

**The application** is for full planning permission for the demolition of the redundant chapel and the erection of a two storey detached dwelling at St Mary's Church. The site lies within the village envelope of Madeley Heath and in the rural area, as defined on the Local Development Framework Proposals Map.

The application has been called in to be determined by planning committee by two councillors for the reason that the dwelling would be too close to neighbouring properties.

**The 8 week period for the determination of this application expires on the 6<sup>th</sup> February 2014.**

### **RECOMMENDATION**

**Permit subject to conditions relating to the following matters:-**

- 1. Standard time limit condition**
- 2. Approval of facing and roofing materials**
- 3. Approval of boundary treatments**
- 4. Prior approval of waste storage and collection arrangements**
- 5. Prior approval of a landscaping condition**
- 6. Prior approval of a written scheme of archaeological investigation ('the Scheme') shall be submitted to and approved in writing by the LPA. The Scheme shall thereafter be implemented in full in accordance with the approved plans"**
- 7. The development shall not be brought into use until the access and parking area has been provided and retained for the life of the development.**
- 8. The development shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound material for a minimum distance of 5m back from the site boundary**
- 9. The garage indicated on the approved plan shall be fitted a roller shutter type of door which shall be retained for the life of the development.**
- 10. The garage shall be retained for the parking of motor vehicles and cycles. It shall at no time be converted to living accommodation without planning permission first being obtained**
- 11. Should the finished surfacing levels fall towards the public highway then before the proposed development is brought into use the access shall be built with surface water drainage interceptor to be retained in full working order**

### **Reason for Recommendation**

The application is considered to be a sustainable form of development which complies with Policies ASP 6, CSP1, CSP3 and CSP10 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 -2026, Policies T16, H1 and N12 of the Newcastle-under-Lyme Local Plan 2011, and the requirements of the National Planning Policy Framework.

### **Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application**

The Local Planning Authority considers the application to be a sustainable form of development.

### **Policies and Proposals in the approved Development Plan relevant to this decision:-**

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009) (CSS)

Policy SP1	Spatial Principles of Targeted Regeneration
Policy SP3	Spatial Principles of Movement and Access
Policy ASP6	Rural Area Spatial Policy
Policy CSP1	Design Quality
Policy CSP3	Sustainability and Climate Change
Policy CSP4	Natural Assets

Newcastle-under-Lyme Local Plan 2011

Policy H1	Residential development: sustainable location and protection of the countryside
Policy T16	Development: General Parking Requirements
Policy C22:	Protection of Community Facilities
Policy N3	Development and nature conservation – Protection and enhancement measures
Policy N12	Development and the protection of trees

**Other material considerations include:**

National Planning Policy Framework (March 2012)

Supplementary Planning Guidance

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (Nov 2010)  
Space around Dwellings Supplementary Planning Guidance (July 2004)  
Developer Contributions Supplementary Planning Document (October 2007)

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

Circular 11/95 The use of conditions in planning permissions

Relevant Planning History

None considered relevant

Views of Consultees

The **Highway Authority** has no objections subject to conditions relating to

- The development not being brought into use until the access and parking area has been provided and retained for the life of the development;
- The development not being brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound material for a minimum distance of 5m back from the site boundary
- The garage being fitted a roller shutter type of door which shall be retained for the life of the development.
- The garage being retained for the parking of motor vehicles and cycles. It shall at no time be converted to living accommodation without planning permission first being obtained
- The finished surfacing levels if they fall towards the public highway then before the proposed development is brought into use the access shall be built with surface

water drainage interceptor which shall be sited across the access immediately to the rear of the highway boundary, which shall be connected to a surface water outfall and maintained in full operational order for the life of the development.

The **County Archaeologist** indicates that should planning permission be granted for the demolition of the former Primitive Methodist Chapel and taking into account its role in the social and spiritual life of Madeley Heath it is recommended that a building recording survey be carried out

The **Landscape Development Section** has no objection.

The views of the **Environmental Health Division** and **Madeley Parish Council** have been sought. As no comments have been received by due date it is assumed that they have no comments to make.

### Representations

One letter of representation has been received raising concerns about the proximity of the proposed dwelling to the adjoining property and the difficulties that would arise relating to access for maintenance.

### Applicant/agent's submission

Documents submitted as part of the planning application are available for inspection at the Guildhall and at [www.newcastle-staffs.gov.uk/planning/st.maryschurch](http://www.newcastle-staffs.gov.uk/planning/st.maryschurch)

### KEY ISSUES

This is an application for full planning permission for the demolition of the redundant St Mary's Church and the erection of a two storey detached dwelling on Wharf Terrace, Madeley Heath. The site is located within the village envelope of Madeley Heath and within the rural area, as indicated by the Local Development Framework Proposals Map.

The application form states that use of this chapel ceased more than 2 years ago. It states that no trees or hedges would be affected by the proposed development.

The key issues in the determination of this application are considered to be:

- The principle of residential development of the site
- Highway Safety and access issues
- Design and impact on the character of the area
- Impact upon residential amenity
- Loss of a community facility
- Waste and recycling storage and collection arrangements

### The principle of residential development of the site

The site is within the village envelope of Madeley Heath and within the rural area, as identified on the Local Development Framework Proposals Map. The NPPF advises in paragraph 4 that: "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

Policy ASP6 of the Core Strategy recognises and identifies that a maximum of 900 net additional dwellings of high design quality are required and these should primarily be located on sustainable brownfield land within the village envelopes of the key rural services centres to meet identified local requirements.

Madeley Heath is not identified as one of the three largest service centres but is a recognised village with a development boundary and does have basic services, including a school and public houses which are within walking distance of the application site. There are also public playgrounds and open space within the surrounding area. It is also close to Madeley which is one of the three largest service centres and is within walking distance for some residents. Madeley Heath also has a good bus service (D&G route 85) between Crewe and Hanley bus stations which stops at Stoke town centre, Stoke railway station, Newcastle town centre, Keele University, Madeley and Crewe railway station.

The National Planning Policy Framework (NPPF) advises, at paragraph 14, that where the development plan is absent, silent or relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF at a whole. The NPPF indicates that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

There is a presumption in favour of this development, therefore, unless any adverse impacts of the development significantly and demonstrably outweigh the benefits of the development on the supply of housing land. Such impacts are addressed below.

#### Highway safety and access issues

The proposed dwelling would have three bedrooms, and for three bedroom dwellings the Local Plan sets out maximum car parking standards of 2 car parking spaces. The proposal would include an integral garage and a driveway to the front of the dwelling and it is considered that this would meet the car parking standards specified in the Local Plan. The Highway Authority has requested that several conditions be included should the application be permitted, which are set out in their consultation response earlier on in this report.

Overall, the development is considered to be acceptable in terms of highway safety and as such there are no adverse impacts arising, in this regard, which would prevent the granting of planning permission.

#### Design and impact on the character of the area

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

The Urban Design SPD indicates in R14 that “Developments must provide an appropriate balance of variety and consistency, for example by relating groups of buildings to common themes, such as building and/ or eaves lines, rhythms, materials, or any combination of them.”

The surrounding area is characterised by a variety of styles and sizes of residential properties, and as such there is no defined local character. The proposed dwelling would be set back from the road behind a proposed front driveway area. It would broadly line up with the dwellings to the south of the site and the appearance of the dwellings as shown on the proposed plans is considered to be acceptable in this location and would not detract from the

character of the immediate surrounding area. Materials, hard and soft landscaping and boundary treatments can be conditioned to ensure a finish that is in keeping with the surrounding area.

#### Impact upon residential amenity

It is important to assess how a proposed development will impact upon existing residents and proposed occupants of new development, to ensure they benefit from acceptable residential amenity standards.

The proposed rear garden would measure approximately 85 square metres, which is considered an acceptable size. Further the length of the garden would measure just over 10 metres which is broadly compliant with the Space Around Dwellings SPG. It is considered that no loss of privacy or light to principal windows would be caused by the proposed development.

The proposed dwelling replaces an existing building which is approximately 2.5m from the northern, side boundary, and 2.2m from the southern, side boundary. The proposed dwelling is 1m from the northern boundary and 1.2m from southern boundary, however whilst it is closer to the side boundaries than the existing building this will not result in a breach of any guidance within the SPG as neither adjoining properties has side facing principal windows and the side facing windows in the proposed dwelling are not principal windows either. No material impact on residential amenity will arise therefore.

The representation received suggests that the closer proximity of the proposed dwelling will affect the ability to maintain their property. This is a civil matter and is not material to the determination of the planning application although it is noted that the proximity to the boundary that is achieved is similar to that in many new developments.

Overall, the proposed development is considered acceptable in terms of its impact on residential amenity.

#### Loss of a Community Facility

The proposal would involve the loss of St Mary's Church. The application form states that the church has not been in use for over two years. Policy C22 of the Local Plan states that when considering applications for development that would involve the loss of an important community facility, the need for the facility and the likelihood of its being able to be replaced will be a material consideration.

As the church has not been in use for over two years, it is difficult to argue that the loss of the facility would be harmful to the community. Therefore, it is considered that, as the church has not been in use for over two years, the loss of this service would not cause harm to the community.

The building is not listed nor is it on the register of locally important buildings and structures and as such there is no basis to object to its demolition. The County Archaeologist has recommended that records are taken of the building prior to its demolition if the application is approved for the Historic Environment Records held by the County Council and this is considered to be an appropriate condition.

#### Conclusion

The development will not result in any adverse impacts that would significantly and demonstrably outweigh the benefits of the development on the supply of housing land as such there is a presumption in favour of this development.

**Background Papers**

Planning file

Planning documents referred to

**Date report prepared**

13<sup>th</sup> January 2014