

Application Reference: FPL/2020/166

Applicant: Mr and Mrs Jones

Description: Full application for the conversion of the outbuildings into 4 Holiday Units at

Site Address: Cymunod, Bryngwran, Caergybi/Holyhead



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

Recommendation: Refuse

Reason for Reporting to Committee

The planning application has been called into the Planning Committee for consideration by the local member to ensure the proposal complies with relevant policies and guidance.

Proposal and Site

The planning application is a full application for the conversion of outbuildings into 4 holiday units at Cymunod, Bryngwran.

Key Issues

The key issues are

- Policy Consideration
- Sustainability
- Highways
- Ecological Considerations
- Affect on residential properties

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries
 Policy PCYFF 2: Development Criteria
 Policy PCYFF 3: Design and Place Shaping
 Policy PCYFF 4: Design and Landscaping
 Strategic Policy PS 13: Providing Opportunity for a Flourishing Economy
 Strategic Policy PS 14: The Visitor Economy
 Policy TWR 2: Holiday Accommodation
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
 Policy AMG 5: Local Biodiversity Conservation
 Policy CYF 6: Reuse and Conversion of Rural Buildings, Use of Residential Properties or New Build Units for Business/Industrial Use
 Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
 Policy TRA 4: Managing Transport Impacts
 Strategic Policy PS 5: Sustainable Development

Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

Planning Policy Wales (Edition 10, December 2018)

Response to Consultation and Publicity

| Consultee | Response |
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| Prifffyrdd a Trafnidiaeth / Highways and Transportation | No objection. |
| Iechyd yr Amgylchedd / Environmental Health | Standard Response. |
| Dwr Cymru Welsh Water | Standard Comments. |
| Cyfoeth Naturiol Cymru / Natural Resources Wales | Conditional Approval. |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit | Standard Advice. |
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | Conditional Approval. |
| Ymgynghorydd Tirwedd / Landscape Advisor | Standard Comments. |
| Cyngor Cymuned Bodedern Community Council | No response at the time of writing the report. |
| Cynghorydd Llinos Medi Huws | No response at the time of writing the report. |
| Cynghorydd Kenneth P. Hughes | Call in to the planning committee for consideration to ensure compliance with policies and guidance. |
| Cynghorydd John Griffith | No response at the time of writing the report. |

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| Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding | No objection. |
| GCAG / GAPS | Conditional Approval. |
| Ymgynghoriadau Cynllunio YGC | Standard Comments. |

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 29/10/20. At the time of writing this report, no letter of representation had been received at the department.

Relevant Planning History

HHP/2020/79 - Full application for alterations and extensions at - Cymunod, Holyhead -Permit

FPL/2019/206 - Full application for the demolition of the existing dwelling together with the erection of a new dwelling in lieu which include a balcony at - Cymunod, Bryngwran - Withdrawn

Main Planning Considerations

Policy Considerations

Policy PCYFF 1 'Development Boundaries' (formerly New Policy 'Development Boundaries' in the Composite Plan January 2017) states that development outside development boundaries will be resisted unless it is in accordance with specific policies in this Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

Policy TWR2 'Holiday Accommodation' states that proposals for:

1. The development of new permanent serviced or self-serviced holiday accommodation, or
2. The conversion of existing buildings into such accommodation, or
3. Extending existing holiday accommodation establishments, will be permitted, provided they are of a high quality in terms of design, layout and appearance and that all the following criteria can be met:

i. In the case of new build accommodation, that the development is located within a development boundary, or makes use of a suitable previously developed site;

This is not a new build and is a conversion of existing outbuilding.

ii. That the proposed development is appropriate in scale considering the site, location and/or settlement in question;

The proposal is appropriate in scale.

iii. That the proposal will not result in a loss of permanent housing stock;

The proposal will not lead to loss of permanent housing stock.

iv. That the development is not sited within a primarily residential area or does not significantly harm the residential character of an area;

It is not considered that the application site is sited within a primarily residential area and it is not considered that it will harm the residential character of the area.

v. That the development does not lead to an over-concentration of such accommodation within the area.

A business plan has been received and it is not considered that the proposal will lead to an over-concentration of such accommodation within the immediate area.

Design

The proposal has been designed to maintain the original character of the outbuilding. Original openings have been maintained and new openings kept to a minimal. Some extensions will be proposed on some of the units; the extensions amount to around 8% increase, this is in line with the guidance set out in the Supplementary Planning Guidance (SPG) on Replacement Dwellings and Rural Conversions in the Countryside. From the information provided with the planning application there will be some minor re-building.

Sustainability

Policy PS 5 (Sustainable Development) supports development which is consistent with sustainable development principle, where appropriate, development should:

“Reduce the need to travel by private transport and encourage opportunities for all user travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with Strategic policy PS 4;” (Bullet point 12, Policy PS 5)”

It is considered that the policies contained within the JLDP are consistent with national planning policy in terms of its approach to sustainable development principles. Paragraph 3.35 of PPW (edition 10, December 2018) states,

“In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole. Development in these areas should embrace the national sustainable placemaking outcomes and, where possible, offer good active travel connections to the centres of settlements to reduce the need to travel by car for local journeys.”

This is supported by paragraph 3.11 of Technical Advice Note 18: Transport, which states:

“Development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes.”

Paragraph 3.15 of TAN 18 states that tourism proposals, particularly in rural areas, should demonstrate access by choice of modes in order to avoid the necessity to travel by car. In rural areas the lack of public transport access needs to be balanced against the contribution tourism makes to the rural economy of the specific area.

The proposed development is located in an open countryside location.

- Llanfihangel yn Nhowyn is located some 2.12km from the site with only a takeaway facility available.
- Bodedern is located some 2.86km away from the site with 1 local convenience store.
- Caergeiliog is located 3.38km away from the site with only a post office and take away.

There are some services in these villages but, none that would be particularly useful to visitors to the proposed development. It is not practicable for most people to walk to and from hot food takeaways at such distances and there does not appear to be a convenience store where daily supplies could be purchased. It is considered unlikely that visitors would be prepared to undertake the, at least 30-40 minute, round trip on foot to the services available in the neighbouring villages.

The nearest bus stop is located 475 metres away with the nearest public right of way being located some 333 metres away from the site. The public rights of way in the area has poor connectivity

In addition to the distance involved, the narrow road width, limited footways and restricted visibility along parts of the road means it is unlikely that many journeys would be carried out by walking or cycling, therefore creating a reliance on private transport use. Although proposals necessitating the use of private vehicles are not prohibited through the JLDP, Policy PS5 promotes the application of sustainable development principles in all new developments, including directing developments towards the most appropriate locations and reducing the need to travel by private transport. The development would lead to a significantly increased number of trips by private car and private coaches to this location and the proposal is not entirely accessible via non-car modes of transport. The proposed development would be car dependent and would not minimise the need to travel, contrary to several of the National Sustainable Placemaking Outcomes set out in Planning Policy Wales.

Due to the site being in open countryside, away from local infrastructure, and the reliance on private transport, it would not constitute a suitable location as required by Policy CYF6, Strategic Policy PS5, Strategic Policy PS14 and TAN 18

Business Plan

Paragraph 6.3.67 of the JLDP states that in order to judge whether the proposed development will not lead to an over-concentration of this type of holiday accommodation within a particular location, applicants will be required to submit a detailed business plan, which demonstrates the robustness of the proposed scheme. This enables the Council to assess whether the scheme has a realistic chance of being viable, is not speculative in nature, and would help to make sure that there is no loophole to allow the redevelopment of existing buildings in the countryside for holiday use, and then allow them to convert to residential use if shown to be unviable in holiday use.

The business plan provided clearly shows that the proposal will not lead to an over-concentration of such accommodation in the area.

Structural Survey

A structural survey was received with the planning application and the conclusion of the survey indicated that the building is structurally sound and will not require extensive re-building works.

Protected Species

Section 6, Part 1 of the Environment (Wales) Act 2016 states that the LPA must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales. Policy AMG5 of the Joint Local Development Plan aims to ensure protection and improvements in local biodiversity.

A protected species survey was provided with the planning application. The survey confirmed that bats are using outbuildings 1, 2 and 3 and in order to mitigate the loss of the roosts a new roost area will be provided in another outbuilding. Any planning consent would need to consider the mitigation measures outlined in the protected species survey.

Highways

The Highways Authority has confirmed that they have no objection to the proposal.

Impact upon the amenities of residential properties

There are no immediate neighbours close to the application site, therefore the development will not have a negative impact upon any neighbours.

Conclusion

It is not considered that the application site is located in a sustainable location. The proposal would be highly dependent on private car use and would lead to a significantly increased number of trips by private car to this location. The proposal is not entirely accessible via non-car modes of transport. The proposed development would be car dependent and would not minimise the need to travel contrary to local and national policies and guidance.

Consideration has been given to the requirements of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

Recommendation

(01)The local planning authority considers that the development undermines the Welsh Governments commitment to sustainability in terms of its location. The proposal would thus result in isolated and unsustainable development of holiday accommodation in the countryside which would conflict with Strategic Policy PS4 and PS5 of the Joint Local Development Plan, Planning Policy Wales (Edition 10) (2018), Technical Advice Note 18: Transport and Welsh Government's Building Better Places: Placemaking and the Covid-19 Recovery (July 2020)

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.

Application Reference: FPL/2019/322

Applicant: Mr. William Morris

Description: Full application for conversion of a church into a dwelling together with a construction of a new vehicular access at

Site Address: Christ Church, Rhosybol



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

Recommendation: Permit

Reason for Reporting to Committee

Local Member Aled Morris Jones has referred the application the Planning and Orders Committee for determination.

Proposal and Site

The application is for the conversion of a church into a dwelling together with a construction of a new vehicular access. The application site is located within the rural village of Rhosybol and situated within the development boundary as defined within the Joint Local Development Plan (JLDP). The site is accessible from the main highway to the west of the site. Residential properties are located to the north, south and west.

Key Issues

Whether or not the proposal complies with local and national policies, whether the proposal will have an impact upon the neighbouring properties 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 5: Carbon Management
Policy TAI 15: Affordable Housing Threshold & Distribution
Policy TAI 4: Housing in Local, Rural & Coastal Villages
Policy ISA 2: Community Facilities
Policy ISA 1: Infrastructure Provision
Strategic Policy PS 2: Infrastructure and Developer Contributions
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
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 5: Carbon Management
Policy ISA 2: Community Facilities
Policy ISA 1: Infrastructure Provision
Policy TAI 4: Housing in Local, Rural & Coastal Villages
Strategic Policy PS 2: Infrastructure and Developer Contributions
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change

Response to Consultation and Publicity

| Consultee | Response |
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| Cynghorydd Richard Griffiths | Concerns regarding parking and the location of gravestones. |
| Cynghorydd Aled Morris Jones | Concerns regarding parking and that the site is unsuitable for the proposed development, |
| Cynghorydd Richard Owain Jones | No Response |
| Cyngor Cymuned Rhosybol Community Council | Concerns regarding existing gravestones and availability of parking area. |
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | No objection |
| Ymgynghorydd Treftadaeth / Heritage Advisor | No Objection |
| Iechyd yr Amgylchedd / Environmental Health | No Objection |

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| Cyfoeth Naturiol Cymru / Natural Resources Wales | Conditional Approval |
| YGC (Ymgynhoriaeth Gwynedd Consultancy) | No Response |
| Strategol Tai / Housing Strategy | No Response |
| Dwr Cymru Welsh Water | Conditional Approval |
| Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service | No Objection |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit | Comments are included within the main core of the response |
| The Representative Body of the Church in Wales | No Response |

The proposal was advertised with the posting of notifications to adjacent properties. Following receiving amended plans the publicly process has been undertaken on two separate occasions. The expiration of the latest publicly period was the 19/11/2020. At the time of writing this report six correspondence had been received by the Local Planning Authority. The main points raised are summarised below:

- ☐ Concerns regarding highway safety and parking availability.
- ☐ Concerns regarding the loss of trees.
- ☐ Concerns regarding wildlife
- ☐ Concerns proposal would impact upon amenity of nearby residential properties.
- ☐ A number of gravestones are scattered around the site.

Relevant Planning History

44C325 - Full Planning - Cais llawn i newid defnydd o hen eglwys i annedd yn / Full application for conversion of the former church into a dwelling at Christ Church, Rhosybol - Withdrawn 31/10/2016

Main Planning Considerations

The main chapel can be viewed from the main highway and is accessible from the west. The building is currently in a state of disrepair following being disused since 1996 and declared redundant in 2005. The church was built in 1875 to designs of Henry Kennedy, architect, of Bangor. It featured a divided nave and chancel, north porch and south vestry, bell-cote above west gable, and an east window with plate tracery. Although the church has a historic architectural value, it does not form part of Listing under the Planning (Listed Building and Conservation Areas) Act 1990.

A turntable parking area is proposed at the front of the chapel. The proposal entails converting the chapel into two storeys with the inclusion of Velux windows. This will enable the building to include a lounge, dining / kitchen area, bathroom, two bedrooms and a first floor games room.

Since the initial submission, amendments have been made to the proposal which included a turntable and mitigation measures in terms obscured glazed windows.

Policy Considerations:

In the JLDP Rhosybol is identified as a Local Village under Policy TAI 4 (Housing in Local, Rural and Coastal Villages). This policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary based upon the indicative provision shown within the Policy.

In accordance with Policy PCYFF 1 ('Development Boundaries'), proposals within development boundaries are approved if they comply with other policies and proposals in the Plan, National policies

and other relevant planning considerations. As the site lies within the Rhosybol development boundary as identified in the JLDP the proposal can therefore be considered against Policy TAI 4. The application site is located in a sustainable location within the development boundary of Rhosybol and is in close proximity to nearby public amenity areas.

Community Facility:

As the application is the proposed conversion of a Church, consideration should be given to Policy ISA 2 ('Community Facilities'). This Policy aims to protect existing community facilities and encourage the development of new facilities where appropriate. The Policy aims to resist the loss or change of use of an existing community unless a suitable replacement facility can be provided or it can be demonstrated that the facility is inappropriate or surplus to requirements.

The applicant has submitted a correspondence from the Representative Body of the Church in Wales stating that the church was closed in 1996 and declared redundant in 2005. The church is therefore considered surplus to requirements and as such satisfying with criterion 2 ii of Policy ISA 2.

Welsh Language:

The indicative provision for Rhosybol over the Plan period is 24 units (which, includes a 10% 'slippage allowance', which means that the calculation has taken account of potential unforeseen circumstances that could influence delivery of housing due to, e.g. land ownership issues, infrastructure constraints, etc.). In the period 2011 to 2018 a total of 5 units have been completed in Rhosybol. The windfall land bank, i.e. sites with existing planning consent, at April 2018 stood at 5 (with all of these being likely to be developed). This means that at present there is capacity within the indicative supply for the settlement of Rhosybol. However 15 dwellings at the former Marquis Inn in Rhosybol has been approved and as such the indicative capacity of the settlement has been exceeded. In accordance with criterion 1(b) of Policy PS1 'The Welsh Language and Culture', as this development, would subsequently, collectively provide more than the total indicative housing provision for Rhosybol, a Welsh Language statement is submitted with the application which concludes that the impact upon the Welsh Language will be comparatively low.

Character of the Building:

As previously noted the church is not Listed, however does hold some architectural historic value. The proposed development does retain the character of the building. Concerns were initially raised by the Built Environment section with respect to the number of roof openings being proposed. However, following amended plans being received reducing the size of the proposed roof windows and replacing them with a more conservation style windows, the section was supportive of the proposed development.

Existing Gravestones:

Numerous gravestones are located around the Church. Members of the public have raised concerns that granting permission for the proposed use would prevent the public from visiting the gravestones. The applicant has stated the proposed development would not hinder the visitors from accessing the gravestones and that improvements to the access would allow easier and safer access.

The matter is considered a civil matter outside the planning remit. Nevertheless, consultation has been undertaken with The Representative Body of the Church in Wales regarding the proposed development. At the time of writing this report no response has been received.

Impact upon amenity of nearby properties:

The application site adjoins residential properties to the north and south. Residential properties are also located to west, opposite the public highway.

The chapel is rectangular shaped running west from west to east across the site. Windows are being proposed on the northern, eastern and southern elevations. These include the introduction of first floor Velux windows on the northern and southern elevations.

A dwelling house known as the Old Rectory is located towards the north elevation of the site whilst a dwelling house known as Heddryn is located to the south.

Windows are located on the northern elevation of the chapel which will overlooking the neighbouring property. A distance of approximately 7 meters is between these windows and the boundary of the Old Rectory. The Supplementary Planning Guidance (SPG) Design Guide for the Urban and Rural Environment recommends a distance of 10.5 meters. However, since some of these windows are obscured and that existing vegetation is located along the boundary, it is considered that the proposed development will not significantly harm the amenity of the Old Rectory to warrant refusal of the application.

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) SPG also requires a distance of 15 meters between secondary windows. As previously noted, a number of windows located at the northern elevation is obscured. Following receiving amended plans which obscured two of the first floor windows located closest to the Old Rectory, the nearest clear glazed secondary window to a secondary window is at a distance of approximately 15.5 meters.

As previously noted, a dwelling (Heddryn) is also located to the south of the application site. The distance between the church and the boundary together with habitable windows exceeds the distances noted above. The distances to the residential properties located across the public highway to west also exceeds these distances.

Policy PCYFF 2 of JLDP requires that appropriate amenity spaces should be provided. Since graves are scattered around the site, the applicant has not included the entire site within the proposed curtilage area. As such a perimeter around the church together with an area of land covering approximately 140 square metres to the south east is proposed as amenity land. In order to provide a definitive boundary from the curtilage area to the remaining part of the site which includes numerous graves, a condition will be attached to the permission which will ensure that a reasonable and sympathetic boundary treatment will be included as part of the development.

Although it is acknowledged that 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 relatively dense residential area and that mitigation measures are being 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 from the main public highways to the west. As part of the application, the existing vehicular access will be widened and a turntable installed at the site. Concerns were initially raised by the highway section that any vehicle entering the site would have limited room to manoeuvre to the detriment of both highway and pedestrian safety. However, following receiving amended plan which included a turntable, the Local Highways Authority are satisfied with the proposed development subject to conditions.

Other Matters:

Gwynedd Archaeological Planning Service has been consulted regarding the application. Since there will relatively small amount of groundworks proposed, it is not considered that the works warrants mitigation.

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 roosts. Natural Resources for Wales have raised no objection to the application.

Conclusion

The application is acceptable in policy terms. Following receiving amended plan which included a turntable the highway matters has been assessed and considered acceptable.

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

Recommendation

Approve the proposed development subject to conditions

(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
- Cross Section - fccrioa/002
- Floor Plans and Elevations - fccrioa/001
- Access Plan
- Car Parking Plan
- Proposed Drainage Plan
- External Area Plan
- Cambrian Ecology LTD - Bat & Protected Species Survey

Reason: To ensure that the development is implemented in accord with the approved details.02

(03) The access shall be laid out and constructed strictly in accordance with the submitted plans before the dwelling is occupied and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access.

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

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.

(05) 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, E and F of Part 1 of Schedule 2 are hereby excluded.

Reason: In the interests of residential and visual amenity.

(06) Construction works shall not take place outside the hours of 8:30 to 17:30 Mondays to Fridays and 9:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason: To protect the amenities of nearby residential occupiers.

(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) Prior to the occupation of the residential unit hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the use is commenced.

Reason: To ensure a satisfactory appearance of the development.

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.