Upper Saxondale residents about the possible uses of the building and how it could meet the needs of their community. The first that the USRA and USPC knew

of the Rock Church's decision to transfer the building to Bingham Scouts was in an email on 21 June 2023 indicating that an application was being made for planning permission to allow use of the building by Bingham Scouts.

5.

Para 4.1 of the Statement refers to Appendix C, which sets out a detailed description by Bingham Scouts of their proposed activities and use of the building. In summary it would be used on Tuesday, Wednesday, Thursday and Friday evenings for scout meetings. It would be the scout headquarters so could be used by the scouts on other days and times and it would also be available for use by other organisations. Outdoor activities would also take place. This use will inevitably create a level of disturbance for local residents. USPC's main concern is in relation to the level of vehicular traffic that these activities will generate.

6.

Looking solely at the use for scout meetings as set out in Appendix C, and ignoring the additional use that will clearly take place, Bingham Scouts are estimating a total of 214 pick-ups and drop-offs during a typical week, including some parking for scout leaders. Given that the great majority of the scouts are from the Bingham area and given that there are no direct public transport links between Bingham and Upper Saxondale, it has to be assumed that these trips will be made by car. The most direct route between Upper Saxondale and Bingham is along Henson Lane, which is regularly used by pedestrians but which has no footpath. Any significant increase in vehicular traffic along Henson Lane is to be regretted, and avoided where possible. This level of traffic will also have an unwelcome impact on pollution levels which again should be avoided where possible.

7.

When the cars arrive in Upper Saxondale, they will need to park to drop off the scouts and similarly park to pick them up. The latter in particular will inevitably mean cars waiting for a while until the scouts have finished their meeting. To take a couple of examples from Appendix C, on a Tuesday evening between 18.30 and 18.45 there will be a total of 30 pick-ups and drop-offs, as well as 7 scout leaders parking. On a Thursday evening between 19.00 and 19.15, and again between 21.15 and 21.30, there will be 28 pick-ups and drop-offs respectively, and 5 scout leaders parking. It should be noted that these numbers are current estimates by Bingham Scouts, who state in Appendix C that they would 'love to expand' their membership.

8.

The chapel building is situated on what is otherwise a residential road, immediately opposite the Venezia restaurant. Upper Saxondale already experiences parking issues associated with the restaurant. There is very limited parking on the restaurant site and there is a considerable amount of pavement parking, frequently on both sides of the road. Even now this means that car drivers have to exercise great care in driving through. If the use by Bingham Scouts goes ahead, as noted above there will be an additional 30 vehicles trying to park, drop-off or pick-up in what is already an extremely congested area. USPC has very real fears not only that this will cause an unacceptable level of disturbance and congestion for residents, but that there will be a significant safety issue. Given the combination of the congestion and of scouts walking to and from the building to the cars, there is a real danger of injury to scouts,

restaurant clientele and residents, and of disputes between drivers as the road becomes blocked.

9.

The road on which the chapel building is situated (Westminster Drive) is a no-through-road so cars leaving the area will either have to attempt to turn round using residents' driveways which would further add to the chaos, or they might aim to double-back using either Shaftesbury Avenue or Berkeley Crescent. Shaftesbury Avenue is already extremely congested with residents' cars parked on both the sides of the road and adding the additional traffic would be unacceptable. The entrance to Berkeley Crescent is opposite an area of Westminster Drive on which residents park their cars. There is no room for two cars to pass so accessing this area and attempting to turn into or out of Berkeley Crescent would be extremely hazardous. The traffic situation is exacerbated by the timings of the scout meetings. These exactly coincide with the busy periods at the Venezia restaurant. They also coincide with times when residents who work outside the area will be returning from work.

10.

If despite our objection RBC approves the application, USPC believe that it is critical that a condition is imposed on the planning consent to the effect that a minimum of 25 additional car-parking spaces should be created by Bingham Scouts to accommodate parking, drop-off and pick-up, and to allow vehicles to turn round and leave safely.

11.

In para 4.4 of the Statement the applicants assert that if the application is granted, the building will be taking on a new community-based use with its future conservation secured. As we have mentioned at paragraph 2 of this submission, USPC does not believe that the use of the building will be a benefit to the Upper Saxondale community in which the building is situated and of which it forms a prominent part. As regards securing the future conservation of the building, we have seen no evidence from the Bingham Scouts that they have the funding to enable them to maintain the building as owners. This is a very significant concern as the maintenance cost is likely to be considerable, so much so that in the letter of 21 August 2023 from their planning consultant, the Rock Church freely admits that the cost of ongoing maintenance of the building is not sustainable for them.

12.

Paras 5.3 and 5.4 of the Statement refer to Policies 1 and 11 of the Rushcliffe Local Plan Part 1 and assert that use of the building by Bingham Scouts will improve social facilities and deliver social and cultural benefits in Upper Saxondale. USPC disagrees. As we have explained in paragraph 2 of this submission, we do not see any benefit to Upper Saxondale from the use of the building by Bingham Scouts and Upper Saxondale already has a Community Hall for use as a social resource.

13.

Para 5.5 of the Statement refers to Policy 12 of the Rushcliffe Local Plan Part 2 and asserts that there is a demand for an alternative community-based use of the building. We struggle to see how the applicants can make this statement when, as mentioned at paragraph 4 of this submission, they did not include Upper Saxondale residents in their consultation in January

2023 about possible uses of the building. To reiterate, there is already a Community Hall at Upper Saxondale which is available for use by local community organisations and is indeed used on this basis.

14.

Para 5.7 of the Statement refers to Policy 1 of the Rushcliffe Local Plan Part 2 and in particular to the criterion that there should be no significant adverse effect upon the residential amenity of adjoining properties, or the surrounding area, by reason of the type and levels of activity on the site, or traffic generated. As we have demonstrated in paragraphs 5 to 9 of this submission, the residential amenity will be significantly adversely affected by the increased level of traffic and other activities associated with the proposed use by Bingham Scouts. The fact that the building has been used as a hospital chapel since 1902 is not relevant as the Upper Saxondale residential development was only commenced in the 1990s. Since the inception of that development and following the transfer of the building by David Wilson Homes to the Wellspring Church in 1999 and the designation of Upper Saxondale as a Conservation Area, the building has in fact been used to only a limited extent and church services have only attracted a small congregation. There has been nothing akin to the level of use being proposed by the applicants.

15.

Paras 5.8 of the Statement refers to Policy 28 of the Rushcliffe Local Plan Part 2 and asserts that the benefits of the proposed use decisively outweigh any harm arising from the proposal. To the contrary, as we have demonstrated above, USPC believes that the benefits for Upper Saxondale are illusory and that the harm is very real.

16.

Paras 5.9 and 5.10 of the Statement refer to Policy 30 of the Rushcliffe Local Plan Part 2 and describe use by Bingham Scouts as 'the next best fit' for the building. As we mentioned in paragraphs 4 and 13 of this submission, we struggle to see that the applicants can make a valid judgement on best fit when they did not include Upper Saxondale in their January 2023 consultation.

17.

Para 5.12 of the Statement refers to the 1995 s106 Agreement, which limits the use of the building to religious and ancillary use. The applicants argue that the proposed use by Bingham Scouts is consistent with this because local organisations will use the building and because it will be a community meeting facility. USPC does not accept this. It is clear that the predominant use of the building will be as the headquarters and meeting place for Bingham Scouts. This use is not aligned with the needs of the local Upper Saxondale community. Nor is there a requirement for a community meeting facility as this already exists in the Upper Saxondale Community Hall.

18.

Section 6.0 of the Statement focuses on the impact of the proposal on the Upper Saxondale Conservation Area. As is acknowledged in paras 6.8 and 6.9, the building is a 'key landmark' in the Conservation Area and its importance 'cannot be overstated'. As para 6.3 notes, 'great weight should be given to the [building's] conservation'. Para 6.10 asserts that the use by

Bingham Scouts will promote the conservation and repair of the building and will lead to further investment into the building. There is absolutely no evidence to support these assertions. As we noted in paragraph 11 of this submission, Bingham Scouts have provided no evidence of funding to show that they are in a position to run and maintain it. Based on our knowledge of the building we believe that the short-, mid- and long-term costs will be significant.

19.

The legal considerations mentioned in paragraph 7.1 of the Statement are not material to this application.

20.

Finally, and to the extent that it is material, please be aware that USPC is prepared to engage constructively with the Rock Church (the current owners of the building) and David Wilson Homes (who hold a right of pre-emption) to try to identify a use for the building that preserves it as a key asset in our Conservation Area and which benefits our community.

Summary

In summary USPC objects to the application on the following grounds:

- Use by Bingham Scouts will not provide any benefit to the Upper Saxondale community, whom the building is designed to serve.
- Upper Saxondale already has a Community Hall.
- The increased traffic, parking, drop-off and pick-up will cause severe congestion and raise very real safety issues.
- The noise occasioned by activities inside and outside the building will cause unacceptable disturbance to local residents.
- There is no evidence that Bingham Scouts are in a position to maintain this highly important conservation asset.
- The criteria set out in the 1999 RBC letter and the 1995 s106 agreement have not been met.

Should RBC grant the application despite our objection, it is critical that a condition is imposed that the applicants create a parking/drop-off/pick-up area for at least 25 cars.

Upper Saxondale Parish Council
26 September 2023