

FLINTSHIRE COUNTY COUNCIL

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

DATE: **4TH SEPTEMBER 2013**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **CHANGE OF USE FROM CHAPEL TO DWELLING AT BERA CHAPEL, FFORDD Y LLAN TREUDDYN**

APPLICATION NUMBER: **050729**

APPLICANT: **MR J WIGGINS**

SITE: **BEREA CHAPEL, FFORDD Y LLAN TREUDDYN**

APPLICATION VALID DATE: **30/04/13**

LOCAL MEMBERS: **COUNCILLOR C THOMAS**

TOWN/COMMUNITY COUNCIL: **TREUDDYN**

REASON FOR COMMITTEE: **LOCAL MEMBER REQUEST**

SITE VISIT: **YES TO SEE THE HIGHWAYS ISSUES ASSOCIATED WITH THE PROPOSED ACCESS**

1.00 SUMMARY

- 1.01 This is a full planning application for the change of use of the former Berea Chapel to a dwelling. The main issues are the use of the building for residential use and creation of a new vehicular access on to the A5104 Corwen Road and the provision of parking facilities.
- 1.02 It is considered that residential reuse is appropriate and that an access with adequate parking facilities can be provided to meet with highways requirements.

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

- 2.01
1. Time commencement
 2. In accordance with plans
 3. Details of means of disposal of foul drainage
 4. Visibility splay of 2.4 x 80m to nearside channel
 5. Proposed access should be a minimum of 21m from the junction between Ffordd y Llan and the A5104
 6. Parking facilities to be provided and retained
 7. Details of levels and retaining structures to parking area
 8. Gradients of the access, parking and turning shall not exceed 1 in 12
 9. Details of solar panels
 10. Details of windows, include roof lights and external doors
 11. Details of boundary treatment and landscaping
 12. Traffic management plan

3.00 CONSULTATIONS

3.01 Local Member
Councillor C Thomas

Requests committee determination and site visit due to concerns over highway issues associated with the proposed development.

Treuddyn Community Council

No objection to the change of use but the following observations need to be addressed;

1. The parking proposals for the property. The access is close to an already busy/dangerous junction and the scale of the plan does not seem accurate as the amount of room shown for parking appears to be much larger in front of the chapel door than is actually on the ground. Concern there is not sufficient room for a turning circle which would lead to reversing out onto the A5104.
2. The conversion is not in scale with the surrounding properties which immediately opposite are terraced.
3. Comment on inaccuracy in Design and Access Statement which states that neighbouring properties are generally large in size when they are in fact small to medium sized.
4. No historic features are retained.
5. Object to the scale and illusion of the application.

Head of Assets and Transportation

No objection subject to conditions;

- Visibility splay of 2.4 x 80m to nearside channel
- Proposed access should be a minimum of 21m from the junction between Ffordd y Llan and the A5104
- Parking facilities to be provided and retained
- Gradients of the access, parking and turning shall not exceed 1 in 12
- Submission of a traffic management plan

Head of Public Protection

No objection.

Welsh Water Dwr Cymru

No objection subject to standards conditions relating to foul and surface water run off.

4.00 PUBLICITY

4.01 Site Notice and Neighbour Notification

No representations received.

5.00 SITE HISTORY

5.01 None.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR4 – Housing

GEN1 – General Requirements for Development

GEN2 – Development Inside Settlement Boundaries

D1 – Design Quality, Location and Layout

D2 – Design

D3 – Landscaping

AC13 – Access and Traffic Impact

AC18 – Parking Provision and New Development

HSG3 – Housing on Unallocated Sites Within Settlement Boundaries

The proposal is in accordance with the above planning policies.

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full planning application for the change of use of the former Berea Chapel to a dwelling and the creation of an access and parking and turning area.

7.02 Site Description

The chapel is located on the junction of the Corwen Road and Ffordd y Llan on the edge of the village of Treuddyn. The site includes sloping land to the north and west which includes a stream. The chapel faces Corwen Road with a pedestrian gate and wall along its boundary with Ffordd y Llan. The chapel is rendered with a slate roof and traditional large chapel windows. The chapel is built into the topography of the land so is double height at the rear on its northern elevation and has a cellar.

7.03 There are a mixture of different types of residential properties in the

vicinity of the application site along both Ffordd y Llan and the A5104. Swan's farm shop is opposite the application site on the other side of the A5104 and there is a garage is on the opposite side of Ffordd y Llan and further residential properties.

7.04 Proposed Development

It is proposed to convert the chapel into a single dwelling and excavate the half cellar to provide a full basement floor. The conversion provides four bedrooms and open plan living space over 3 floors. It is proposed to create 2 additional windows on the north western elevation and north eastern elevations to provide additional light into the basement level. It is also proposed to insert a number of roof lights and solar panels on the roof of the building. A new vehicular access is proposed to be created on to the A5104 and the land raised to create a parking and turning area. The application is accompanied by a Structural Survey, Ecological Survey and Highways report.

Issues

7.05 Principle of development

The application site is within the settlement boundary of Treuddyn within the Flintshire UDP. Treuddyn is a Category B settlement, where policy HSG3 permits the change of use of non residential buildings to dwellings provided that if it would cumulatively result in more than 15% growth since 2000 the development is justified on the grounds of housing need.

7.06 Treuddyn is in excess of its 15% threshold and therefore any additional housing would need to be justified on the grounds of housing need to meet with policy HSG3. The allocated site within the village, land at Ffordd y Rhos, was recently developed with a significant element of affordable housing and given that there is further provision of affordable housing within the village from existing stock there is insufficient affordable housing need to justify any additional residential development on this basis.

7.07 However it is considered there are other matters to consider in this case. As this proposal is for the conversion of a chapel to a dwelling, there are associated costs in terms of restoring and converting this building, particularly if it is done to a high standard which would make it unviable to provide any affordable measures. Also in the Inspector's report for the UDP, in her reasoning on HSG3, she stated that there could be exceptions whereby development could go beyond 15% and not be for local need. It was envisaged that this would be in cases where development needs to take place in a Category B rather than a Category A settlement and would involve the development of a brownfield site. It was implied that this would apply to larger villages where there are more services and facilities.

7.08 In this particular case the chapel is a prominent building on the A5104 at one of the entrances into the village. The building was built in 1861

and is of some local/architectural interest. It would therefore be beneficial to seek a new use rather than for the building to deteriorate further. Due to the highway constraints and limited land available for parking, it would be difficult to secure an appropriate economic reuse. It is therefore considered that a residential use is probably the best option for a reuse of the building. Perversely if the chapel was outside the settlement boundary, subject to it meeting the other tests of policy HSG7, there would not be a requirement to meet a local housing need.

- 7.09 A Structural Survey was undertaken by Mr. G P Hughes. The report concludes that the building is generally in reasonably good condition with no structural critically debilitating distortions in evidence. Some maintenance and essential repairs to guarantee the road embankment and building stability have commenced including underpinning of the side walls to facilitate use of the basement level. It is concluded that it is feasible to convert the building from a structural point of view and alterations can be undertaken without jeopardising the structural stability of the building provided that the recommended action is undertaken.
- 7.10 It is therefore considered that as the conversion would lead to the regeneration of a building in a key location in the village and due to the availability of local needs housing in the village and the viability issues associated with providing any affordable housing provision in a conversion scheme such as this, the principle of the change of use to residential use is acceptable.
- 7.11 Access and highways issues
There is currently no vehicle access to the chapel, only a pedestrian gate on the corner of the junction with the A5104 and Ffordd y Llan. Any reuse of the chapel will require a vehicular access and parking and turning facilities. It is proposed to create a vehicular access on to the Corwen Road with parking and turning facilities, which makes provision for 3 cars. This involves raising the land within the site to create a plateau for parking and turning.
- 7.12 The application was accompanied by a highway report submitted by a qualified highway engineer and concludes that an access and parking and turning area can be provided to meet with highway safety requirements.
- 7.13 The Community Council and Local Member have raised concerns regarding the access and parking arrangements for the proposed use of the chapel as a dwelling.
- 7.14 The Head of Assets and Transportation has been in discussions with the applicants engineer in relation to the visibility requirements from the proposed access and creation of adequate parking and turning facilities. The previous use of the building as a chapel would have

generated significantly more vehicle movements and associated parking than the proposed residential use. The chapel also has the potential to be used for any use within the D1 Use Class, which includes traffic generating uses such as a day nursery, community centre or health centre. The application is therefore considered in this regard and that the proposed use as a dwelling would be a net highway gain opposed to other potential permitted uses.

- 7.15 The proposal involves the creation of an access 21m from the centre-line of the road junction. While this is generally resisted there is no technical highway guidance to state that this is not permissible. Also in the context of this site the only other alternative would be to provide an access from the junction radius in the vicinity of the existing pedestrian gate. This was initially considered by the applicant and although not desirable in highway terms would be difficult to resist due to its previous use. The currently proposed new access point, is the Highway Authority's preferred location and would provide inter-visibility between drivers waiting to turn right out of the junction and drivers exiting the application site.
- 7.16 The applicants have demonstrated to the Head of Assets and Transportation that the average speed on this stretch of road is 42.9mph. This correlates with data the Council holds. While it is understood there are concerns with proximity of the creation of an access in the vicinity of the junction, there are no recorded injury accidents since the 40mph speed restriction was imposed, consequently there is no empirical evidence to show that there is a safety issue with the junction as it stands. The applicants can provide an access with a visibility splay which provides adequate sightlines. A condition would be imposed to secure this sightline in perpetuity.
- 7.17 In terms of parking the applicant has also demonstrated that a parking and turning area to accommodate 3 cars can be provided to prevent any need for vehicles to reverse onto the highway. This requires some land raising within the site to achieve a level plateau, which will required retaining structures. Details of these structures can be conditioned. The number of parking spaces is in accordance with the Council's maximum parking standards for a 4 bedroom dwelling in accordance with Policy AC18 of the UDP.
- 7.18 Foul drainage
Existing foul drainage on the site is connected to a tank on the adjacent land which belongs to United Utilities. The applicant proposes to use this tank or to locate a septic tank within the grounds of the chapel adjacent to the driveway. Details of this can be conditioned.
- 7.19 Proposed conversion
It is considered that the details of the conversion scheme retain the historic features of the chapel with limited changes to its external

appearance. The proposed new windows are in keeping with the scale and design of the existing windows and the detailing can be conditioned. It is proposed to insert a number of roof lights and solar panels on the roof of the chapel. It is considered that these are acceptable and the details can be conditioned.

7.20 The Community Council have concerns that the conversion creates too large a property, as it has 4 bedrooms and the demands this would have on parking. The conversion utilises the basement of the chapel to maximise living space whilst retaining an open plan ceiling to floor height living space, preserving the character of the chapel. The Head of Assets and Transportation is satisfied with the level of parking provided.

7.21 Amenity space would be provided in the remainder of the land within the curtilage of the property to the east and north of the chapel.

Other issues

7.22 An Ecological Survey was submitted with the application and there was no presence of breeding birds and bats. It is recommended that precautionary measures should be taken during the conversion. These would be put as an informative on any grant of permission.

8.00 CONCLUSION

8.01 It is considered that the proposed conversion would regenerate a key site on the entrance to the village and would be a suitable reuse for this building of historical interest to the village. It is considered that the proposed access and parking arrangements are acceptable in terms of highway safety.

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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