

**15/2021/1028**

 **Graddfa / Scale:** 1:1250

**Canol / Centre:** 320270, 357675

**Dyddiad / Date:** 2022-05-31 11:00:13





























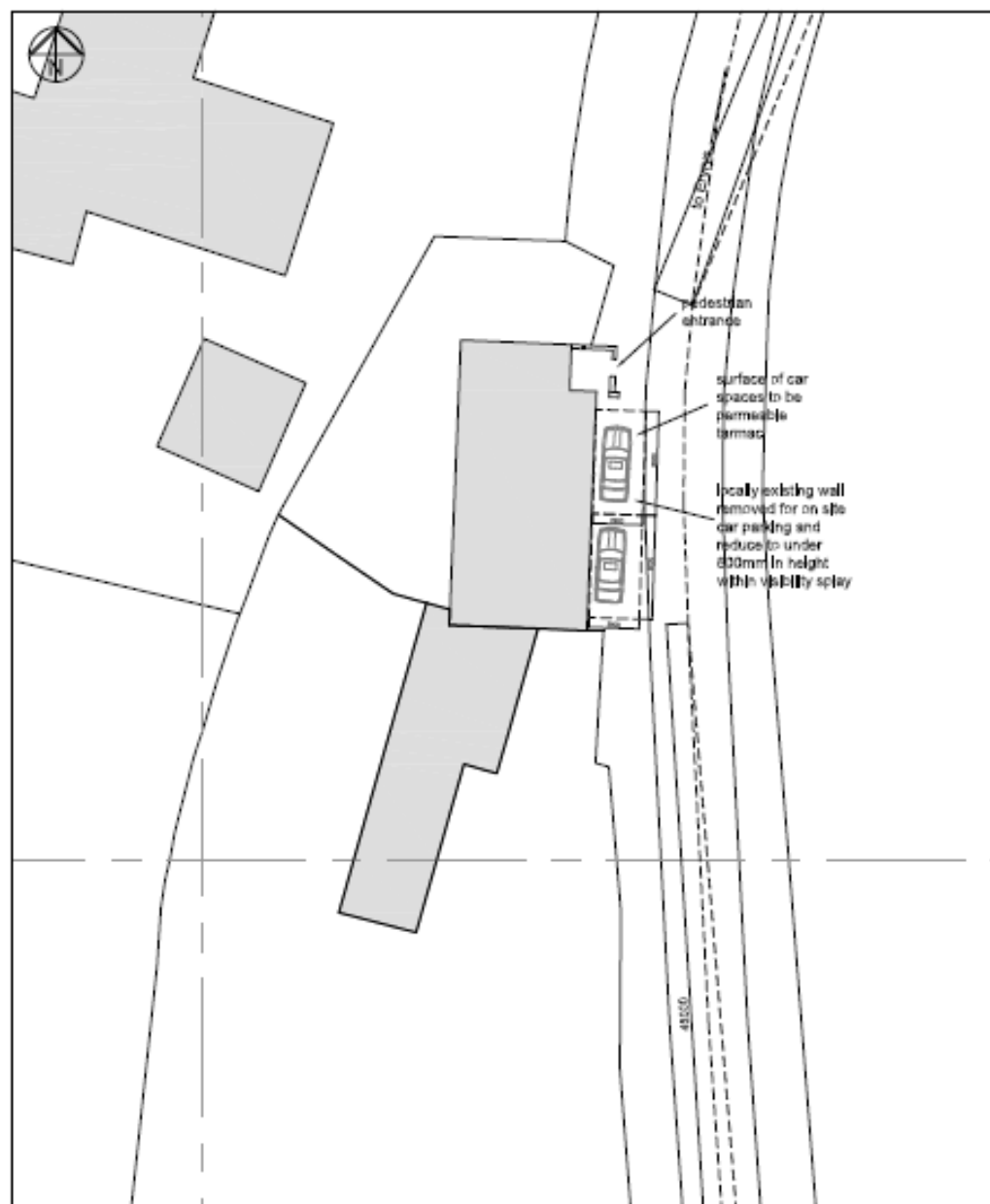




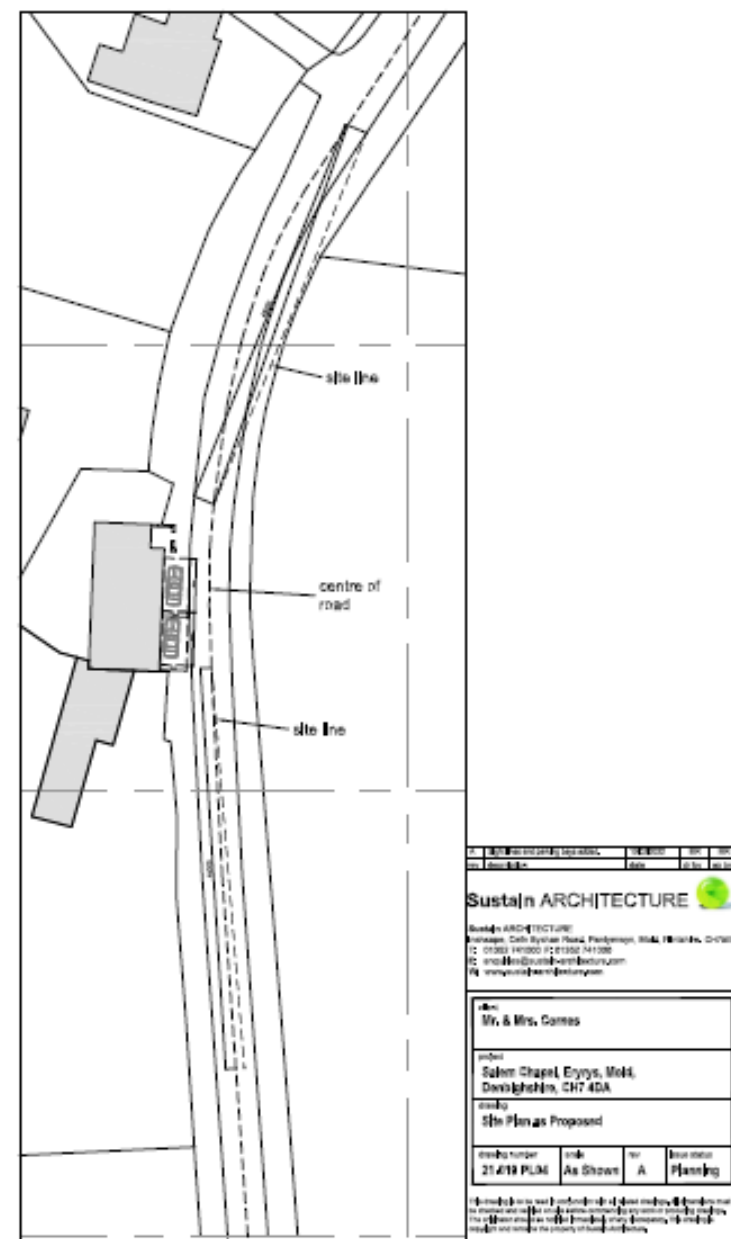








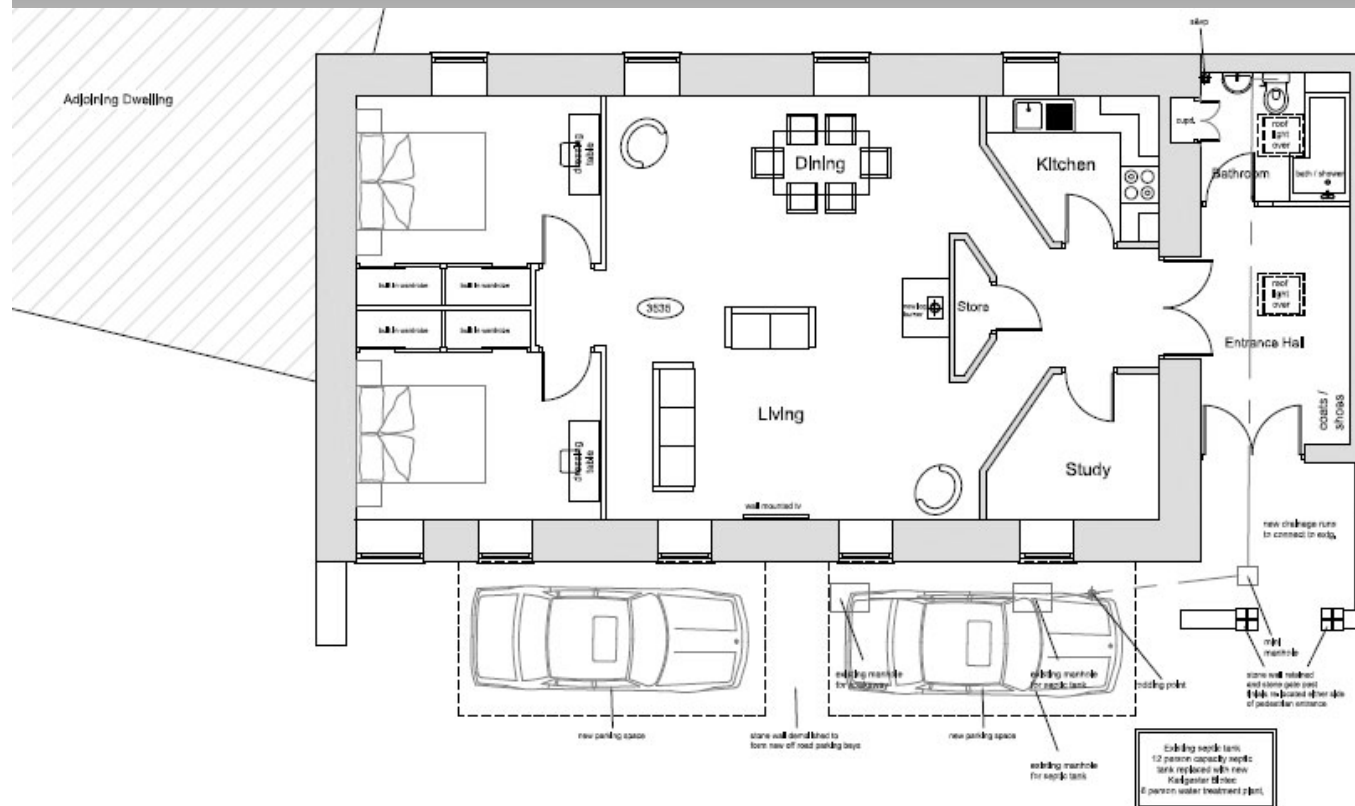
Block Plan as Proposed - Scale 1:200 @ A3



Visibility Splay - Scale 1:500 @ A3







Plan as Proposed

1. New septic	1.0000	1.00	1.00
2. New roof light	1.0000	1.00	1.00
3. New roof light	1.0000	1.00	1.00

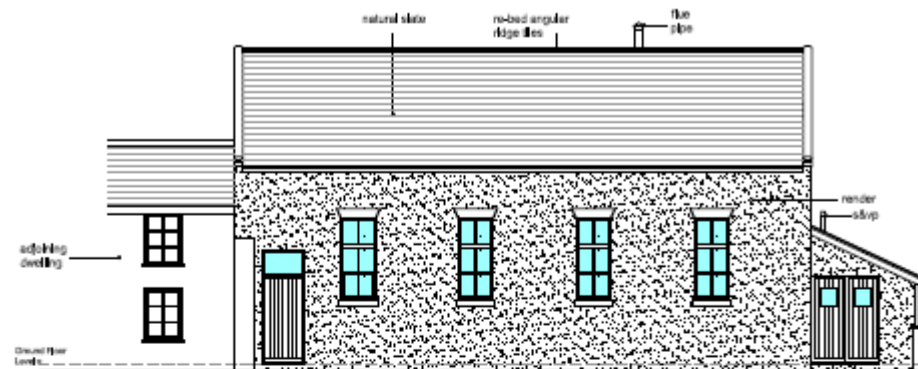
**Sustain ARCHITECTURE**

Sustain ARCHITECTURE  
 10000, Oak Street Road, Bayswater, WA 6007, Australia  
 T: 08 9438 1111 F: 08 9438 1112  
 E: info@sustainarchitecture.com.au  
 W: www.sustainarchitecture.com.au

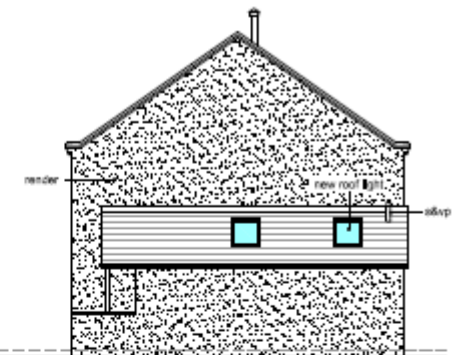
<b>Mr. &amp; Mrs. Gomes</b>			
Project: Sukem Chapel, Enyaya, Maki, Garkigahia, CH 40A			
Drawing: Ground Floor Plan as Proposed			
Drawing Number	Scale	Rev	Issue Date
21-019 PLOS	1:500A2	B	Planning

This drawing is a preliminary design and should not be used for construction without the approval of the relevant authorities. The client is responsible for obtaining all necessary approvals and permits for this project.

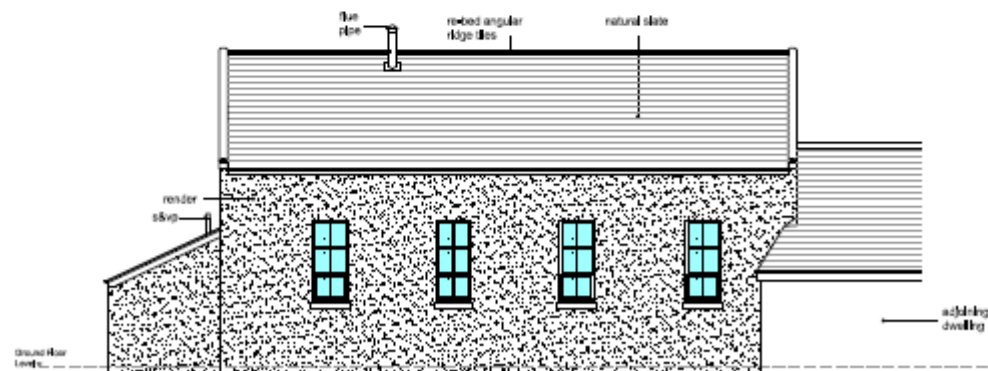




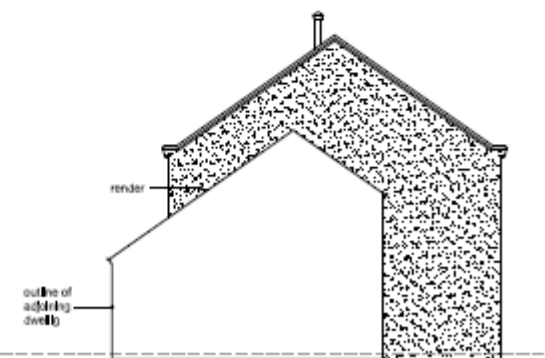
East Elevation as Proposed



North Elevation as Proposed



West Elevation as Proposed



South Elevation as Proposed





**WARD:** Llanarmon Yn Ial / Llandegla

**WARD MEMBER(S):** Councillor Terry Mendies

**APPLICATION NO:** 15/2021/1028/ PF

**PROPOSAL:** Conversion of chapel to form a holiday let accommodation unit and associated works

**LOCATION:** Salem Chapel, Eryrys, Mold, CH7 4DA

**APPLICANT:** Mr & Mrs Cornes

**CONSTRAINTS:** Phosphorus Sensitive SAC  
AONB

**PUBLICITY UNDERTAKEN:** Site Notice - No  
Press Notice - No  
Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**

**Scheme of Delegation Part 2**

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection
- Member request for referral to Committee (Councillor Martyn Holland – previous Ward Member)

**CONSULTATION RESPONSES:**

**LLANARMON YN IAL COMMUNITY COUNCIL**

*'Council felt that as this chapel came with no extra land, the complete lack of parking space on this narrow village road was an issue. Parking at a pinch-point in the village, could lead to possible problems, for example with the snow ploughs'.*

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY  
JOINT ADVISORY COMMITTEE**

*"The Joint Committee has no objection in principle to the conversion of this building into holiday accommodation. However, the committee is concerned about the removal of much of the existing stone frontage boundary wall and railings to provide parking. This is a traditional feature which contributes positively to the character and appearance of the building and wider AONB which should be conserved and restored.*

*It is noted that the site is very constrained, but the committee would suggest that alternative parking arrangements should be explored, ideally to create new off road parking on what appears to be overgrown and underused adjacent land to the north of the chapel. In this context the AONB would have no objection to felling the ash tree on this land subject to appropriate replacement planting.*

*The committee would also suggest that a condition be attached requiring submission of details of any future external lighting to ensure that it is designed and specified to conserve the AONB's dark sky and nocturnal wildlife."*

**NATURAL RESOURCES WALES (NRW)**

Raised concerns with the application as submitted because inadequate information regarding foul drainage.

*Foul Drainage* - the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). On the 21st January 2021, NRW published an evidence package outlining phosphorus levels for all river SACs across Wales. As part of this package, NRW issued a Planning Position Statement, which advised that any proposed development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened

through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC.

NRW note from the information submitted that the development has the potential to increase the amount of phosphorus being discharged from the site. As per the NRW Planning Advice, NRW advised that we seek further information from the applicant.

Provided advice is followed and the Local Planning Authority conclude that the development is not likely to have a significant effect on the SAC, NRW would have no objection to the proposal. However, should we conclude that the proposed development is likely to have a significant effect on the SAC, we would be required to consult NRW on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

*Protected Sites* - Based on the information submitted, NRW consider that the proposed development is not likely to damage the features for which Glaswelltiroedd Eryrys is of special interest, as long as general pollution prevention measures described in the advice to developer section of this letter are adhered to. The developer should be cautious not to introduce any Invasive Non- Native Species (INNS) to the site. Cotoneaster in particular is a concern in this area.

*European Protected Species* - NRW note that there is no information about protected species with the application and, therefore, are assuming that the LPA has screened the application and concluded that there is not a reasonable likelihood of protected species being present. *Landscape* - The development site lies within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) where the primary purpose is the conservation and enhancement of natural beauty. NRW note that the AONB committee has commented on this application, and concur with their observations.

Recommended notes to applicant regarding:

- Pollution Prevention during the construction phase.
- Construction waste
- Environmental management.

#### DWR CYMRU / WELSH WATER

Maes-y-Groes Waste Water Treatment Works does not have a phosphate permit. This matter will need to be considered further by the local planning authority. Requested condition if minded to grant planning consent that no surface water or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

#### CLWYD POWYS ARCHAEOLOGICAL TRUST

*'The proposals will affect a late 19th century chapel which is not recorded on the Historic Environment Record but is included on the National Monuments Record as NPRN 7657 Salem Wesleyan Methodist Chapel. The chapel was built in 1837, enlarged in 1845 and rebuilt again in about 1852. In 1888 it was recorded as being in a derelict condition but appears to have been in use again by about 1897. The building currently retains a partly original but modernised layout (new windows and services) with internal and external features that are of local architectural and historical significance.*

*It would be unfortunate if this building is now permanently converted before an adequate record of its current historic form is retained. I would therefore ask that the applicant is required to commission a Level 1 Photographic Survey by an archaeological contractor before conversion commences to preserve a record of this building in its current form. This recommendation is made in accordance with TAN 24 (May 2017) and Planning Policy Wales (Feb 2021). To facilitate this, I would ask that an appropriate planning condition is attached to any permission granted.'*

#### DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

- Highways Officer

Type of parking arrangement would not be acceptable for highway safety reasons and would ask that any parking should provide the following:

- o Parking and turning within the site to enable vehicles to enter and leave in forward gear.



- Visibility in accordance with TAN 18 - in particular to a vehicle turning right into the site for vehicles travelling from the village to Llanarmon Yn Ial direction.
- Parallel parking preferred bay size for cars should be 5.5m x 2.9m (Parallel parking bay length) 6.0m this is to allow working space around the vehicle, the drawing needs to show the dimensions.

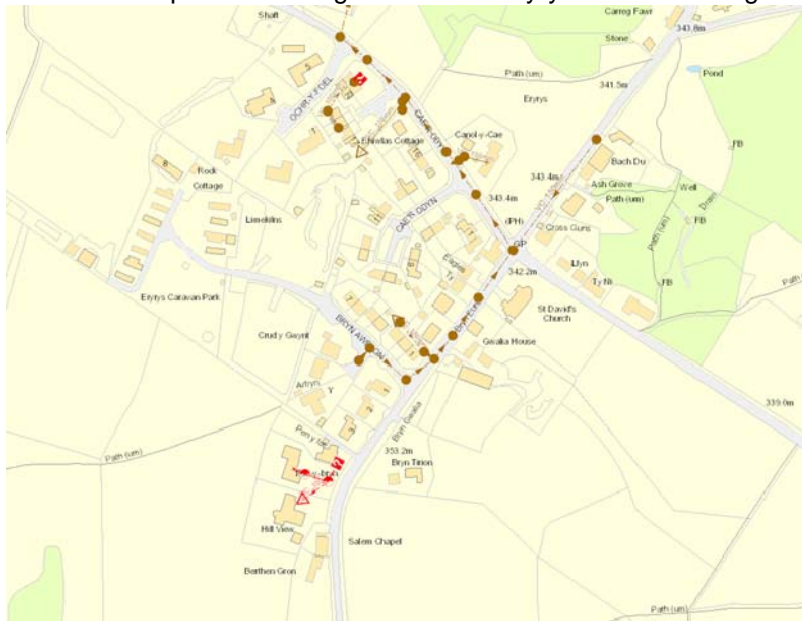
## RE-CONSULTATION RESPONSES (IF RELEVANT)

### NATURAL RESOURCES WALES

*'We note the submission of the Assessment of Likely a Significant Effect prepared by your Authority. We concur with the conclusion of the report that the development will not result in likely significant effects, alone or in combination on the SAC, with regards to phosphorus'.*

### DWR CYMRU WELSH WATER

Extract of the public sewerage network in Eryrys which discharges to Maes-Y-Groes WwTW.



136m to the mains sewer.

### Highways Officer

*'In respect of the parking bays proposed I have carried out a survey on site and confirm that the measurements to provide adequate parallel parking have been met in accordance with D.C.C.'s parking guidelines. D.C.C.'s parking guidelines require a minimum space of 2.4m x 4.8m with additional working space provided for parallel parking which is provided on the plan.*

*I am in receipt of Traffic Data for the main road through the village and have attached the data for information. The traffic data clearly indicates that there are low vehicle numbers travelling through the village road and no accidents at this location within the last five years.*

*For reference, the extent of adopted highway is slightly unusual at this property and I can confirm that land is in ownership by the applicant, outlined in red on the location plan is correct as shown on D.C.C.'s adoption records. The existing boundary wall of the chapel will be demolished to provide an open area for cars to park and this area including the verge is in ownership of the applicant. The extent of adoption is to the road edge and maintained thereafter by the Council.*

*The last service at the Chapel was in 2014 and I believe from local knowledge, given that there is no existing parking at the chapel the congregation parked on this road to attend services. I am satisfied that the visibility splays can be achieved in accordance with Tan 18 guidelines, which is shown on the submitted drawing no: 21-019-PL04.*

*It should also be noted that the Chapel falls within the D1 planning use there are a number of uses under the same use class that could use the building without the need for formal change of use/planning permission:*

*D1 Non-residential institutions - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non-residential education and training centres.*

*All the above institutions could potentially generate a significant amount of traffic and parking on the highway.*

*Considering the above, I do not foresee, given this small scale development, very low traffic numbers on this road any significant highway safety issues arising from this development and therefore have no objection.*

*Suggest the following matters be brought to the applicant's attention as advisory notes:*

1. *Highways Supplementary Note No's 1,3,4, 5 & 10.*
2. *New Roads and Street Works Act 1991 – Part N Notice.*

## **RESPONSE TO PUBLICITY:**

### In objection

Representations received from:

- Robin Spratley, Berthen Gron, Old School Lane, Eryrys
- Richard Smith, Castell, Old School Lane, Eryrys
- Gwenda Smith, Castell, Old School Lane, Eryrys
- Grant Stokes, 3 Bryn Gwalia, Eryrys
- Huw Smith, 1 Bryn Gwalia, Eryrys
- Gwyn Smith, Castell, Old School Lane, Eryrys
- Bethan Gittins, 1 Bryn Gwalia, Eryrys
- Aled Lloyd Smith, Castell Eryrys
- Linda Jones, Bryn Tirion, Village Road, Eryrys
- Myrtle Dawes, 4, Anderson Drive, Aberdeen
- Lora Stokes, 3, Bryn Gwalia, Eryrys

Summary of planning based representations in objection:

- Proposed parking for cars
  - o Cars may be parked in part on the road just before the right hand bend. This could cause cars approaching the village of Eryrys from Llanarmon to move into the centre of the road and they may then meet cars coming in the opposite direction on the bend.
  - o The road from Llanarmon to Eryrys is narrow but especially at this point. The Chapel sits on a bend in the road (pinch point).
  - o Pedestrians will be forced onto the lane.
  - o No additional land in ownership for parking.
  - o According to the plans the parking area will encroach on to the highway.
  - o Witnessed an accident and several near misses outside Salem Chapel.
  - o Claims that Llanarmon yn Ial Community Council have had several complaints about the dangerous traffic speed of it along this stretch of road over the last few years.
  - o Not enough room to safely manoeuvre or access cars which would mean cars trying treacherous 3 point turns on an already busy narrow road or they would use private gateways, causing a nuisance to locals.
  - o There is no consideration for people with disabilities who may need additional space for entering or exiting vehicles.
  - o There is no pavement.
  - o Claims plans are inaccurate.
  - o Busy route for walkers (Inc families and children) there seems to be a breach of highway safety.
  - o The parking on the plan is much too dangerous on a narrow bend and is outside the current boundary wall and encroaching on to the highway.
  - o Farm situated some 300 yards from the chapel which regularly use heavy and wide machinery along this road and also need to access the field opposite the chapel.
  - o The grass verge outside the Chapel provides a space to stand while a car passes both on walking in and out of the village.
  - o Even the smallest of cars would jut out into the highway.

- AONB/ visual amenity:



- Removal of existing wall and verge will impact the character and appearance/historic appearance of the chapel.
- Recreational space:
  - No recreational space externally for guests.
- Residentail amenity:
  - Adjoining property is Berthen Gron is party wall with chaopel and protected under Party Wall Act. Present wall not sufficient for the noise likely to be generated by holiday let.
- Drainage:
  - Chapel not connected to mains drainage. Has a small cess pit. No room for septic tank and soakaway.
  - Query location of soakaways.
- Demand:
  - Two caravan parks within the village. Oversupply of caravan accomodation locally.
  - Existing holiday lets empty for a large part of the year.
  - There is desperate need for permanent family homes for local people.
  - Google search returns Woodland View, Bryn Dedwydd Cottage, Alyn View, Glan Llyn Farmhouse, Arbennig Lodges, Eryrys Caravan and Lodge Park to name but a few holiday.
  - Allowing the area to become over-supplied with holiday properties as opposed to family homes would lead to the destruction of the local community as has been seen in villages across Gwynedd, leading to school closures and the further decimation of the Welsh language. This application does nothing to support Welsh culture and language which is sadly dying out in Eryrys.
- Structure:
  - There is more work required than application suggests to convert building.

**EXPIRY DATE OF APPLICATION: 07/12/2021**

**EXTENSION OF TIME AGREED: 17/06/2022**

**REASONS FOR DELAY IN DECISION (where applicable):**

- additional information required from applicant
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

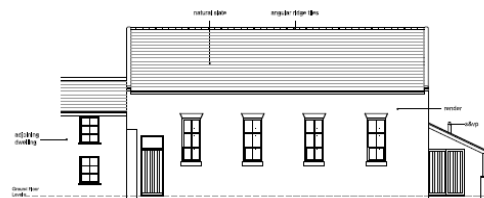
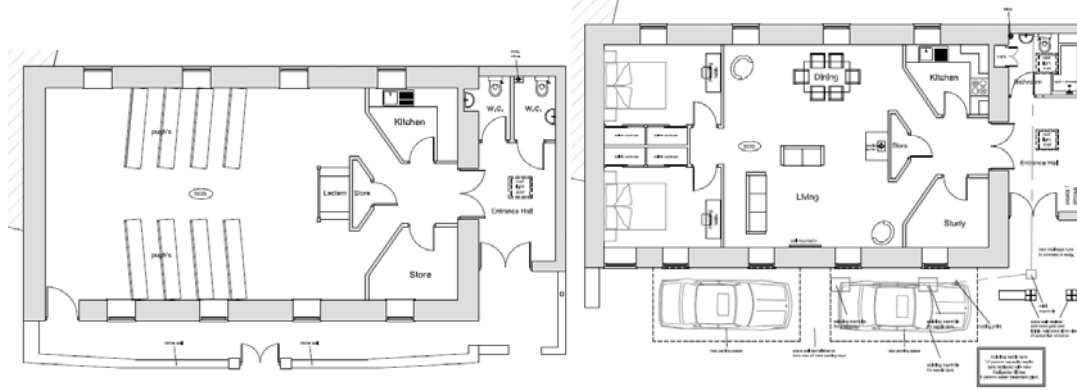
**1. THE PROPOSAL:**

**1.1 Summary of proposals**

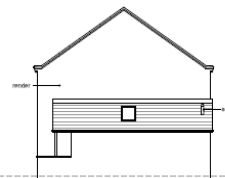
- 1.1.1 The proposed development is for the change of use of the existing chapel into a holiday let. The proposals would require minor remedial works externally.
- 1.1.2 All external openings would remain the same shape and size. Any defective windows and doors would be replaced with new. The existing doors are hardwood and proposed to be retained as this. Existing windows are UPVC and proposed to be retained as existing. New windows would be new upvc with minimum u value 1.6 W.m2k.4 and 16-4mm glazing in white to match the existing. A new roof light would be fitted into the existing side extension roof.
- 1.1.3 Proposals would replace defective slates and replace with slates to match existing colour and size. Existing ridge tiles would be removed and re-bedded. Defective render would be replaced with new render to match the existing and covered with external grade masonry. New black upvc gutters and brackets to be installed all around.

1.1.4 The proposals seek to remove a large part of a stone wall and railings at the front of the property to make room for two proposed parking spaces. The proposed plans show that the stone wall would be retained around the pedestrian access and gate post finials re-located to either side of the pedestrian access.

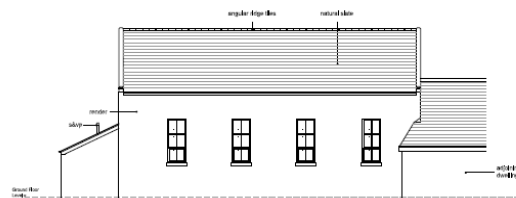
1.1.5 Existing septic tank to be replaced with Klargestar Biotec 6 person water treatment plant. A flue pipe is proposed from the roof and vent pipe from single storey side.



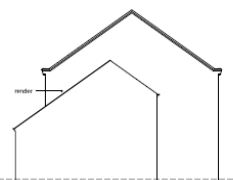
East Elevation as Existing



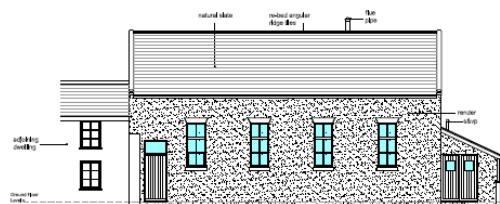
North Elevation as Existing



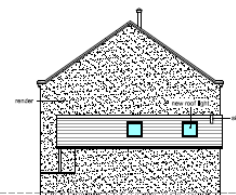
West Elevation as Existing



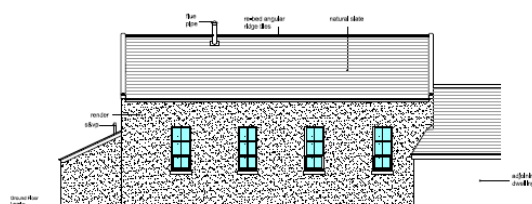
South Elevation as Existing



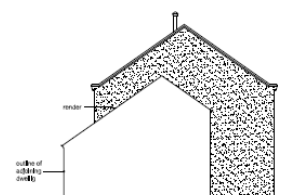
East Elevation as Proposed



North Elevation as Proposed



West Elevation as Proposed



South Elevation as Proposed

## 1.2 Other relevant information/supporting documents in the application

1.2.1 The application is supported by a Design and Access Statement that makes the following key points:

- The building is vacant it was formerly a chapel.
- The building is structurally sound and in a good state of repair.
- There is no onsite parking, however the proposal includes two new spaces.
- The proposed conversion does not propose to alter the scale and massing of the existing building. All of the openings are to be retained and one additional roof light is proposed to allow natural light into the proposed bathroom.
- The proposed changes will be mainly internal. Re-placement doors and windows will be hardwood and UPVC.
- The proposals have considered sustainability credentials of the conversion.
- The proposals aim to bring new life into the dilapidated outbuildings and providing economic regeneration in accordance with both national and local planning policy.

1.2.2 Additional information about the marketing was provided:

- The chapel closed on 22 April 2014 (in excess of 7 years), because of a diminishing congregation and the property was put on the market in May 2020. No other community uses came forward to use the building with a lack of local interest.

1.2.3 The applicant also provided additional information regarding the proposal:

- Intention to fully retain the historic appearance of the building. Aiming to ensure that minimal changes are made, both internally and externally. Every effort has been made to ensure that the proposed plans have been sympathetic to the character of the building.
- The proposed parking spaces have been made in line with Denbighshire County Council's guidelines. The size of the proposed parking spaces meets fully with the Council's criteria. Parking is on private land and does not encroach the public highway. If anything, the change of use from a chapel to a holiday let would be a safer option, as when the chapel was in use there would be many more vehicles parking on the road.
- Party Wall Act 1996: relating to the shared wall with Berthen Gron, we would rely upon the Party Wall Act 1996 that states: "The Party Wall Act prevents building work by one neighbour that can undermine the structural integrity of shared walls or neighbouring properties". There is no intention to carry out any building works to the shared wall, or any other wall on the building. As previously stated, minimal works are being undertaken in order to preserve the character of the building. The structural integrity of any adjoining property is therefore not compromised.
- Existing chapel has a septic tank which is located at the front, the capacity of the chapel is approximately 48 people seated in pews, addition seating / standing at the rear (approximately 20) therefore a capacity of approximately 70 people. The chapel also had an occasional tea / coffee mornings and fates etc. – hence the presences of a small kitchen.

## 1.3 Description of site and surroundings

1.3.1 The application site is a former chapel. The property is located within the Development Boundary of Eryrys. There is a dwelling to the rear and one directly adjoins the chapel building. There is other land around the chapel however this is not in the ownership of the chapel. There are clear signs of deterioration on the building where maintenance is required.

## 1.4 Relevant planning constraints/considerations

1.4.1 The application site is located within the Development Boundary of Eryrys.



- 1.4.2 Site forms part of Area of Outstanding Natural Beauty.
- 1.4.3 Site within the Phosphate Sensitive Catchment for Special Area of Conservation (River Dee and Bala Lake).
- 1.4.4 Site is adjacent to Glaswelltloedd Eryrys (Eryrys Grasslands) Site of Special Scientific Interest/ wildlife site.

#### 1.5 Relevant planning history

- 1.5.1 The only planning history relates to a replacement single storey extension in 1999.

#### 1.6 Developments/changes since the original submission

- 1.6.1 Amendments and additional information has been provided to clarify the proposed parking arrangements.
- 1.6.2 An amended drainage strategy has been submitted changing from mains connection to private treatment plant.
- 1.6.3 Additional information regarding the marketing and history of the site has been submitted.

#### 1.7 Other relevant background information

- 1.7.1 The scheme was amended from a proposed foul mains connection to a proposed replacement package treatment plant. The existing 12 person septic tank would be replaced with a 6 person Karlgester Biotec water treatment plant with a maximum daily discharge rate of 1.2m<sup>3</sup>/day. A Test of Likely Significant Effect on a European Site (Habitat Regulations Assessment) was carried out. The second version of this concluded that the site is in the Phosphate Sensitive SAC Catchment. However, the proposed development includes a private sewage treatment system discharging domestic wastewater to ground more than 50m from a SAC boundary, and which has a maximum daily discharge rate of less than 2 cubic metres (m<sup>3</sup>). As a result, there will be no likely significant effects on the SAC.
- 1.7.2 The applicants have indicated that the existing chapel is served by a 12 person capacity septic tank located at the front, the capacity of the chapel is approximately 48 people seated in pews, additional seating / standing at the rear (approximately 20) therefore a capacity of approximately 70 people. The chapel also had an occasional tea / coffee mornings and fairs etc. – hence the presence of a small kitchen.

## 2. **DETAILS OF PLANNING HISTORY:**

- 2.1 15/1999/0753 Demolition of existing extension and erection of a new single storey extension. Granted 08/12/1999.

## 3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

### Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

**Policy RD1** – Sustainable development and good standard design

**Policy BSC12** – Community facilities

**Policy PSE4** – Re-use and adaptation of rural buildings in open countryside

**Policy PSE5** – Rural economy

**Policy VOE1** - Key areas of importance

**Policy VOE2** – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

**Policy VOE5** – Conservation of natural resources

## **Policy ASA3 – Parking standards**

### **Supplementary Planning Guidance**

Supplementary Planning Guidance Note: Access For All  
Supplementary Planning Guidance Note: Archaeology  
Supplementary Planning Guidance Note: Clwydian Range and Dee Valley Area of Outstanding Natural Beauty  
Supplementary Planning Guidance Note: Planning for Dark Skies – SPG for lighting in the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty  
Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity  
Supplementary Planning Guidance Note: Parking Requirements In New Developments  
Supplementary Planning Guidance Note: Re-use and adaptation of rural buildings

### **Government Policy / Guidance**

Planning Policy Wales (Edition 11) February 2021  
Development Control Manual November 2016  
Future Wales – The National Plan 2040

### **Technical Advice Notes**

TAN 5 Nature Conservation and Planning (2009)  
TAN 6 Planning for Sustainable Rural Communities (2010)  
TAN 12 Design (2016)  
TAN 13 Tourism (1997)  
TAN 18 Transport (2007)  
TAN 23 Economic Development (2014)  
TAN 24 The Historic Environment (2017)

## **4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned. The DMM further states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 11 (February 2021) and other relevant legislation.

Denbighshire County Council declared a climate change and ecological emergency in July 2019. In October 2020 the Council approved an amendment of its Constitution so that all decisions of the Council now have regard to tackling climate and ecological change as well as having regard to the sustainable development principles and the well-being of future generations.

The Council aims to become a Net Carbon Zero Council and an Ecologically Positive Council by 31 March 2030. Its goal and priorities are set out in its Climate and Ecological Change Strategy 2021/22 to 2029/30. The actions, projects and priorities in the Strategy directly relate to council owned and controlled assets and services. One priority of the Strategy is to promote the existing policies within the Local Development Plan (LDP) 2006 to 2021 and Supplementary Planning Guidance (SPG) which contribute to environmentally responsible development. In preparing these reports to determine planning applications we therefore highlight the LDP 2006 to 2021 and appropriate SPG. Applications that are determined in accordance with the LDP 2006 to 2021 are environmentally responsible developments.

Planning applications are assessed in accordance with statutory requirements including The Environment (Wales) Act 2016, national policy (Future Wales, PPW 11) and local policy (LDP 2006 to 2021) and therefore they are assessed with regard to tackling climate and ecological change which is a material consideration.

The following paragraphs in Section 4 of the report therefore refer to all statutory requirements, policies and material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Drainage (including flooding)
- 4.1.6 Highways (including access and parking)
- 4.1.7 Archaeology
- 4.1.8 Area of Outstanding Natural Beauty
- 4.1.9 Impact on Welsh Language and Social and Cultural Fabric

4.2 In relation to the main planning considerations:

4.2.1 Principle

The application site is located within the Development Boundary of Eryrys and therefore it is considered that the general principle of holiday accommodation is considered acceptable in principle.

However, the proposal would result in the loss of a community facility. Policy BSC 12 relates to Community Facilities and states that '*The change of use from a community facility could be refused unless it can be shown that the potential for continued use of the facility is un-viable, or unsuitable*'.

The chapel was closed in 2014 due to the diminishing congregation and the property was put on the market in May 2020. No other community uses have been identified with a lack of local interest in any community based re-use. It is considered that the demand has been reasonably tested.

It is also noted that concern has been raised regarding the lack of parking provided for the proposed Holiday let. However, Officers consider that the lack of parking is more likely to be a problem for a community facility than for a two bed holiday let. The potential for the existing use as a chapel (or indeed any other use within the D1 land use class such as crèches, day nurseries, day centres), to result in a larger number of cars cannot be ignored. In officers opinion the constraints of the site suggest that the continued use as a community facility is not suitable or viable.

Although not in the open countryside, LDP Policy PSE 4 "*Re-use and adaptation of rural buildings in open countryside*" allows for such conversions where the scheme makes a positive contribution to the landscape, any architectural features of merit are retained and the scheme is for employment use. It is considered that a proposal of this nature would be acceptable in principle subject to assessment of its impacts and compliance with the criteria of Policy PSE 4.

The Re-use and adaption of rural buildings SPG amplifies LDP Policy PSE4 and at 6.1 it states 'The Council would consider conversion to holiday accommodation or tourist facilities as an economic use.'



In addition, Policy PSE 5 outlines the general intent of the Local Development Plan to help sustain the rural economy, through the support of tourism and commercial development, subject to detailed criteria relating to the character and distinctive qualities of the local landscape and Area of Outstanding Natural Beauty.

Concerns have been raised regarding the oversupply of holiday accommodation within the village. However, these mainly related to caravan sites. It is considered that the property would add to the mix of units and that the applicant has found a clear market demand for this unit to invest in the works required.

Overall, the scheme is considered to be acceptable in principle as the proposed conversion is for a holiday use. Although there is no issue in principle with the property being used as a full time dwelling, there would need to be consideration of further material considerations for this to be assessed including the appropriate floor space, external amenity areas and open space; therefore to retain control over the long term use of the building, conditions are proposed to remove permitted development rights and to explicitly restrict the use of the building to holiday let accommodation only.

#### 4.2.2 Visual amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

PPW 11 Section 6.3.3 states 'All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places.'

Some objections have been received regarding visual amenity, relating to the removal of the front boundary wall and the impact that this could have on the appearance of the building and historic merit. The proposed plans show that the stone wall would be retained around the pedestrian access and gate post finials re-located to either side of the pedestrian access. It is considered that this retains the main features of boundary wall. The new parking area would be within the front area of the building.

The proposals are sensitive and use the existing features of the building and same materials to retain the character of the building. It is considered that a condition should be used to control the detailing of these. Overall it is considered that the design is sympathetic to the existing building.

Overall the proposal seeks to retain the traditional appearance of the former chapel, and limits alterations. In Officers opinion, the proposed development would be acceptable and not adversely impact the building or area in terms of visual amenity and landscape character impact.

#### 4.2.3 Residential amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for

example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

Representations have been received from the direct neighbour who shares a wall with the application site. Concerns have been raised regarding noise impacts from the holiday use. The proposed layout has placed the bedrooms adjoining the shared wall which would prevent noise from any main communal areas. It is not considered that the proposals would give rise to residential amenity issues. Furthermore, it is considered that the holiday let use would give rise to much less risk of amenity issues than any permitted D1 uses such as a children's day nursery or crèche that would not require planning permission or have any controls on operation.

As the proposal is for a holiday let unit rather than a dwelling house, there is not the same requirement for the unit of accommodation to fully comply with the Council's residential space standards or provide a standard of amenity that would be required for a residential conversion. Nonetheless it is considered that the floor-space is acceptable with large internal rooms.

The proposal is adjudged to not adversely impact on residential amenity of the adjoining dwelling or neighbouring properties in the vicinity of the site.

#### 4.2.4 Ecology

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests.

This reflects policy and guidance in Planning Policy Wales (Section 6.4), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

Planning Policy Wales (PPW) 11 sets out that “planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity” (para 6.4.5 refers). PPW also draws attention to the contents of Section 6 of the Environment (Wales) Act 2016, which sets a duty on Local Planning Authorities to demonstrate they have taken all reasonable steps to maintain and enhance biodiversity in the exercise of their functions. It is important that biodiversity and resilience considerations are taken into account at an early stage when considering development proposals (6.4.4).

The proposals do not propose any work to the building that are considered to cause risk or disturbance to protected species.

Future Wales – The National Plan 2040 (2021) advises that *'In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature - based approaches to site planning and the design of the built environment'*. A condition is proposed to require submission of a scheme for biodiversity enhancements to be agreed in writing.

#### 4.2.5 Drainage (including flooding)

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The drainage and flood risk impacts of development should therefore be regarded as a potential material consideration.

Planning Policy Wales (PPW 11) Section 6.6.9 states 'The adequacy of water supply and the sewage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity'.

The application site is within the Phosphate Sensitive SAC Catchment (River Dee and Bala Lake). A Test of Likely Significant Effect (Habitat Regulations Assessment) was carried out and following amendments to the proposed drainage scheme, was subsequently updated to accord with NRW Advice. The TLSE concluded that: *'the proposed development includes a private sewage treatment systems discharging domestic wastewater to ground more than 50m from a SAC boundary, and which has a maximum daily discharge rate of less than 2 cubic metres (m<sup>3</sup>). As a result, there will be no likely significant effects'*.

NRW commented on this and confirmed that;

*'We note the submission of the Assessment of Likely a Significant Effect prepared by your Authority. We concur with the conclusion of the report that the development will not result in likely significant effects, alone or in combination on the SAC, with regards to phosphorus'*.

On this basis, it is considered that the drainage proposals are acceptable and a condition can be used to secure these.

#### 4.2.6 Highways (including access and parking)

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (PPW 11) and TAN 18 – Transport, in support of sustainable development.

The Parking Standards in New Developments SPG sets out the maximum parking standards for new developments. The plans show two parking spaces the serve the property. It is considered that this would be sufficient to serve the two bedroom holiday let.

The Community Council, former Ward Member and a number of neighbours have raised significant concerns regarding the parking provision being provided on the narrow village road and considered this to be parking at a pinch-point in the village which could lead to possible safety concerns for both vehicles and pedestrians.

Initial concerns regarding highway safety were raised by the Local Highway Authority. However, amended details of the car parking layout and splay were submitted which highway engineers consider are compliant with relevant standards in TAN 18 .



Following the review of additional information, and a site visit where the Highway Officer confirmed the measurements shown on plan; the Local Highway Authority removed their initial objections for the following reasons:

- The proposed parking complies with the parking standard guidelines.
- The application site is within a 30 mph speed limit and the speed data indicates that speeds are 29.7 mph at this location.
- The traffic data received indicates that there are low traffic movements on this road.
- Chapel congregation used to park along the highway.
- The chapel falls within the D1 planning use class with a number of uses under the same use class that could use the building without the need for formal change of use/planning permission: D1 Non-residential institutions - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non-residential education and training centres. All the above uses could potentially generate a significant amount of traffic and parking on the highway.

Whilst noting and respecting the concerns of the Community Council and local residents, it is considered that the two parking spaces and traffic associated with this use could be achieved in a safe and acceptable manner. It is also considered that proposed holiday use would have less of an impact on highway safety and therefore be safer than alternative uses which could be operated at the site without the need for planning permission under the current D1 use class. It is therefore considered that the proposals are acceptable in relation to highway matters.

#### 4.2.7 Archaeology

Local Development Plan Policy VOE1 seeks to protect sites of built heritage from development which would adversely affect them, and requires that development proposals should maintain and wherever possible enhance them for their characteristics, local distinctiveness and value to local communities.

Planning Policy Wales (PPW 11) Section 6 'Distinctive and Natural Places' refers specifically to the need to ensure the character of historic buildings is safeguarded from alterations, extensions, or demolition that would compromise their special architectural and historic interest.; and Section 6.1.10 indicates that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building or its setting, and any features of special architectural or historic interest which it possesses.

CPAT advised that: *'The proposals will affect a late 19th century chapel which is not recorded on the Historic Environment Record but is included on the National Monuments Record as NPRN 7657 Salem Wesleyan Methodist Chapel. The chapel was built in 1837, enlarged in 1845 and rebuilt again in about 1852. In 1888 it was recorded as being in a derelict condition but appears to have been in use again by about 1897. The building currently retains a partly original but modernised layout (new windows and services) with internal and external features that are of local architectural and historical significance.*

*It would be unfortunate if this building is now permanently converted before an adequate record of its current historic form is retained. I would therefore ask that the applicant is required to commission a Level 1 Photographic Survey by an archaeological contractor before conversion commences to preserve a record of this building in its current form'.*

A condition can be applied to any consent to require the submission of the Level 1 Photographic Survey.

#### 4.2.8 Area of Outstanding Natural Beauty (AONB)

Policy VOE 2 requires assessment of the impact of development within or affecting the AONB and AOB, and indicates that this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation.

This reflects guidance in Planning Policy Wales (PPW 11) which requires planning authorities to give great weight to conserving and enhancing the natural beauty of AONBs, and should have regard to the wildlife, cultural heritage and social and economic well-being of the areas. The special qualities of designated areas should be given weight in the development management process. Proposals in AONBs must be carefully assessed to ensure that their effects on those features which the designation is intended to protect are acceptable. The contribution that development makes to the sustainable management of the designated area must be considered.

Supplementary Planning Guidance (SPG) has been developed – ‘The Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB)’ along with a specific SPG for lighting in the AONB - ‘Planning for Dark Skies’. The SPG’s provide guidance and advice on design and lighting principles which should be followed to assist new development proposals in the area.

The Area of Outstanding Natural Beauty Joint Advisory Committee (AONB JAC) advised that they raise no objection to the proposed development, but did have concerns regarding the removal of much of the existing stone frontage boundary wall and railings to provide parking. The AONB committee considered that it is a traditional feature which contributes positively to the character and appearance of the building and wider AONB which should be conserved and restored.

Other parking arrangements have been explored, however, the applicants were not able to procure any additional land adjoining the site as they could purely purchase the building and land to the front.

On this basis, given that there are not any alternative areas where parking could be facilitated, and the clear need to provide safe and convenient parking to serve the building, it is considered that the removal of the front section of the wall is justified. In order to retain the key features of this, the proposed plans show that the stone wall would be retained around the pedestrian access and gate post finials re-located to either side of the pedestrian access.

Officers consider that although the loss of the boundary wall is regrettable, that the proposals, through securing a new viable use for this redundant building will have a greater positive impact upon the AONB by preventing the further decline of the appearance of the building and maintaining this traditional chapel building in perpetuity (rather than it falling into a state of disrepair).

The AONB Committee also suggested that a condition be attached requiring submission of details of any future external lighting to ensure that it is designed and specified to conserve the AONB’s dark sky and nocturnal wildlife which could be applied to any consent.

#### 4.2.9 Impact on Welsh Language and Social and Cultural Fabric

The requirement to consider the needs and interests of the Welsh Language is set out in Planning Policy Wales (PPW 11); TAN 20 and Policy RD 5 of the Local Development Plan.

TAN 20 (2017) provides the most up to date guidance on the consideration of the Welsh Language.

Although the impact upon the Welsh Language and Communities was raised as a concern by residents, the threshold in RD 5 does not require the submission of a Community Linguistic Statement and in turn it is not considered to be of a scale that would lead to any likely significant effects upon the character of language balance of the community.

#### Other matters

##### Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

## **5. SUMMARY AND CONCLUSIONS:**

- 5.1 It is considered that the principle of the loss of the community facility in this instance has been demonstrated to be acceptable due to the long standing vacancy of the building and period in which the property has been marketed for.
- 5.2 The principle of conversion to holiday let is an economic use that would be acceptable in principle subject to the proposal being considered acceptable in all other regards.
- 5.3 Concerns have been raised by the local community regarding highway/parking issues, over supply of holiday accommodation, residential amenity and visual amenity. The AONB Committee also raised concerns with regards to the loss of the boundary stone wall. As detailed above, following additional information being received and scrutinised by consultees and Officers, it is considered that on balance, the proposals are acceptable and should be supported subject to the application of planning conditions.

### **RECOMMENDATION: GRANT-** subject to the following conditions:-

- 1. The development to which this permission relates shall be begun no later than 15<sup>th</sup> June 2027
- 2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
  - (i) Existing elevations (Drawing No. 21 019 PL03) received 6 October 2021
  - (ii) Existing floor plan (Drawing No. 21 019 PL02) received 6 October 2021
  - (iii) Proposed elevations (Drawing No. 21 019 PL06) received 6 October 2021
  - (iv) Proposed floor plan (Drawing No. 21 019 PL05 Rev B) received 23 April 2022
  - (v) Existing site and location plan (Drawing No. 21 019 PL01) received 6 October 2021
  - (vi) Proposed site plan (Drawing No. 21 019 PL04 Rev A) received 16 February 2022
- 3. The use of the building shall be restricted to holiday accommodation only and the building shall not be used as a dwellinghouse or occupied as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the Local Planning Authority upon request.



The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

4. Notwithstanding the provisions of all Classes of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development permitted by the said Classes shall be carried out without approval in writing of the Local Planning Authority.
5. Notwithstanding the submitted details, the date stamp on the front elevation shall be maintained and retained in perpetuity.
6. Notwithstanding the submitted details, prior to the application of any external materials full details of the windows, doors, wall finishes and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
7. The proposed roof lights shown on the approved drawings shall not project above the plane of the existing roof.
8. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the approved plan, and which shall be completed prior to the proposed development being brought into use.
9. **PRE-COMMENCEMENT**  
Development shall not begin until an appropriate photographic survey of the existing building on the site has been carried out (equivalent to a Historic England Photographic Survey - Understanding Historic Buildings, 2016 Level 1). The survey details and resulting digital photographs shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority; and forwarded on appropriate digital media to the Development Control Archaeologist/ Historic Environment Record Officer, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR. Email: mark.walters@cpat.otg.uk Tel: 01938 553670/552045) for inclusion in the regional Historic Environment Record.
10. **PRE OCCUPATION**  
Prior to the commencement of the use of the site details of the provision for roosting bats and nesting birds shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number, location and specification of these features which shall be determined by a suitably qualified ecologist and shown on appropriate plans having particular regard to the external lighting scheme which shall also be detailed on the plans. The development shall proceed in strict accordance with the approved plan and details prior to the use of the site.
11. No external/internal lighting shall be permitted to be installed or operated, including emergency/ security lighting, until the written approval of the Local Planning Authority has been obtained to details thereof, including a light mitigation strategy, with measures to reduce light spillage onto foraging habitats for bats. The scheme shall be carried out strictly in accordance with the approved details.
12. **PRE OCCUPATION**  
The holiday let shall not be brought into use until the Private Treatment Plant foul drainage scheme for the site has been completed in accordance with the submitted details with the existing septic tank decommissioned and proposed development connected to the new system. The foul drainage scheme shall be managed and maintained thereafter to discharge to ground into a drainage field constructed and maintained to the relevant British Standards; and shall never exceed a maximum daily discharge rate of more than 2 cubic metres (m<sup>3</sup>) unless otherwise agreed in writing by the local planning authority.
13. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

14. Prior to the commencement of the use of the site, details of the bin storage shall be submitted to and approved in writing by the Local Planning Authority and the details approved shall be implemented and retained at all times unless otherwise agreed in writing by the Local Planning Authority.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. For the avoidance of doubt and in the interests of residential and visual amenity.
4. In the interests of residential and visual amenity.
5. In the interest of visual amenity and protecting the character of the building.
6. In the interest of visual amenity of the Area of Outstanding Natural Beauty and protecting the character of the building.
7. In the interests of visual amenity and protecting the character of the building.
8. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
9. To allow an adequate analytical record of the building to be made, before it is altered, to ensure that the buildings origins, use and development are understood and the main features, character and state of preservation are recorded.
10. To protect the favourable conservation status of protected bat and bird species.
11. To ensure the favourable conservation status of protected bat species.
12. In the interest of preserving ecological interests within the Special Area of Conservation.
13. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents to ensure no pollution of or detriment to the environment.
14. In the interest of visual amenity.