

THE PROPOSAL

This application seeks outline planning permission to demolish the existing church hall building and to redevelop the site for residential use. All of the detailed matters have been reserved for later consideration and this application simply seeks to establish whether the redevelopment of this site for residential use is acceptable.

PLANNING HISTORY

S/2003/1744 An earlier outline planning application to demolish the existing church hall building and to redevelop the site for residential use was withdrawn in November 2003.

CONSULTATIONS

WCC Highways: No objection, subject to the provision of a visibility splay at the junction of Charles Road and Philip Road.

Wessex Water: The site is located within a foul sewered area and the developer will need to agree a point of connection. The Council should be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal.

A point of connection onto the water supply system should be agreed.

Environmental Health: No observations to make.

Environment Agency: No observations to make.

Defence Estates: No objection.

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes - expired 02/12/04
Departure	No
Neighbour notification	Yes - expired 22/11/04
Neighbour response	Yes

A petition of 575 signatories has been submitted objecting to the loss of the church on the grounds that it can still provide a community facility that is central to the social life of the community, in the interests of the vitality and viability of the local community, non-compliance with Local Plan policies and that the church has not been placed on the open market for sale for a sufficient period of time to establish that it can not be reused as a community facility.

In addition, 9 letters of objection have been received to the proposal on the following grounds: the loss of the church and community facility will harm the vitality of Durrington, especially as there is a shortage of community facilities in the area; Durrington is still expanding and will require additional community facilities; non-compliance with local plan policies; the church has not been marketed for a sufficient period of time to enable an alternative community use to be found; the residential use of the site will exacerbate a parking problem that already exist in this location; the building is of architectural and historical interest and its loss would harm the cultural heritage of Durrington; the loss of the church would encourage additional unsustainable journeys by car as has already been demonstrated since the closure of the church; travel is difficult for members of the congregation to other surrounding churches as no suitable public transport is available; and the proposal will devalue surrounding residential properties.

In support of their letter of objection, the Durrington and District Community Centre Project Steering Committee, has submitted the results of a consultation exercise, in the form of a questionnaire survey of local residents, an open public forum and consultation with broad based community service providers, that has been undertaken to ascertain whether there is a need for

additional community facilities within Durrington. The Durrington and District Community Centre Project Steering Committee state that the results of this research clearly demonstrate that further facilities are needed within Durrington.

Parish Response Yes - no objection.

POLICY CONTEXT

The following policies of the Adopted Replacement Salisbury District Local Plan (June 2003) are relevant to the current proposal:

G1, G2, D2, H16, PS3 and R2.

MAIN ISSUES

Principle of Residential Dwelling on the Site

2. Principle of Loss of Community Facility
3. Highway Issues
4. Policy R2 - Provision of Recreation Facilities

PLANNING CONSIDERATIONS

1. Principle of Residential Dwelling on the Site

The application site lies within the Durrington Housing Policy Boundary and therefore Policy H16 of the Adopted Replacement Salisbury District Local Plan (June 2003) is applicable to this proposal where the principle of infill residential development is considered to be acceptable subject to compliance with various criteria. In addition, given the context of the surrounding area to the application site that forms an established housing estate there is no objection, in principle, to the redevelopment of this site for residential purposes, subject to compliance with the relevant policies of the Local Plan.

2. Principle of Loss of Community Facility

This proposal raises difficult policy issues.

Policy PS3 of the Adopted Replacement Salisbury District Local Plan (June 2003), which considers development proposals affecting community facilities, is the key consideration in determining whether the proposal to demolish the church and redevelop the site for residential purposes, in this instance, is acceptable. This policy states that,

*“The change of use of premises within settlements that are currently used, or have been used for retailing, as a public house or to provide a community facility **central to the economic and/or social life of the settlement**, will only be permitted where the applicant can prove that the current or previous use is no longer viable”.*

The supporting paragraphs to this policy acknowledge the difficulties for the traditional village facilities, such as the public house, post office or general store to maintain their viability but identifies the important role that such facilities, where they still exist, have towards the sustainability of these settlements by offering an alternative to making longer car journeys for basic goods/services as well as contributing to the social life of those living in such settlements. However, the supporting paragraphs to this policy also identify that the Local Planning Authority does not wish to enforce the retention of such facilities where they are unviable and unlikely to become viable in the foreseeable future.

The intent of Policy PS3 is therefore obviously to restrict the loss of community facilities, such as the public house or post office, which are central to the economic and/or social life of the particular settlement in which they are located and which are viable. An assessment is therefore needed as to whether the community facility in question is central to the economic and/or social wellbeing and sustainability of the area and, if it is, it must then be demonstrated that the facility is no longer viable and is unlikely to become viable in the future.

In addition, the development proposal falls to be determined against Policy G1 of the Adopted Replacement Salisbury District Local Plan (June 2003) that seeks to promote a sustainable pattern of development. In this respect, and of most relevance to this proposal, the policy seeks to achieve a pattern of development that reduces the need to travel; to promote the vitality and viability of local communities; and to conserve the natural environment and cultural heritage of the District.

Is the church central to the economic/social life of the settlement?

The first issue for consideration in assessing this proposal is whether the Our Lady Queen of Heaven Church constitutes a facility that is central to the economic and/or social life of the settlement of Durrington.

Clearly it would be difficult to put forward a case that the church performed a central role in the economic life of Durrington. However, in assessing the earlier withdrawn application it has previously been determined that the church was central to the social and cultural life of the settlement when open, albeit that this largely applied to the Catholic population of the community given the status of the church as a Catholic denomination church. In this respect, objections have been received to the proposal on the grounds that the church has provided an important venue for events such as marriages, baptisms, funerals, mass and other social activities and that the loss of the building will remove the cultural heritage of Durrington and destroy "the fabric of family and village life".

Is the church viable?

Having concluded that the church is central to the social life of the settlement, the second key issue for consideration is whether the application has been supported with sufficient evidence to prove, on the balance of probabilities, that the church is no longer viable and is unlikely to become viable in the foreseeable future. In addition, given the requirements of Policy G1 (ii) of the Adopted Replacement Salisbury District Local Plan (June 2003), the applicant must also demonstrate that another community use, or even a mixture of a community use and residential use, would not be viable before an application for solely residential use can be considered favourably.

In an attempt to demonstrate the non-viability of the church, the application has been supported by a letter from the Parish Priest that outlines the reasoning for the closure of the church. This letter states that several financial issues have contributed to the need for the permanent closure of the church. In this respect, it is stated that the church was maintained at an ever increasing cost to the Parish (Christ the King), that also has responsibility for maintaining the Parish church, halls and the Presbytery in Amesbury, and that the income from the congregation amounted to only a very small percentage of the cost of maintaining the building and grounds and as such the church was a heavy burden on the finances of the Parish. In addition, it is also stated that a levy was placed on every Parish in the Diocese in recent years and in respect of the Parish of Christ the King this amounted to a levy of £20,693 this year that constitutes the first item of expenditure that must be met each week. Furthermore, it is also stated that it was necessary for a six-figure sum to be spent on repairs to the church before insurers were prepared to renew the insurance. However, it is considered that the submitted information does not provide a full picture of the financial situation of the church, while there is no supporting evidence to substantiate these arguments. In this respect, it is considered that such evidence would consist of financial accounts to demonstrate the income and expenditure of the church and the Parish to demonstrate its financial position, a letter from the insurance company indicating its decision to refuse the renewal of insurance without repairs to the building being undertaken and evidence of building quotes for the costs of these required repair works. In the absence of such evidence, it is considered that the application fails to satisfactorily demonstrate that the church is no longer viable.

In addition to financial reasons, it is also stated that a number of other factors have contributed to the need for the permanent closure of the church. In respect of these factors, it is stated that the congregation attending the church varied from 18 to 30, with an average attendance of 24, but although it is stated that a Mass count was taken every Sunday, again no evidence has been submitted to support this statement. Of more importance, perhaps, it is stated that with the falling number of Priests, the findings of a review ordered by the competent church authority led

to a reduction in the number of Masses said in every Deanery and with regards to the Parish of Christ the King, that was allocated two weekend Masses, it was decided that these would be held at the Parish Church of Christ the King, Amesbury as opposed to the church in Durrington. However, whilst this may be a factor in the falling size of the congregation attending the church, it is not to say that the building would not be suitable for use by a church of an alternative denomination that was able to hold regular services. Despite the submitted information, it is considered that insufficient evidence has been forwarded to prove that the church is no longer viable and could not become viable in the foreseeable future. Furthermore, the application has not been supported by any information of what attempts have been made, if any, to increase the attendance of the church or to increase the level of income to the church through events such as fetes, car boot sales etc.

A further method of assessing potential viability of the church would be to offer it freely for sale on the open market at a realistic price and although Policy PS3 does not explicitly require a marketing exercise, the Local Planning Authority knows of no better way to demonstrate the viability or otherwise of an existing use. In addition to its use as a church, it has to be remembered that the building represents a resource, as a community facility, to the village. In this respect, Policy G1 (ii) requires that development proposals promote the vitality and viability of local communities and therefore even if the building could not be operated viably as a church, that does not mean it should be released for residential development that provides no advantage to the local community. In order to promote the vitality and viability of the settlement of Durrington it is instead considered that other community-related uses that give something back to the local area should be considered as uses that are preferable to residential use. For example, the use of the existing building/site for retailing, as a public house or offices would at least provide a facility to the village or the potential of some additional employment and as such are considered to be preferable to residential use. As a result, it is considered that only when all other alternative community related uses have been exhausted should a residential use be considered favourably. The desire of Government policy is to create sustainable communities, where movements, particularly by private car, are reduced. It is therefore important to retain facilities for community use, in order to sustain the social life and to promote the economy of villages such as Durrington.

In this instance, the applicant has undertaken a marketing exercise by offering the premises for sale on the open market. In support of the application, the applicant has submitted a marketing schedule that provides details of the means of marketing that have been undertaken and that indicates that the application premises/site have been advertised for sale at a guide price of £150,000 in the Salisbury Journal and on two property websites and has been on display at the offices of an estate agency since March 2004. The submitted marketing schedule also states that the advertising details of the premises have been circulated to the estate agents' mailing list of both commercial and residential applicants and to any responders to the marketing exercise. As a result of this exercise, the applicant states that a total of 17 viewers were accompanied around the property and that there was interest from one residential owner/occupier and one office user, although no offers had been received from community groups or for the use of the building as a church.

In carrying out this marketing exercise, however, it is considered that the applicant has failed to adequately market the premises/site for sale to establish whether a church use is still viable on this site and/or whether an alternative community-related use could be found for the site. In this respect, the advertising details only refer to the existing use of the premises, which falls within the D1 Use Class, and other uses that can be carried on within this same use class without requiring planning permission for a change of use, but fails to market the building/site for any other potential suitable use subject to planning permission being granted. As such, it is considered that the marketing exercise that has been undertaken is deficient and has fundamentally failed to establish whether there is potential interest in the site for an alternative community-related use, such as a retail shop, office use or leisure use, that would continue to promote the vitality and viability of the local community in accordance with the provisions of Policy G1, many of which fall outside of the D1 Use Class.

Furthermore, given that other alternative community-related uses are principally of a commercial nature (i.e. retail shop, public house, office use, leisure use) it is also considered that the whole marketing exercise undertaken by the applicant is flawed in that the premises have largely been advertised under residential sections in the Property Journal and on the websites, as opposed to

being marketed commercially. Although the marketing exercise has still generated a small amount of commercial interest in the property, it is questioned how much more interest would have been produced had the property been commercially marketed. In addition, it is also noticeable that in marketing the premises a 'for sale' board was not displayed at the site that may also have elicited additional interest in the premises. Consequently, it is considered that the property has not been given the appropriate exposure in the market place to establish whether there is interest in the use of the site for an alternative community-related use, subject to planning permission for that use being granted.

In support of the application, it was indicated at the pre-application stage that expressions of interest had been shown in the property for office use and as a day nursery. Although evidence has been provided to prove that an offer from the prospective day nursery user was withdrawn due to the cost of the building works required to bring the premises into line with OFSTED requirements being prohibitive, the offer from the prospective office user, apparently at the actual asking price, was declined as it was considered that it failed to reflect the actual market value of the site for such a use. This raises two fundamental objections to the proposal. Firstly, the applicant's rejection of this offer on the grounds that it failed to reflect the actual market value of the site for office use is further evidence that the marketing exercise that has been undertaken is fundamentally flawed in seeking to establish whether there are genuinely other potential community related uses for the site as the property has not been marketed at a realistic price, other than for use as a church or an alternative use within the D1 Use Class. Secondly, the submission of an offer for the use of the building/site for office purposes, albeit apparently in response to a low market valuation for such a use, demonstrates that there is interest in the site for a community-related use that would be of greater benefit to the vitality and viability of the local community than a residential use, by virtue of the associated potential employment opportunities, and that is therefore considered to be a more preferable use than that proposed.

In light of the above considerations, it is considered that the submitted information fails to provide sufficient evidence to prove that the church is no longer viable or that an alternative community-related use cannot be found for the site. In the absence of this evidence and in view of the level of objection to the loss of this building and site as a community facility there is no justification to accept the loss of the existing church and community resource contrary to the objectives of Policies PS3 and G1 of the Adopted Replacement Salisbury District Local Plan (June 2003).

3. Highway Issues

While issues of car parking have been raised in the letters of objection to the proposed development, the number of dwellings proposed is not known and therefore the impact cannot be ascertained until the reserved matters stage. In addition, in light of government guidance seeking only a maximum limit on the number of spaces, rather than a minimum requirement, it is unlikely that the impact of additional parked vehicles could form a reason for refusal.

4. Policy R2 - Provision of Recreation Facilities

In accordance with Policy R2 of the Adopted Replacement Salisbury District Local Plan the provision of recreation facilities must be considered for all proposals for new residential development. Although approval of this application would permit residential development, in principle, the number of dwellings proposed is not known and as such the level of contribution required cannot be determined at this stage. However, a contribution towards the provision of recreational facilities can be secured at the reserved matters stage by the imposition of a condition at this outline stage.

Conclusion

On the basis of the information that has been submitted to date, it is considered that the application fails to provide sufficient evidence to prove that the church is no longer viable, while the marketing exercise that has been undertaken is fundamentally flawed in that the premises have not been commercially marketed, have not been positively marketed for uses outside of the D1 Use Class and have not been marketed at a realistic valuation other than for use as a church and therefore fails to demonstrate that an alternative community-related use cannot be found for this site. In the absence of this evidence and until such time that an appropriate

marketing exercise has been undertaken, it cannot be reasonably ascertained that there is no interest in this site for a community related use and therefore the Local Planning Authority cannot be clearly satisfied that there is sufficient reason to justify the permanent loss of this existing community facility. As such, it is considered that the loss of the church and community facility would cause harm to the vitality of the surrounding residential area and local community as it would represent the loss of a facility that could provide a meeting place that could help to form a community spirit and social cohesion amongst the residents of the surrounding area. The proposed development would therefore be contrary to Policies PS3 and G1 of the Adopted Replacement Salisbury District Local Plan (June 2003) and Policy DP1 of the Wiltshire Structure Plan that seek to prevent the loss of existing community facilities and to promote the vitality and viability of local communities in the interests of sustainable development.

RECOMMENDATION

REFUSE for the following reasons:

(1) The proposed development by virtue of the loss of the existing church and community facility, which though currently closed is considered to be central to the social life of the settlement, in the absence of sufficient evidence to demonstrate that the existing or an alternative community-related use is no longer viable or could not be viable on this site is contrary to Policies PS3 and G1 of the Adopted Replacement Salisbury District Local Plan (June 2003) and Policy DP1 of the Wiltshire Structure Plan that seek to prevent the loss of existing community facilities and to promote the vitality and viability of local communities in the interests of sustainable development.

Informative: Policy

This decision has been taken in accordance with the following policies of the Adopted Replacement Salisbury District Local Plan (June 2003): G1, G2, D2, H16, PS3 and R2.

NOTES: