

47/2023/0838



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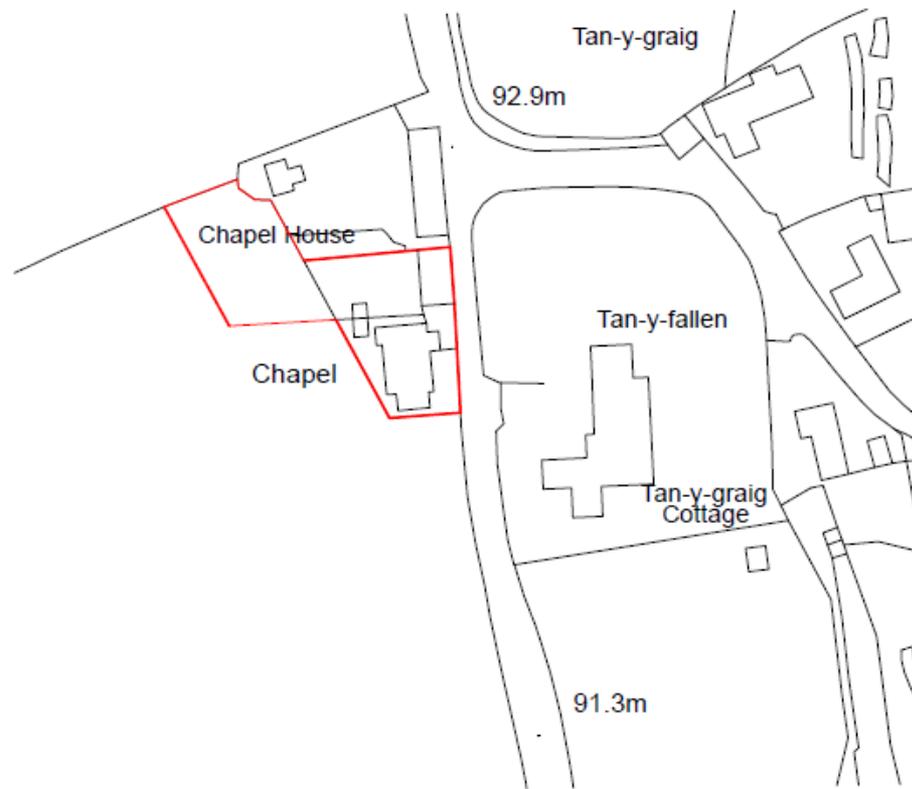
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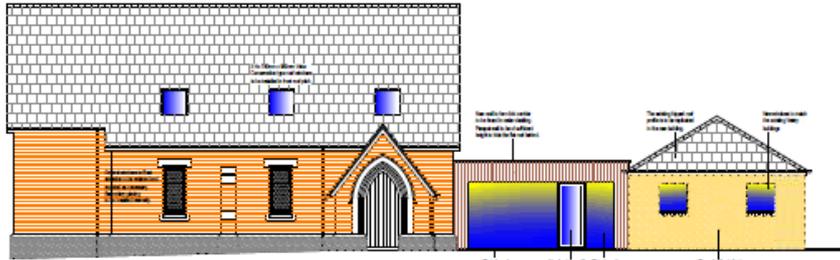
**47/2023/0838/PF –
Eglwys MC Tremeirchion and Vestry
Tremeirchion St Asaph**

**Conversion of chapel to form dwelling
including the demolition and rebuilding of
vestry building and erection of single storey
extension, formation of vehicular access,
parking area and associated works**

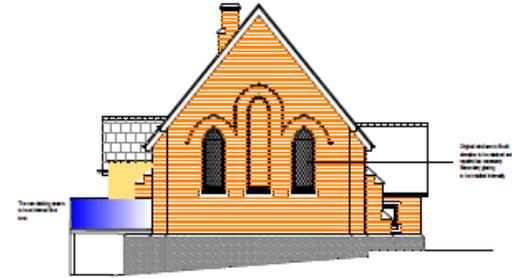
Location Plan



Proposed Elevations



PROPOSED EAST ELEVATION



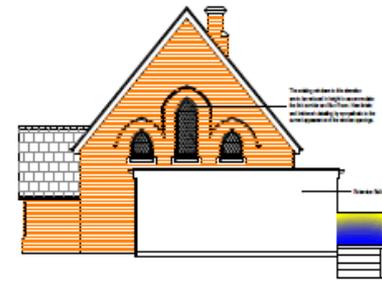
PROPOSED SOUTH ELEVATION



PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED NORTH ELEVATION
(VIEW AT FLAT ROOF LEVEL)

Site photographs



WARD : Tremeirchion

WARD MEMBER(S): Cllr Chris Evans (c)

APPLICATION NO: 47/2023/0838/ PF

PROPOSAL: Conversion of chapel to form dwelling including the demolition and rebuilding of vestry building and erection of single storey extension, formation of vehicular access, parking area and associated works

LOCATION: Eglwys MC, Tremeirchion and Vestry, Tremeirchion, St Asaph LL17 0UE

APPLICANT: Mr Nigel Heckman

CONSTRAINTS: NONE

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

CONSULTATION RESPONSES:

TREMEIRCHION, CWM AND WAEN COMMUNITY COUNCIL:

“Objection pending review of vehicular access to the site; review of adequacy of sewage treatment; and improvements to visual amenity.

Additional notes I have made at the meeting suggested that the road there is too narrow and dangerous (a 60 mph speed limit) for the type of parking spaces suggested in the plans.”

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

“The conversion of the chapel will secure a positive use for the building and retain its existing appearance in the landscape. The proposed new contemporary link extension with the vestry provides a contrasting but sympathetic extension connecting the two buildings. It does not detract from the character and appearance of the chapel building. Subject to the removal of permitted developments rights the AONB Joint Committee raise no objections to this application.”

NATURAL RESOURCES WALES

Inadequate information has been provided in support of the proposal regarding ground contamination and protected species

DWR CYMRU/WELSH WATER:

No objections

CLWYD POWYS ARCHAEOLOGICAL TRUST

"Information held within the Regional Historic Environment Record indicates that the conversion will significantly alter the Tremeirchion Welsh Calvinistic Methodist Chapel (NPRN 8178), a chapel built in 1889 in the Simple Gothic style. This building is of at least local vernacular and architectural interest, and it would be unfortunate if it is now altered without a record of its current form and layout.

In this case we would advise that a Level 3 Historic Building Survey is completed by an approved archaeological contractor in accordance with the Planning Policy Wales (Feb 2021) and TAN 24 (May 2017) guidance to retain a record of the building in its current historic form and a suitable condition is provided below.

The Level 3 survey would include a desk- based assessment to provide a building history, a detailed written descriptive survey of the present structure, measured survey of the building in plan and elevation, a detailed photographic survey, and phased plans of the building's development over time."

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Traffic, Parking and Road Safety:

- Highways Officer

Initial concerns regarding the parking arrangements and concerns regarding highway safety due to lack of visibility.

Ecology Officer

Additional protected species surveys are necessary

FIRST RE-CONSULTATION RESPONSES

TREMEIRCHION, CWM AND WAEN COMMUNITY COUNCIL:

Sustaining objections as revised plans do not overcome the concerns raised previously.

NATURAL RESOURCES WALES

Additional information is required in relation to drainage and protected species

Ecology Officer:

Additional information is required in relation to protected species.

FINAL RE-CONSULTATION RESPONSES

TREMEIRCHION, CWM AND WAEN COMMUNITY COUNCIL:

"Eglwys MC Tremeirchion and Vestry. Objections sustained. As before these objections are: Councillors feel this particular proposal is overdevelopment of the site, and that the latest amendments and modifications do not address the concerns below.

- Access: Firstly, there are still concerns regarding visibility for cars pulling out from the parking area into a single-track road with a 60mph speed limit. Even with the relocation of the vestry the neighbouring property to the left will still obscure a clear view until the car has partly pulled out onto the Highway. At a site meeting it was noted that the road is only single carriageway immediately outside the property and there was a considerable number of cars passing in the half hour period that councillors were there. There have been many comments and questions about when highways visited and what time of day etc and would like another visit to the area as they would be pulling out into a 60mph zone.*
- Secondly, having been informed of the need for wheelchair access, councillors noted the lack of space available when two cars are parked. The plan does not show enough space for a wheelchair to get alongside the cars either to or from the preferred route into the building (noting that the chapel porch is NOT the preferred access).*

- *Septic Tank: Councillors have not seen any documentation confirming that the present septic tank is fit for purpose now that the applicant states that he has no plans to alter the sewage arrangements. Is there a covenant in place to allow owners of the building access to the septic tank which is on an adjacent field not in the same ownership?*
- *Chapel Windows: Councillors are concerned about the loss of the three tall chapel windows due to the link corridor and believe that is seriously detrimental to maintaining the character of the chapel building. Original windows on the west side will also be lost.*
- *The loss of a potential community building with significant history and emotional connection for many local people.*
- *Impact on neighbouring property Ty Capel: Councillors wish to emphasise the major impact this particular proposal has on the next-door property and its residents. There will be light lost by relocating the vestry due to the new gable end and new boundary wall greatly reducing the light to Ty Capel. The encroachment is not merely physical but will also affect the mental health of the present elderly long term resident who is greatly upset already by this planning process. We understand that approaches from applicant to the elderly neighbour are also adding to this stress and we understand the family want any future approaches to be via them only.*

We therefore OBJECT to this application."

NATURAL RESOURCES WALES:

No objection subject to the inclusion of standard conditions.

Ecology Officer:

Following the submission of additional details no objections subject to the inclusion of conditions.

Highway Officer:

My interim comments were provided to this scheme and posted on June 18th and should still be considered as part of this application. Further to this, the agent submitted further details on how the access and parking could be achieved. Although the visibility is below standard, speeds at this location will be significantly lower due to the width and alignment of the road. The scheme shows that the boundary wall will be no greater than 1.0m metre and space for two vehicles provided to the front of the building, which I consider to be adequate to serve this small-scale development.

Given the low traffic movements and lower speeds at this location do not envisage any significant highway related issues arising from vehicles accessing and egressing the site and therefore have no objection.

I note the existing stone wall and railings will be retained as part of the scheme, I would advise the applicant that further details shall be provided on the existing stone wall and railings to ensure that the visibility at the point of access is not impaired. If this is the case the applicant shall submit further details for approval on the proposed inter-visibility railings to be provided.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

John Evans, Tan Y Graig Cottage, Tremeirchion
Phil Adey, Tan Y Graig, Tremeirchion
Helen Williams, Henblas Farm Tremeirchion

Mary Elizabeth Owens & Rhian Wynne Ty Capel Tremeirchion
St Asaph Bethan Owens, Y Caban, Penlanfach, Ponthirwaun, Cardigan
Peter and Anne Bullen, Henblas Farm, Tremeirchion
Frank Jordan, Rock Cottage, Tan Y Graig Rd, Tremeirchion

Summary of planning based representations in objection:

Highway Impact: concern is raised that the proposed parking arrangements would have an adverse impact on highway safety as a result of vehicles pulling out of the proposed driveway onto a 60mph road.

Drainage: The necessary consents are not in place / agreed with neighbouring properties and insufficient information is provided in the application.

Character of Building: Local concern is raised that the proposed alterations will have a detrimental impact on the character of the chapel, though inappropriate materials for the extensions, removal of boundary walls, use of composite boarding for fencing and loss of original windows. Concern about the level of glazing and roof lights is expressed.

Impact on Amenity: Concern is raised that the proposal would have an adverse impact on the privacy of residents in the neighbouring property. Concern is also raised that the proposal will over shadow the neighbouring property.

Impact on Ecology: Neighbours consider the proposal would have an adverse impact on the ecology of the site/surrounding area and protected species.

EXPIRY DATE OF APPLICATION: 08/05/2024

EXTENSION OF TIME AGREED: 07/11/2024

REASONS FOR DELAY IN DECISION:

- additional information required from applicant
- protracted negotiations resulting in amended plans
- 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 application seeks permission for the conversion of a chapel to form a single dwelling including the erection of a single storey link extension, formation of vehicular accesses and parking area and associated works at former Eglwys MC Tremeirchion and Vestry, Tremeirchion, St Asaph.
- 1.1.2 The main ground floor of the chapel is proposed to be converted to an open plan kitchen, lounge and dining room with a separate office and shower room partitioned within the space. The lobby and main entrance are proposed to remain as existing. A mezzanine floor is proposed to the first floor accessed via a staircase to create a bedroom. A total of 2no. bedrooms would be created as part of the conversion scheme.
- 1.1.3 Due to the land levels being lower to the rear proposed garden area, a terrace decking area is proposed to the rear of the chapel with 2 sets of French doors opening out from the living space. It would project to the rear by 2.5m.
- 1.1.4 The Vestry building is proposed to connect to the chapel by a contemporary link extension which is shown to be clad in timber cedar cladding with a flat roof and would comprise a sunroom to the rear with bi fold doors with an entrance and glazing on the front elevation. 3 no. rooflights are proposed to the front and rear elevations of the roof. It is proposed to project to the side of the chapel by 5m to create the sunroom and would extend a further 3m to link to the en- suite bedroom.
- 1.1.5 Parking for 2 vehicles is proposed within the front of the site on a permeable surface.

1.1.6 Drainage is proposed to a new package treatment plant which will replace the existing septic tank.

1.1.7 The existing stone wall boundary to the north boundary is proposed to be removed and replaced with a 1.8m stone wall to the front section and 1.8m high close board timber fence to the rear section, the existing WC block is proposed to be demolished. The existing stone wall to the south and west boundary is to be retained.

1.2 Other relevant information/supporting documents in the application

1.2.1 Planning Statement, Design and Access Statement, Ecological Survey, Green Infrastructure Statement.

1.3 Description of site and surroundings

1.3.1 The property is located on the outskirts of Tremeirchion near St Asaph. It is situated to the south end of the village, on the B5429. The property is a detached former Chapel constructed of load bearing brick walls with a pitched, slated roof. There is also a separate Vestry building which is stone built with a hipped, slated roof.

1.3.2 The Chapel was constructed circa 1888.

1.4 Relevant planning constraints/considerations

1.4.1 The site is located outside of the development boundary of Tremeirchion village in the Local Development Plan proposals map.

1.5 Relevant planning history

1.5.1 None

1.6 Developments/changes since the original submission

1.6.1 Submission of additional information to satisfy policies PSE4 and BSC11. Bat activity survey report and updated Green Infrastructure Statement. Amended access details and elevation details.

1.7 Other relevant background information

1.7.1 None

2. DETAILS OF PLANNING HISTORY:

2.1 None

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy BSC1 – Growth Strategy for Denbighshire

Policy BSC3 – Securing infrastructure contributions from Development

Policy BSC11 – Recreation and open space

Policy BSC12 – Community facilities

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

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: 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: Planning Obligations
Supplementary Planning Guidance Note: Recreational Public Open Space
Supplementary Planning Guidance Note: Residential Development
Supplementary Planning Guidance Note: Residential Space Standards
Supplementary Planning Guidance Note: Re-use and adaptation of rural buildings
Supplementary Planning Guidance Note: Trees & Landscaping

Government Policy / Guidance

Planning Policy Wales (Edition 12, 2024)
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 18 Transport (2007)

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 12, 2024) 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 12) 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 and impact on AONB
- 4.1.3 Residential amenity
- 4.1.4 Ecology
- 4.1.5 Drainage
- 4.1.6 Highways (including access and parking)
- 4.1.7 Archaeology
- 4.1.8 Open Space

4.2 In relation to the main planning considerations:

4.2.1 Principle

In terms of the national planning policy context, Planning Policy Wales (PPW 12) Section 3.60 states that development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. It also advises that new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.

The site is located within the open countryside as identified in the adopted Local Development Plan (LDP) where new development is strictly controlled in the interests of sustainable development and the need to protect and enhance the natural and built heritage of the County. National policy guidance contained within Planning Policy Wales (PPW) restricts new building outside settlement limits unless it is justified as an exception to the policy of restraint.

Paragraph 3.37 of PPW 12 states that *“The countryside is a dynamic and multi-purpose resource. In line with sustainable development and the national planning principles and in contributing towards placemaking outcomes, it must be conserved and, where possible, enhanced for the sake for its ecological, geological, physiographic, historical, archaeological, cultural and agricultural value and for its landscape and natural resources”*.

PPW states the countryside, in line with sustainability principles, should be conserved and where possible enhanced for its own sake.

The proposal is for the conversion of a former chapel to a 2 bedroom open market dwelling.

Policy PSE in the LDP relates to the re-use and adaptation of rural buildings in open countryside. It states that all conversions of rural buildings will be expected to make a positive contribution to the landscape and ensure that any architectural and/or historic features are retained. Proposals for the conversion of rural buildings outside development boundaries for employment use will be supported. Proposals for the conversion of rural buildings outside development boundaries for residential use will only be permitted where:

- i) An employment use has been demonstrated not to be viable; and
- ii) The dwelling(s) are affordable to meet local needs.

The justification to Policy PSE 4 establishes, in line with national guidance, that the re-use for employment purposes will be the first priority. It states that residential re-use will only be permitted where it has been shown that an employment use is not viable and any new dwelling would be affordable to meet local need.

The SPG on the conversion of rural buildings provides further guidance on the subject. It sets out the requirement for an employment / marketing test which should be undertaken for a minimum of 12 months to test the interest in an employment use.

Having regard to the first part of the policy, an assessment of the contribution of the development on the landscape will be discussed in more detail in the following sections of the report. However, in broad terms, the conversion retains the entire original building, and whilst an extension is proposed, this is to replace a previous vestry extension. In general terms it is not considered that the proposal would harm the contribution the building makes to the character of the area.

With regard to criterion i) evidence has been provided which aims to demonstrate that an employment use is not viable. The sales particulars include 'commercial' within their documentation for a potential new use for the chapel. The estate agents who marketed the property confirmed that there was no interest in the property for commercial or employment uses and only two tenders were received for residential purposes. The SPG guidance states to obtain the commercial property agents view as to the commercial viability of the site. The estate agents are of the opinion that it was '*unlikely to be any demand for this property for commercial/employment use due to its size and nature and its listing, all of which significantly increases the cost of conversion and removes any commercial/economic viability for any form of commercial use*'.

Having regard to the guidance contained in the Conversions SPG, it states at paragraph 6.3 *The marketing exercise should last a minimum of 12 months. The planning authority will determine at its own discretion what timescale is "sufficient and reasonable", following an assessment of the merits of each individual case.*

The proposal is for the conversion to a residential use which is not put forward as an affordable dwelling to meet local needs. Officers are aware that the purchase cost of the building was in excess of £130,000. Officers agree that a conversions scheme on such a building would far outweigh the affordable value of a dwelling in this location (£131,832). Although the proposal fails to comply with criterion ii) of the policy, it is considered that the scheme would not be viable as an affordable dwelling in this case.

It is therefore considered reasonable to allow a market dwelling in this instance as it would provide a secure future for the building.

This leads on to the consideration of Policy BCS12 - Community Facilities which only supports a change of use if it can be demonstrated that the potential for the continued use of the facility is unviable or unsuitable.

This policy recognises that access to community facilities is an essential element of sustainable and inclusive communities. Community facilities such as schools, theatres, village halls and places of worship often serve a network of small settlements and are essential to reduce the amount of travelling to reach alternative community facilities. The loss of local facilities will lower community sustainability and this can have a knock on effect on the future well-being of the Welsh language.

A statement was submitted by the Chapel Trustees to state that whilst the building was for sale, no interest was received to use it as a community building since its closure as a chapel 7 years ago.

Whilst it is unfortunate to lose such a historic community facility in the area, Officers note that the building is a distance out from the main village and the village has a number of other community hubs such as the Salisbury Arms Public House, Old School Hall, Tremeirchion Primary school and Corpus Christi Church within 1km of the site. Officers are therefore of the opinion that the continued use of the facility for a community and following the decision to sell the building by the church committee, the continued use as a place of worship would not be viable. Officers conclude that there

are a number of other community facilities within the village and the loss of this facility would not impact unacceptably on the needs of the local community.

The application is therefore considered to be acceptable in principle subject to an assessment of the localised impacts.

4.2.2 Visual amenity and impact on AONB

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 12 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.'*

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 12) 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.

Objections have been received regarding the proposed conversion scheme and its impact upon the character of the chapel.

The application is for the conversion of a former chapel to a 2 bed dwelling. The external alterations would include the installation of patio doors to the rear, a link extension to a new single storey extension which replaces the existing vestry. Roof lights are also proposed. A garden area is proposed immediately to the rear of the building and fencing is proposed to the boundaries.

The AONB Joint Committee have not raised an objection in principle to the proposal, subject to the removal of permitted developments rights with Officers consider acceptable and suggest a suitable condition.

Local residents have raised concerns relating to the fencing details, Officers suggest a planning condition is imposed to require the submission of these details.

In terms of the visual amenity impacts of the conversion scheme and the impact on the character of the AONB landscape, Officers conclude that the visual amenity impacts would not be unacceptable in this location and would retain the existing character of the chapel.

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.

No representations have been received raising residential amenity concerns.

There is a neighbouring property adjoining the chapel (Ty Capel) to the north. Officers consider the proposal would not have an unacceptable impact on residential amenity, subject to appropriate boundary treatments being installed which is suggested as planning condition. It is not considered an additional dwelling would give rise to a level of disturbance greater than the former use as a community chapel.

Having regard to the scale, location and design of the proposed development, it is considered that the proposals would not have an unacceptable impact on residential amenity, and would therefore be in general compliance with the tests of the policies referred to.

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 (PPW 12) which was updated in October 2023 by the publication of an amended Chapter 6 – Distinctive and Natural Places. Section 6.4 ‘Biodiversity and Ecological Networks’, current legislation and the Conservation and Enhancement of Biodiversity SPG 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 12) sets out that “planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems” (Section 6.4.5).

Planning Policy Wales (PPW 12) 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 (Section 6.4.4).

The updated Chapter 6 of PPW 11 introduces policy changes relating to green infrastructure, net benefits for biodiversity and the Step-Wise Approach, protection for Sites of Special Scientific Interest (SSSI) and Trees and Woodlands.

- Green Infrastructure

A stronger emphasis on taking a proactive approach to green infrastructure covering cross boundary considerations, identifying key outputs of green infrastructure assessments and the submission of proportionate green infrastructure statements with planning applications.

- Net Benefit for Biodiversity and the Step-wise Approach

Further clarity is provided on securing net benefit for biodiversity through the application of the step-wise approach, including the acknowledgement of off-site compensation measures as a last resort, and, the need to consider enhancement and long-term management at each step. A number of factors will affect the implementation of the step-wise approach,

pre-emptive site clearance works should not be undertaken however if this does occur its biodiversity value should be deemed to have been as it was before any site investigations or clearance took place and a net benefit for biodiversity must be achieved from that point.

- Protection for Sites of Special Scientific Interest (SSSI)

Protection is strengthened with increased clarity on the position for site management and exemptions for minor development necessary to maintain a 'living landscape.

- Trees and Woodlands

A closer alignment with the stepwise approach, along with promoting new planting as part of development based on securing the right trees in the right place.

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 ecological impacts of development should therefore be regarded as a potential material consideration.

Future Wales – The National Plan 2040 (2021) Policy 9 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'. It is therefore recommended that these are included and form part of any planning application.

The application is supported by a Preliminary Ecological Appraisal which concludes that the building is used as a bat roost. Natural Resources Wales (NRW) do not raise an objection, but conclude a bat licence will be required before work can be undertaken. NRW advise that the proposal is a lower risk case for bats, and that it considers the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

In considering the grant of planning permission the LPA must consider whether the disturbance of the protected species is required for the purpose of "*preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance of the environment.*"

This proposal, being for the conversion of a redundant building, is considered to accord with social and economic justifications – it will add an additional unit to the housing stock in a rural area, prevent a building falling into a derelict state and provide work for local trades people. Furthermore, if carried out correctly the works could secure the longer term future of the habitat.

Having regard to the nature of the proposal, it is not considered that there is a satisfactory alternative to the works proposed as the alternative would be to do nothing, resulting in further deterioration of the building. It is also considered that it is not practicable to leave the building as is, because in that scenario, works would be required at some point in the future to improve the thermal efficiency of the building – it is inevitable that at some point works would need to be undertaken on the building, which would require a licence.

A Green Infrastructure Statement (GrIS) has also been submitted with the application.

The Ecology Officer has advised that they raise no objection to the proposals subject to the attachment of conditions around biodiversity protection, enhancement and external/internal lighting.

It is therefore considered reasonable to attach conditions to demonstrate that the biodiversity enhancement measures are installed as recommended in the report and external lighting does not impact negatively on bats to ensure there is a net benefit to biodiversity, no let loss of roosting or nest sites, nor any danger of harm to any species.

Subject to the imposition of appropriately worded conditions, it is considered that the proposals are in line with the advice contained in PPW 12 and would provide enhancement measures to increase the biodiversity opportunities at the site.

4.2.5 Drainage

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 12) 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 proposal involves the installation of a package treatment plant and associated drainage field to the south of the dwelling.

Objections have been raised to the proposal, but these have focused primarily on civil law issues. From a planning perspective the use of a private treatment plant in this location is acceptable and is already established. The proposal to improve the existing system would be controlled outside of the planning process.

It is not considered that there is a sound planning reason to resist the application on the grounds of drainage.

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 12) 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.

Significant concern has been raised by local residents as to the acceptability of the parking and access arrangement to the site.

The proposal involves the creation of 2 parking spaces to the front of the building accessed by a new opening in the existing stone boundary wall.

The Highways Officer has advised that despite initial concerns the access has been amended sufficiently to improve the visibility for vehicles pulling out of the proposed parking area. The Highway Officer considers that whilst the visibility splays are below standard, the proposal is small in scale, and matches existing accesses in the area. It is also noted that there are no recorded highway safety issues in the area.

Weight is also to be attached to the extant use of the site as a chapel which is classed as a D1 Non-residential institution. This would allow the building to be used as any of the following uses without planning permission: 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 and would almost certainly result in a greater number of vehicle movements being associated with the use.

Whilst respecting the concerns raised by the Community Council and local residents, Officers consider that as a result of the physical nature of the adjacent road, and the potential for the building to be used as a Class D1 non- residential institution, the proposed parking and access arrangements are not unacceptable in this instance.

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 12), Section 6 'Distinctive and Natural Places' recognises the need to conserve archaeological remains. The consideration of archaeological remains and their setting is a material planning consideration in determining planning applications, whether those remains are a scheduled monument or not.

Section 4 of TAN 24 - The Historic Environment sets out similar considerations to be given by a Local Planning Authority to the determination of applications involving archaeological remains, and their settings. It outlines different scenarios obliging

consideration of impacts and stresses the need for submissions to include relevant surveys, studies and assessments, and mitigation proposals.

CPAT have advised that information held within the Regional Historic Environment Record indicates that the conversion will significantly alter the Tremeirchion Welsh Calvinistic Methodist Chapel (NPRN 8178), a chapel built in 1889 in the Simple Gothic style. This building is of at least local vernacular and architectural interest, and it would be unfortunate if it is now altered without a record of its current form and layout.

CPAT therefore request that a Level 3 Historic Building Survey is completed by an approved archaeological contractor in accordance with the Planning Policy Wales (Feb 2024) and TAN 24 (May 2017) guidance to retain a record of the building in its current historic form. This is to be secured by imposition of a planning condition.

Having regard to the advice provided by CPAT, Officers are of the opinion that it would be reasonable to attach the condition to any decision to grant, to ensure the important features of interest in the building is recorded prior to conversion by an Archaeological Contractor.

4.2.8 Open Space

Policy BSC 3 of the local development plan sets the basic requirement for development to contribute, where relevant, to the provision of infrastructure, including recreation and open space, in accordance with Policy BSC 11.

Policy BSC 11 specifies that all new housing developments should make adequate provision for recreation and open space. All such schemes put increased demand on existing open spaces and facilities and therefore the policy applies to all developments including single dwellings.

Table 4 in the Open Space SPG (adopted March 2017) sets out thresholds for on-site provision and financial contributions. It specifies that for schemes of 1 – 30 dwellings, open space obligations should be met through financial contributions rather than onsite provision, however 5.4.9 of the SPG does state that the thresholds are indicative, and onsite provision for sites of less than 30 will be considered on their merits.

An Open Space Assessment and Audit Report has been completed by the Council and provides the evidence base for Policy BSC 11. The report assesses the quantity, quality and accessibility of existing open spaces in the County on a community area basis with some additional information on an electoral ward basis.

In relation to the application, the assessment shows there is a deficiency in open space in Tremeirchion.

On the basis of the evidence within the Open Space Assessment and Audit Report, it is considered that the proposal should make a financial contribution of £1237.22 to mitigate the increased usage on the existing open space and equipment within the area.

The proposal is considered acceptable in relation to open space policy subject to the requisite contribution being secured through an appropriate agreement.

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.

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. A public authority must, in the exercise of its functions, have due regard to advancing equality.

Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

5. SUMMARY AND CONCLUSIONS:

5.1 The principle of the proposal is considered acceptable with no local adverse impacts. The application is therefore recommended for approval subject to the imposition of planning conditions.

5.2 A suitable open space agreement should be completed along with a commuted sum payment of £1237.22. This should be completed and paid before the decision is issued.

RECOMMENDATION: GRANT - subject to the following conditions:

1. The development shall begin no later than 5 years from the date of this decision.
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) Location Plan (Drawing No. 005 Rev A) - Received 28 May 2024
 - (ii) Block Plan with drainage (Drawing No. 006 Rev C) - Received 28 May 2024
 - (iii) Existing Floor Plans (Drawing No. 002 Rev B) - Received 28 May 2024
 - (iv) Existing Elevations (Drawing No. 001 Rev A) - Received 28 May 2024
 - (v) Proposed Floor Plans and site plan (Drawing No. 004 Rev G) - Received 7 October 2024
 - (vi) Proposed Elevations (Drawing No. 003 Rev E) - Received 7 October 2024
 - (vii) Design and Access Statement - Received 28 May 2024
 - (viii) Preliminary Roost Assessment (Ref: 20240001-PRA Rev A, Switch Ecology dated 5/1/24) - Received 10 January 2024
 - (ix) Planning and Green Infrastructure Statement - Received 22 August 2024
 - (x) Proposed Changes to Boundaries elevations (Drawing No. 007 Rev C) - Received 22 August 2024
 - (xi) Proposed drainage scheme - Received 28 May 2024

- (xii) Treatment Plant Specification - Received 2 May 2024
- (xiii) Treatment Plan Brochure - Received 2 May 2024
- (xiv) 12 Person Treatment Plant Drawing - Received 2 May 2024
- (xv) Re use of rural building appraisal - Received 2 May 2024
- (xvi) EnviroSMART Phase 1 Contaminated Land Assessment (GeoSmart Information Ltd, dated May 2024) - Received 22 May 2024
- (xvii) Bat Report & Mitigation Strategy (switch ecology Rev 1: Report dated 1/7/2024) - Received 3 July 2024

3. PRE COMMENCEMENT CONDITION

- No development shall take place until a programme of building recording and analysis, equivalent to an Historic England Level 3 building survey, has been secured and implemented, in accordance with a brief issued by the Local Planning Authority and a written scheme of investigation which has been submitted and approved in writing by the Local Planning Authority. The survey shall be completed by a professional archaeological contractor. The programme of building analysis and recording must meet the standards laid down by the Chartered Institute for Archaeologists in their Standard and Guidance for the archaeological investigation and recording of standing buildings or structures. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust (The Offices, Coed y Dinas, Welshpool, Powys, SY21 8RP Email: neil.bayliss@cpat.org.uk Tel: 01938 553670). On approval by the Local Planning Authority, project data must be submitted and approved for inclusion in the Clwyd-Powys Archaeological Trust's Historic Environment Record [CPAT HER]. For any questions regarding this submission process, please contact the HER Team at her@cpat.org.uk. The full digital archive must also be submitted and approved for inclusion within the National Monuments Record, RCAHMW or the Archaeology Data Service, ADS.
4. The development shall be carried out strictly in accordance with the measures set out in Section 5 of the approved Bat Report & Mitigation Strategy (switch ecology, 1st July 2024).
 5. No development shall take place until a scheme for biodiversity enhancement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details and shall be implemented in full prior to the occupation of the development.
 6. External works shall take place during daylight hours only, with no artificial lighting used during the demolition or construction phase.
 7. Notwithstanding the hereby approved plans and documents, an external lighting/internal light spillage scheme designed to avoid negative impacts on bats, shall be submitted to and approved in writing by the Local Planning Authority. This shall include plans illustrating the location and type of existing and proposed external lighting and have consideration for the projected or retained bat emergence points from existing and proposed roosts, along with any enhancement features and retained or proposed features planned for bats functional use in foraging/dispersal purposes. The scheme shall be carried out strictly in accordance with the approved details.
 8. Notwithstanding the hereby approved plans and documents, within 3 months of the date of this permission a full hard and soft landscaping scheme to include all boundary treatment details shall be submitted to the Local Planning Authority for written approval. The scheme shall be designed to deliver a net benefit for biodiversity and include all proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, maturity, location, height, spacing and timing of implementation. The landscaping scheme as approved shall be implemented in the first available planting season following this permission and shall be retained as such at all times.
 9. All trees and hedges to be retained (including those adjacent to the site) as part of the development hereby permitted shall be protected during site clearance and throughout the course of the development by a fence one metre from the outermost limit of the root protection area (in accordance with BS5837:2012 Trees in Relation to Design, Demolition and

Construction - Recommendations). No construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority.

10. Facilities shall be provided and retained within the site for the parking of vehicles as indicated on the approved plan, and shall be completed prior to the occupation of the dwelling hereby approved.
11. No development shall take place until details of the existing stone wall and railings to be retained have been submitted to and approved in writing by the Local Planning Authority. This is to ensure that the visibility at the point of access is not impaired. If visibility is impaired, the submitted details must include further details on the proposed inter-visibility railings to be provided. The development shall proceed in strict accordance with such approved details.
12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.
13. 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.
14. Prior to the installation of the rooflights on the front elevation of the former chapel building details of the rooflights which should be Conservation style rooflights with a central vertical gazing bar shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance with such approved details.

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. To allow an adequate analytical record of the listed building before alteration, renovation, and extension and to ensure that the buildings origins, use, and development are understood and the main features, character and state of preservation are recorded.
4. To maintain the favourable conservation status of protected species
5. In order to maintain and enhance biodiversity
6. To maintain the favourable conservation status of protected bat species
7. To maintain the favourable conservation status of protected bat species
8. In the interest of visual amenity and enhancing the biodiversity of the area
9. In the interest of visual amenity and enhancing the biodiversity of the area
10. To provide for the parking 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
11. In the interests of highway safety

12. To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.
13. In the interests of residential and visual amenity
14. In the interest of visual amenity