

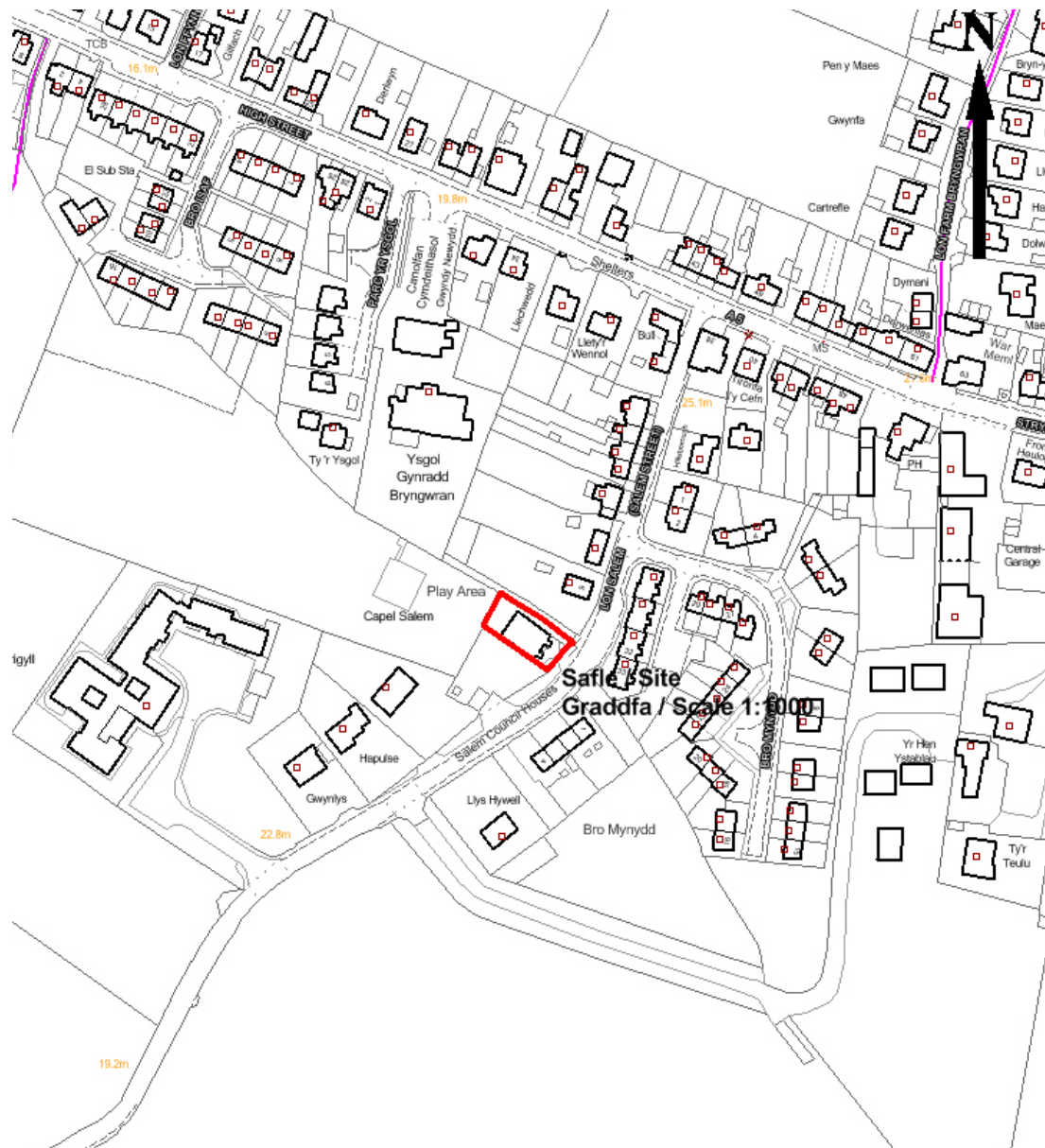
Rhif y Cais: 16C202 Application Number

Ymgeisydd Applicant

Mrs Amanda Southam

Cais llawn i newid defnydd capel i dau annedd sydd yn cynnwys balconi yn / Full application for change of use of chapel into two dwellings which include a balcony at

Capel Salem, Bryngwran



**Planning Committee: 06/04/2016**

**Report of Head of Planning Service (SCR)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

At the request of the Local Member.

### **1. Proposal and Site**

The application is a full application for the change of use of the former Capel Salem Chapel into two residential units.

The application site lies within the settlement of Bryngwran and lies between the children's playground which lies to the rear of the building and Lon Salem which lies to the front.

### **2. Key Issue(s)**

The applications key issues are whether the proposal complies with Policy 55 of the Ynys Môn Local Plan and Policy HP8 of the stopped Unitary Development Plan, and whether the proposal will have a detrimental effect on the amenities of the neighbouring properties and surrounding area and whether the proposal will have an effect on Highway Safety.

### **3. Main Policies**

#### **Ynys Môn Local Plan**

Policy 1 – General Policy

Policy 42 - Design

Policy 55 - Conversions

#### **Gwynedd Structure Plan**

Policy D4 – Location, siting and design

Policy D28 – Design

Policy D29 – Design

#### **Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP8 – Rural Conversions

**Planning Policy Wales, 8<sup>th</sup> Edition, 2016**

**Technical Advice Note 5: Nature Conservation**

**Technical Advice Note 12: Design**

**Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment.**

#### **4. Response to Consultation and Publicity**

**Local Member, Cllr. D Rees** – No response to date

**Local Member, Cllr. N Roberts** – No response to date

**Local Member, Cllr. B Parry** – Call-in due to highway safety concerns.

**Community Council** – No observations

**Welsh Water** – Standard comments

**Highways** – Approve

**Drainage** – Drainage details acceptable

**Natural Resource Wales** - Recommended conditional approval

The application was afforded two means of publicity. These were by the posting of a notice near the site and the serving of personal notifications on neighbouring properties. The latest date for the receipt of representations was the 30<sup>th</sup> March, 2016 and at the time of writing this report no letters of representation had been received at the department.

#### **5. Relevant Planning History**

None

#### **6. Main Planning Considerations**

**Policy Context** – Policy 55 of the Ynys Mon Local Plan and Policy HP8 of the stopped Unitary Development Plan allow the conversion of existing outbuildings into holiday or residential use provided the criteria of the policies are met. Planning Policy Wales identifies a preference of the re-use of land in preference to greenfield sites but recognises that ‘not all previously developed land is suitable for development’.

A Structural Report has been submitted in support of the application which confirms that the building is suitable for conversion without the need for major re-building works.

The proposal involves the demolition of the existing lean to extension that is located to the rear of the site and a new first floor balcony is proposed on the rear of the building. The windows located on the side elevations are to be amended in order to accommodate the first floor accommodation.

The existing timber windows and slate plaque which is located on the front elevation were to be removed as part of the scheme, however following discussions; the applicant has agreed to retain the timber windows and slate plaque on the front elevation. Although this does not strictly comply with current guidance in terms of conversion of buildings, due to site being located within the settlement of Bryngwran, where new residential developments could be supported, the replacement of the side and rear windows to upvc is considered acceptable.

Due to the above the building is considered suitable for its conversion into a residential dwelling and complies with current policies and guidelines.

**Effect on surrounding landscape** – The design of the proposal respects the character and appearance of the existing building. The re-use of the vacant chapel will ensure that the buildings will not fall into a state of disrepair which would have a detrimental visual impact on the surrounding area.

**Effect of proposal on amenities of neighbouring properties** – There is a distance of 16.5 metres between the side of the existing Chapel and the neighbouring property known as Coedlys. Due to the previous use of the site and its proposed use it is not considered that the change of use of the building into two residential units will have a detrimental impact on the amenities of the existing property to such a degree as to warrant the refusal of the application.

**Highway Safety** – Concern has been raised by the Local Member in regards to the public footpath which provides pedestrian access to the local primary school which runs along the side of the building and close to the vehicular access and parking facilities.

Originally the Highway Authority raised concerns in regards to the visibility splay from the proposed access. Due to the previous use of the site and following a speed survey being undertaken the Highway Authority have confirmed that the proposal is acceptable.

## **7. Conclusion**

The proposal complies with current local and national policies and will not have a detrimental impact on the amenities of the neighbouring properties, surrounding area or highway safety. Having considered the above and all other material considerations my recommendation is one of approval subject to conditions.

## **8. Recommendation**

### **Permit**

**(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.**

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

**(02) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B, C, D and E of Part 1 of Schedule 2 are hereby excluded.**

Reason: In the interest of residential amenity

**(03) Any further structural alterations which may be required to be carried out to the building, and which would be likely to affect its external appearance, consequent upon the implementation of this permission, shall form the subject of an application which shall be submitted to and approved by the local planning authority before any work is commenced on such alterations.**

Reason: For the avoidance of doubt.

**(04) The development shall take place in accordance with the mitigation measures outlined in Section 6, Conclusions and Recommendations, of the Protected Species Survey which was carried out by A Johnston, Ecological Consultant and submitted under planning reference 16C202,**

Reason: To ensure that any protected species which may be present are safeguarded.

**(05) No surface water and / or land drainage shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by the local planning authority.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

**(06) No development shall commence until the written approval of the local planning authority has been obtained in relation to a full comprehensive traffic management scheme including:**

**i. The parking of vehicles for site operatives and visitors**

**ii. Loading and unloading of plant and materials**

**iii. Storage of plant and materials used in constructing the development**

**iv. Wheel washing facilities (if appropriate)**

**v. Hours and days of operation and the management and operation of construction and delivery vehicles.**

**The works shall be carried out strictly in accordance with the approved details.**

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(07) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below:**

<b>Drawing / Document number</b>	<b>Date Received</b>	<b>Plan Description</b>
16C202 - 001	06/11/2015	Existing location plan / block plan
Dogfen Rhif 14096/E/02	06/11/2016	Structural Report
"Alison Johnston Ecological Consultant" Report	06/11/2015	Protected Species Survey
Design and Access Statement	06/11/2015	Design and Access Statement
2A	06/11/2015	Existing Elevations - Front and rear
1A	06/11/2015	Existing floor plan – ground floor and basement
3	06/11/2015	Existing Elevations – Side
5A	09/12/2015	Proposed Elevations – Front and rear
4A	06/11/2015	Proposed floor plans – Ground and first

		<b>floor</b>
<b>6</b>	<b>06/11/2015</b>	<b>Proposed Elevations – Side</b>

**under planning application reference 16C202.**

Reason: For the avoidance of doubt.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.



**Planning Committee: 06/04/2016**

**Report of Head of Planning Service (SCR)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

On request of the vice-chairperson of the Planning and Orders Committee.

### **1. Proposal and Site**

The proposal is a full application for the erection of one dwelling. The access to the site is afforded via the residential estate known as Cil y Graig.

The site lies within the curtilage of the dwelling known as Graig, which is a large detached property which is afforded access via Lon Y Graig. The site lies within the settlement of Llanfairpwll. The proposed dwelling will be located on a rocky outcrop. A public footpath runs alongside the boundary of the site which separates the application site and adjoining properties. There is a mixture of house types and scale in the locality.

### **2. Key Issue(s)**

The applications main issues are whether the proposal complies with current policies, whether the proposal will have a detrimental impact on the amenities of the surrounding properties, surrounding area or have a detrimental impact on highway safety.

### **3. Main Policies**

#### **Gwynedd Structure Plan**

Policy A2 - Location of Housing Land  
Policy A3 - Scale and Phasing of Housing  
Policy D4 - Siting and Design  
Policy D28 – Design  
Policy D29 - Design

#### **Ynys Mon Local Plan**

Policy 1 - General Policy  
Policy 26 - Parking  
Policy 41 - Conservation of Buildings  
Policy 48 - Housing Development Criteria  
Policy 49 - Defined Settlement

#### **Stopped Unitary Development Plan**

Policy GP1 - General Policy  
Policy GP2 - Design  
Policy EN12 - Archaeological Sites and Historic Environment  
Policy HP3 - New Housing Development – Main and Secondary Centres



**Planning Policy Wales, 8<sup>th</sup> Edition 2016**

**TAN 18 - Highways**

**TAN 12 - Design**

**Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment**

**4. Response to Consultation and Publicity**

**Local Member, Cllr. A W Mummery** – No response to date

**Local Member, Cllr. M Jones** – Asked the vice chairperson to call-in the application

**Local Member, Cllr. J Evans** – No response to date

**Community Council** – No response to date

**Highway Authority** – Recommended conditional approval

**Drainage Section** – Drainage details acceptable

**Welsh Water** – Recommended conditional approval

**Footpath Officer** – Development will have no impact on Public Footpath no. 04

**Natural Resource Wales - Comments**

The application was afforded three means of publicity these were; the posting of a site notice near the site, the publication of a notice in the local press and the serving of personal notifications on neighbouring properties. Following the receipt of amended drawings the publicity process was carried out twice. The latest date for the receipt of representations was the 4<sup>th</sup> March, 2016 and at the time of writing this report 57 letters of representation had been received at the department. The main issues raised can be summarised as follows:

- i) Loss of amenity / open space
- ii) Visual impact – proposal is out of character with surrounding area, proposed garage is out of character as the surrounding properties have flat roof garages
- iii) Highway Safety - proposal will have an impact on highway safety for pedestrians and vehicular traffic
- iv) Affect on Grade II Listed Building which is located to the rear of Graig
- v) Due to the difference in ground levels, and due to the distances between the existing and proposed dwellings the development will have an adverse effect on the amenities of neighbouring properties, by way of overlooking, overshadowing and noise disturbance during rock excavation
- vi) Environment and ecology
- vii) Conditions imposed on planning permission 31C210G should be imposed on current application.

viii) Drainage – will not be allowed to connect to mains sewer via the garden of neighbouring properties

ix) Damage could occur to neighbouring properties during the rock excavation works

x) Due to the above concerns proposal does not comply with current policy

In response to these comments I would state:

i) The site benefits from outline permission. The plot of land is a rocky outcrop which lies to the rear of Graig and is not used as the garden area of Graig due to the site's constraint. The development of this site is considered acceptable as it lies within the development of Llanfairpwll.

ii) There is a mixture of house types in the immediate locality. There is a similar type of dwelling which is located in an elevated position in Llwyn Derw which is situated next to the application site.

iii) The Highway Authority have been consulted and have raised no concerns with the proposal and have recommended a conditional approval. The access which will serve the site has been approved planning to be used to serve the three plots on the neighbouring land under planning application reference 31C210. (to date these properties have not been developed)

iv) The Authority's Conservation/Built Environment Section has no objection to the scheme and in addition does not consider that there would be harm to the setting of the nearby Listed Building.

v) This matter has been addressed in Section 6 'Effect on amenities of Neighbouring properties' below.

vi) A Habitat Survey has been submitted as part of the application. The Council's Ecological and Environmental Advisor and Natural Resource Wales have been consulted with the application and have raised no objection to the development.

vii) The current application is a full application and therefore not all of the conditions imposed on the outline application have been complied with. Conditions in regards to no removal of the trees, without the benefit of planning permission will be duplicated on this permission. The details submitted as part of the current application states that a 1.8 metre high fence will be located along the boundary of the site with the adjoining public footpath. However due to the difference in site levels it is considered necessary that a fence be erected along the boundary of the whole site and this condition will be imposed on the permission.

viii) The drawings submitted as part of the application site illustrates that the connection point to the mains sewer will be via the application site to the sewer in the road at the rear of the site and will not be via neighbouring gardens. The Drainage Section and Welsh Water have been consulted and have raised no objection to the scheme.

ix) Whilst it is accepted that machinery will be used in the pecking of the rocky outcrop if damage should occur to neighbouring properties this will be a private matter.

x) The development will not have a detrimental impact on the amenities currently enjoyed by the occupants of the neighbouring properties. Have an adverse effect on the surrounding landscape or have a detrimental impact on highway safety. Due to the above the scheme complies with current policies and guidance.

## 5. Relevant Planning History

31C210 - Demolition of existing buildings together with the erection of 3 dwellings on the site and alterations to the existing access on land to the rear of Graig, Llanfairpwll – Refused 17/04/1998 - Appeal allowed 06/11/98

31C210A/LB – Listed building consent for the erection of three dwellings on land to the rear of Graig, Llanfairpwll - Approved 03/04/1998

31C210B - Erection of a private double garage at Graig, Llanfairpwll - Approved 22/09/1999

31C210C – Renewal of planning permission 31C210 for the demolition of existing buildings together with the erection of 3 dwellings on the site and alterations to the existing access on land to the rear of Graig, Llanfairpwll - Approved 06/06/2003

31C210D - Renewal of planning permission 31C210B for the erection of a private double garage on land at Graig, Llanfairpwll - Approved 01/11/2004

31C210E/LB- Listed Building Consent for alterations the stone garden wall at Graig, Llanfairpwll – Approved 28/05/2009

31C201F – Renewal of planning permission 31C210D for the erection of a private double garage at Graig, Llanfairpwll – Approved 22/09/2009

31C210G – Outline application for the erection of a dwelling on land at Graig, Llanfairpwll – Approved 12/04/2011

## 6. Main Planning Considerations

**Policy** – The site lies within the development boundary of Llanfairpwll which is a defined settlement under Policy 49 of the Ynys Mon Local Plan and as a Secondary Centre under Policy HP4 of the stopped Unitary Development Plan. Policy 40 of the Ynys Mon Local Plan allows residential development on sites within the development boundary. This is re-iterated in Policy HP4 of the stopped Unitary Development Plan.

**Effect on surrounding properties** – The proposal involves the erection of one dwelling which will be located on a rocky outcrop to the rear of Graig. Following discussions between the applicants representative the scheme was amended by reducing the existing ground level by way of excavating the rocky outcrop. The height of the proposed dwelling has also been reduced from 6.9 metres high to 6.2 metres high. The overall reduction in the height of the dwelling is therefore 1.5 metres to that originally submitted. This reduction in the proposed ground level and in the height of the proposed dwelling reduces the impact of the proposed dwelling on the surrounding properties and surrounding area.

Concern has been raised by members of the public that the proposed dwelling will result in overlooking and overshadowing to the neighbouring properties and will have a detrimental impact upon their amenities. There is a distance of 16 metres between the proposed dwelling and 11 Cil y Graig. The owners of 11 Cil y Graig have raised concerns that the occupants of the proposed new dwelling will be overlooking the rear of their dwelling from their lounge area. However the lounge of the proposed dwelling is situated to the front of the property which overlooks Column Woods. The distances between the rear of the proposed dwelling and rear of 11 Cil y Graig complies with the

guidance contained within Supplementary Planning Guidance – Section 8 in terms of proximity between developments.

There is a distance of 30 metres between the proposal and 9 Cil y Graig who have raised concerns that the development will result in overlooking and overshadowing to their property. Due to these distances and the fact that a public footpath separates the application site and neighbouring property the proposal will not have a detrimental impact on the amenities currently enjoyed by the occupants of the dwelling.

The proposed dwelling will be situated 25 metres away from the rear of 10 Cil y Griag and 10 metres away from their garden area. These distances comply with the requirements of Supplementary Planning Guidance in terms of distances between development and therefore will not harm the amenities of the existing property.

The neighbouring properties are also screened by way of the existing trees and bushes that is located along the boundary of the application site and neighbouring properties. Due to the above and to the fact that a public footpath lies between the boundary of the application site and boundary of the adjoining properties it is not considered that a the development will harm the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application.

**Landscape Impact** – Concern has been raised by members of the public that the development will be out of character with the pattern of development in the locality and will have a visual impact on the surrounding area. During the course of determining the outline application it was considered necessary to impose a condition to restrict the dwelling to be of a single storey construction.

Whilst it is acknowledged that the site is situated within an elevated position, the scheme, as stated above, has been amended to that originally submitted by way of reducing the existing ground level and finished floor level by excavating the existing rock outcrop. The reduction in the ground level will reduce the impact of the dwelling on the surrounding area. The height of the proposed dwelling has also been reduced from 6.9 metres to 6.2 metres, which overall reduces the height of the dwelling by 1.5 metres to that originally proposed.

Concern has been raised by members of the public in regards to the impact of the development on the surrounding area and that the dwelling will be a prominent building in the skyline when seen from Holyhead Road. There is a mixture of house types, design and scale in the immediate locality. The ridge height of the existing properties which are located on Lon Graig raise dramatically due to the difference in levels of the land. There is a similar type of development in terms of position and type in Llwyn Derw and it is therefore considered that the current application will not be out of character with the surrounding area.

Due to the above it is considered that the development will not have such a detrimental affect on the visual appearance on the surrounding area to such a degree as to warrant the refusal of the application.

**Highways Safety** – Concern has been raised by members of the public in regards to highway safety as the road serving the site is a busy road which is used by cars, buses and pedestrians and it is considered that vehicles slowing to enter the site, or parking in front of the site will result in road traffic accidents. The access is also to be used to serve the adjoining development of four dwellings which has not yet been constructed.

The application has been forwarded to the Highway Authority and the Officer has been aware of the local objection to the scheme, however the proposal is considered acceptable by the Highway

Authority and will not have a detrimental impact on highway safety.

## **7. Conclusion**

The site is located within the settlement boundary of Llanfairpwll and its development would not give rise to conditions prejudicial to visual or residential amenity or highway safety.

## **8. Recommendation**

### **Permit**

**(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.**

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

**(02) No surface water and / or land drainage shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by the local planning authority.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

**(03) The prior agreement of the local planning authority in writing shall be obtained before any trees or hedges on the site or on the boundaries of the site are lopped, topped or felled, and if any such trees or hedges are felled they shall be replaced to the satisfaction of the local planning authority.**

Reason: To ensure that the development is in the interests of amenity.

**(04) A 1.8m high fence shall be erected around the site in locations to be agreed in writing with the local planning authority. The fence shall be erected prior to the occupation of the dwelling and retained and maintained. If the fence needs to be replaced/changed for whatever reason the replacement shall be of the same height and type and in the same position.**

Reason: To ensure that the development is in the interests of amenity.

**(05) The removal of the vegetation shall not take place between the 1<sup>st</sup> March and 30<sup>th</sup> August in any year unless the site has been checked for the presence of nesting birds by a suitably qualified ecologist and certified as being free of nesting birds. Should nesting birds be found to be present, no development shall take place until the chicks have fledged.**

Reason: To safeguard any nesting birds which may be present on the site.

**(06) The access shall be laid out and constructed strictly in accordance with the submitted plan before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.**

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(07) The access shall be constructed with its gradient not exceeding 1 in 20 for the first 5 meters back from the nearside edge of the adjoining carriageway.**

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(08) The access shall be constructed with 2.4 meter by 43 meter splays on either side. Within the vision splay lines nothing exceeding 1 meter in height above the level of the adjoining carriageway shall be permitted at any time.**

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(09) The access shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the County Highway with the surface water drainage system completed and in perfect working order before the use hereby permitted is commenced.**

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(10) No surface water from the within the curtilage of the site to discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.**

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(11) The car parking accommodation shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.**

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(12) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below:**

Drawing / Document number	Date Received	Plan Description
Sam Dyer Ecological Consultatnt Report	22/01/2016	Extended Phase 1 Habitat Survey
E0476	22/01/2016	Cofnod Public Records – Protected Species
31C210H - 002	26/11/2015	Proposed site Plan
31C210H - 003	12/01/2016	Location Plan
31C210H - 004	08-02-2016	Design and Access Statement
007	08-02-2016	Photomontage
Ali Building Design Ltd Report	26/11/2015	Drainage Report
006A	08/02/2016	Proposed Site Sections
005A	08/02/2015	Proposed Garage – Elevations
004D	08/02/2015	Proposed Dwelling Elevations
003D	08/02/2015	Proposed Site Plan
002E	08/02/2015	Proposed Floor Plans – Dwelling and Garage

**under planning application reference 31C210H.**

Reason: For the avoidance of doubt.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.