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Application Number
20101885

Reynolds Jury Architecture
25 Market Place
Aylsham
Norwich
Norfolk
NR11 6EL



Date Of Decision : 24 March 2011
Development : Partial Demolition of Existing Church. New Extension to Provide Greater Congregation Capacity, Meeting Area, Office & Welfare Facilities. New Parking and Access Provision
Location : St Laurence Church, Church Lane, Brundall, NR13 5JZ
Applicant : Rev Linnet Smith

Town & Country Planning Act 1990

The Council in pursuance of powers under this Act **REFUSES PLANNING PERMISSION** for the development referred to above for the following reasons:-

This application has been considered against the Development Plan for the area, this being the Joint Core Strategy (March 2011); East of England Plan (May 2008); and Broadland District Local Plan (Replacement) 2006. The policies particularly relevant to the determination of this application are Policy 2 of the Joint Core Strategy; Policies ENV 6 and 7 of the East of England Plan; Policies GS3, ENV2, ENV5, ENV13 and ENV14 of the Broadland District Local Plan; and advice in Planning Policy Statement 5 - Planning for the Historic Environment.

Joint Core Strategy

Policy 2 - states that all development will be designed to the highest possible standards, creating a strong sense of place. In particular development proposals will respect local distinctiveness.

East of England Plan

Policy ENV6 requires the protection, conservation and enhancement of the historic environment, its archaeology, buildings, places and landscapes.

Policy ENV7 requires new development to be of high quality which complements the distinctive character and best qualities of the local area.



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Broadland District Local Plan

Policy GS3 sets out general considerations to be taken into account in all new development proposals, including accessibility for all, access and highway safety, residential amenity, the character and appearance of the surrounding area, nature conservation, agricultural land, the historic environment, land drainage, ground conditions and air quality.

Policy ENV2 states that for all development proposals a high standard of layout and design will be required with regard given to the scale, form, height, mass, density, layout, water, energy efficiency, storage of waste, landscape, access, crime prevention and the use of appropriate materials. This will include the consideration of the appearance and treatment of spaces between and around buildings and the wider setting of the development taking into account the existing character of the surroundings.

Policy ENV5 requires, where appropriate the protection and promotion of natural or semi-natural features such as trees and hedges. Where possible, compensating features will be required where development is allowed which would result in the loss of important features.

Policy ENV13 states that extensions or alterations to listed buildings will not be permitted unless specific criteria are satisfied.

Policy ENV14 indicates that development which would detract from the setting of a listed building will not be permitted.

PPS5 - 'Planning for the Historic Environment'

Sets out the planning policies on the conservation of the historic environment. The guidance is designed to ensure that individual heritage assets get the level of protection they deserve, and that changes to the historic environment make an important contribution to tackling climate change and promoting green development.

The application site comprises a Grade II* listed church (heritage asset) set within a tranquil landscape comprised of graveyard and trees, many of which are of particular visual importance and the subject of a preservation order for their amenity value (The Broadland Tree Preservation Order 2007 (No. 20)).



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The north elevation is the main public face of the church. It is through the lychgate that the public approach the church, viewing this across the treed northern graveyard and which provides for the setting of the heritage asset from this direction. It is accepted that the removal of the temporary building and the church room will represent an improvement to the setting of the church however the scale of the new worship area, principally the height and width of its roof will almost completely obliterate the church behind. The removal of 9 trees (eight of which are subject to a Preservation Order) to facilitate both the new build and the new car park along the road frontage will also open the site up to greater public view such that the new build will become the dominant mass from the north.

The area (layout) of the new build appears to be driven by a desire to accommodate a multi-function space, further cementing the churches multi-functional role in the community. This is laudable, particularly seeking to create a hybrid use of the building. However, it is not considered that this is an acceptable location/environment to seek to accommodate such a mass of new build which will be harmful to the tranquil setting of the existing church as the combined mass of new build will have a negative affect on the setting of the existing church (heritage asset). It is considered that the overall height, scale, layout (floor space) and massing is unacceptable in terms of its impact upon the setting of the listed building and its immediate environment and surroundings.

Whilst it is acknowledged that the setting of heritage assets may change (the existing church setting has evolved through subservient extensions) it is considered that the scale of the submitted proposal will both dwarf and demote the significance of the existing church and its individual setting, to its detriment.

Furthermore, it is not considered that the community benefit arising from the proposal is so compelling as to offset the negative impact of the proposal on the heritage asset as indicated above.

Thus, the proposal would adversely affect the setting of the heritage asset, contrary to Development Plan Policies: Joint Core Strategy Policy 2; East of England Plan Policies ENV6 and ENV7; and Broadland District Local Plan Policies GS3 (criterion f and i); ENV2, ENV5, ENV13 (criterion a); and ENV14 and PPS5: Planning for the Historic Environment.

The proposed car park to the west side of The Rectory requires the removal of two trees both of which are subject to a Preservation Order. The formation of the car park will open up this part of the site to The Street and give views beyond to the church. This will erode the existing character of the surrounding area and setting of the church and expose the proposed extensions to wider public view. As such, this is considered contrary to Joint Core Strategy Policy 2 and Broadland District Local Plan Policies GS3 (criterion f and i); ENV2 and ENV5.



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The introduction of a car park in this location, adjacent to residential dwellings, with intermittent disturbance of the comings and goings with associated car doors shutting, vehicles manoeuvring and engines starting would cause unacceptable disturbance to nearby residents. Thus the proposal would be contrary to Broadland District Local Plan Policy GS3 (criterion e).

Overall, the proposal is considered to fail to meet the requirements of Joint Core Strategy Policy 2; East of England Plan Policies ENV6 and ENV7; Broadland District Local Plan saved Policies GS3, ENV2, ENV5, ENV13 and ENV14; and relevant Policies HE7.5, HE8.1, HE9.1, HE9.2, HE9.4, HE10.1 of PPS5 - Planning for the Historic Environment.

Signed

Mr P Courtier
Head of Development Management & Conservation
Broadland District Council, Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew,
Norwich, NR7 0DU



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Information relating to appeals against the decision of the Local Planning Authority.

If you are aggrieved by this decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be made within **6 months** of the date of this notice unless an enforcement notice has been served for the same or substantially the same development within the period of two years before this application was made, or subsequently, then the period within which an appeal can be lodged is reduced to **28 days** from the date of this decision or 28 days from the serving of the enforcement notice, whichever is the later.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.