

Application Reference: FPL/2019/1

Applicant: Mr Neil Jamieson

Description: Cais llawn ar gyfer newid adeilad allanol i saith fflat ynghyd a chreu mynedfa newydd i gerbydau yn / Full application for the conversion of building into seven flats together with the creation of a new vehicular access at

Site Address: Capel Carmel, Lon Capel / Chapel Street, Amlwch



Report of Head of Regulation and Economic Development Service (Iwan Jones)

Recommendation:

Reason for Reporting to Committee

Local Member Richard Griffiths has referred the application the Planning and Orders Committee for determination. The Local Members has raised concerns with respect to the demolition of a boundary wall.

At the committee meeting held on the 4th September, 2019, it was resolved that a site visit was required. The site visit took place on the 18th September, the Members are now aware of the site and its settings.

Proposal and Site

The application is made for the conversion of a building into seven flats together with the creation of a new vehicular access at Capel Carmel. Amlwch.

The application site is a parcel of land situated within the development boundary of Amlwch as defined within the Joint Local Development Plan (JLDP). The Chapel is a Grade II Listed Building. The site is accessible to the north from Chapel Street. A vehicular track runs along the site from the main highway to the east. Residential dwellinghouses are located to east and west of the site whilst agricultural land lies to the south.

Key Issues

Whether or not the proposal complies with local and national policies, whether the proposal will have an impact upon the neighbouring properties, Listed Building, nearby Conservation Area and highway safety.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
 Policy PCYFF 4: Design and Landscaping
 Policy PCYFF 3: Design and Place Shaping
 Policy PCYFF 1: Development Boundaries
 Policy PCYFF 6: Water Conservation
 Strategic Policy PS 1: Welsh Language and Culture
 Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
 Strategic Policy PS 5: Sustainable Development
 Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
 Policy TRA 2: Parking Standards
 Policy TRA 4: Managing Transport Impacts
 Policy TAI 15: Affordable Housing Threshold & Distribution
 Policy ISA 1: Infrastructure Provision
 Policy TAI 1: Housing in Sub-Regional Centre & Urban Service Centres
 Policy TAI 9: Subdivision of Existing Properties to Self-contained Flats & Houses in Multiple Occupation (HMOs)
 Policy ISA 2: Community Facilities
 Policy AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Treftadaeth / Heritage Advisor	Proposed Development will not have a significant adverse impact upon the Listed Building or Conservation Area.
Ymgynghorydd Tirwedd / Landscape Advisor	No Objection
Swyddog Llwybrau / Footpaths Officer	No Comments
Cynghorydd Richard Griffiths	Referred the above planning application to the Planning and Orders Committee. The Local Member has raised concerns with respect to the demolition of a boundary wall
Cynghorydd Aled Morris Jones	No Response
Cynghorydd Richard Owain Jones	No Response
Cyngor Tref Amlwch Town Council	Concerns regarding parking.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Policy Comments are provided within the report
CNC	No Objection
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional Approval
Dwr Cymru Welsh Water	Conditional Approval
Iechyd yr Amgylchedd / Environmental Health	Conditional Approval / Informative Advice
Head of Service (Housing)	Although the demand for flats within Amlwch is relatively low, this is not a true reflection of the demand. The housing service considers there is a greater need than what the current waiting list figures suggests.
Gwasanaeth Addysg / Education Service	The Lifelong Learning Section of the Authority have assessed the application and concluded that in this instance and confirmed that no contribution is required.

The proposal was advertised with the posting of notifications to adjacent properties. A site notices has also been displayed near the application site together with an advert in the local press. Following receiving amended plans the publicly process has been undertaken on two separate occasions. The expiration of the publicly period was the 28/08/2019.

At the time of writing this report, 10 letters of representations were received as a result of the publicity afforded to the application. The main points raised are summarised below:

- Concerns whether the applicant has a right of way to access to property and party wall.
- Concerns that the proposed development would worsen off road parking within the area and add to congestion.
- Concerns with respect to the access and visibility.
- Limited area for manoeuvrability of vehicles within the application site.
- Proposed development would have an impact upon the amenity of nearby residential properties.
- Proposed development is not in keeping with the area.
- Concerns regarding the availability of refuse and recycling areas.
- Concerns with respect to the Grade II Listed Building.

In response to the points raised, the Local Planning Authority comments as follows:

- The applicant has served certificate B's as part of the application. Issues relating to rights of way and party wall are civil matters.
- The Local Highways Authority have assessed the application and are satisfied with the proposal subject to conditions.
- Although the application is limited in term of site area, an area for the manoeuvrability of vehicles has been included within the proposal.
- The impact upon residential amenity of neighbouring properties has been assessed within the report.
- The proposed development entails the conversation of an existing structure and will not have a detrimental impact upon the character of the area.
- Provision for refuse and recycling areas have been included as part of the proposal.
- The Built Environment Section of the Authority have assessed the application and are satisfied with the proposed development. Listed Building Consent has been approved for the proposed works.

Relevant Planning History

LBC/2019/1 - Listed Building Consent for the conversion of building into seven flats together with the creation of a new vehicular access at Capel Carmel, Amlwch – Approved 29/07/2019

Main Planning Considerations

The building is currently in a state of disrepair following being disused since 2005. The main chapel can be viewed from the main highway whilst the two storey schoolroom extends to the rear of the site.

Two parking areas are proposed at the front of the chapel, whilst a further nine parking areas are located at the rear. These nine parking areas are accessible from an existing lane to the east together with a new access track which will run along the western elevation of site.

The proposed apartments will be located over two storeys which will house 6 number of two bedroom apartments and 1 three bed apartment. Since the initial submission, amendments have been made to the proposal which included mitigation measures in terms of a proposed wooden fence along the boundary, provision for a recycling area and an amended Certificate B.

Policy Considerations:

The main most relevant policies to consider the principle of the development against Policy PCYFF 1 ('Development Boundaries'), Policy TAI 1 ('Housing in the Sub-regional Centre and the Urban Service Centres'), Policy TAI 9 ('Subdivision of Existing Properties to Self-contained Flats and Houses in Multiple Occupation'), and Policy TAI 15 ('Affordable Housing Threshold and Distribution').

Housing considerations:

The application site is located within the Amlwch development boundary as noted in the Anglesey and Gwynedd Joint Local Development Plan. In accordance with Policy PCYFF 1 ('Development Boundaries'), proposals will be approved within development boundaries in accordance with the other policies and proposals in the Plan, national planning policies and other material planning considerations.

Policy TAI 9 permits the sub-division of existing properties to self-contained flats provided they conform to the criteria within the policy.

Criteria A i) requires that the property is suitable for conversion without the need for significant extensions and external adaptations. As part of the application a Structural Report is received which confirms that the building is suitable for conversion.

Criteria A ii) relates to licence houses in multiple occupation and is therefore not relevant to the application.

Criteria A iii) requires that the number and type of units proposed and that it will not have detrimental impact on residential amenity and that each unit will have adequacy of car parking and refuse storage space. In addition criterion iv of the policy should be considered in that the proposal must not exacerbate existing parking problems in the local area.

The impact upon residential amenity is assessed later within the report.

In total, 11 parking spaces have been provided as part of the proposed development which have been deemed acceptable by the Local Highways Authority. The proposal has also included a recycling area for future occupiers.

The application site is located in a sustainable location within the development boundary of Amlwch and in close proximity to nearby public amenity areas. Policies TAI 9 and PCYFF 2 of JLDP requires that

appropriate amenity spaces should be provided. Whilst the site area is measured at 700 square meters, approximately 60 square meters of amenity space is available for future occupants. Due to tight constraints of the site and the inclusion of parking spaces, turning areas and recycling area, the available amenity space for future occupiers is limited. Notwithstanding this fact, the application site is located within the development boundary and located close to existing amenity areas which is a material consideration and assessed as part of the application. In this instance the available amenity space is considered acceptable.

Housing Considerations:

The indicative supply level for Amlwch over the Plan period is 533 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.e. land ownership matters, infrastructure restrictions, etc.). The Plan anticipates that 160 of these units will be provided on windfall sites. During the period of 2011 to 2018, a total of 28 units have been completed in Amlwch - and each of these on windfall sites. The windfall land bank, i.e. sites with extant planning permission, in April 2018, was 80 units (with 76 of these likely to be developed).

It is considered that approving the development on this site will be supported against the indicative supply level for Amlwch.

Policy TAI 15 of the LDP states that Councils will attempt to ensure an appropriate level of affordable houses in the plan's area. The threshold is two or more housing units in Amlwch. Since the proposed development proposes an increase of 7 units, this meets with the threshold noted in Policy TAI 15 for making an affordable housing contribution.

It is noted that the priority should be to provide an affordable unit as part of the development. Policy TAI 15 states that "Where the affordable housing requirement of a particular scheme falls below a single dwelling on the site, providing an affordable unit within that development will remain the priority. However, if it is deemed that this is not possible, a pro-rata payment will be expected rather than no affordable provision on the site".

As Amlwch is situated within the 'Amlwch and Hinterland' housing price area in the Plan, it is noted that providing 10% of affordable housing is viable. Bearing in mind that 7 units are proposed here this is equivalent to 0.7 unit i.e. less than 1 unit. Depending on the affordability of the flats then it may be relevant to consider if a relevant pro rata affordable contribution is required in relation to this proposal.

A viability assessment has been submitted with the application which considered the level of commuted sum that could be expected from the cost of developing the site. The Local Authority has assessed the assessment which concludes that the costs gives a surplus of £40,812 which is required towards affordable housing.

Policy TAI 8 of the JLDP ensures that the Council will work with partners to promote sustainable mixed communities by ensuring that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community. The proposed development is for 6 two bedroom flats and 1 three bedroom flat. The Policy section has confirmed the number of flats in Amlwch is 6.9% of the total stock and this compares with 7.5% Island wide. The % of detached accommodation in Amlwch is 29.9% which is significantly lower than the Island wide figure of 47.9% this is countered through a far higher percentage of semi-detached and terraced properties within Amlwch compared with the Island wide figures.

Having reviewed the House monitoring System, the policy section are not aware of any significant development for flats in Amlwch since the 2011 Census. It is therefore considered the provision of larger 2 and 3 bed flats within the housing stock of Amlwch could provide greater choice within the settlement for those seeking this type of accommodation.

Education Contribution:

Policy ISA 1 seeks adequate infrastructure capacity and where this is not provided by a service or infrastructure company, this must be funded by the proposal. Specifically for this type of development consideration would have to be given over the capacity within local schools to accommodate the number of children anticipated on the site. The Lifelong Learning Section of the Authority have assessed the application and concluded that in this instance no contribution is required.

Community Facility:

From the information provided with the application, it is noted that there is no existing use made of the building as a chapel. Criterion 2 in Policy ISA2 ('Community Facilities') states that the Plan aims to resist the loss or change of use of existing community facilities. It is noted, however, that there are exceptions to this rule if the developer can provide a suitable facility in its place either on or off the site and within easy and convenient access by means other than the car or alternatively it can be demonstrated that the facility is inappropriate or surplus to requirement.

In this instance, the Chapel has been vacant for fourteen years and is now in a state of disrepair. It is therefore considered that the proposal could be supported under criteria 2 ii) of policy ISA2 which allows the change of use of an existing community facility since it has become surplus to requirements

Listed Building and Conservation Area:

The building is a Grade II Listed Building and is also within the Conservation Area. Therefore, the proposal should be considered against Policy AT1 ('Conservation Areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens') of the JLDP.

The boundary wall to the front, proposed to be demolished is not attached to the principle building and is not considered to be of significant architectural interest or importance.

Whilst the number of proposed Conservation style rooflights is extensive, they are located to the rear and therefore their visual impact from the front elevation and public realm is minimised.

The proposed replacement timber windows are to replicate existing dimensions but have slim profile double glazed panes. Internally the chapel and schoolroom have suffered from vandalism and isolated fires with the original architectural features now lost. Historically the internal features were not of the highest quality. However, what remains of the internal features are to be retained including the original staircase.

The Built Environment section considers the proposed development would not have a significant detrimental effect on the setting of the Listed Building or Conservation Area. They conclude that the proposed works are justified in terms of attaining a sustainable use that will safeguard the building's future without adversely impacting upon the special character of the listed building. Listed Building Consent has been granted on the 19/07/2019 for the proposed development.

Impact upon amenity of nearby properties:

The density of development within this area of Amlwch is comparatively high. The properties to which the site most closely relates are a mixed of detached and terrace houses.

A two storey dwellinghouse, known as Homlea is located to the west of the site. Its garden and curtilage area extends to the south together with the eastern boundary of the application site.

Windows are located on the western elevation of the main chapel which will overlooking the neighbouring property. A distance of approximately 2.3 meters is between these windows and the boundary of Homlea. The Supplementary Planning Guidance (SPG) Design Guide for the Urban and Rural Environment

recommends a distance of 10.5 meters. However, since a 1.8 meter fence is proposed along the boundary and high level windows are proposed on the first floor, it is considered that the proposed development will not significantly harm the amenity of Homelea to warrant refusal of the application.

Residential properties are also located to east of the application site. The garden area of these residential properties also extends to the rear.

Ground and first floor windows are located on the eastern elevation of the dwelling known as Ylas Ynys. Similarly ground and first floor windows are also located along the western elevation of Homlea and Carmel Cottage. These windows predominantly overlook the front elevation of the Chapel. Ground and first floor windows are proposed on the front of the Chapel.

A distance of approximately 5 meters located between the nearby properties and the front elevation of the Chapel. The SPG Design Guide for the Urban and Rural Environment recommends a distance of 15 meters between these windows. However, since these windows are angled away from each other it is considered that there will not be an unacceptable degree of overlooking due to the oblique nature of these windows.

A dense hedgerow is located along the western edge of the rear curtilage of Ylas Ynys. A distance of approximately 4.3 meters is between these windows and the boundary of Homlea. The SPG Design Guide for the Urban and Rural Environment recommends a distance of 10.5 meters. However, it is considered that this existing hedgerow provides adequate screening to mitigate against overlooking from the proposed development.

The land directly to the south of the application site is agricultural land. A residential caravan park is located to the south west. First floor windows at the rear (southern elevation) of the Chapel have been previously blocked, however are proposed to be re-opened as high level windows.

Although the proposed development may generate an increase in nuisance such as noise and light in comparison to the existing vacant site, due to the fact that the site is located in a dense residential area and that mitigation measures are proposed, it is not considered that this would result in an unacceptable harm to its residential amenity of nearby properties.

Local Highway Authority:

The application site is accessible to the north from Chapel Street. The vehicle access and parking arrangements shown are considered satisfactory by the Local Highways Authority. The vision splay achieved at the access meets the maximum requirement set out in national guidance and the 11 parking spaces available being proposed also meets the maximum requirements as required within the SPG (Parking Standards).

The Local Highways Authority have been consulted regarding the application and raised concerns with respect to whether or not the applicant has a right of way to allow vehicles to travel to the proposed parking areas. In addition concerns have been raised as to whether the boundary wall may be demolished and replaced by a timber fence to allow sufficient space for vehicles to travel to and from the access to the west of the site.

As part of the submission, the applicant has completed 'Certificate B's' relating to ownership. This certifies that the applicant is not the sole owner of the land or building to which the application relates. In addition, the applicant has provided a detailed site plan which suggests it may be possible for vehicles to travel the single track at the western part of the site.

Other Matters:

Gwynedd Archaeological Planning Service has been consulted regarding the application and have requested that a condition be attached to the permission requesting that a photographic survey be undertaken in accordance with a method statement prior any works being commenced.

A Bat Survey has been submitted as part of the application. The Local Planning Authority's Ecologist has assessed the application and is satisfied with the proposed development following the inclusion of bat boxes. Natural Resources for Wales have raised no objection to the application.

Conclusion

The application is acceptable in policy terms and will provide a commuted sum towards affordable housing. The details with respect to highway matters has been assessed and considered acceptable.

Given due consideration to design, existing and proposed screening together with distances between existing properties the proposal is considered acceptable subject to conditions.

Although the application site offers limited amenity space for future occupiers, the application site is located within the development boundary of Amlwch and in close proximity to nearby public amenity areas. The proposed development will restore a Grade II Listed Building which is in a poor condition following being vacant for almost 15 years. A section 106 agreement will be attached to any permission to ensure that a commuted sums is made towards affordable housing.

Recommendation

(01) The development shall begin not later than five years from the date of this decision.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.

- Location Plan OBS-2018-078GA001 Rev C
- Detailed Block Plan - OBS-2018-078GA018 Rev A
- Proposed Ground Floor Plan - OBS-2018-078GA009
- Proposed First Floor Plan - OBS-2018-078 GA010
- Proposed Elevations - OBS-2018-078GA011
- Proposed Section B-B and C-C Rev B
- Propsoed Rear Elvations of Flat 5 & Section A-A - OBS-2018-078GA012 Rev B
- Proposed Section B-B & C-C - OBS2018-078GA013 Rev B
- Proposed Section D-D - OBS-2018-078GA014 Reb B
- Proposed Section E-E
- Proposed Roof Plan - OBS-2018-078GA016
- Proposed Section F-F - OBS-2018-078GA017
- Proposed Window Drawing - OBS-2018-078WD002
- Proposed Elevations - OBS-2018-078GA011 ReV B

Reason: To ensure that the development is implemented in accord with the approved details.

(03) Construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason: To protect the amenities of nearby residential occupiers.

(04) The commencement of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include;

(i) The routing to and from the site of construction vehicles, plant and deliveries.

(ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;

(iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;

(v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;

(vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;

(vii) The arrangements for loading and unloading and the storage of plant and materials;

(viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;

The construction of the development shall be completed in accordance with the approved plan.

Reason: To ensure reasonable and proper control is exercised over construction traffic and construction activities in the interests of highway safety.

(05) No other part of the development hereby approved shall commence until the car parking accommodation is completed in accordance with the approved details shown on drawing reference OBS-2018-078 GA018 Rev A.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

(06) The development hereby approved shall not commence until a photographic survey of the interior and exterior of the building has been undertaken in accordance with a method statement that has first been submitted to and approved in writing by the Local Planning Authority. The method statement shall identify the location and timing of the photographic survey (including prior to and during the development). Thereafter the photographic survey shall be carried out in accordance with the approved method statement and the advice contained within the Gwynedd Archaeological Planning Service Requirements for General Photographic Surveys of Buildings. The photographic survey shall be submitted to and approved in writing by the Local Planning Authority within 3 months of completion of the development.

Reason: To ensure that an adequate record is made of all structures affected by the proposal, to inform future conservation of the building and to ensure that the record is held within the public domain for future reference and research.

(07) No surface water from any increase in the roof area of the building/ or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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

(08) The proposed 1.8 meter-high fence at the western boundary as and as delineated on the detailed block plan (dawning reference number OBS-2018-078GA018 Rev A) shall be erected before the units hereby approved are occupied. The fencing shall not be removed at any time. If the fencing needs to be replaced/changed for whatever reason the replacement shall be of the same height and type and in the same position.

Reason: In the interest of amenity

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.