

FLINTSHIRE COUNTY COUNCIL

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

DATE: **12 MARCH 2014**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **CONVERSION OF REAR OF FORMER CHURCH TO TWO BED APARTMENT AT FORMER CONGREGATIONAL CHURCH, HIGH STREET, BAGILLT**

APPLICATION NUMBER: **051084**

APPLICANT: **MR B WILDE**

SITE: **FULL PLANNING APPLICATION FOR THE CONVERSION OF PART OF BUILDING TO TWO BED APARTMENT AT FORMER ENGLISH CONGRAGATIONAL CHURCH,HIGH STREET, BAGILLT.**

APPLICATION VALID DATE: **7 AUGUST 2013**

LOCAL MEMBER: **COUNCILLOR M A REECE**

COMMUNITY COUNCIL: **BAGILLT COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **RECOMMENDATION FOR APPROVAL SUBJECT TO A 106 AGREEMENT FOR AFFORDABLE HOUSING WHICH DOES NOT FALL WITHIN THE SCHEME OF DELEGATION**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This application seeks consent for the conversion of part of the former church to create a two bedroom apartment, which would create affordable rental housing provision for Bagillt.
- 1.02 The matter for consideration is the imposition of a Section 106 Agreement to ensure that the apartment is retained for local people

who require affordable rentable housing.

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

2.01 That conditional planning permission be granted subject to the applicant entering in to a Section 106 Obligation, in respect of the following matter;

To ensure that the apartment is retained for local people who require affordable rentable housing.

Conditions

1. Time limit on commencement
2. In accordance with approved plans
3. Existing railings on western boundary to be removed to maximise width available
4. No enclosure fronting the site shall be greater than 1m above the near side channel level.
5. No net increase in surface water
6. Land drainage shall not be permitted to discharge in to the public sewerage system.
7. Foul and surface water to be drained separately from site.

3.00 CONSULTATIONS

3.01 Local Member

Councillor M.A. Reece

Agrees to determination under delegated powers.

Bagillt Community Council

The Council objects to this particular development. There needs to be an overall proposal for the future of all the former Church building.

Head of Assets & Transportation

Suggest that the railings be removed in order to maximise parking available, and a note to applicant on any permission, that the boundary fronting the highway shall not be greater than 1m above the nearside channel level.

Head of Public Protection

No objections to the development.

Natural Resources Wales

The betterment provided in the updated submitted Flood Consequences Assessment, although limited allows some mitigation and is not considered to be so onerous as to substantiate a refusal on flooding grounds, as such NRW raise no objection. The scheme is considered to be a development of like for like, in that that the church

use was a highly vulnerable use and the apartment falls within the same definition of highly vulnerable in the NRW's consideration, accordingly there is no added risk posed by this development.

Emergency Planning

At the request of NRW the emergency planning section have considered the proposal, the submitted documents and having visited the site, the officer raised no objection to the proposal. This is due to the site being with in a NRW flood warning area, and there being sufficient high ground adjacent to the site to provide a suitable evacuation route in the event of a flood.

Welsh Water/ Dwr Cymru

If minded to grant consent recommend conditions and advisory notes.

Housing Strategy Officer

Confirm that the applicant sought preliminary advice and that there was an identified need for local affordable housing, at an affordable rent of 80% of the market rent in the Bagillt area and any provision created by the development, will need to be for this rentable value.

The strategy officer has sent through revised figures for applicants registered for affordable /local housing register for Bagillt for which there are currently 40 applicants registered for 2 bed rental accommodation. The officer also confirmed the wording requirements for the 106 pertaining to affordable renting of the apartment to ensure that it is maintained for local people who require affordable rental housing.

4.00 PUBLICITY

4.01 Neighbour Notification

No objections received at time of writing.

5.00 SITE HISTORY

5.01 **778/92** - Use of Land as car park and retention of existing access.
Permit 25.11.92

07/43645 - Erection of detached two storey dwelling. Permit 29.10.07

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

GEN1 - General Requirements for Development

HSG3 - Housing on Unallocated sites Within Settlement Boundaries

EWP17 - Flood Risk

7.00 PLANNING APPRAISAL

7.01 This application seeks change of use of part of the former church to a

2 bed apartment. The rest of the building is to remain in the former use D1, which allows alternative uses in the same use class to be carried out without having to seek a change of use.

- 7.02 Whilst recognising the concerns of the community council, with regard to the application only applying for a partial use of the building, the local planning authority can only consider the application as submitted recognising that the remainder of the unit will remain in its current use unless a further planning application is submitted.
- 7.03 The proposed unit is to provide for an affordable rental housing provision, a 2 bedroom apartment unit. The applicant had carried out preliminary discussion with both the policy section and the housing strategy officer, with regard to the proposed developments compliance with the requirements of policy HSG3. There is a proven need for this type of accommodation in this area, and it has been confirmed that there are a number of people on the housing register that would comply and have a local connection to the area. As such the proposal is considered to be compliant with policy, subject to the applicant entering in to a Section 106 Obligation to ensure this affordable local housing provision is retained in the community. The applicant is aware of this requirement and has agreed to the provision of the required 106 Obligation.
- 7.04 The application site lies within an established mixed residential area, on a level site although the land to the rear rises steeply. A conifer hedge on the boundary with Sea Haze the property to the rear of the site and Grove House to the side affords privacy. There is a vacant piece of land to the side boundary with Grove House. The boundary with the Feathers public house has a small section of metal railings which are to be removed to comply with the Highways recommendation.
- 7.05 The conversion scheme proposed, leads to minimal external changes to the existing fabric of the building, with internal division of the building to create the accommodation unit. The external changes are minimal and amount to the insertion of a door to the rear of the building and the closing up of an existing side door. The building is not listed or a building of local interest, it does however lie within a C1 flood risk zone, Natural Resources Wales have considered the two Flood Consequences Assessment submitted by the applicant and have confirmed that they raise no objection to the proposal as it not considered to be any more onerous than the church use.

8.00 CONCLUSION

- 8.01 Taking all of the above matters into consideration, it is considered that there is a need for affordable rental accommodation within Bagillt. The proposed scheme has been sympathetically designed in regard to the existing former church building and is not considered to adversely

impact on the character or residential amenity of the area.

8.02 As such it is recommended that conditional approval be granted subject to the signing of a Section 106 Obligation to ensure the apartment are maintained for local people who require affordable rental housing.

8.03 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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