

PLANNING COMMITTEE	DATE: 25/09/2017
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	PWLLHELI

Number: 6

Application Number: C17/0603/43/LL

Date Registered: 21/06/2017

Application Type: Full - Planning

Community: Pistyll

Ward: Llanaelhaearn

Proposal: Change of use and extend a chapel to create a holiday unit including changing the use of agricultural land surrounding the chapel to create an amenity area and installation of treatment tank (amended application)

Location: Capel Bethania Chapel, Pistyll, Pwllheli, Gwynedd, LL536LS

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This is an application to change the use of a chapel into a holiday unit and demolish the current vestry and build an extension. The use of a part of the field surrounding the chapel would also be changed to form a part of the property's curtilage thus providing amenity land, parking spaces, an entrance and a site to install a treatment tank. The extension would be located on the gable-end of the chapel and the site of the existing vestry. It is intended to finish the roof of the extension with slates and the exterior walls would be finished with timber boards. The external walls of the chapel itself would be renovated with white render and the roof would be re-covered with slates. It is intended to provide a turning and parking space for at least 4 cars within the site.
- 1.2 The site lies within the Pistyll cluster with the property shown in red on the inset map. The site is also located within the Area of Outstanding Natural Beauty and the Llŷn and Bardsey Island Landscape of Outstanding Historical Interest. The chapel is located immediately adjacent to the B4417 class 2 highway that runs through Pistyll. Dwelling houses are located on the southern side of the county road. There are fields to the north and east.
- 1.3 The application is submitted to the Committee in light of receiving three or more observations that are contrary to the officers' recommendation.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Gwynedd and Anglesey Joint Local Development Plan 2011-26 adopted 31 July 2017**
 TRA 2 - Parking Standards
 TRA 4 - Managing transport impacts
 PCYFF 2 - Development Criteria
 PCYFF 3 - Design and Place Shaping
 PS 14 - The Visitors' Economy
 TWR 2 - Holiday Accommodation
 PS 19 - Conserving and enhancing the natural environment
 AMG 1 - Areas of Outstanding Natural Beauty Management Plans
 AMG 5 - Local Biodiversity Conservation
 PS 20 - Conserving and enhancing cultural assets
 AT 1 - Conservation Areas, World Heritage Sites, Parks and Registered Historic Gardens
 AT 4 - Protection of non-designated archaeological sites and their setting

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Supplementary Planning Guidance: Holiday accommodation.
 Supplementary Planning Guidance: Converting buildings in open countryside and in rural villages

2.4 National Policies:

Planning Policy Wales (Edition 9, November 2016)
 Technical Advice Note 12 – Design
 Technical Advice Note 13 – Tourism
 Technical Advice Note 18 – Transport

3. Relevant Planning History:

3.1 C16/0623/43/LL - Change of use and extend a chapel to create a holiday unit including changing the use of agricultural land surrounding the chapel to create an amenity area and installation of septic tank - Application withdrawn by the applicant.

4. Consultations:

Community/Town Council: No objection.

Transportation Unit: I confirm that the proposal to relocate the gate further into the site is acceptable and overcomes the vast majority of the highway concerns. The additional plans show that it is likely that vehicles travelling from the direction of Nefyn would need to take a wide turn to gain access to the site; however, it is assumed that this would be an occasional occurrence and that the manoeuvre could be done slowly without having a detrimental impact on other traffic. Conditions are recommended in relation to the provision of the access in accordance with the amended plans.

Natural Resources Wales: No objection to the application but propose conditions: -

Protected species - bats

We note that the preliminary survey report on bats and protected species submitted to support the above application (Yorke Associates Ecological Consultants, 2016) has stated that there are currently no bats on the application site. According to the information in the bat report, we consider that the proposed development is a case of lower risk to bats, as defined in our guidance document 'Natural Resources Wales Approach to Bats and Planning' (2015). The bat report concludes that the proposed development is unlikely to harm or disrupt the bats or breeding area and roosts in this site, provided that the avoidance measures described are put into place. Therefore, we do not object to the proposal, subject to adhering to all the avoidance measures described in the bat report.

Area of Outstanding Natural Beauty

Note that the site lies within the AONB.

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Foul Water Drainage

Note that a licence is required for the private foul water drainage system.

Welsh Water: It appears that the application does not intend to connect to the public sewer therefore Welsh Water does not have any observations.

Biodiversity Unit: A species report has been submitted with this application - Capel Bethania, Pistyll Preliminary Bat & Nesting Bird Survey, Capel Bethania, March 2016, by Yorke Associates Ecological Consultants.

No bats were discovered in the building, however, a swallow nest was discovered.

The mitigation measures proposed in the Appraisal and Recommendations section of the report should be followed to further reduce the risk to bats. Also, details of the provision for a swallow nest should be provided in accordance with the report.

AONB Unit: Capel Bethania and the ancillary house are located in a prominent position by the side of the highway in the village of Pistyll and within the AONB. It is a Methodist Chapel built in 1875 and the Rev. Tom Nefyn Williams used to preach there (there was a commemorative plaque on the chapel's wall but it has now been moved to Edern). Certainly, the chapel is a part of the history and culture of the Llŷn Peninsula area. The chapel was closed some years ago and it is now in a deteriorating condition and is an eyesore. Therefore, a proposal that restores the chapel, and retains its historical character is to be welcomed. However, as with the previous application, there is concern about the proposal to demolish the ancillary chapel house and extend a substantial lean-to extension of a different character to the original buildings.

Gwynedd Archaeological Planning Service: The Royal Commission on the Ancient and Historical Monuments of Wales record that Capel Bethania was built in 1875. The chapel and ancillary vestry appear in their current form on the First Edition of the Ordnance Survey Map of 1889 which designates that the vestry was an early addition, if not an original feature of the chapel. Both buildings are shown in the photographs submitted as part of the structural and protected species report and have retained their original setting, appearance and character including the chapel's furniture and decorative details.

The proposed conversion design is acknowledged as an imaginative plan which retains the opportunity to appreciate the chapel's full height and avoid changes to the external structure. However, in addition to replacing the vestry with

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a contrasting modern structure will involve losing the original windows and changes to the chapel's interior, including the loss of pews, the elder's pew and the slanted floor which are integral to the appreciation of the chapel's design for worship purposes. Together, it is considered that this has a material impact on the integrity and legibility of the chapel group, by reducing its evidential, aesthetic and community value as a public historic building of significant local value.

In light of the above it is recommended, if permission is granted, that a planning condition is imposed to ensure that a photographic record of the building is kept.

Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertisement period has expired and a letter / items of correspondence have been received on the following grounds:

- Road safety - motorists do not adhere to the 30 mph speed restriction through the village, cars are parked across the road to the development, the site access is almost immediately adjacent to an existing access, lack of sufficient parking spaces for additional visitors and builders, children crossing from the development to the playing field on the opposite side of the county road.
- The building work would need to start after 9am during the week and 9.30am at weekends.

5. Assessment of the material planning considerations:

The principle of the development

5.1 Policy TWR 2 states that proposals to convert existing buildings into self-servicing holiday accommodation will be approved if they are of a high quality in terms of design, setting and appearance and provided that specific criteria can be met. The site is located within the Pistyll cluster and there are a number of dwellings nearby. The main amendment in terms of the proposal is the demolition of the vestry and the construction of a new extension in this location. This extension would be finished with slates on the roof and timber boards on the exterior walls. Demolishing the vestry and building a new extension would have some impact on the current character of the property. However, the extension is of a suitable design and it is not considered that it would affect the appearance of the site or the chapel's setting. As the property is located within a cluster, other buildings are located nearby. It is considered that the scale of the proposal is suitable for the site and location with only one holiday unit being created. This location is also convenient with the access immediately off the class 2 county road. Although this is a residential area, it is considered that the scale of the development is suitable to an area of this type and that it would not disrupt the residential character of the area. The proposal would not involve losing a house from the housing stock. There are holiday units in the vicinity of the site already but the Council does not have any evidence to confirm that there is an excessive number of holiday accommodation in this specific site. This proposal involves converting a former chapel into a holiday unit and it is considered that the

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adaptations to the building are suitable and that the plan complies with the requirements of policy TWR 2 of the LDP.

Visual amenities

- 5.2 The proposal involves converting the existing chapel and building a new extension to replace the existing vestry. In terms of the changes proposed, it is considered that the main visual change will be the new extension. This extension would be in the form of a lean-to building with a slate roof and exterior walls covered in timber boards. The chapel itself will have white-coloured exterior walls and a slate roof. The design of the extension is quite modern. However, it is considered that the extension would be acceptable for the site and it is considered that the materials are acceptable. Due to the site's location near the highway, this extension would be visible but it is not considered that it would have a detrimental impact on the area's visual amenities or on the character of the chapel itself. With an extension of this type, it is considered that it would still be possible to read the building as part of the conversion and see how it has developed over time. Therefore, it is considered that the design is acceptable and that the proposal is acceptable in relation to Policy PCYFF 3 of the LDP.
- 5.3 The site lies within the AONB. The observations of the AONB Unit were received regarding the proposal. These observations welcome the restoration of the chapel and retention of its historic character but there is concern about the lean-to extension that will replace the vestry. Although the site is located within the AONB, this does not necessarily mean that a more modern extension cannot be acceptable. The extension would replace the existing construction and it is not considered that this new extension would have a detrimental impact on views into, out of and across the AONB. Therefore, it is not considered that the proposal would be an oppressive feature in the landscape, coastline or seascape of the AONB. It is considered that the proposal is acceptable in terms of Policy AMG 1 of the LDP.
- 5.4 The site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. The proposal relates to making alterations to an existing property and in terms of its location and size, it is considered that the impact of the proposal would be local only and that it would not have a broader impact on the historical landscape. It is considered therefore that the proposal is acceptable in terms of Policy AT 1 LDP.

General and residential amenities

- 5.5 Residential dwellings are situated nearby the application site. These houses are located on the southern side of the county road. Therefore, a public road is located between the site and the houses on the opposite side of the county road therefore it is not considered that the proposal would cause significant harm to the amenities of the local neighbourhood in terms of privacy and overlooking. Also, it is not believed that the proposal would create substantial disruption (if any) on the grounds of noise emanating from movements to and from the holiday unit as such units are less possible than movements associated with general residential dwelling movements. It is acknowledged that there would be some disruption during the construction phase. It can be seen from the objections that they are requesting working hours to be restricted so that work would not commence on the site before 9am during the week and before 9.30am at weekends. Restricting the commencement of work to these hours on a daily basis as a condition on the planning permission would be unreasonable and considering that this is an application to convert one building, it is not considered that it would be reasonable to impose hours for the builders working on the development.

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- 5.6 As a result of the above, it is not considered that the proposal would have a substantial detrimental impact on the local neighbourhood, therefore it is considered that the proposal is acceptable in terms of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.7 Since application C16/0623/43/LL was withdrawn, the applicant has purchased an alternative piece of land in order to have a vehicular access for the proposal. When the current application was originally submitted, it was proposed to install a gate immediately at the point of access. The Transportation Unit objected to this as there was no room for a vehicle to wait off the road whilst the gate was opened. Also, there was some concern about the setting of the access and how it would be possible to gain access to the site in one manoeuvre from the direction of Nefyn. In light of these concerns, an amended plan was received with the gate set more into the access track so that a vehicle could wait until the gate opened off the county road. Also, plans were received showing a breakdown of the path for vehicles to turn into and out of the access. As a result of receiving these details, further observations were received from the Transportation Unit stating that the proposal to relocate the gate further into the site was acceptable and overcame the majority of highway concerns. In addition, the additional plans show that it is likely that vehicles travelling from the direction of Nefyn would still need to take a wide turn to gain access to the site; however, it is assumed that this is an occasional occurrence and it would be possible to achieve the manoeuvre slowly without having a detrimental impact on other traffic. As a result, there are no road safety concerns deriving from the proposal. It is acknowledged that objections have been received about the proposal on the grounds of road safety. However, some of the matters being raised in these objections are beyond the applicant's control such as motorists failing to adhere to the speed restriction, cars currently being parked at the side of the county road. The proposal has shown a parking space for up to four cars within the curtilage and it is considered that this would be sufficient to serve the holiday unit in question. Although cars associated with the proposal cannot be prevented from parking on the nearby county road, the proposal provides sufficient parking spaces for the holiday unit in question. Reference was also made by a third party to the risk to children from the holiday unit crossing the road to reach the playing field. In response to this, the applicant has noted that he is aware of the lack of footpath to the front of the chapel and the subsequent risk. This has been considered as part of the unit's design with the Chapel's existing doors not to be used as doors on the whole. One of the doors would be available in an emergency but the other would be blocked from the inside. It is also proposed to close the access in the boundary wall near the vestry to prevent pedestrians from walking straight out into the road. The only access for pedestrians would be through the main access gate where there are green verges and good visibility in both directions. As a result of the Transportation Unit's observations and the details submitted as part of the application, it is not considered that the proposal would disrupt road safety. It is considered that the proposal is acceptable in terms of TRA 2 and TRA 4 of the LDP.

Biodiversity matters

- 5.8 A Bat Species and Nesting Bird Species Survey by Yorke Associates was submitted with the application which states that there is no evidence that any bats use the building. The Biodiversity Team and Natural Resources Wales have stated that a condition will need to be included, if the application is approved, referring to the need to comply with mitigation measures as referred to in the Survey itself. The proposal therefore complies with the requirements of policy AMG5 of the LDP.

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Archaeological Matters

- 5.9 Observations were received on the application from the Gwynedd Archaeological Planning Service. These observations ask for a condition to be imposed on any planning permission to submit a record of the building as it currently stands in the form of photographs. In light of the above it is recommended, if permission is granted, that a planning condition is imposed to ensure that a photographic record of the building is kept. It is considered that the proposal would be acceptable from the perspective of Policy AT 4 of the LDP, if such a condition is imposed.

Drainage

- 5.10 It is proposed to use a private treatment tank for foul water. This would be located to the north of the existing buildings. The observations of Natural Resources Wales refer to the need to obtain a licence for this.

6. Conclusions:

- 6.1 Having considered the above assessment, it is believed that the proposal is acceptable on the grounds of principle, location, use, density, materials, visual amenities, residential amenities and road safety and complies with relevant local and national planning policies and advice.

7. Recommendation:

- 7.1 To approve - conditions
1. Five years.
 2. In accordance with the plans.
 3. Slates on the roof
 4. Agree materials for the external walls of the extension.
 5. The chapel's external walls to be white.
 6. Restrict the unit to holiday use only.
 7. Removal of permitted development rights to extend the unit and curtilage buildings.
 8. Work to be carried out in accordance with the recommendations in the protected species survey.
 9. Complete a photographic record of the building.
 10. Access to be built in accordance with the amended plan.