

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **24TH JULY 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **FULL APPLICATION – CONVERSION OF WEST WING INTO 11 NO. SELF CONTAINED APARTMENTS AT WESTBURY CASTLE, ABBEY DRIVE, UPPER GRONANT (PARTLY RETROSPECTIVE)**

APPLICATION NUMBER: **050264**

APPLICANT: **MR. I. RINGWOOD**

SITE: **WESTBURY CASTLE, ABBEY DRIVE, UPPER GRONANT**

APPLICATION VALID DATE: **5TH NOVEMBER 2012**

LOCAL MEMBERS: **COUNCILLOR S. WILLIAMS**

TOWN/COMMUNITY COUNCIL: **LLANASA COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST IN ORDER TO ASSESS IMPACT OF DEVELOPMENT ON THE BUILDINGS LISTED CHARACTER AND ADEQUACY OF HIGHWAYS TO SERVE THE DEVELOPMENT**

SITE VISIT: **YES**
(UNDERTAKEN 17TH JUNE 2013)

Members will recall that consideration of this application together with the following Listed Building application on the agenda (Code No. 050265) was deferred at the Council's Planning & Development Control Committee meeting on 19th June 2013. The application(s) were deferred to consider potential alternative options to access the site other than from Abbey Drive, having regard to concerns over the width and alignment of Abbey Drive itself. As a result alternative access arrangements have been explored by the applicant/agent and these are

addressed within this report, although none of these is considered to be a viable alternative to Abbey Drive.

1.00 SUMMARY

1.01 This full application (which is partly retrospective) proposes the conversion of the west wing of Westbury Castle, a Grade II Listed Building located off Abbey Drive, Upper Gronant into 11 No. self-contained apartments. The application is to be read in conjunction with the following Listed Building application on the agenda submitted under Code No. 050265.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

2.01 That subject to the applicant entering into a Section 106 Obligation, Unilateral Undertaking or advance payment of £733 per unit in lieu of on site play provision that planning permission be granted subject to the following conditions:-

1. Time limit on commencement.
2. In accordance with approved plans and conservation survey.
3. Photographic survey to be undertaken prior to the commencement of further development.
4. Scheme for parking of vehicles to be submitted and approved.

If the obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within six months of the date of the committee resolution, the Head of Planning be given delegated authority to **REFUSE** the application.

3.00 CONSULTATIONS

3.01 Local Member
Councillor S. Williams

Request site visit and planning committee determination in order to assess impact of development on the buildings listed character and the adequacy of highways to serve the development.

Llanasa Community Council

The Council objects strongly to the proposed development on the following grounds:-

1. It is not considered to be suitable development for the grade 11* listed building.
2. There will be a considerable increase in the number of vehicles using Abbey Drive, which at one point is single lane, and will create additional danger to other road users, especially pedestrians.

3. Any further access onto the A548 should be strongly resisted especially as the County Council has drawn up a scheme to improve the accident black spot.

Head of Assets and Transportation

No objection and do not intend to make a recommendation on highway grounds.

Head of Public Protection

No adverse comments.

Welsh Water/Dwr Cymru

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

Public Open Spaces Manager

Request the payment of £733 per unit in lieu of on-site open space provision.

Clwyd Powys Archaeological Trust

Recommend a photographic record of the building is undertaken in order to record the architectural style.

4.00 PUBLICITY

4.01 Press Notice, Site Notice, Neighbour Notification

3 letters of objection received, the main concerns of which relate to the inadequacy of access to serve the development from Abbey Drive which it is considered would conflict with existing vehicular and pedestrian movements.

Letter of objection with accompanying petition signed by 54 signatories received from Mr. D. Hanson, MP which express concern about the adequacy of the existing access from Abbey Drive, to serve further development at this location.

5.00 SITE HISTORY

5.01 **1019/89**

Listed Building Application – Part demolition, alterations and extensions to form hotel.

Permitted 20th March 1990

1050/89

Alterations and extensions to form hotel.

Refused 10th June 1993

267/92

Change of use to antiques, arts and crafts centre.

Refused 10th June 1993

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development.

Policy STR4 – Housing.

Policy GEN1 – General Requirements for Development.

Policy GEN3 – Development in the Open Countryside.

Policy HE2 – Development Affecting Listed Buildings and their Settings.

Policy HSG15 – Re-use/Conversion of Large Houses/Former Residential Institutional Buildings Outside Settlement Boundaries.

Additional Guidance

Local Planning Guidance Note 2 – Space About Dwellings.

7.00 PLANNING APPRAISAL

7.01 Introduction

Westbury Castle a Grade II Listed Building is located within the open countryside and a conservation area approximately 0.3 km to the north-east of the settlement boundary of Gronant. Vehicular access to the site is obtained from Abbey Drive and a section of a private driveway from the junction with Llanasa Road, Upper Gronant.

7.02 The property was originally built as a family residence in 1829 and was later converted into a convent for a closed order of Benedictine nuns in 1929.

7.03 The main body of the building which is formally known as ‘Talacre Hall’ is in occupancy as a single residence. The annexe which is physically attached to the main residence and known as the west wing is the subject of this application. This section of the building is thought to be the former service wing associated with the convent and is currently vacant.

7.04 Background / Planning History

For Member’s information, there is a previous background of planning history relating to development at this location which is referred to in paragraph 5.00 of this report. In summary planning permission was refused for the change of use of Westbury Castle into (a) a hotel and (b) an antiques, arts and crafts centre under code No’s 1050/89 and 267/92 respectively on 10th June 1993. The principal reason for refusal in respect of both application was based on the unacceptability of the formation of a new vehicular access to serve the development from the A548 – Flint – Prestatyn Road, to the north, given concerns on highway safety grounds.

7.05 Proposed Development

This application which is partly retrospective proposes the conversion of the west wing into 11 No. one and two bed apartments. The accommodation is proposed over four floors including a basement level opening out onto an enclosed courtyard.

7.06 For Members information conversion work has been carried out by the previous owner on the creation of 3 No. apartments which has included the redecoration and the fitting out of kitchen and bathroom spaces. These apartments whilst they may have previously been occupied are currently vacant.

7.07 This application seeks to regularise this situation and also proposes the conversion of the remainder of the west wing into a further 8 apartments providing for 11 No. units in total. Vehicular access to serve the development as shown on the initially submitted plans, is proposed from Abbey Drive and a section of private driveway from the junction with Llanasa Road, Upper Gronant.

7.08 Main Planning Issues

It is considered that the main planning issues can be summarised as follows:-

- a. Principle of development having regard to the planning policy framework.
- b. Impact of development on the character of the Grade II Listed Building.
- c. Scale of development proposed.
- d. Adequacy of access to serve the scale of development proposed and impact on privacy/amenity.

7.09 Principle of Development

Policy HSG15 of the adopted Flintshire Unitary Development Plan allows consideration to be given of the reuse/conversion of large houses/former residential institutional buildings outside settlement boundaries into dwellings subject to compliance with specific criteria. This principally requires the need to ensure that (i) any development retains any architectural/historic merit associated with the building

(ii) the proposal does not represent overdevelopment of the site, and (iii) the proposal safeguards the privacy/amenity of occupiers living in proximity to the site. This policy context therefore provides the framework against which this application is to be assessed with each of these issues being addressed in detail below.

7.10 Impact on the Character of the Grade II Listed Building

It is of particular importance to ensure that in consideration of this application, that the scheme of conversion retains/enhances the buildings inherent architectural and historic character. The wing of the building is fairly extensive comprising accommodation over four floors with the impact of both internal/external changes being carefully

considered as part of this application and the following Listed Building application on the agenda (050265).

7.11 Scale of Development

As indicated the west wing of the building extends over four floors, its scale/form being reflective of the buildings previous historic usage as a convent/service wing. In order to secure the retention of this important Grade II listed building it is necessary to seek to secure a use that is acceptable in planning land use terms. It is also important that any development is of an appropriate scale to facilitate the buildings retention, whilst at the same time recognising the need to safeguard the privacy/amenity of residents on Abbey Drive by virtue of associated vehicular movements to and from the site.

7.12 While there may be other suitable uses of the building which may be considered to be acceptable e.g. hotel, tourist accommodation, conference facilities, the use of the site access is of importance as such uses may result in the generation of additional movements to and from the site over and above that which may be expected as part of this application for residential development. It is my view that given the scale/form of the existing building, that its conversion into 11 No. units is an acceptable balance in these circumstances and would help to secure the buildings retention.

7.13 Adequacy of Access

The proposed access to the site as shown on the plans initially submitted as part of this application is from Abbey Drive, at its junction with Llanasa Road, Upper Gronant. The volume of objections received from residents and the community council to the use of this access are duly noted, although there is no objection to the use of Abbey Drive to serve 11 No. self-contained apartments at this location from the Head of Assets & Transportation.

7.14 In taking into account the initial objections raised regarding the use of Abbey Drive, the applicant/agent in conjunction with the Head of Assets and Transportation explored the possibility of forming a second access to serve the development. This would involve the reopening a former access road into the site which opens onto a dual carriageway section of the A548 Flint – Prestatyn Road to the north.

7.15 In further consideration of this matter however and whilst future road improvements to this section of the A548 are planned, the Head of Assets & Transportation is of the view that the reopening of the access point directly onto this section of the A548 would introduce conflict of traffic movements close to both the Tyn y Morfa junction and the access leading to The Bells of St. Mary's Public House. In this context the formation of a second access into the site (as outlined above) would not be supported by the Head of Assets & Transportation.

7.16 In addition and following deferral of the application at the Planning & Development Control Committee on 19th June 2013, the applicant/agent have given consideration to two further options to access the site, these being:-

- a. The construction of a new access road to link with Llanasa Road across agricultural land from the private driveway opposite and to the south of Home Farm.
- b. The use/adaptation of an existing bridleway located to the west of Home Farm, which meets with A548 at a point to the west of the Bells of St. Mary's Public House.

7.17 In considering these options, the applicant's agent has advised in respect of each option as follows:-

- a. "the proposal would involve the construction of a new access road within a conservation area, which would effectively cut an agricultural field in half and as such the road could not be fenced off with the result of the road being subject to cattle movement. The logistics of this new road also lead to an exorbitant cost implication for the formation of the road, the maintenance of the road and also litigation onus on the applicant for its continued use which may have had potential for use by others than the residents of the converted west wing of the Hall".
- b. "the bridle path is currently a single lane gravel track which is extremely steep in places and would have very limited potential to increase its width to meet highway access stipulations for passing points and the resulting steepness of the track would render its use limited to those with a four wheel drive vehicle and as such is not a viable option".

7.18 Having regard to the above the applicant's agent considers that the use of Abbey Drive as the primary access to serve the proposed development remains the only viable option and request that the Members of the Planning Committee determine the application on this basis. For Members information, the Head of Assets & Transportation re-enforces the view, that there is no objection to this arrangement to serve the development as highlighted in paragraph 7.13 of this report.

8.00 CONCLUSION

8.01 In conclusion, it is my view that the principle of the conversion of the west wing known as Westbury Castle, into self-contained apartments is acceptable having regard to the criteria listed in Policy HSG15 of the Flintshire Unitary Development Plan. Whilst the concerns relating to the adequacy of the access from Abbey Drive to serve the scale of development are duly noted, alternative options have been considered by the applicant/agent with it being concluded that these are unacceptable and not feasible for the reasons outlined in this report.

As a result it is requested that Members determine the application on the basis of access into the site being derived from Abbey Road. This has initially and subsequently been assessed in considerable detail by the Head of Assets and Transportation, with it being confirmed that the use of Abbey Drive is acceptable on highway grounds. It is considered that the scale of development provides an acceptable balance in this context, recognising the need to safeguard the privacy/amenity of the occupiers of existing properties whilst securing the retention of an important listed building which is currently vacant. It is considered that provided that the scheme retains the architectural/historic character of the building in accordance with the details contained in the following Listed Building application on the agenda, that the use proposed is acceptable at this location. I therefore recommend accordingly.

8.02

In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

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