

Application No: 14/3129N

Location: ST PETERS CHURCH, MIDDLEWICH ROAD, MINSHULL VERNON, CHESHIRE, CW1 4RD

Proposal: Extension of existing graveyard at St. Peters Church.

Applicant: Minshull Vernon Parochial Church Council

Expiry Date: 29-Aug-2014

SUMMARY RECOMMENDATION

APPROVE subject to conditions

MAIN ISSUES

- Principle of development
- The impact on character and appearance of Open Countryside / design
- The impact on neighbouring amenity
- The impact upon protected species
- The impact upon highway safety

REASON FOR REFERRAL

This application is referred to the Southern Planning Committee as it relates to the change of use of land over 1 hectare in size.

DESCRIPTIN OF SITE AND CONTEXT

The application site forms an 'L-shaped' field over 1 hectare in size to the rear of St Peter's Church and St Peters Community Hall and encompassing The Vicarage on 2 sides (south and west).

The site lies to the west of Middlewich Road (A530), Minshull Vernon in the Open Countryside as defined by the Crewe and Nantwich Borough Replacement Local Plan 2011.

The site is relatively flat and open in nature and consists of tall, mature boundary treatments.

DETAILS OF PROPOSAL

Full planning permission is sought for the change of use of the land to form an extension to the existing graveyard.

RELEVANT HISTORY

None on application site. However, on adjacent church site;

09/1171N - Construction of New Community Hall to Replace Existing Portakabins – Approved 10th July 2009

P07/1322 - Change of Use of Existing Building to Temporary Church Hall – Approved 12th November 2007

P04/1010 - Construction of Community Hall and Associated Car Parking (Replacement of Temporary Buildings) – Refused 25th August 2006

P02/1281 - Community Hall & Associated Parking – Approved 5th March 2004

P97/0395 - Renewal of permission P92/381 – Approved 23rd June 1997

P92/0381 - Temporary church hall – Approved 24th June 1992

POLICIES

Local Plan Policy

NE.2 - Open Countryside

BE.1 – Amenity

BE.2 – Design Standards

BE.3 – Access and Parking

NE.9 – Protected Species

National Planning Policy

National Planning Policy Framework (NPPF)

Cheshire East Local Plan Strategy – Submission Version

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28th February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

Policies

PG5 - Open Countryside
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 - Design
SE3 – Biodiversity and Geodiversity

CONSULTATIONS (External to Planning)

Environmental Protection – No objections, subject to informatives regarding hours of construction and contaminated land

Environment Agency – No comments received at time of report

Public Rights Of Way (Cheshire East) – No objections, subject to the applicant being reminded of their responsibilities.

Strategic Highways Manager - No comments received at time of report

VIEWS OF THE PARISH COUNCIL

Minshull Vernon Parish Council – No comments received at time of report

OTHER REPRESENTATIONS

No comments received at time of report

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

OFFICER APPRAISAL

Principle of development

The proposal seeks the change of use of an 'L-shaped' plot of land, from its existing agricultural use to that of a graveyard.

The application site is located within the Open Countryside and therefore Policy NE.2 of the Local Plan is the principal consideration. Policy NE.2 states that in Open Countryside, only development which is appropriate to the rural area will be permitted.

Paragraph 89 of the NPPF states that the construction of cemeteries within the Green Belt is considered to be acceptable in principle subject to it preserving the openness of the Green Belt and it not conflicting with the purposes of including the land within it. No reference is made to the Open Countryside.

As this proposal lies within the Open Countryside, which is similar to the Green Belt but with not the same level of protection, it is considered that the principal of the proposed use is acceptable. Furthermore, the applicant has stated that the existing graveyard is now at capacity and therefore an extension to the existing provision is required.

It is considered that given the nature of the proposed development, the relatively small amount of development required for the change of use and because the location of the site is within close proximity to the existing church yard, church, vicarage and other built forms to the east and southeast, there would not be significant detrimental impact upon the openness or local character of Open Countryside in this location.

As such, the principle of the development is accepted.

Impact on character and appearance of the area

The submitted plan shows that the development would comprise of a centralised driveway extending from one end of the site to the other in an east-west direction. This driveway would be approximately 96 metres in length and comprise of a 'T-shaped' turning head at the far western end with 3 parking spaces just to the west.

A second turning head is proposed half-way down the driveway on the northern side. Again, 3 parking spaces are proposed in close attendance.

A proposed timber shed is sought adjacent to this turning head. No details of this shed have been provided. As such, should the application be approved, it is recommended that detailed drawings of this shed be submitted for approval prior to commencement of development.

The graveyard would be constructed in a series of rows extending north-south on either side of the proposed driveway.

At the entrance of the site to the south, would be a burial ground for the cremated and the creation of an exposed Roman Road. A second burial area for cremated remains is proposed towards the centre of the site to the north. The remainder of the site would be used for burials.

A footpath would extend along the entire circumference of the site.

It is considered that the change of use of the land can be carried out without generating a significant change to the character and appearance of the Open Countryside given that the majority of the site would remain planted either with grass, shrubbery or trees and little built form. As the site is also well screened from public vantage points, the openness of the Open Countryside will also be preserved.

It is considered that the formal layout of the proposed graveyard would not have a significant detrimental impact upon the local character to warrant refusal of this application subject to the agreement of a formal landscaping plan prior to commencement of development.

The application is therefore considered to adhere with Policy BE.2 and NE.2 of the Local Plan.

Impact on the amenity of neighbouring properties

The nearest residential properties to the application site would be The Vicarage, which would be encompassed by the development on 2 sides to the north east of the site, and the occupiers of The Old Vicarage, located approximately 20 metres from the southern boundary of the site.

Given the nature of the development proposed, no issues in relation to loss of light, privacy or visual intrusion would be created by the development.

With regards to environmental disturbance, the Council's Environmental Protection Team have advised that they have no objections, subject to the inclusion of an hours of construction and a contaminated land informative. As such, it is not considered that the development would result in any environmental disturbance concerns.

The proposal is therefore considered to adhere with Policy BE.1 of the Local plan.

Parking and Access

A new private driveway is proposed which would link into an existing private driveway which then extends onto the A530 Middlewich Road to the east. As part of the driveway arrangements, 2 turning heads and 6 parking spaces are proposed.

There would be no change to the adopted public highway access point. An update will be provided once the comments of the Strategic Highways Manager have been received.

Ecology

The Council's Nature Conservation Officer has advised that he does not anticipate there being any significant ecological issues associated with the proposed development and as such, raises no objections.

As such, it is considered that the proposed development would adhere with Policy NE.9 of the Local Plan.

Other Matters

Should the application be approved, it is recommended that the prior submission of a drainage scheme should be submitted to and approved in writing by the Local Planning Authority in order to address any potential drainage concerns.

CONCLUSIONS AND REASON(S) FOR THE DECISION

It is considered that the proposed change of use of this rural field to a graveyard is appropriate and would not have any significantly detrimental impact on the character or openness of the Open Countryside, the amenities of nearby properties, highway safety or ecology. The proposal is therefore in compliance with Policy NE.2 (Open Countryside), BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking) and NE.9 (Protected Species) of the Borough of Crewe and Nantwich Replacement Local Plan. The proposal

would also adhere with the relevant policies within the Cheshire East Local Plan Strategy – Submission Version, and the NPPF.

RECOMMENDATIONS

APPROVE with conditions

- 1. Standard (Time)**
- 2. Plans**
- 3. Landscaping scheme to be submitted**
- 4. Landscape Implementation**
- 5. Details of shed to be submitted**
- 6. Prior submission of a drainage plan**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

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