

Heading:

27/2013/0712  
Llantysilio School  
Llantysilio, Llangollen

7

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709



Application Site

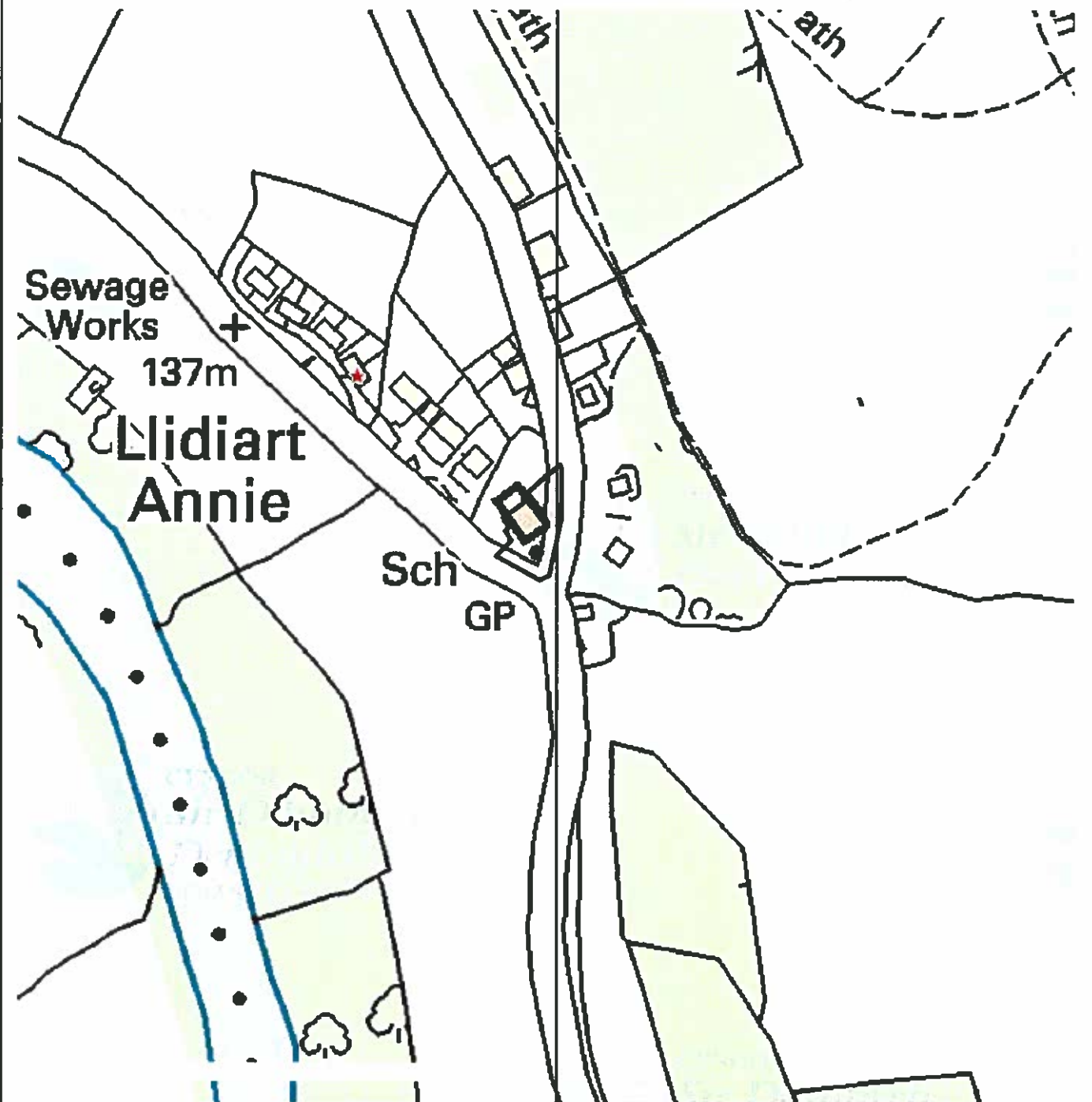


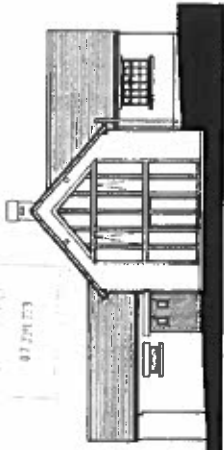
Date 2/10/2013

Scale 1/2500

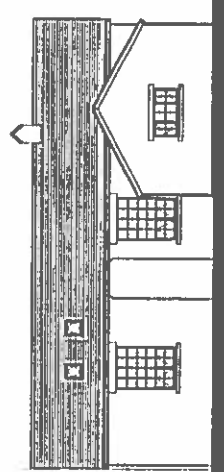
Centre = 318995 E 344475 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting

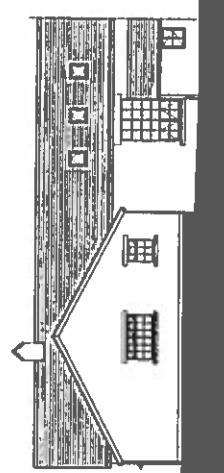




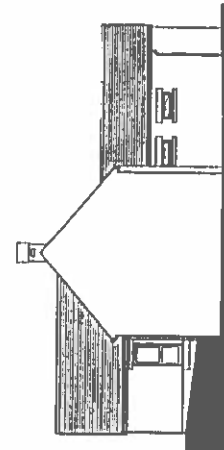
PROPOSED FRONT ELEVATION



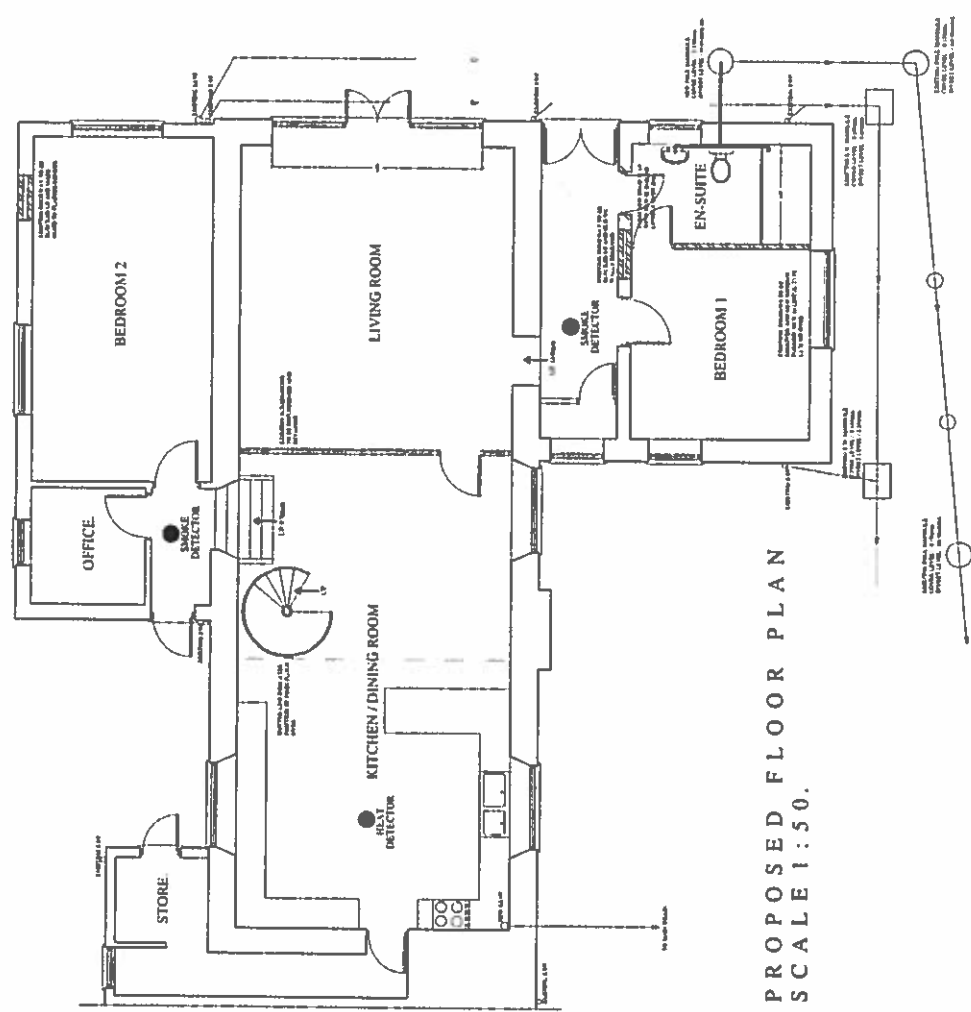
PROPOSED SIDE ELEVATION



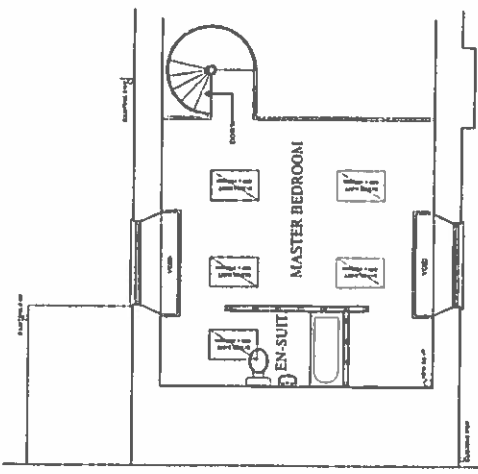
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED FLOOR PLAN  
SCALE 1:50.



PROPOSED FIRST FLOOR PLAN  
SCALE 1:50.

THESE PLANS ARE INTENDED TO BE USED FOR THE CONSTRUCTION OF THE PROPOSED BUILDING AS SHOWN AND TO BE USED IN CONJUNCTION WITH THE PROPOSED SPECIFICATIONS AND CONDITIONS OF CONTRACT. THE ARCHITECT DOES NOT WARRANT OR GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED HEREON AND IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED AND DOES NOT EXTEND TO THE CONSTRUCTION OF THE BUILDING OR TO THE PERFORMANCE OF THE CONTRACTOR.

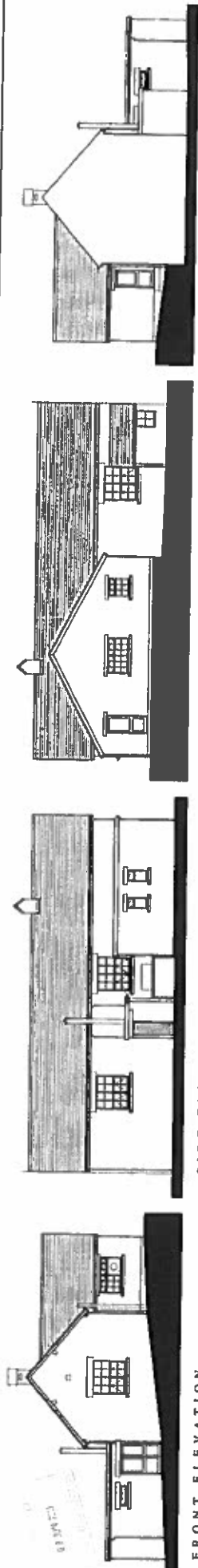
**andrew hannah limited**  
 CIVIL | STRUCTURAL | ARCHITECTURAL  
 4 Dawn Chase Buckley, Farnborough, GU14 7BA  
 T. 01244 543181 m. 07761 346642 e. ah.hogan@andhah.com

|             |  |
|-------------|--|
| Client:     | Mr. & Mrs. J. Lewis.   |
| Project:    | Proposed Change of Use<br>At: Former Llantysilio School,<br>Llantysilio, Denbighshire<br>Proposed Plans & Elevations |
| Drawn by:   | J. Huggins   |
| Checked by: | April 2013   |
| Date:       | 2013/10/A02  |
| Scale:      | 1:50, 1:100<br>1:1250 @ A1   |
| Revision:   |  |



# PLANS AS EXISTING

27 / 203 / 0712 / PF

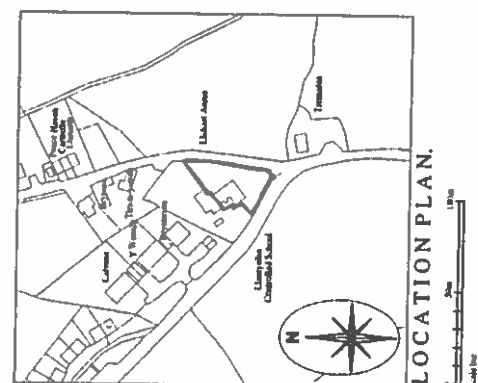


FRONT ELEVATION

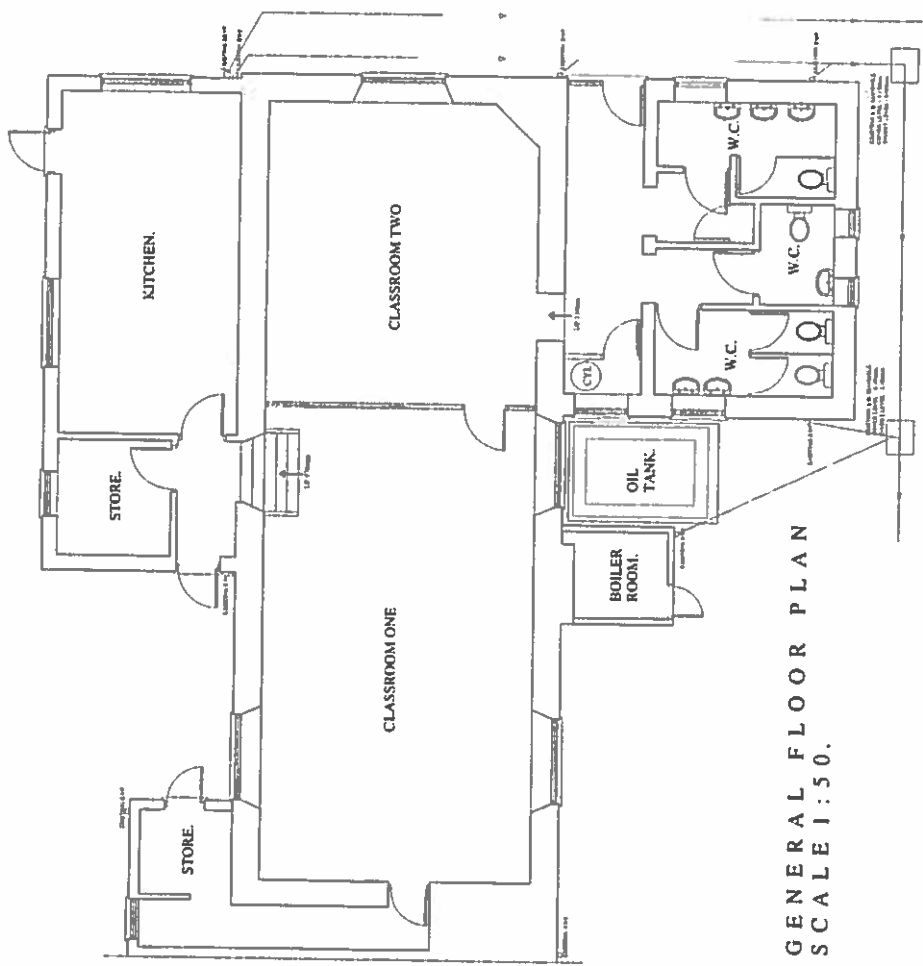
SIDE ELEVATION

SIDE ELEVATION

REAR ELEVATION



LOCATION PLAN.



GENERAL FLOOR PLAN  
SCALE 1:50.

| Profile | Revision Details | Rev. No. | Quantity | Date |
|---------|------------------|----------|----------|------|
|         |                  |          |          |      |
|         |                  |          |          |      |
|         |                  |          |          |      |

**andrew hannah limited**  
 civil / structural / architectural  
 4 Dawn Close, Buckley, Flintshire, CH7 2SA  
 t. 01244 543181 m. 07761 346542 e. ah@ahcltd.co.uk

**Mr. & Mrs. J. Lewis.**  
 Proposed Change of Use  
 At: Former Llanysilio School,  
 Llanysilio, Denbighshire  
 Existing Plans & Elevations  
 & Location Plan. 07/01/20



|           |                           |              |             |              |        |
|-----------|---------------------------|--------------|-------------|--------------|--------|
| Drawn by: | A. Howell                 | Date:        | April 2013  | Sheet:       | 1 of 1 |
| Scale:    | 1:50, 1:100<br>1:250 @ A1 | Drawing No.: | 2013/10/A01 | Project No.: |        |

**ITEM NO:** 7  
**WARD NO:** Llangollen  
**WARD MEMBER(S):** Councillors Stuart Davies and Rhys Hughes  
**APPLICATION NO:** 27/2013/0712/ PF  
**PROPOSAL:** Change of use and conversion of redundant school to form a dwelling  
**LOCATION:** Former Llantysilio School Llantysilio Llangollen  
**APPLICANT:** MrJohn Lewis  
**CONSTRAINTS:** AONB  
**PUBLICITY UNDERTAKEN:** Site Notice - Yes Press Notice - No Neighbour letters - Yes

**REASON(S) APPLICATION REPORTED TO COMMITTEE:**  
**Scheme of Delegation Part 2**

- Member request for referral to Committee

**CONSULTATION RESPONSES:**

**LLANTYSILIO COMMUNITY COUNCIL:**  
No response received

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

"This is one of the first rural conversion proposals to be considered under the new LDP policy PSE4 relating to the reuse of rural buildings and the JAC notes that no affordable local need justification appears to have been submitted with the application. However, the JAC has no objection in principle to the conversion of this building to residential use, and considers that the scheme of conversion is sympathetic to the traditional character of the building. The addition of a pitched natural blue/grey slate roof in place of the existing flat roof is particularly welcomed. Given the elevated and prominent nature of the site, boundary treatments will be particularly important and the JAC would emphasise the need to ensure that the existing hedgerow along the eastern boundary is retained. In addition, the overall appearance of the scheme would be enhanced if the existing steel railings which present a rather utilitarian and urban appearance were replaced by raising the existing frontage wall with matching local stone. The committee would also recommend that a condition be attached to remove permitted development rights to ensure that controls are in place to prevent overdevelopment or a significant change in the character of the site."

**NATURAL RESOURCES WALES**

Concerns over initial submission pending the submission of a bat emergence survey being carried out.

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Head of Highways and Infrastructure

- Highways Officer

No objections subject to the inclusion of conditions relating to the creation and retention of parking/turning areas.

**Development Plan and Policy Section**

Object on the basis that it has not been demonstrated that an economic use is not viable, and that the proposal is not for affordable housing, as required by Policy PSE 4.

Valuation and Estates Manager

Considers the cost of purchase of the building, and the conversion works as suggested by the applicants are realistic, but that to convert the building for affordable housing purposes is not economically viable, resulting in a financial loss to the developer in the region of £129,000.

Biodiversity Officer

No objections subject to the recommendations in the ecological report being conditioned and followed.

**RESPONSE TO PUBLICITY:**

None

**EXPIRY DATE OF APPLICATION:**

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

- timing of receipt of representations
- delay in receipt of key consultation response(s)
- additional information required from applicant
- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

**1.1 Summary of proposals**

1.1.1 Full planning permission is sought for the conversion of a former school building within the hamlet of Llantysilio.

1.1.2 The scheme of conversion would create a dwelling with 3 bedrooms, a kitchen/diner, lounge and 2 w.c.'s

1.1.3 The gross internal floor space is approximately 175 sqm. Externally the existing school yard to the south of the building would be used for parking and turning, and the yard to the north of the buildings would be grassed garden area.

1.1.4 Access to the site would be via the existing access.

**1.2 Description of site and surroundings**

1.2.1 The site is located within a cluster of buildings in Llantysilio.

1.2.2 There are residential dwellings to the north and west of the site, and 4 holiday log cabins to the east. Further north of the site, is Llantysilio Mountain. South of the site are open fields and beyond those, the River Dee.

**1.3 Relevant planning constraints/considerations**

1.3.1 The site is located in 'open countryside' and within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty. The River Dee and Bala Lake Special Area of Conservation (SAC) lies within 150 metres of the site, and it is within 20 metres of the River Dee Site of Special Scientific Interest (SSSI).

**1.4 Relevant planning history**

1.4.1 None

**1.5 Developments/changes since the original submission**

1.5.1 None

**1.6 Other relevant background information**

- 1.6.1 For information, it is understood that the building was in use as a County Controlled School until May 2010. Upon its closure as a school, the building reverted back to its owners, the Church of Wales. The County Council have never owned the building, and will not benefit financially from its sale. The Church of Wales are understood to still own the building, and the applicants have an agreed purchase price with the Church of Wales subject to the grant of planning permission.

## 2. DETAILS OF PLANNING HISTORY:

2.1 None

## 3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

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

Policy PSE 4 – Re-use and adaptation of rural buildings in open countryside

Policy VOE 1 – Key areas of importance

Policy VOE 2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

Policy BSC 3 – Securing infrastructure contributions from development

Policy BSC 11 – Recreation and open space

### 3.2 Supplementary Planning Guidance

SPG 4 – Open Space Requirements in New Developments

SPG 7 – Residential Space Standards

SPG 16 – Conversion of Rural Buildings

SPG 18 – Species Protection and Nature Conservation

### 3.3 Government Policy / Guidance

Planning Policy Wales Edition 5 November 2012

Technical Advice Notes

Technical Advice Note 5 – Nature conservation and planning (2009)

Technical Advice Note 12 – Design (2009)

Technical Advice Note 18 – Transport (2007)

## 4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 5, 2012 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW 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, and that these 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 (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the 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/AONB

4.1.3 Residential amenity

4.1.4 Ecology

4.1.5 Highways (including access and parking)

4.1.6 Employment Use Test

4.1.7 Affordable Housing

4.1.8 Open Space

4.2 In relation to the main planning considerations:

#### 4.2.1 Principle

The proposal is for the conversion of a disused building in the open countryside to a dwelling. LDP Policy PSE 4, Re-use and adaptation of rural buildings in open countryside, allows for such conversions where the scheme of conversion makes a positive contribution to the landscape, any architectural features of merit are retained, it is demonstrated that an employment use is not viable, and the resulting dwelling is affordable for local needs. It is considered that a proposal of this nature would be acceptable in principle subject to assessment of its impacts and compliance with the specific criteria of Policy PSE 4. These are set out in the following paragraphs.

#### 4.2.2 Visual amenity/AONB

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to 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. The impact of a development on visual amenity is therefore a relevant test on planning applications. This is repeated in Policy PSE 4 which requires conversion schemes to make a positive contribution to the landscape. In this instance the surrounding landscape is a designated Area of Outstanding Natural Beauty. Policy VOE 2 does not support proposals for development within the AONB that would unacceptably harm the character or appearance of the AONB.

The proposal proposes limited external alterations to the existing building. The key alterations would be the rebuilding of the south eastern elevation to introduce additional full height glazing and the replacement of a flat roof extension with one featuring a pitched roof. The AONB Committee have commented that the scheme of conversion is, in their opinion, sympathetic to the traditional character of the building. The AONB also request that additional details of landscaping are required as part of a planning condition to further enhance the appearance of the site within the landscape.

With regard to the specific detailing of the scheme of conversion and the comments of the AONB Committee it is considered that the detailing would enhance the appearance of the building, and the proposal offers opportunities to assimilate what is a prominent site further into the landscape. The proposal is considered acceptable regarding its impact upon visual amenity and the AONB.

#### 4.2.3 Residential amenity

Planning Policy Wales 3.1.4 refers to 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 as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications. Further guidance on the acceptability of a proposal in terms of the amenity it would provide for occupants is contained in Supplementary Planning Guidance Note 7, Residential Space Standards.

The nearest dwelling to the site is the School House, which is attached to the former school building. Other dwellings in the area are located to the north of the site. Existing dwellings in the area are well screened from the site by existing mature planting. The principal windows of the proposed dwelling would face to the south west and north east. Internally the rooms would be range in size from 15sqm (smallest bedroom) to 45sqm (kitchen diner). The living room would be 35sqm. In total the conversion would provide a gross internal floor area of approximately 175sqm and 3 bedrooms. Externally there would be in excess of 400sqm of garden/parking area.

With regard to the requirements of SPG 7 it is considered that the proposal clearly exceeds the minimum space standards and it is considered that the scheme of conversion would provide adequate amenity for future occupants. It is also considered that given the orientation of the building, it's siting in relation to other dwellings, location of windows and nature of boundary treatments, the use of the building as a dwelling would not result in harm to the residential amenity of occupiers of nearby properties.

#### 4.2.4 Ecology

Policy VOE 1 seeks to ensure that wildlife and bio-diversity are not negatively affected as a result of development.

A Bat and Bird survey has been submitted with the application. The survey found no evidence of bats in the building although bats were present in the surrounding area. Birds were found to be nesting in the building. NRW have indicated the need for a bat emergence survey and the County Ecologist has asked for the recommendations of the ecological survey to be conditioned if permission is granted.

In the absence of any protected species it is considered that the ecological impacts of the proposal are acceptable. It is considered prudent however to attach a note to applicant to advise that all contractors follow a code of best practice and to require the carrying out of an emergence survey prior to works commencing.

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

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations and that these 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. The acceptability of means of access is therefore a standard test on most planning applications. 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 (Section 8) and TAN 18 – Transport, in support of sustainable development.

The proposal utilises an existing access and no alterations are proposed. The submitted site layout shows a large area allocated for parking and turning. The County Council's Highway Engineer has not raised an objection to the proposal.

It is considered that the proposal is acceptable in terms of its impact upon highway safety, and sufficient parking and turning space can be accommodated within the site.

#### 4.2.6 Employment Use Test

Policy PSE 4 permits conversions of rural buildings to dwelling houses where it is demonstrated that there are no viable alternative employment uses.

The application is accompanied by a statement from a local Estate Agent, which outlines the marketing of the property since October 2011. There was one offer made in December 2011 for the building for use as hostel, but an agreement was not reached. The property has been on the market since that time with no further interest other than for residential purposes. The County Council's Valuation and Estates Manager has confirmed that there is a low demand for commercial uses in this type of location.

Given the statement of the Estate Agent, and in the absence of any evidence to the contrary, it is considered that the building is unlikely to be attractive for, or to come forward as a commercial unit. It is therefore not considered the failure to meet the employment use test is a reasonable ground for refusal.

#### 4.2.7 Affordable Housing

Policy PSE 4 states that where it is accepted that there is no commercial use viable for a rural building it may be converted to a dwelling, but that dwelling must be affordable for local needs.

The requirement for the dwelling to be affordable for local needs has been put to the applicant. The applicant has responded with a detailed argument on the basis that to purchase the building (from the Church of Wales), and the resultant costs of conversion that this would make it an unviable project if the dwelling had to be made available for local affordable needs. The applicant has suggested that the total cost of purchase and conversion would be in the order of £200,000. An approximate price guide for the purchase of an affordable dwelling in this area is £85,000. The applicant suggests that it is unreasonable to expect a developer to undertake a project that would result in a loss of approximately £115,000. The suggested figures have been examined by the County Council's Valuation and Estates Manager who has concluded that they are not unrealistic estimations and reflect a reasonable purchase price of the building. The Valuation and Estates Manager also suggests that the cost of conversion is likely to be in excess of £100,000 alone.

The application raises difficult issues in relation to LDP Policy PSE 4. It is acknowledged that there is a clear need for affordable housing across the whole of the County, as evidenced in deliberations at the recent Local Development Plan Inquiry. Policy PSE 4 has the intention of addressing the shortfall of affordable housing in rural areas. However, it is inevitable that the application of this policy must be flexible, and based on the merits of each individual application. The financial details submitted clearly show conversion and sale or rent for local affordable needs would not be commercially viable even with a significantly reduced purchase price for the building – if the Church of Wales converted the building itself, the cost of conversion would exceed the affordable sale price



by some £15,000. The alternative approach for the Church of Wales to convert the building and rent the dwelling out at an affordable rent would be a long term option, also unlikely to cover the costs of conversion in less than 20 to 25 years. It is therefore considered in this instance that the building is unlikely to come forward as an affordable unit for viability reasons and a high risk that the building would therefore remain empty, and become a problem site within the AONB. In Officer's opinion it would be unreasonable in this instance to insist on provision of an affordable unit.

#### 4.2.8 Open Space

Local Development Plan Policy BSC 3 seeks to secure, where relevant, infrastructure contributions from development. Policy BSC 11 requires proposals for all new residential development to make a contribution to recreation and open space either on site, or by provision of a commuted sum.

As the current application seeks the creation of an additional unit it is considered appropriate to require the relevant Open Space to be provided. The open space requirement can be subject to the imposition of a suitably worded planning condition to secure the relevant provision.

## 5 **SUMMARY AND CONCLUSIONS:**

5.1 The report attempts to highlight the specific issues arising with regard to Policy PSE 4. It acknowledges the basis of the policy but that there are other material considerations relating to this application which must be taken into account alongside the need to provide affordable dwellings in the open countryside.

5.2 In this case, the arguments of viability cannot be ignored and such arguments strongly indicate that if the Local Planning Authority were to insist on the dwelling being for affordable local needs only, the scheme would not proceed and the building would most likely be left empty.

5.3 There is a need to balance the need to provide affordable housing and the need to preserve/enhance the character of the area/AONB. In this instance, with a high possibility of the building not coming forward as an affordable dwelling it is considered reasonable to grant permission in the interest of avoiding future harm to the character of the AONB.

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

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

#### 2. **PRE-COMMENCEMENT CONDITION**

Prior to the commencement of the development, the written approval of the Local Planning Authority shall be obtained in respect of the walls and roof materials to be used for the development hereby permitted and no materials other than those approved shall be used.

3. The materials to be used on the roof of the building(s) shall be blue/grey natural mineral slate of uniform colour and texture.

#### 4. **PRE-COMMENCEMENT CONDITION**

No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

(a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.

(b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;

(c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;

(d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;

(e) Proposed positions, design, materials and type of boundary treatment.

5. All planting, seeding, turfing, fencing, walling or other treatment comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which, within a period of five years of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

6. Notwithstanding the provisions of Classes A, B & C 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.

**7. PRE-COMMENCEMENT CONDITION**

No development shall be permitted to commence until the mechanism for meeting the requirements of the Local Planning Authorities policy for provision of recreational open space in conjunction with the development has been agreed in writing by the Local Planning Authority.

**8. PRE-COMMENCEMENT CONDITION**

No development shall take place until a bat emergence survey has been undertaken by a suitably qualified ecologist. Any works/mitigation measures recommended by that survey shall be undertaken prior to commencement of any building works.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity.
3. In the interests of visual amenity.
4. To ensure in the interests of visual amenity a satisfactory standard of landscaping in conjunction with the development.
5. To ensure a satisfactory standard of development, in the interests of visual amenity.
6. In the interests of residential and/or visual amenity.
7. In the interest of providing public open space.
8. To ensure no harm is caused to protected species

**NOTES TO APPLICANT:**

You are advised that the Local Planning Authority has granted this permission solely on the basis that the proposal involves the conversion of the building to a dwelling, to be carried out strictly in accordance with the approved plans. Any alteration or demolition work deviating from that shown on the approved plans, unless agreed by the Local Planning Authority, involving the rebuilding of part or all of the outbuilding will invalidate the planning permission.

The Biodiversity Officer had advised your attention should be drawn to the following:

Please ensure the recommendations in addendum species surveys are incorporated, these relate to the installation of bat and bird friendly features into the conversion as a positive conservation measure and the following advice be followed:

1. Slates, ridge tiles/finishers, abutment flashings, door frames and window frames, structural members, lintel bearings, purlins or wall plates where these are involved, are all removed by hand where possible and with care to ensure that no torpid or hibernating bats are injured during the works. Similarly, defects to structural masonry should be lowered to prevent torpid / hibernating bats being injured.
2. This type of work should be conducted between November and end of March where possible to avoid potential disturbance to breeding bats.
3. If torpid or hibernating bats are uncovered at any time during the works, works must stop immediately and further advice sought from a licensed bat worker.

As birds nests were recorded, all work should be scheduled to avoid the bird nesting season (March to September) and compensation for lost nests will need to be provided within the conversion.