

Application No: 14/0355M

Location: St James Vicarage, CHURCH LANE, SUTTON, SK11 0DS

Proposal: Two storey vicarage to be constructed on land within domestic curtilage of existing vicarage

Applicant: Peter Gowrley, Diocese of Chester

Expiry Date: 14-Mar-2014

**SUMMARY RECOMMENDATION:**

Refuse planning permission

**MAIN ISSUES:**

- Principle of development – Green Belt policy;
- Design, scale, character and appearance;
- Impact on the locally listed building;
- Impact of the development on residential amenity;
- Impact of the development on highway safety;
- Impact of the development on landscape;
- Impact of the development on nature conservation;
- Impact of the development on trees.

**1. REASON FOR REFERRAL**

This application has been referred to the Northern Planning Committee as it was called-in by Councillor Gaddum for the following reasons:

*‘In view of the importance of this issue to the local community, I believe it should be debated in Committee rather than being a delegated decision. Part of the challenge for any proposed development in Sutton is the fact that it was washed over by Green Belt, hence this request.’*

**2. DESCRIPTION OF SITE AND CONTEXT**

The application site is within the North Cheshire Green Belt and Peak Park Fringe Local Landscape Designation (formerly Area of Special County Value). The site comprises part of the existing garden of St James Vicarage located on the east side of Church Lane, Sutton. The existing Vicarage is a locally listed building. To the east and south of the site are open

fields with the existing church hall and car park to the west on the opposite side of Church Lane. Beyond the Church Hall is St James Church. To the north is a scout hall.

### **3. DETAILS OF PROPOSAL**

This application seeks planning permission for the erection of a new two storey vicarage in the garden of the existing vicarage. The proposal includes a new access and driveway off Church Lane to the south of the existing access, which would be retained for use by the existing vicarage. The existing vicarage and part of the existing garden would be sold to finance the construction of the new vicarage.

The existing incumbent's post at Sutton is vacant. A new incumbent will be installed in July 2014 serving a new benefice covering the combined parishes of Sutton, Bosley, Wincle and Wildboardclough. The new incumbent and any future incumbent's would reside in the proposed vicarage.

### **4. RELEVANT HISTORY**

No relevant planning history

### **5. POLICIES**

#### **Macclesfield Borough Local Plan – saved policies**

- NE1 (Areas of Special County Value)
- NE2 (Protection of local landscapes)
- NE11 (Nature Conservation)
- BE1 (Design principles for new developments)
- BE2 (Preservation of historic fabric)
- BE20 (Locally important buildings)
- GC1 (Green Belts – new buildings)
- DC1 (High quality design for new build)
- DC3 (Protection of the amenities of nearby residential properties)
- DC6 (Circulation and Access)
- DC8 (Requirements for Landscaping)
- DC9 (Tree Protection)
- DC35 (Materials and finishes)
- DC38 (Guidelines for space, light and privacy for housing development)

The National Planning Policy Framework reinforces the system of statutory development plans. When considering the weight to be attached to development plan policies, paragraphs 214 and 215 enable 'full weight' to be given to Development Plan policies adopted under the 2004 Act. The Macclesfield Local Plan policies, although saved in accordance with the 2004 Act are not adopted under it. Consequently, following the guidance in paragraph 215, "*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given)*".

The Local Plan policies outlined above are all consistent with the NPPF and should therefore be given full weight.

### **Other Material Considerations**

- National Planning Policy Framework
- List of Locally Important Buildings Supplementary Planning Document
- Cheshire East: Local Landscape Designations (May 2013)

## **6. CONSULTATIONS (External to Planning)**

Environmental Health: No objections subject to conditions controlling hours of construction.

Highways: No objections subject to a condition to ensure the visibility of 2.4 x 43m is achieved with no obstructions higher than 0.6 metres.

United Utilities: No objection to the application. General guidance relating to drainage and water supply provided.

## **7. VIEWS OF THE PARISH COUNCIL:**

No objection but raises concern that the drive is in the Green Belt and visibility out of the proposed driveway is limited.

## **8. OTHER REPRESENTATIONS:**

The consultation period expired on 6<sup>th</sup> March 2014. The application was advertised by way of site notice and neighbour notification. 11 representations were received in relation to the application. 11 of those representations were in support of the application, with 1 offering a general observation. Some of the key points raised are:

- The existing vicarage is too large and expensive to run;
- The new vicarage will be in keeping with the character of the area;
- The vicarage would be within the existing domestic curtilage;
- The development is within the boundaries of land used by the vicar and Parochial Church Council for many years;
- The proposal ensure Church Lane would remain the focus of community life;
- There are clear community benefits arising from the development;
- It is essential for the pastoral wellbeing of the community;
- It will provide spiritual continuity;
- The vicar requires adequate and affordable accommodation to study and prepare for the ministrations of the new benefice;
- There are very special circumstances to allow this development.

One representation suggested an alternative site on the Church Glebe land off Judy Lane noting there is already access in the form of a field gate and the proposed scheme reducing the garden would have a negative effect on the selling of the existing vicarage.

## **9. APPLICANT'S SUPPORTING INFORMATION:**

The following documents have been received with the application:

- Design and Access Statement;
- Heritage Statement;
- Planning Statement;
- Statement of Community Engagement;
- Sequential Assessment of suitable available accommodation in the area;
- Arboricultural Impact Assessment and Method Statement;
- Tree Survey Report;
- Energy Report;
- Extended Phase 1 Habitat Survey.

In addition to the above an Addendum Report to the Sequential Assessment has been submitted during the course of the application. This supplements the Sequential Assessment submitted with the application and seeks to address whether any existing available properties could be adapted for use as a vicarage.

## **10. OFFICER APPRAISAL**

### **Principle of Development - Green Belt Policy**

The National Planning Policy Framework (NPPF) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It makes clear that the essential characteristics of Green Belts are their openness and their permanence.

At Paragraph 87 the NPPF states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.* At paragraph 88 the NPPF states:

*'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'*

It goes on to state in paragraph 89 that new buildings should be considered inappropriate development in the Green Belt unless it falls within one of the exceptions which are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or

- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than existing development.

Policy GC1 of the Macclesfield Borough Local Plan, which relates to new buildings in the Green Belt, is similar in approach to the NPPF, although it was adopted in 2004 before the publication of the NPPF.

### Inappropriate Development

Of the above exceptions the only potential exception against which this proposal could be assessed is that it constitutes limited infilling. The Macclesfield Borough Local Plan defines infilling as:

*‘the filling of a small gap in an otherwise built-up frontage. (a small gap is one that can be filled by one or two house).’*

This site is not considered to be an infill plot. To the south and east (rear) the site is surrounded by fields. The existing vicarage is situated to the north. It would not therefore sit within a gap in an existing built-up frontage. Regardless the applicant accepts that the site is not an infill plot (paragraph 5.7 of the submitted Planning Statement) and is therefore seeking to demonstrate that there are very special circumstances to justify the proposal.

The proposal is therefore considered inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt. As noted above substantial weight should be given to any harm to the Green Belt, including harm by reason of inappropriateness.

### Any Other Harm

The proposal would result in the construction of a new building on a greenfield site which is currently garden land associated with the existing vicarage. The proposed building would be a substantial two storey, 4 bedroom house with sizeable ground floor accommodation designed to contain the private and public spaces required for the incumbent.

The proposal would therefore result in a reduction in openness. Openness is identified as one of the essential characteristics of the Green Belt, as noted at paragraph 70 of the NPPF, and therefore substantial weight should be attached to this.

### Other Considerations

As previously stated inappropriate development in the Green Belt should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The applicant has put forward a number of considerations which as a package, it is argued, clearly outweigh the harm to the Green Belt. These are discussed below.

Canon Law imposes a legal duty on a Bishop to provide a place of worship in every parish in his diocese; this duty is carried out in each benefice by a vicar or rector, who is in turn required to reside in his or her benefice for the care of all the people. This is a material consideration.

The Church of England document *Parsonages: A Design Guide* (from here on referred to as the Parsonage Design Guide) is a Church of England advisory document which sets out standards and guidance relating to new parsonages. The application refers to the new parsonage as a vicarage and therefore this is how it is referred to in this report.

- The proposed vicarage site is of historical importance

The proposed Vicarage would be located within close proximity to Sutton St James Anglican Church and the Church Hall. The Church has been at the heart of the village since its dedication in 1840. By locating the Vicarage in close proximity to the Church and Church Hall it maintains the historic connection and capitalises on the existing community and ecclesiastical infrastructure.

As noted above incumbents are normally required to live in the area of their benefices. The Parsonage Design Guide states that it is very desirable for a new Parsonage to be within 10 minutes walking distance of the Church.

To further support the importance of the location it is argued that a new vicarage built to the Parsonage Design Guide standards would ensure a long term solution providing flexible accommodation to suit the needs of future incumbents.

It is also argued that the location of the vicarage would provide increased security and surveillance of the Church. The applicant points to theft of building materials and artefacts from places of worship as being well documented in the media. There is no disagreement with this, however no evidence has been submitted to demonstrate that this is a particular problem in Sutton or whether there have been any instances of theft in the past. As such only limited weight can be attributed to this consideration.

- The existing vicarage is not fit for purpose and is economically unviable

The proposed vicarage would serve the parishes of Sutton, Bosley, Winkle and Wildboarclough. These parishes are to be merged under one ministry. At an open meeting of the combined Parochial Church Councils of Sutton, Winkle, Wildboarclough and Bosley there was unanimous support for the new benefice to be located in Sutton.

There is of course an existing vicarage in Sutton, the application site forms part of the garden area of the existing vicarage. There is also an existing vicarage in Winkle whilst Bosley and Wildboarclough do not have vicarages. It is proposed that the new incumbent resides in Winkle until such time that the new vicarage in Sutton was available. It should be noted that the intention is that a curate would be appointed in the longer term to assist in the spiritual and pastoral ministry of the combined parishes and they will reside in the vicarage at Winkle. That vicarage would therefore be retained in the short and long term.

Details have been submitted to show that the existing Vicarage in Sutton is not fit for purpose and does not present an economically viable proposition. The existing vicarage is an 8 bedroom residence comprising a floor area of 329.5 square metres (3,547 square feet) over 3 floors. The plot is large comprising an extensive garden and covers approximately 3,565 square metres (38,373 square feet).

The scale and grandeur of the property reflects the period in which it was built however it is no longer appropriate for the role of a minister in the 21<sup>st</sup> century. Some merit must be given to this argument as the property is not reflective of the spiritual and pastoral role of the minister in today's society and the community they serve.

The Planning Statement identifies the floor area of the Vicarage as being 84% greater than is recommended in the Parsonage Design Guide which recommends new vicarages are in the region of 181-190 square metres floor area and comprise 4 bedrooms (amongst other accommodation requirements).

It has also been put forward that due to the size of the house and the garden the running and maintenance costs would be beyond the financial reach of the minister. The Diocese is financially liable for the structure, with the incumbent responsible for matters such as heating and internal upkeep. The Planning Statement identifies the average annual income of a vicar is £23,460, although it is not known what the salary will be of the new incumbent in this case, nor what the total household income would be.

The applicant has put forward figures from uswitch.com showing that, on average, the annual cost of gas and electricity for a 5+ bedroom house is £3,504.25, and £4,273.68 for a 5+ bedroom house with below average insulation. They have supplemented these figures with an ONS survey from 2012 which identified that the average household income is £39,468 and the average household spend on gas and electricity in the home is £1,211 per annum. These figures do show that if the incumbent was to reside in the existing vicarage it would result in a disproportionate financial burden when compared to the average household. It is noted however that the incumbent's salary may not be the only source of income as they may have a spouse whose income would supplement their salary. Even so the sheer size of the existing vicarage is such that it is likely there would still be a disproportionate financial burden.

Members should also note that this does not take into account the cost of the internal upkeep and maintenance of what is a very large garden. These are likely to be relatively high given the size of the house and garden, and again disproportionate given the average salary of a vicar.

The applicant also highlights the disparity between the average vicar's salary and the market cost of an 8 bedroom property in Sutton, the point being it would be far beyond the means of anyone on a comparable income to afford to buy, maintain and run.

- Alternative Options

The applicant has also considered the alternatives available to the construction of a new dwelling and seeks to demonstrate that there are no viable alternatives. The options explored are the subdivision of the existing vicarage in order to create a more viable proposition, and

whether or not there are any suitable existing properties available on the market that could be used as the new vicarage.

In terms of subdividing the existing vicarage into more than one dwelling the applicant notes a number of constraints, namely: it does not split easily due to the position of the central staircase; the Diocese does not have finding to pursue this option; the garden, parking and access would have to be shared resulting in issues of privacy, legibility and potential harm to the locally listed building. Two options for subdivision have been submitted including plans showing how this could be achieved.

The first option involves a subdivision along the front elevation and the provision of a single storey side extension. This is discounted because it would create a six bedroom vicarage over three floors which does not address the issues of size and running/maintenance costs. Additionally the second dwelling would be relatively small and one bedroom over two storeys.

The second option would split the building through the middle. This would result in a 5 bedroom Vicarage occupying the western side of the existing house with the second dwelling occupying the eastern side. A two storey extension on the east elevation would facilitate the creation of the second dwelling. This is discounted because it may not comply with Green Belt policy in relation to extensions and would substantially impact on the locally listed building. It would also include shared parking and bin storage.

Looking at the floor plans submitted for this option it is not fully understood why a separate access and parking area could not be provided similar to option 1. Additionally no calculations have been submitted to show what percentage of floorspace increase the extension would result in, it is therefore not possible to conclude either way whether or not this extension is a genuine possibility.

The Conservation Officer has been consulted. He is satisfied that the existing property could be subdivided and extended so as not to have an unacceptable impact on the locally listed building.

Members should satisfy themselves that based on the two options put forward, and the reasons given for discounting them, the possibility of subdividing the Vicarage does not present a realistic and viable alternative.

The second of the alternatives examined to constructing a new build vicarage is whether or not there are any suitable alternative properties available on the market that could be used as the Vicarage. Two sequential assessments have been carried out to identify suitable and available accommodation in the area. A search was carried out on 6<sup>th</sup> January 2014. A previous search was carried out five months previously during the pre-application stage, on 30<sup>th</sup> August 2013. The search was for properties within a 1 mile radius of the application site and properties containing three or more bedrooms. This consisted of a search of the Rightmove website.

Members should carefully consider whether the sequential test represents a thorough search of the local market which is sufficient to discount the prospect of there being any suitable existing properties being available to use as the Vicarage. The applicant contends that it does not represent a snapshot in time as a search has been carried out on two separate



dates five months apart. Rightmove is a very good source of information for properties for sale, however the search was limited to just this one website.

Each property identified in the search was assessed against accommodation standards in the Parsonage Design Guide to judge their suitability. The criteria it was assessed against are:

- Well located within the benefice
- Minimum total floor area of between 181-190m<sup>2</sup>
- Access for car, parking and hard standing with a garage
- Level Access from front door to driveway
- Garden
- Entrance Porch
- Study with minimum floor area of 20m<sup>2</sup>
- 2 No. self-contained reception rooms(excluding kitchen)
- Minimum Living Room size 20-22m<sup>2</sup>
- Kitchen
- Utility
- 4 no. Bedrooms
- Ground floor WC suitable for disabled access and with space for baby changing
- 2 no. bathrooms
- Storage
- Security Measures
- Fire Precautions

The Parsonage Design Guide relates to the construction of new Parsonages. It makes clear that it is a guide and not a 'blueprint' and that *'Diocesan Parsonage Committees should certainly not feel that it is obligatory to upgrade to the new standards parsonages already in existence or houses to be purchased for that purpose...'*

The role of the minister is indeed unique and the vicarage has special requirements given the need for both the private family space of the minister and the public space required to carry out their role in the community. It is therefore recognised that the requirements in the Parsonage Design Guide provide a good reference point for assessing existing dwellings. Nonetheless it is clear that flexibility should be applied to these requirements, particularly when considering whether there are other properties available in the area which could be used as the vicarage. The Parsonage Design Guide states:

*'In a purchased house...it may well not be possible to meet all the criteria set out in this guide. However, these notes may serve as a point of reference in these cases, and Category 1 will clearly remain important in all projects'*

In order to show flexibility in the application of the standards no properties were discounted on the basis of the last three criteria in the list above. Furthermore, 'well located within the benefice' is defined as within 10 minutes walking distance of the church (advised as being very desirable in the Parsonage Design Guide) however the search included properties within a 1 mile radius which could be in excess of a 10 minute walk. The search also included three bedroom properties although the Parsonage Design Guide indicates 4 bedrooms as being fundamental.

The applicant contends that the remaining criteria are fundamental. However, it has not been fully explained why these could not be applied flexibly in the case of existing dwellings given the Parsonage Design Guide relates to new builds, and clearly offers room for flexibility in each case. For instance, the incumbent will serve the 4 parishes of Sutton, Bosley, Wincle or Wildboardclough and therefore flexibility in terms of its proximity to the church in Sutton must be considered reasonable. Other requirements such as a garage and entrance porch would seem to be criteria to which flexibility could be applied. Additional commentary has been provided to address whether or not flexibility could be applied to the criteria identified. The applicant maintains that, other than those noted above to which they have applied some flexibility, the remaining criteria are fundamental and cannot be compromised on.

Members should consider carefully what weight to give to the standards in the Parsonage Design Guide and how rigidly they should be applied to an existing dwelling. Careful consideration should also be given to whether sufficient flexibility has been applied in this case.

In addition to the above, the Parsonage Design Guide makes clear that when considering a replacement parsonage (vicarage):

*'The means of replacement will depend on whether a house which is or can be brought up to standard is available for purchase...' (emphasis added)*

In view of this and given the applicant seeks to construct a new dwelling in the Green Belt, it is considered necessary to assess whether the existing properties could be adapted or brought up to standard, although again, the Parsonage Design guide does make clear this is not obligatory. As such the applicant was asked to provide further details as to why the adaptation/extension of an existing dwelling could not provide a suitable alternative to a new build option. The applicant does not agree that it is necessary to consider whether existing properties could be adapted however, they have provided additionally commentary as requested which has looked at six of the properties identified in the original search. The others are no longer available and therefore were not looked at. They did not look at any new properties available at this point which were not previously available as this would require repeating the sequential assessment which was not the purpose of the exercise.

The possibility of adaptation of the six properties still available has been discounted in all cases. They have been rejected for varying reasons including reference to restrictive Green Belt policy making the possibility adaptation uncertain, difficulty of pedestrian access, shared access, and 'other constraints which render this property unsuitable'. In four of the six cases the main reason would appear to be that they are not within 10 minutes walking distance of the church. This particular requirement has been discussed previously in this report.

Having reviewed the Addendum to the Sequential Assessment and considered the degree to which flexibility has been applied in looking at existing available dwellings, concern remains that the criteria have been applied too rigidly given they apply to new vicarages and are meant as a guide. The proposal seeks approval for an inappropriate form of development in the Green Belt and substantial harm has been identified which weighs heavily against the proposal. It is reasonable to expect that the alternative options are first fully explored and the criteria of the Parsonage Design Guide applied flexibly.

The prospect of adapting an existing property would seem like a realistic one too. Some of the criteria, such as level access, entrance porch, hardstanding for parking, garage, utility room, ground floor WC, are all minor forms of development which in most cases would likely comprise permitted development. It is not considered that this option can be fully discounted on the evidence put forward.

- Public support

In addition to the above considerations appropriate weight should be given to the fact that there is local support for the application. A number of representations have been made in support of the application and clearly there would be community benefits arising from the development.

#### Conclusions to Green Belt policy considerations

The considerations put forward are of considerable merit and appropriate weight should be attached to them. It is not considered that alone any of the individual matters discussed above clearly outweigh the harm to the Green Belt however what members must consider is whether as a package, these considerations clearly outweigh the substantial harm to the Green Belt by reason of inappropriateness and harm to openness. Appropriate weight should be attached to the fact that the existing vicarage is not a realistic option and to the historic and ecclesiastical linkages between the site and the church. Members should consider whether these alone outweigh the harm to the Green Belt. Careful consideration must also be given as to whether all other possible alternatives have been fully explored. This is considered important because it forms part of the overall package of considerations which could demonstrate there are very special circumstances to justify the development. The role of the incumbent and nature of the requirements for a vicarage are clearly unique. However, the Parsonage Design Guide is just that, a guide, and it relates to new build parsonages. It is not considered full consideration has been given to whether the criteria can be applied flexibly in this case when looking at existing available dwellings and therefore whether there are existing properties in the vicinity that could be suitable for this purpose. It is also not considered the possibility of adaptation of an existing vicarage has been fully explored and can be discounted. Members should carefully consider whether the information submitted has fully considered these options and what weight to give to this in the overall package of considerations put forward to seek to justify the development.

It is the view of officers that the considerations put forward do not clearly outweigh the substantial harm to the Green Belt identified in the report. As such, very special circumstances do not exist to justify the development.

#### **Design, Scale, Character and Appearance**

The proposed dwelling would be a reasonably large part two storey, part single storey dwelling. Its footprint would be roughly T-shaped with the two storey aspect centred around the central core with single storey “wings” containing the lounge, garage and vicarage study. It would be constructed using stone walls with the roof materials being blue slate. The windows would be double glazed painted timber frames, with painted timber doors. The dwelling, in terms of the size and amount of accommodation provided has been designed to the Church of England Parsonage Design Guide.

The detailed design of the dwelling would be appropriate in the setting. It would sit comfortably in the context of the surrounding buildings, namely the existing vicarage, the church hall, St James Church and the scout hall. It would front on to Church Lane providing legibility for public access. Its position within the site would be reflective of the pattern of development in the immediate vicinity with space around the building and a reasonable garden proportionate to the dwelling.

It is considered the proposed dwelling would have an acceptable impact on the character and appearance of the site and surroundings and is of a design suitable for its unique purpose and function.

### **Impact on the Locally Listed Building**

The existing St James Vicarage is identified in the Cheshire East Local List of Historic buildings. It is described as a *'Victorian Gothic style detached dwelling in stone with slate roof'*.

Policy BE20 of the Macclesfield Borough Local Plan seeks to ensure development does not adversely affect the architectural or historic character of locally listed buildings. Policy BE2 of the Macclesfield Borough Local Plan seeks to ensure development preserves, enhances and interprets the historic fabric of the environment.

The proposal would involve splitting the existing curtilage of St James Vicarage and constructing a new dwelling in part of the garden. The new dwelling would be approximately 21 metres from the existing Vicarage at its closest point. The Conservation Officer has been consulted and does not raise any objections to the proposal.

The position of the new dwelling away from the existing vicarage and its design would fit in with the village setting and appear congruous with the immediate surrounding buildings. It is not considered the proposed dwelling would upset the locally listed building or its setting.

Given the sensitivity of the development in the setting of the locally listed building should permission be granted conditions requiring the submission of samples of materials, and detailed drawings of all window and doors should be imposed. Additionally conditions requiring all windows and doors, including the garage door, to be timber should be imposed.

### **Residential Amenity**

In terms of residential amenity, it is necessary to consider the relationship between the proposed dwelling and existing dwelling. No other residential properties are in close proximity.

The proposed vicarage would be located to the south of the existing vicarage. The southern elevation of the existing vicarage contains a number of principle windows serving habitable rooms. On the ground floor are windows serving a living room, dining room and study/office. On the first floor there are three windows all of which serve bedrooms. On the second floor there are two windows serving bedroom 7 and bedroom 8.

The north elevation of the proposed vicarage has been designed to be mostly blank although there are two windows, one at ground floor serving the dining room and one at first floor serving a 4<sup>th</sup> bedroom.

The north wall of the proposed vicarage would be approximately 21 metres from the south wall of the existing vicarage. However this would be a single storey section of the proposed vicarage containing the study. The two storey aspect of the building would be even further distance away. Policy DC38 of the Macclesfield Borough Local Plan provides guidance in terms of separation distances between buildings to provide adequate space, light and privacy. It states that between two habitable rooms facing each other a distance of 21 metres front to front or 28 metres back to back should be achieved.

For the reasons described above it is considered the proposed development would have an acceptable impact on living conditions at the existing vicarage and sufficient standards of amenity would be achieved at the proposed dwelling.

Environmental Health have requested a condition restricting the hours of construction should planning permission be granted. The hours suggested are 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays with no working on Sundays and Bank Holidays. Such a condition is considered reasonable and would protect the amenity of local residence in the locality from construction noise and traffic.

### **Highway Safety**

The proposal includes the creation of a new separate access to serve the proposed vicarage. The existing access would be retained for use by the existing vicarage.

The new access would be located on Church Lane to the south of the existing access. Visibility at the new access would be 2.4 x 43m in both directions. This would require the cutting back and realignment of the existing hedge behind the right hand visibility splay. The Strategic Highways Manager has been consulted and does not raise any objections to the proposed access. To ensure the visibility stated is achieved this should be conditioned to be provided prior to first occupation.

In addition the proposed new vicarage has sufficient off street parking available and space for turning within the site.

### **Landscape Impact**

The application site is within the Peak Park Fringe Local Landscape Designation (formerly referred to as Areas of Special County Value). Policy NE1 of the Macclesfield Borough Local Plan states that the Council will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance.

The site is currently part of the garden of St James Vicarage. It is mainly laid to lawn with an existing mature hedge forming the boundary with Church Lane. There are a number of mature trees along the boundary and within the existing garden along the line that will form the new boundary between the existing and proposed vicarage.

Having regard to the special qualities of the Peak Park Fringe identified in the Local Landscape Designations report, it is not considered a new dwelling on this plot would adversely affect its quality or character. The strong sense of rural place would be retained, the materials would reflect buildings in the immediate locality, it would be in close proximity to existing buildings on land in domestic use. Overall the harmony between landscape and humans would be retained.

### **Nature Conservation**

An Extended Phase 1 Habitat Survey has been submitted with the application. The Council's Nature Conservation Officer has reviewed the information and does not object to the proposal. He does however note that a section of hedgerow would be lost as a result of the development. Hedgerows are a Biodiversity Action Plan priority habitat and therefore a material consideration.

If planning consent is granted a condition should be attached to ensure that suitable replacement hedgerow planting is incorporated into the development to compensate for its loss.

The Nature Conservation Officer has also advised that should planning being granted a condition should be imposed to safeguard breeding birds. This condition should require, prior to the commencement of any development between 1<sup>st</sup> March and 31<sup>st</sup> August in any year, that a detailed survey is carried out to check for nesting birds.

### **Trees**

An Arboricultural Impact Assessment and Tree Survey Report have both been submitted with the application. The proposal requires the removal and loss of a section of boundary hedging and two Lawson Cypress (identified as T8 and T9 in the report). A third Lawson cypress is identified for removal on safety grounds.

Both the cypress (T8 and T9) to be removed stand on the footprint of the proposed building. They are visually prominent and form part of the Church lane street scene. Their loss would have a moderate impact on the amenity of the area, but this needs to be balanced against their non-native landscape contribution and the space available to accommodate compensatory specimen planting.

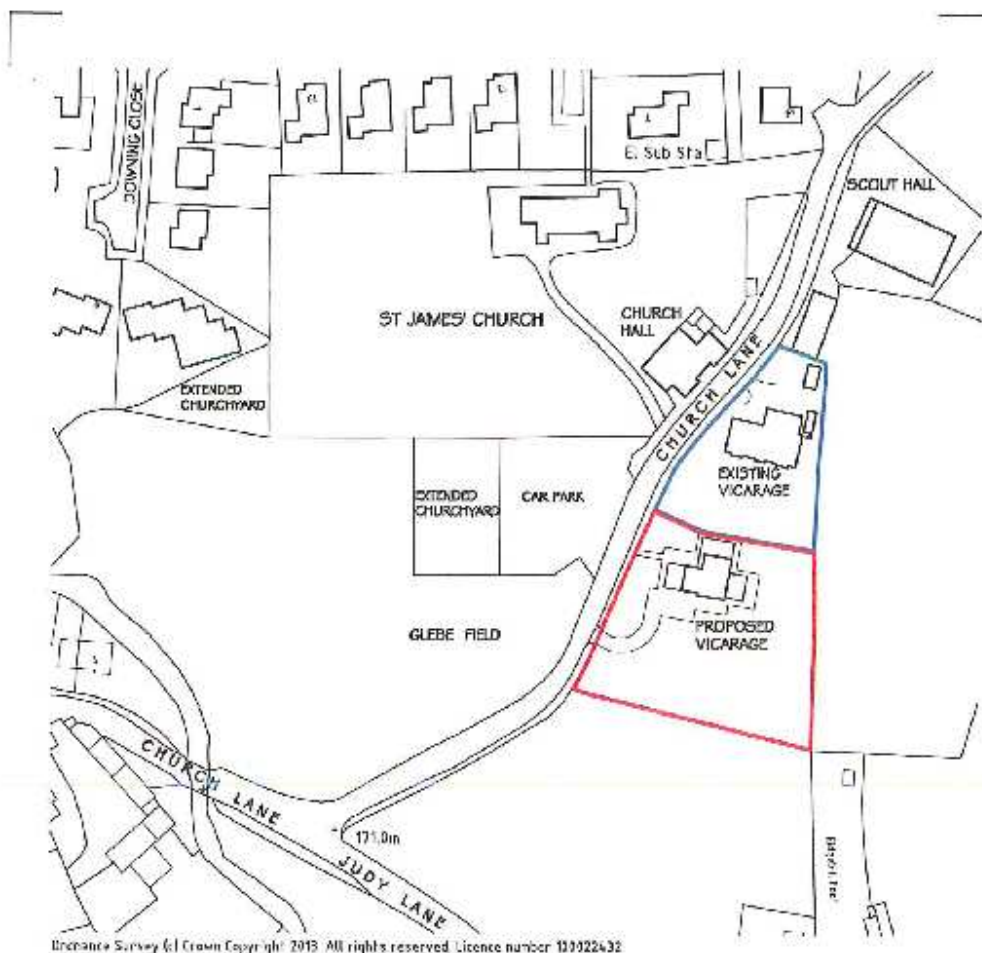
The retained trees can be protected in accordance with best practice as identified in the submitted details. Subject to a condition ensuring all works are carried out in accordance with the report the Council's Arboricultural Officer does not object to the application. They have also requested a landscape condition to ensure appropriate replacement planting. A landscaping plan has been submitted by the applicant to avoid the need for a condition. Nonetheless the replacement tree planting proposed is not considered appropriate to the rural character of the site and its setting. As such should members approve the application a condition should be attached to require the submission of revised landscaping details.

## **11. CONCLUSIONS AND REASON(S) FOR THE DECISION**

The information submitted with the application has been carefully considered. The proposal is for a new dwelling in the Green Belt which is inappropriate development. The NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless harm by reason of inappropriateness, and any other harm is clearly outweighed by other considerations. As well as the substantial weight to be given to the harm to the Green Belt by reason of inappropriateness the proposed development would reduce openness. Openness is one of the essential characteristics of the Green Belt. Substantial weight should be given to this matter.

The applicant has put forward other considerations which they consider clearly outweigh the harm to the Green Belt. These include the historic connection between the site and St James Church and the Church Hall, the existing ecclesiastical infrastructure, the community benefits; and that the existing vicarage is unfit for purpose as it is too large and costly to run and maintain. The applicant has also ruled out two alternative options, namely subdividing the existing vicarage, or purchasing an existing available property in the local area for the purpose.

Based on the information submitted with the application it is clear that there is merit to the arguments and they should be afforded appropriate weight. Members must decide whether the arguments put forward clearly outweigh the identified harm. They should also consider whether the applicant has fully explored all available alternative options and the importance of this in the overall package of considerations. It is the view of officers that the possibility of subdividing the existing vicarage or purchasing an available property in the locality and adapting it cannot be ruled out. It has not been fully explained why flexibility cannot be applied to the Parsonage Design Guide standards when looking at existing properties given the substantial harm to the Green Belt that would arise from a new build. As such it is not considered the other considerations clearly outweigh the harm to the Green Belt. A recommendation of refusal is made on this basis.



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## VWB ARCHITECTS

Milford House, West Street, Congleton, Cheshire, CW12 1JW FAX: 01260 273406 Telephone: 01260 272891

PROJECT NEW VICARAGE, CHURCH LANE, SUTTON SCALE 1 / 1250

CLIENT Diocese of Chester DATE Jan '14

TITLE LOCATION PLAN DWG. NO. 3704/14