

REPORT FOR WESTERN AREA PLANNING COMMITTEE

Date of Meeting	13 December 2017
Application Number	17/01158/FUL
Site Address	St Pauls Church, Staverton BA14 6PE
Proposal	Change of use of church to 2 bedroom dwelling, addition of rooflights, internal alterations and parking to rear of 95 Staverton.
Applicant	Mr Malcolm Archer
Town/Parish Council	STAVERTON
Electoral Division	HOLT AND STAVERTON – Councillor Carbin
Grid Ref	385483 160854
Type of application	Full Planning
Case Officer	Steven Sims

Reason for the application being considered by Committee

Councillor Trevor Carbin has requested that if officers are minded to approve this application, it should be reported to the Planning Committee for the consideration of the following:

- Car parking

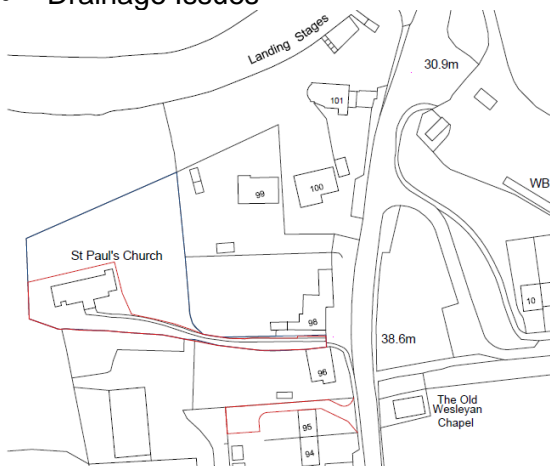
1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

The main issues to consider are:

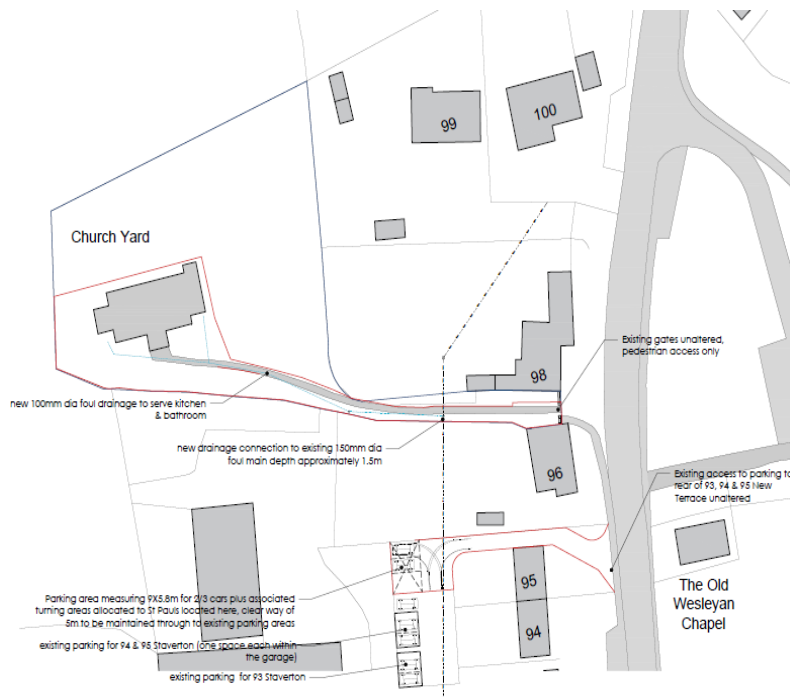
- Principle of Development
- Impact on the Setting of the Listed Building
- Impact on the Character of the Area
- Impact on the Living Conditions of Neighbouring Residents
- Impact on Highway Safety
- Ecology Issues
- Drainage Issues





3. Site Description

The subject property for this application is the Church of St. Pauls which is a Grade II listed building dating from 1826 and is constructed from dressed limestone under a Welsh slate roof with coped verges with cross finials and is located outside of the settlement limits of Staverton. It is understood that the church which has a footprint of about 132 sq.m, ceased being used in



March 2011; and since then, the building has been unused. As indicated on the site location plan above, the property is set back from the highway and is accessed via a pedestrian footpath off the main carriageway. There is no dedicated vehicular access for the church. The footpath gates located between No 96 and No 98 Staverton are also grade II listed.

Three trees subject to Tree Preservation Orders are located on the 920 sq.m site positioned to the north and east of the church. As illustrated on the location plan insert on the previous page, and beyond the church property the application site includes an irregular shaped parcel of land owned by Staverton Farm to the south east of the Church and to the west of the old Wesleyan Chapel and public highway. This land comprises a means of vehicular access and an area for residential car parking located behind No. 95 Staverton – which is used at present for parking on an informal basis.

4. Planning History

>>

15/06296/LBC and 15/06282/FUL – Conversion of existing redundant church building to a single dwelling – Applications Withdraw - It should be noted that applications 15/06296/LBC and 15/06282/FUL were withdrawn following consultation with Historic England. The scheme originally proposed parking to be adjacent and directly south of No. 98 Staverton which would result in the existing listed gates being set back from their existing position by approx. 10 metres. This arrangement was considered unacceptable by Historic England who advised that this part of the scheme needed to be revised.

17/01569/LBC – Addition of roof lights and internal alterations associated with change of use of church to dwelling – This application is pending a decision but is supported by officers

5. The Proposal

This is a full application for the change of use of the vacant late Georgian gothic design inspired church to residential use. The dwelling would comprise 2 bedrooms, bathroom, living room and kitchen. A portion of the churchyard would form the residential curtilage of the development while the remainder of the churchyard would remain in the ownership of the Diocese with public access. Pedestrian access to the site would be off the existing footpath which would also be used by members of the public to access the churchyard.

No alterations to the churchyard are proposed. 2 parking spaces would be created off an existing driveway located to the south, behind (and to the west of) No. 95 Staverton. External alterations to the Grade II listed building include the addition of 2 new conservation roof lights to the south elevation, the replacement of all the existing vent grilles with larger cast iron grilles, a new timber door (on north elevation) and new cast iron vent to the kitchen (on east elevation) and a new flue to the boiler. The proposed elevations are reproduced below.



6. Planning Policy

Wiltshire Core Strategy (WCS) Core Policy 1: Settlement Strategy; Core Policy 2: Delivery Strategy; Core Policy 7: Spatial Strategy; Bradford on Avon Community Area; Core Policy 45:

Meeting Wiltshire's Housing Needs; Core Policy 48: Supporting Rural Life; Core Policy 49: Protection of Rural Services and Community Facilities; Core Policy 51: Landscape; Core Policy 57: Ensuring High Quality Design and Place Shaping; Core Policy 58: Ensuring the Conservation of the Historic Environment; Core Policy 60: Sustainable Transport; Core Policy 61: Transport and Development

West Wiltshire District Local Plan (1st Alteration) Saved Policies: Saved Policy U1a Foul Water Disposal
Wiltshire Local Transport Plan 2011- 2026

National Planning Policy Framework 2012 (NPPF): especially chapter sections: 6. Delivering a wide choice of high quality homes; 7. Requiring Good Design; and 12. Conserving and Enhancing the Historic Environment
National Planning Practice Guidance (NPPG)

7. Summary of Consultation Responses

Staverton Parish Council: No objections

Wiltshire Highway Authority: No objections to amended parking layout

Wiltshire Conservation Officer: No objections subject to conditions

Wiltshire Landscape & Arboricultural Officer: No objections

Wiltshire Archaeology Officer: No objection subject to conditions

Wiltshire Ecology Officer: No objections subject to conditions

Wessex Water: No objections subject to an informative.

8. Publicity

The application was publicised via site notices and posted notifications sent to properties within close proximity of the site. As a result of the publicity 8 letters of objection were received raising the following concerns:

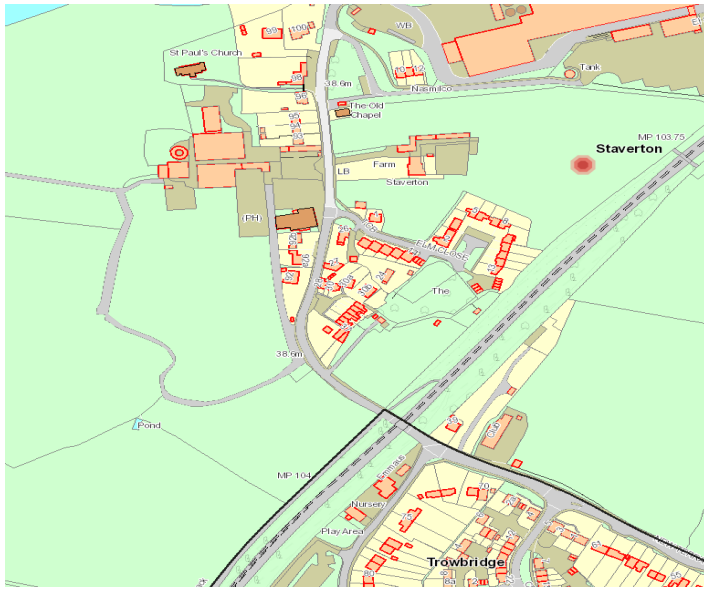
- Visibility at the driveway access onto main carriageway is poor
- Area proposed for parking is already used by local residents
- A failure on the part of the applicants to purchase the parking area would lead to additional parking elsewhere (e.g. Elm Close)
- There is no turning area
- The access track is unsafe for pedestrians
- There would be a loss of privacy from the use of access track and proposed parking spaces
- The change of use of the church would result in loss of community use.

It should be noted that of the 8 objection letters received, 3 stated they had no objections to the proposed change of use of the church.

9. Planning Considerations

9.1 Principle of Development - The site and subject property is located beyond the north-western fringe of the settlement of Staverton, although the application site clearly forms part of a well-established mixed group of properties which the map insert below illustrates. In terms of the adopted WCS, Core Policy 1 and Core Policy 7 defines Staverton as a Small Village where development for housing is considered acceptable. Core Policy 2 states within the limits of

development there is a presumption in favour of sustainable development at, amongst others, Small Villages.



9.1.1 Core Policy 48 allows for the conversion and re-use of rural buildings for employment, tourism, cultural and community uses provided they meet certain criteria and only following justification in line with local and government policy should residential development be considered. In addition the policy allows for the protection of community services until such time as the community has had a realistic opportunity to take control of the asset.

9.1.2 In addition, adopted WCS Core Policy 49 titled: 'Protection of Rural Services and Community Facilities' states that for development

proposals involving the loss of a community service or facility will only be supported where it can be demonstrated that the site/building is no longer economically viable for an alternative community use. In this particular case, the property was marketed and a marketing report has been submitted by Colliers International which confirms that following the decision reached by the Diocese of Salisbury to close St Pauls for worship in 2011, the site was marketed robustly for 10 months and was advertised in local press and placed online on Colliers International website where it still remains. It is duly reported that:

"At the start of the marketing process [there was] a high volume of enquiries from a range of prospective purchasers and for a range of uses. Enquiries related mainly to planning and guide price. Initially, and in order not to restrict or 'lead' the market the building was offered on the basis of 'offers invited'. Latterly, when pressed, an indicative guide of between £50,000 and £100,000 was provided. Viewings were generally conducted on a 'block' basis although individual appointments were accommodated from time to time. Fifteen conducted viewings [were] undertaken. A number of external viewings [were] also taken place without a Colliers International representative on site" (page 10 of Colliers Marketing Report).

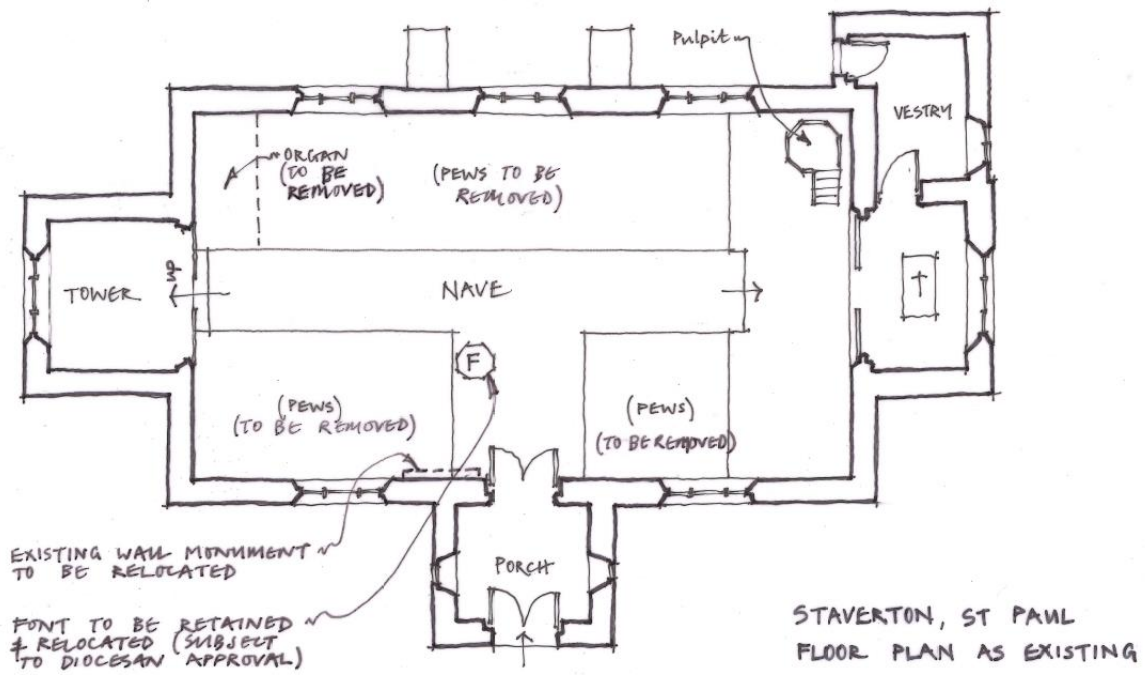
9.1.3 The site marketing in reality has never stopped as the property remains listed on Colliers website. Although more than 6 years on from the closure of the church, it is considered now reasonable to move towards accepting that the church property does not have a viable non-residential commercial interest. It should be noted also that the property remains under the ownership of the Church of England Commissioners and they will retain ownership of the church yard/graveyard located to the north and east of the church, which does not form part of the sale or indeed this application. The requisite certificate notifications have been completed. However it is relevant to report that the church commissioners have reviewed the applicant's proposals and found them to be acceptable and has identified them as the preferred bidder.

9.1.4 As a result of the marketing exercise, the principle of development is considered to be acceptable by officers and would comply with Core Policies 48 and 49 of the Wiltshire Core Strategy.

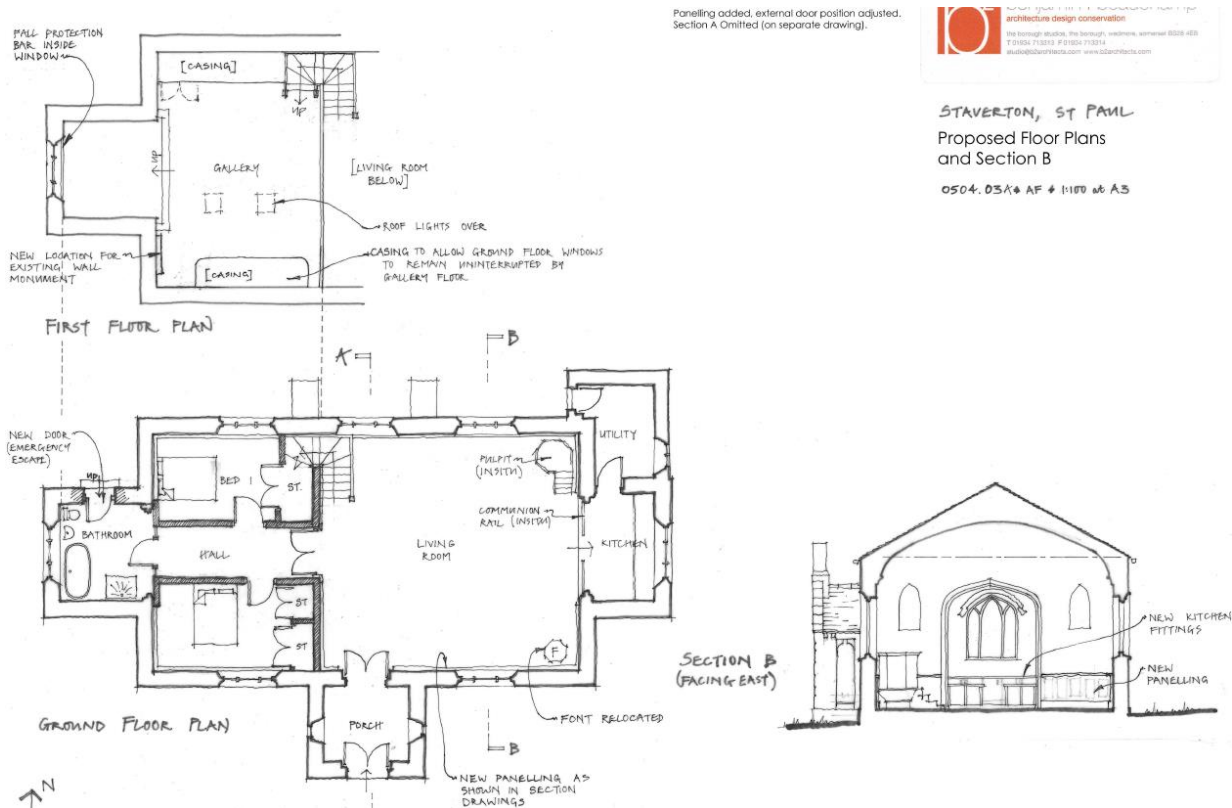
9.2 Impact on the Listed Building/Heritage Asset - Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering any application affecting a listed building, the local planning authority [or the Secretary of State] shall have special regard

to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting. The NPPF identifies that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 132 of the Framework furthermore 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 asset's conservation. Core Policy 58 of the Wiltshire Core Strategy echoes the above national policy in seeking the protection, conservation and, where possible, the enhancement of heritage assets.

In this particular case, the applicant proposals some external alterations to the grade II listed building that would comprise the insertion of 2 new conservation roof lights to the south elevation, the replacement of all existing vent grilles with larger cast iron grilles, a new door on the north elevation and new cast iron vent to the kitchen on the east elevation and a new flue to the boiler. These new installations would be done sensitively and would respect the appearance of the protected building. The proposed alterations are considered acceptable and the Council's Conservation Officer – who as reported in section 7, has no objection to the scheme. The proposed alterations would have no adverse impact on the setting of the listed building or harm the heritage asset. The conversion of the church to residential use in this sympathetic manner would also allow the church to remain in good maintenance for the foreseeable future. The scheme therefore complies with Core Policy 58 of the Wiltshire Core Strategy and advice contained in the NPPF.



Above: Existing Floor Plan



Above: Proposed Floor Plan

9.3 Impact on the Character of the Area - Core Policy 51 of the Wiltshire Core Strategy states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. Core Policy 57 requires a high standard of design in all new developments and that development respond positively to the existing townscape and landscape in terms of building layout, built form, height, mass, scale, building line, plot size, design, materials and streetscape.

9.3.1 The proposed external alterations to the church are considered acceptable by your officers and the scheme would not harm the heritage asset.

9.3.2 The area of land the rear of No. 95 Staverton for car parking is not within the setting of the listed church but it is already used to park cars on an informal basis. Therefore, officers are satisfied with the proposal making the car parking more formal and that it would not harm the character of the area; and on this aspect, the proposed development complies with Core Policy 51 and 57 of the WCS.

9.4 Impact on the Living Conditions of Neighbouring Residents – In addition to the above, WCS Core Policy 57 requires all new development to have regard to the compatibility of adjoining buildings and uses; and avoid harmful impacts through the loss of privacy, amenity, overshadowing and pollution (e.g. light intrusion and noise). St Paul's Church is located approx. 50 metres to the west of the residential development at No. 98 Staverton and approx. 50 metres southwest of No. 99 Staverton. Due to these separation distances to the neighbouring properties, it is considered that the proposed change of use of the church to residential use would have no adverse impact on the living conditions of neighbouring residents in terms of overlooking or loss of privacy.

9.4.1 The footpath between No.96 and No 98 Staverton was historically used to access the church when in use as a place of worship and is still used by members of the public to access the churchyard. As such it is not considered that the additional use of the footpath generated

by residential occupants of the church would result in additional harm to the living conditions of adjacent residents, in terms of loss of privacy or noise issues.

9.4.2 Although it is recognised that the use of the driveway to the proposed parking spaces to the rear of No. 95 Staverton would increase in terms of both vehicle and pedestrian movements, it is not considered that this increase would be so significant that it would result in significant harm to the detriment of the living conditions experienced by adjacent residents, in particular residents at No. 95 and 96 Staverton, in terms of loss of privacy, noise or light pollution.

9.4.3 On the basis of the above, the proposed development is considered compatible with Core Policy 57 of the Wiltshire Core Strategy and the NPPF.



9.5 Impact on Highway Safety - Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Core Policy 61 of the Wiltshire Core Strategy requires new development to be served by a safe access to the highway. In this particular case, it is proposed that the development would be served by 2 parking spaces and a turning space located to the rear of No. 95 Staverton. The parking spaces would be accessed by a driveway to the north of No. 95 with access off the main carriageway. The turning space would allow vehicles to exit the site in a forward gear.

9.5.1 Although concern has been raised by local residents about the safety of the proposed vehicle access in terms of exiting the site onto the main carriageway, the access is already used on a daily basis by residents at No's 93, 94 and 95 Staverton and the Council's highways team have no record of there being any accidents in the vicinity or attributable to the use of the access within the last 5 years. The increase in vehicle movements associated with 2 additional car parking spaces, would not have such a severe impact on highway safety that the application could be reasonably refused on such grounds. The Council's highways officer concurs with this view.

9.5.2 Concern has also been raised by local residents in terms of loss of parking to the rear of No's 93, 94 and 95 Staverton due to the provision of formalised residential parking for the occupants of the Church. The fact remains that the land in question is not in the ownership of the occupants of No 93, 94 or 95 Staverton and is used for parking only on an informal basis and the owners of the land could, at any time, prohibit this.

9.5.3 The proposed development would therefore be served by sufficient car parking to comply with council parking standards and there is sufficient space to turn on site so vehicles can exit in a forward gear. Although it is recognised the vehicle access onto Staverton is substandard there is insufficient evidence to indicate that use of the access by residents of St Pauls Church, would result in a severe harm to highway safety. The proposed development therefore complies with current council parking standards and the NPPF.

9.6 Ecology Issues - Core Policy 50 of the Wiltshire Core Strategy states development proposals must demonstrate how they protect features of nature conservation and geological value and how such features will be retained and maintained. The Council's ecologist has reviewed the submitted ecology report which surveyed for bat roosts and a subsequent dusk emergence survey as well as checking for evidence of/potential for nesting birds and/or roosting as well as the vegetation within the application site boundary; and an appraisal of the whole application site in terms of its potential for other protected and/or priority species and habitats. The Council's ecologist and tree officer have raised no objection to the development subject to conditions relating to the protection of protected trees during conversion /alteration works and the addition of a condition requiring the development to be carried out in strict accordance with the ecological mitigation strategy detailed within the ecology report.

9.7 Drainage Issues - Foul water drainage would be via an adopted foul sewer adjacent the site to which Wessex Water have raised no objection to. Both foul and surface water drainage could be adequately dealt with by planning condition.

10. Conclusion (The Planning Balance) - The proposed development would not significantly or adversely affect the setting of the listed building, cause harm to the heritage asset, negatively impact the character of the area or the living conditions and amenities of neighbouring residents or severely harm highway safety interests. The property has been supported by robust statements and the proposed development complies with Core Policies 48, 49, 51, 57 and 58 of the Wiltshire Core Strategy and the advice contained within the NPPF.

11. RECOMMENDATION: APPROVE, subject to conditions

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Amended Site Location Plan scale 1:1250 (dwg no. 0504 01 rev B)
Existing Floor Plans scale 1:100 (dwg no 0504 02A)
Proposed Floor Plans and Section B scale 1:100 (dwg no. 0504 03A)
Existing Elevations scale 1:100 (dwg no. 0504 04)
Proposed Elevations scale 1:100 (dwg no. 0504 05)
Amended Block Plan scale 1:500 (dwg no. 0504 07 rev G)
Proposed Section A-A scale 1:50 (dwg no. 0504 09 rev A)

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

3. No development hereby approved shall commence within the area indicated as the proposed development site until:

- A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

4. The development hereby approved shall be carried out in strict accordance with Section 7 of the Ecological Assessment report (Greena Ecological Consultancy, 27th August 2017 V1A) and the mitigation measures proposed therein with respect to roosting, commuting and foraging bats and nesting birds.

REASON: To ensure the implementation of appropriate mitigation and protection for protected species, notably bats and birds.

5. No development shall commence on site until the trees on the site which are protected by a Tree Preservation Order have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): "Trees in Relation to Design, Demolition and Construction - Recommendations". Before any fence is erected its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the Local Planning Authority to ensure the protection of trees on the site in the interests of visual amenity.

6. No part of the development hereby approved shall be occupied until the turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

INFORMATIVES TO APPLICANT:

1. New water supply and waste water connections will be required from Wessex water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water. Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul sewer system.

2. The work should be conducted by a professional archaeological contractor and there will be a financial implication for the applicant.