

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **3RD APRIL 2019**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **FULL PLANNING – RESIDENTIAL DEVELOPMENT INCLUDING 15 NO. NEW DWELLINGS AND THE CHANGE OF USE/CONVERSION OF THE FORMER LLUESTY HOSPITAL INFIRMARY WING TO PROVIDE 14 NO. RESIDENTIAL UNITS (TOTAL 29 NO. DWELLINGS) ON LAND AT LLUESTY HOSPITAL, OLD CHESTER ROAD, HOLYWELL**

APPLICATION NUMBER: **057006**

SITE: **INFIRMARY WING, LLUESTY HOSPITAL, OLD CHESTER ROAD, HOLYWELL**

APPLICATION VALID DATE: **25TH OCTOBER 2018**

LOCAL MEMBERS: **COUNCILLOR P JOHNSON**

TOWN/COMMUNITY COUNCIL: **HOLYWELL TOWN COUNCIL**

REASON FOR COMMITTEE: **SCALE OF DEVELOPMENT**

SITE VISIT: **NO**

1.0 SUMMARY

- 1.01 This is a full planning application (057006) for the change of use of the former Llesty Hospital Infirmary building to provide 14 no. self-contained residential units, 15 no. new build residential units with the total development providing 29 no. residential dwellings together with associated landscaping and infrastructure on land at Llesty Hospital, Old Chester Road, Holywell.

It is considered that the proposed conversion and new build will provide a long term, viable reuse of the curtilage listed building,

within the backdrop of the Listed Buildings of Lluesty Hospital, without significantly comprising the historic character and appearance. The proposed scheme will also deliver a housing allocation in the UDP and will contribute to the housing land supply in a sustainable location.

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

2.01 That conditional planning permission be granted subject to the applicant entering into a Section 106 Obligation to provide the following:

1. Payment of £12,647.00 in lieu of onsite provision to enhance toddler play facilities at Fron Park, Holywell.
2. Payment of £12,647.00 in lieu of onsite provision to enhance teenage recreation at Holway Play Area, Holywell.
3. Control the provision of 2 no. 3 bedroomed homes as Gifted Units and 2 no. 2 bedroomed homes to be sold at a discounted purchase price of 70% of their market value and all of the affordable dwellings to be made available to persons on the affordable housing register.
4. Provide that a Management Company is incorporated for the management and future maintenance of the estate roads and footways and communal landscaped areas.

Conditions

1. Time Commencement
2. In accordance with Plans
3. Materials of all external finishes to include glazing
4. Hard and Soft Landscaping Scheme and Implementation
5. Contaminated Land Investigation
6. Level 2 Building & Photographic detailed historic survey
7. Scheme for reasonable avoidance measures, mitigation/compensation including external lighting, agreed monitoring to ensure long term roost security for bats and full details of a Method Statement for licence
8. Scheme of mitigation for House Martins and Swifts
9. Ecological Compliance Audit
10. No works to take place during the bird nesting season unless otherwise agreed
11. Detailed scheme for the re-alignment of the Chester Road/Halkyn Road Junction subject to S278 Agreement of the 1980 Highways Act
12. No dwelling to be occupied until all works are completed per agreement

13. Siting, layout and design of means of access in accordance with details to be submitted and approved
14. Detailed scheme for the provision of site access
15. The works associated with forming the means of the site access shall be kerbed and completed to the carriageway
16. Visibility splays of 2.4m x 43m
17. Visibility splays to be made available and kept free from obstruction during site construction work
18. Facilities to be provided for parking and turning
19. Garages to be set 5.5m from the footway
20. Detailed layout, design, means of traffic calming and signing, surface water drainage, lighting and construction of internal estate roads
21. Positive means to prevent surface water run-off onto the highway
22. Gradient of the access from the edge of the existing carriageway and for a minimum of 10m shall be 1 in 24 and a maximum of 1 in 15 thereafter
23. Construction Management Plan
24. Full Travel Plan
25. Transport Implementation Strategy
26. Drainage Scheme to be submitted and approved
27. Conservation conditions

If the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within 3 months of the date of the Committee resolution, the Head of Planning be given delegated authority to REFUSE the application.

3.0 CONSULTATIONS

- 3.01 Local Member
Councillor P Johnson
 Confirms no objection to the proposed development.

Holywell Town Council
 No objections raised.

Head of Assets and Transportation
 No objections to the proposal subject to the following conditions:

- Detailed scheme for the re-alignment of the Chester Road/Halkyn Road Junction subject to S278 Agreement of the 1980 Highways Act
- No dwelling to be occupied until all works are completed per agreement
- Siting, layout and design of means of access in accordance with details to be submitted and approved
- Detailed scheme for the provision of site access

- The works associated with forming the means of the site access shall be kerbed and completed to the carriageway
- Visibility splays of 2.4m x 43m
- Visibility splays to be made available and kept free from obstruction during site construction work
- Facilities to be provided for parking and turning
- Garages to be set 5.5m from the footway
- Detailed layout, design, means of traffic calming and signing, surface water drainage, lighting and construction of internal estate roads
- Positive means to prevent surface water run-off onto the highway
- Gradient of the access from the edge of the existing carriageway and for a minimum of 10m shall be 1 in 24 and a maximum of 1 in 15 thereafter
- Construction Management Plan
- Full Travel Plan
- Transport Implementation Strategy

Head of Public Protection

No objection in principle, however the site has an extensive historical use as a Work House and Hospital and there are also gas works on site. There could also be asbestos present in the building fabric. In addition, the site is in an area which includes extensive lead mining history. Therefore the imposition of a condition requiring a contaminated land investigation is requested.

Welsh Water/Dwr Cymru

Dwr Cymru Welsh Water consider the drainage arrangements to be acceptable in principle. A condition should be imposed in relation to the submission of a drainage scheme to include surface water which demonstrates that the existing network can suitably accommodate the proposed development site, and if necessary to include the submission of a scheme to upgrade the existing public sewer network shall be delivered prior to occupation of any dwelling.

Clwyd-Powys Archaeological Trust (CPAT)

The 1913 Edwardian Infirmary building is not in itself listed, but included within the curtilage of the Llesty Hospital Grade II Listed Buildings. The application is for the conversion of the Infirmary to residential use and there are some satellite structures that are to be demolished including two unrecorded WWII period air raid shelters. These buildings were not included in the original 2013 heritage assessment and are therefore currently unrecorded. While we have no objection to the proposals there will inevitably be some loss of original fabric, fixtures and fittings relating to the former use as an infirmary and it would be useful to obtain a record of the structure in its near

original arrangement and prior to any development taking place. In addition the removal of the WWII air raid shelters will result in their total loss and these should be fully recorded before they are demolished. This advice is in accordance with PPW and TAN24 The Historic Environment.

We therefore recommend that a study of the infirmary and air raid shelters is completed prior to conversion, which includes a detailed photographic and written descriptive record. In this case the equivalent of a Historic England Level 2 survey of the building is advised, and it is therefore kindly requested that a condition is imposed to this effect.

Natural Resources Wales

Natural Resources Wales (NRW) confirm that the requirement for a Protected Species: Emergence Survey to be undertaken at the appropriate time of year has been met. The submitted report concludes a range of bat mitigation and compensation measures. NRW consider the overall approach to be satisfactory and do not object to the proposal subject to the imposition of conditions requiring Reasonable Avoidance Measures for Bats to inform the appropriate EPS derogation licence and the submission of an Ecological Compliance Audit.

Housing Strategy Manager

In terms of evidence of need:

The Local Housing Market Assessment (LHMA) for Flintshire identifies an annual shortfall of 246 affordable units;

The LHMA identifies a need for primarily 1 bed (14%), 2 bed (31.6%), and 3 bed (28.5%), split relatively evenly between Social rented (56.2%) and intermediate (43.8%) tenures;

There is an identified level of need for intermediate products with:

- 11 applicants registered for shared equity in the Holywell area – 1no. 1bed; 6no. 2bed and 4no. 3bed properties; and
- 15 applicants registered for affordable rent in the Holywell area – 2no. 1bed; 10no. 2bed; and 3no. 3bed properties.

In accordance with UDP policy HSG10, 30% of the total number of units proposed would equate to 8 no. affordable dwellings. The applicant has however agreed to provide 4 no. affordable units

as follows:

- 2 no. 3 Bedroomed Homes as 'Gifted' units; and
- 2 no. 2 Bedroomed Homes as Affordable Ownership units.

The provision of gifted units would be commensurate to 3 no. standard affordable units, this combined with the affordable ownership commitment would therefore meet the 30% requirement on this site. I therefore support this proposal.

Education

Primary School – Ysgol Maes Y Felin

School capacity $315 \times 5\% = 16$

$315 - 16 = 299$ – Trigger point for contributions is 299 pupils

(no. of units) 29×0.24 (primary formula multiplier) = 7 No. of pupils generated) $\times \pounds 12,257$ per pupil (building cost multiplier) = $\pounds 85,799$

Actual pupils $271 + 7$ (from the multiplier) = 278 – does not meet trigger.

Contribution requirement would be $\pounds 0$.

Secondary School – Holywell High School

School capacity $600 \times 5\% = 30$

$600 - 30 = 570$ – Trigger point for contributions is 570 pupils

(no. of units) 29×0.174 (secondary formula multiplier) = 5 No. of pupils generated) $5 \times \pounds 18,469$ per pupil (building cost multiplier) = $\pounds 92,345$

Actual pupils $479 + 5$ (from the multiplier) = 484 – does not meet trigger.

Contribution requirement would be $\pounds 0$.

The following primary, Ysgol Maes Y Felin and secondary, Holywell High School would be within the catchment area of the proposed development. However through consultation and as set out above, the Education Department confirm that the proposal will not trigger the need for contributions for either primary or secondary. Therefore no contributions are requested.

Aura

In accordance with Planning Guidance Note No. 13 POS provision, the Council would require a commuted sum payment of $\pounds 1,100.00$ per dwelling ($\pounds 733.00$ per dwelling if affordable and/or apartments) in lieu of onsite provision. The payment would

be used to enhance toddlers play provision at Fron Park play area, and Teenage recreation at Holway play area. The total sum is to be split equally between these two projects.

Working with Planning Policy, we confirm that the contribution thresholds have not been exceeded for these locations.

4.0 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

The application was advertised by way of press and site notice.

No representations have been made in respect of the application.

5.0 SITE HISTORY

No planning history of relevance at the Infirmary Building. However, the following history relates to the remainder of the site which comprises the Llesty Hospital Complex.

- 5.01 055006 Amendment to planning application No 051727 Li to include additional 1No. apartment to Block B, 12No. apartments to Block C, 5No. apartments to Block A (Chapel) and a new build residential block to include 27No. apartments, to give a total of 89 residential units. Approved 24.08.16

055008 Listed Building Application for amendment to Listed Building Consent 051728 to include additional 1 no. apartment to Block B, 12 no. apartments to Block C, 5 no. apartments to Block A (Chapel) and a new build residential block to include 27 no. apartments, to give a total of 89 residential units. Approved 23.08.16

051727 Residential development of 47no. units including part demolition of existing modern buildings, conversion of retained modern buildings into 8no. three bedroom town houses, conversion of listed buildings into 1no. four bedroom detached house (chapel) and 26no. apartments (8no. one bed and 18no. two bed) and erection of 12no. three bedroom terraced houses. Approved 14.08.14

051278 Listed Building Application - Residential development of 47no. units including part demolition of existing modern buildings, conversion of retained modern buildings into 8no. three bedroom town houses, conversion of listed buildings into 1no. four bedroom detached house (chapel) and 26no. apartments (8no. one bed and 18no. two bed) and erection of 12no. three bedroom terraced houses. Approved 14.08.14.

045131 Residential development (69 no. units) comprising the

conversion of historic buildings (38 no. units) and the erection of new build dwellings (31 no. units). File closed 20.11.13

045133 Listed Building Application - Residential development (69 no. units) comprising the conversion of historic buildings (38 no. units) and the erection of new-build dwellings (31 no. units)
File closed 20.11.1

6.0 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

STR1 New Development

STR4 Housing

STR 7 Natural Environment

STR8 Built Environment

GEN1 General Requirements for New Development

GEN2 Development Inside Settlement Boundaries

D1 Design Quality, Location and Layout

D2 Design

D3 Landscaping

TWH1 Development Affecting Trees and Woodlands

WB1 Species Protection

HE2 - Development Affecting Listed Buildings and their Settings

HE8 Recording of Historic Features

AC13 Access and Traffic Impact

AC18 Parking Provision and New Development

HSG1 (11) New Housing Development Proposals – Llesty Hospital

HSG8 Density of Development

HSG9 Housing Mix and Type

HSG10 Affordable Housing within Settlement Boundaries

SR5 Outdoor Play Space and New Residential Development

EWP3 Renewable Energy in New Development

EWP14 Derelict and Contaminated Land

SPGN no. 2 Space around Dwellings

SPGN no. 3 Landscaping

SPGN no. 6 Listed Buildings

SPGN no. 8 Nature Conservation and Development

SPGN no. 9 Affordable Housing

SPGN no. 11 Parking Standards

SPGN no. 23 Developer Contributions to Education

PGN no. 13 Open Space Requirements

Planning Policy Wales Edition 10 (December 2018)

TAN2: Planning for Affordable Housing

TAN5: Nature Conservation and Planning

TAN12: Design

TAN18: Transport

7.0 PLANNING APPRAISAL

7.01 Introduction

This is a full planning application for the change of use of the former Lluesty Hospital Infirmary building to provide 14 no. self-contained residential units, 15 no. new build residential units with the total development providing 29 no. residential dwellings together with associated landscaping and infrastructure on land at Lluesty Hospital, Old Chester Road, Holywell.

7.02 Site Description

The Lluesty Hospital complex is situated to the west of Holywell town centre, elevated above the town. It was built as a workhouse and used more recently as a community hospital. The workhouse, the adjacent chapel and entrance buildings are Grade 2 Listed. There are a number of more modern buildings within the grounds, many of which are likely to be the result of ensuring the site could function and accommodate the demands of a working hospital. The site also contains the former Infirmary building which is subject to this application. The site has been vacant since the hospital closed and has fallen into disrepair prior to purchase. The site has sloping topography and is therefore a prominent in terms of the setting of the town of Holywell.

7.03 The application site extends for 0.74ha and is located to the west of Old Chester Road and is situated in a predominately residential area with Llys Emlyn Williams and the entrance to a residential development opposite the site. To the north is a further residential development with open land sloping upwards to the south west. To the south is a further residential development known as the Beeches. There is a petrol filling station on the other side of Old Chester Road and The Stamford Gate Public House off Halkyn Road to the east. The site is accessed from the A5026 Halkyn Road off Old Chester Road.

7.04 The application site consists of part of the Former Lluesty Hospital and contains the Edwardian Infirmary Wing of the former hospital and two air raid shelters together with associated roads and car parking. There are numerous retaining wall structures within the tiered site as the land rises from the road frontage to the rear. The existing building is vacant, as is the surrounding site, and all is semi-derelict as the fabric continues to deteriorate. The existing building is constructed from loadbearing masonry walls with reinforced concrete floors/support beams and traditional pitched roofs from timber king-post trusses finished with natural roofing slate. External walls are from red stock/pressed facing brickwork with terracotta and dressed stone features.

- 7.05 The building takes the form of a central three storey structure with two storey linear wings at each end. Due to the sloping topography of the site the west wing contains semi-basement/lower ground floor accommodation. During the building's latter day use as a hospital extensions and additions were added the majority of which have a negative effect upon the historic and architectural interest of the original building. This is particularly the case with lift shafts and disposal installations to the road frontage elevation but beneath these the composition and decorative quality of the existing building remains and can be appropriately re-established.
- 7.06 Proposed Development
This is a full planning application for residential use of the Infirmary building and surrounding land which contributes to the wider Lluesty Hospital site.
- 7.07 The proposal comprises the change of use/conversion of the former 'Infirmary Wing' situated to the west of the Grade II Listed Buildings on the adjacent site. The conversion will lead to the creation of 14 no. self-contained residential units, with a mix of 2 and 3 bedrooms over three floors with the benefit of a basement at ground level providing services to the building, bin store and management store. To compliment the conversion 15 no. new build units are proposed in the form of staggered terraces to the front and side of the Infirmary Wing. The proposed new build units will also provide a mix of living accommodation, with the delivery of 5 no. 2 bed roomed dwellings and 8 no. 3 bed roomed dwellings, over two and three stories.
- 7.08 4 no. units have been allocated for the affordable housing provision, 2 no. 3 bed units to be Gifted and 2 no. 2 bed units for affordable ownership. This level of provision would meet the necessary 30% requirement in accordance with UDP policy HSG10.
- 7.09 The Infirmary Wing has been considered suitable for conversion and in doing so, the proposal aims to re-establish the composition and decorative quality of the existing building, introducing a focal entry point to the front elevation to give the building a sense of place. This is achieved by removing the extraneous previous extensions and additions, such as lift shafts, external staircase and waste disposal chutes, in order to return the roofscape, fenestration and dressed stone/terracotta features to the symmetry of the original building.
- 7.10 The elevation facing the site frontage is further enhanced with the introduction of a new central main entrance with radial external staircases creating a central focal point giving access to

the elevated entrance level. The composition of the rear elevation is similarly re-established but the two, two storey side wing extensions are rebuilt to replicate the style and composition of the existing main building. The redundant chimney stacks are to be retained as part of the conservation scheme. Conservation style rooflights are to be introduced to the side wing roofs to maximise the effective internal use of the existing roof spaces.

- 7.11 Internally the building lends itself to conversion with minimal structural alteration allowing the apartments to integrate within the existing structure and without the need for additional fenestration. The proposals, therefore, include for the removal of previous extraneous extensions and additions to return the former Infirmary Wing to its original form and for the refurbishment and conversion into 14 no. apartments.
- 7.12 The new access road off Old Chester Road is positioned to further emphasise the new central main entrance to the existing building while acknowledging the highway visibility splay requirements. The road rises into the site and branches off as a spine road to serve the existing building and the new housing units. The footpaths to both sides of the new access road, and the new footpath along the site frontage, will be bounded by stone retaining walls.
- 7.13 It is proposed to remove the existing road frontage retaining wall and to reclaim and reuse the stone to reconstruct the wall in its new position. The Flintshire County Council "Lluesty Hospital Development and Conservation Brief", dated February 2007, acknowledges that site boundaries and access points may need to be adapted or newly created, and states that should this prove necessary it should be carried out so that the character of the site is maintained. It is considered that the use of stone walling along the new road frontage and to both sides of the access road will maintain this site character.
- 7.14 The topography of the site allows for split level housing units along the road frontage taking advantage of the aspect and views across the Dee Estuary but without overly compromising similar views from the existing building behind. This split level allows principal entrances to be at mid-floor level to the rear and also for the provision of car parking as a discreet parking court along the rear of the building.
- 7.15 Through the removal of the two derelict air raid shelters further housing units are introduced to effectively extend the built form at both ends of the existing building. These units have their own dedicated car parking spaces and are accessed from the internal spine road.

- 7.16 Materials of the existing building will be retained and re-established as/where necessary and consist of red stock/pressed facing brickwork to external walls with terracotta and dressed stone features, new glazed doors and windows of matching pattern, cast iron rainwater goods and natural slate roofing.
- 7.17 Proposed materials for the new housing units has been determined by the surrounding area which is generally a combination of stone, facing brick and render with concrete tile or slate roofing. Newer properties have glazed windows and rainwater goods, with the specification to be approved prior to commencement.
- 7.18 Stone retaining walls are used throughout, due to the topography of the site, and generally follow the access road/footpath lines. Housing plot boundaries to the road frontages are formed with low hedges offering a sense of enclosure whilst maintaining an open appearance. Whilst rear plot boundaries are formed by stone walls and timber panel fencing offering enclosure and privacy.
- 7.19 The site will be cleared of overgrown hedges and shrubs, but the trees and planting along the south east and south west boundaries will be trimmed and retained.
- 7.20 With the retention of the existing building, its refurbishment and conversion to allow effective re-use and the introduction of new build elements, the proposed layout, design and materials are considered to reflect the local vernacular and compliment the built form of the surrounding areas.
- 7.21 Principle of Development
The application site is allocated within the Flintshire Unitary Development Plan for residential development. The Council produced a Development and Conservation Brief for the site in 2006 to support the UDP residential allocation under policy HSG1 (11). This set out which buildings the Council wanted to retain and which would be supported for demolition along with identifying areas for new development.
- 7.22 The site as a whole is allocated for 70 dwellings within policy HSG1 (11) of the UDP. The site is within Holywell which is a Category A main town within the UDP. It is considered the proposed scheme concurs with the strategic aims the Council has for this site, respecting the character of the Listed Building while providing a new use in accordance with its residential allocation. While the number of dwellings is in excess of what was initially envisaged and is only for part of the site, it is considered that there are a number of significant matters to be

considered in the overall planning balance. Firstly the site is within a Category A settlement which is a focus for growth and is within walking distance of the town centre. It is also a previously developed site and the proposal seeks to regenerate a highly visible large derelict building which is part of the curtilage listing of the wider site. The development therefore meets the aims of Planning Policy Wales and would make a significant contribution to the housing land supply. The number of units proposed does not present a level of density which is unacceptable within the character of this location, and as the scheme removes buildings within the site of lesser architectural merit and preserves the bespoke architectural character of the curtilage building in association with the adjacent Listed Buildings and their setting, it is considered that the principle of the proposal is acceptable.

7.23 Structural Integrity

As a prerequisite to development proposals the structural integrity of the deteriorating existing building needed to be established to determine the viability of its reuse. A structural inspection was carried out by Bingham Rawlings Partnership Limited and a copy of their Report dated 28 July 2016 is included with the documentation in support of this planning application.

7.24 The Structural Report confirms that, although in a partly dilapidated state, the existing building appears to be structurally sound with all walls and floors in a good structural condition. The roof requires complete overhaul but remains structurally sound. Overall, the existing building appears structurally sound and suitable for conversion into domestic dwellings.

7.25 Heritage Asset(s)

The Llesty site contains a complex of historic buildings that relate to the original use of the site as a workhouse and later as a hospital. Two of these buildings are designated as Grade II Listed buildings whilst other buildings and structures are protected by virtue of their association with the designations and due to their location within the curtilage of the hospital. The Infirmary Building is such a building and is therefore treated with the same level of importance as that of the Listed Buildings adjacent to the application site.

7.26 Due to the historic importance of the overall site, Flintshire County Council produced a Development and Conservation Brief in February 2007 to provide background information on the site and to identify opportunities and constraints for new development, whilst preserving and enhancing the special character of the site.

7.27 The Infirmary wing was built in 1913 of stock brick and pressed brick facings with some terracotta features. It is evident that

terraces of lawn retained by capped stone walls were also built in front of the wing at this time probably to be used as a sitting out and convalescence area for patients. There are two WWII air raid shelters in the vicinity of the building which will be demolished as part of the enabling works for the proposed scheme. Whilst this amounts to a loss of the historic fabric, it is considered that these elements did not form part of the 2013 records undertaken on site. CPAT confirm that they have no objection to the loss of the shelters, but do request the imposition of a condition which includes the photographic recording of the shelters prior to their removal.

- 7.28 It is proposed to demolish the modern extensions. These are of little architectural merit and will assist in exposing parts of the Building. The demolitions are therefore deemed to be acceptable. The proposed redevelopment aims to conserve historic features of the buildings and sympathetically replace missing and redundant features. Internally the building has been largely modernised with little to no significant features of historic or architectural significance remaining.
- 7.29 The proposed scheme aims to convert the Infirmary building to a residential use to ensure its preservation without significantly affecting the exterior and preserving the relationship with the adjacent Listed Buildings of the Llesty Hospital site. This will be achieved by retaining the front wall and sloping grassed areas, retaining the external chimneys and internal staircases and limiting the number of new door openings in the external fabric, closure of existing door openings, retention of all original Edwardian windows, retention of the existing lead dormers to the roof and the use of cast iron rainwater goods. The open spaces will be resurfaced with the introduction of new formal planting along with discrete parking areas to the rear.
- 7.30 The conversion of the Infirmary building to residential use is therefore considered to be acceptable.
- 7.31 The proposed development of the current car park site in front of the Infirmary was considered within the Development and Design brief. The conclusion was that this could have a negative impact upon the setting of the Edwardian building behind and the brief suggests that new build development should instead be located adjacent to the former Grade II Listed Workhouse buildings. However given the Infirmary's substantially tall and wide form and considering its position on the elevated rear section of the site it is considered that there is scope for complementary residential development on the car park site, providing that this is designed in a way to complement the existing group of buildings. In agreeing to this additional proposal it should allow the overall development to work financially and ensure that the

Edwardian Infirmary is subject to a high quality restoration scheme that will see the safeguarding of the building's historic fabric. It is considered that the proposed semi-detached and terrace house types are acceptable in design terms.

7.32 Ecology

The application is supported by a number of assessments undertaken by Clwydian Ecology; the assessment pack comprises a Protected Species Report (2016), Bat Activity Survey (2018) and Bat Mitigation Report (2018).

7.33 The 2016 report confirms lesser horseshoe bats (3) are located within the darker rooms and the lift shaft, to include a *Myotis* sp hibernating within a wall cavity in the basement. Bat droppings occur within several areas of the building on all levels and although the building is deteriorating there are still opportunities for bats such as the enclosed chimneys.

7.34 The activity surveys have been undertaken 28th July and 24th August 2018 which records small numbers of a variety of species using the site; Brown Long Eared (BLE), *Myotis* sp, Lesser Horseshoe and Common Pipistrelle bats. The mitigation put forward is considered to be acceptable in principle. It involves a loft space with insulation at ceiling level, traditional sarking roof felt and an entrance to the rear. Where possible the re-use of existing timbers is desired, as BLE bats are notoriously difficult to mitigate but will use sites with existing or old timbers. The Lesser Horseshoe night roost building is acceptable as are the proposed bat boxes. The artificial hibernaculum will require a more detailed specification to ensure the cool temperatures with the right humidity.

7.35 Providing the works are undertaken in line with the Mitigation Scheme then the "maintenance of the favourable conservation status" of the species present will be maintained. NRW confirm the mitigation and the overall approach of the proposed reasonable avoidance measures are acceptable subject to the imposition of conditions.

7.36 Bats are a European Protected Species under the Conservation and Species Regulations 2010 (as amended). European protected animal species and their breeding sites or resting places are protected. It is an offence to damage or destroy a breeding or resting place of such an animal. A licence will be required to undertake the development works and to provide the mitigation. The three tests under the regulations need to be demonstrated before a licence is granted.

(1) Regulation 53(2)(e) states: a licence can be granted for the purposes of "preserving public health or public safety or other

imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment". In this case the development works are for the preservation of a heritage asset which will also involve making the building safe in terms of public safety and preserving it for future generations in the public interest. There will also be social and economic benefits in terms of construction jobs created and the creation of a mix of house types.

(2) Regulation 53(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied "that there is no satisfactory alternative". The application site is a residential allocation within the Unitary Development Plan. Alternatives to providing residential development within Holywell have been considered through the development plan process in allocating the site. There is also the requirement under other legislation to protect Listed Buildings and buildings within their curtilage pre 1948, works are therefore required to prevent further deterioration.

(3) Regulation 53(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied "that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range." The building is deteriorating due to vandalism and exposure to the elements. The suitability of the building as a resting place for bats is therefore also declining. The restoration of the building and mitigation in the form of retention and repair to the roof space will provide a betterment and therefore improve the favourable conservation status of the bat(s) species identified.

7.37 Furthermore, The 2016 report confirms "evidence of nesting birds" within the building. Prior to development it would need to be demonstrated where the swifts and other birds, including possibly house martins nest, how disturbance of these nests can be avoided and how they can be accommodated in the converted buildings. It has therefore been agreed that mitigation for nesting House Martins and Swifts can be appropriately conditioned.

7.38 Highways

Vehicular and pedestrian access into the existing site is either from the adjacent former hospital complex, now under separate ownership, or via a narrow road entry point to the east of the main road frontage adjacent to the Old Chester Road/Halkyn Road junction. Land ownership and highways safety issues renders both of these unviable for the purposes of site access and a new road access point onto Old Chester Road has been included. The new road junction has been positioned to allow for a 2.4m x 43m

visibility splay which would be necessary when joining Old Chester Road within its 30 mph speed limit restriction.

- 7.39 In conjunction with the new access road a footpath has been introduced along Old Chester Road which will be constructed to fully adoptable standards.
- 7.40 The new central access road leads onto a transverse spine road giving access to car parking for the site frontage housing and to the parking court for the apartments within the converted former hospital building. The central access road and the spine road will be constructed to adoptable standards with the on-site junctions forming turning heads for refuse vehicles as indicated on the proposed site plan. While the existing site is elevated above Old Chester Road, and rises steeply towards the rear of the site, the new road layout has been cut-and-filled as necessary to achieve full site access at reasonable gradients. Where road gradients exceed 1:12 a skid resistant road surfacing will be used.
- 7.41 In accordance with SPGN no. 11 Parking Standards, the 2 and 3 bedroomed dwellings are to be provided with a minimum of 2 no. off road car parking spaces, and 21 no. spaces are proposed in total for the 14 apartments within the Infirmary Building. In addition to parking, cycle parking and storage is proposed to facilitate 8 cycles.
- 7.42 The application site is accessible by a range of transport methods including private and public transport. Bus stops are available in Halkyn Road and Ffordd Milwr all of which are only a few minutes walk away.
- 7.43 The Highways Authority previously raised concern regarding the full extent of the proposed layout not lending itself to highway adoption, and have suggested that the extent of the adoption should be to the rear of plot 3 and alongside plot 12. This has now been resolved by the Applicant, with only minor modifications to the road/footway road layout required, however such details can be appropriately conditioned. The Highway Authority therefore raises no objection to the development subject to the imposition of conditions and the proposed legal agreement requiring the maintenance of the estate roads and footways as the responsibility of a Management Company. .

Drainage

- 7.44 Dwr Cymru Welsh Water have reviewed the submitted details and consider the drainage arrangements to be acceptable in principle. A condition should be imposed in relation to the submission of a drainage scheme to include surface water which demonstrates that the existing network can suitably accommodate the proposed development site, and if necessary

to include the submission of a scheme to upgrade the existing public sewer network shall be delivered prior to occupation of any dwelling.

Affordable Housing

7.45 Affordable housing provision was not initially included as part of the scheme, nor had the Applicant made a reasoned justification in the absence of and in accordance with UDP policy HSG10. Working with the Housing Strategy Manager the Applicant has agreed to an appropriate level of provision to ensure compliance.

7.46 A proposed development of this size (29) would generate a need to provide 8 no. affordable units. Whilst I appreciate that there is an identified need in the area for affordable ownership and rent, I am mindful of the type and arrangement of housing being proposed on this site, and the need to ensure affordable units are pepper potted/designed into the scheme.

7.47 It is understood that apartment style housing is not the most desired, as the benefits of a private garden are not always afforded to this type unlike that of a dwelling. Therefore, to meet the 30% requirement of 8 no units, the site layout would dictate that an entire row of the proposed terrace new builds would be committed as affordable housing. This is not considered to be good planning or design, and would be contrary to UDP policy HSG9 Housing Mix and Type.

7.48 The 30% provision has therefore been agreed to be provided in the form of 2 no. 3 bed units to be gifted, and 2 no. 2 bed units to be affordable ownership. This level of provision is far easier to design into a scheme such as this, and is considered to be commensurate given the type and mix of units being proposed. The proposed 4 units will be dwellings and will therefore benefit from private rear amenity space and parking, suitable for family occupation.

7.49 Members are advised that in the case of gifted units, this would be the equivalent of 3 no. standard affordable dwellings. The Housing Strategy Manager confirms that they support the level and type of provision being provided. As such the provision will be secured by the proposed legal agreement.

Residential Living Conditions of neighbouring occupiers

7.50 Whilst the application has not received any representations, it is still necessary to ensure the residential living conditions of both existing and future occupiers is safeguarded and maintained.

7.51 The site layout as shown indicates that there would be separation distances in excess of the standards set out in SPGN no.2 Space Around Dwellings, between existing dwellings on nearby

residential areas, such as The Beeches and any apartment units within the Infirmary and new properties on the site. It is not considered that there would be any significant impact on residential living conditions from the new development when completed.

- 7.52 Planning conditions can be imposed which attempt to control any potential disruption to nearby residential areas during the construction phases, such as the proposed Construction Traffic Management Plan. It is therefore considered the proposal does not significantly impact on the residential living conditions of neighbouring occupiers.

Residential Living Conditions for future occupiers

- 7.53 The space within the new scheme enables private garden areas and parking areas to be provided. This ensures adequate levels of useable outdoor space and parking for any future residents.

- 7.54 In terms of interface distances between proposed dwellings within the site these broadly meet the requirement of the SPGN. The site is sloped and the layout and design of the new housing reflects that and the dwellings have been laid out either side of the infirmary building to minimise overlooking. It is therefore considered that the proposal would provide a sufficient amount of privacy within the dwellings and garden areas to allow the future occupiers to enjoy a reasonably undisturbed level of living conditions.

S106 and CIL Compliance

- 7.55 The infrastructure and monetary contributions that can be required from proposals have to be assessed under the Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and Welsh Office Circular 13/97 'Planning Obligations'. It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, if the obligation does not meet all of the following Regulation 122 tests:

1. Be necessary to make the development acceptable in planning terms;
2. Be directly related to the development; and
3. Be fairly and reasonably related in scale and kind to the development.

An off-site commuted sum of £1,100.00 per (£733.00 per affordable/apartment) dwelling in lieu of on-site provision. The total sum is to be equally split to improve toddler play provision and teenage recreation at Fron Park and Holway Play Area, Holywell. This is in accordance with Planning Guidance Note 13: Open Space Requirements which requires off-site open space contributions where on site provision is not possible. There have

not been 5 contributions towards these projects to date.

It is considered that this meets the Regulation 122 tests.

8.0 CONCLUSION

It is considered that the proposed scheme provides a scheme of conversion and new build which will provide a long term viable reuse of the Listed Buildings without significantly comprising the historic character of the Listed Buildings. The proposed scheme will also deliver a housing allocation in the UDP and will contribute to the housing land supply in a sustainable location.

It is considered that the relevant issues arising from the proposal have been satisfied, and I therefore recommend that planning permission is granted subject to conditions and the completion of a legal agreement as set out within paragraph 2.01 of this report.

Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

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.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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