

PLANNING COMMITTEE	DATE: 01/11/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 6

Application Number: C19/1194/18/LL

Date Registered: 12/02/2020

Application Type: Full

Community: Llanddeiniolen

Ward: Deiniolen

Proposal: Conversion of chapel to 7 residential units to include an affordable unit together with a new access and parking spaces

Location: Capel Ebeneser, High Street, Deiniolen, Caernarfon, Gwynedd LL55 3HU

Summary of the Recommendation: TO APPROVE SUBJECT TO CONDITIONS.

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1.1 This is a full application to convert the redundant chapel and school-room into 7 residential flats, creating a new vehicular access and providing parking spaces within the site's curtilage, that is opposite the High Street in Deiniolen. The application can be split into several elements, which include:

- Providing 4 two-bedroom flats within the former chapel on two floors and provide 1 two-bedroom flat and 2 one-bedroom flats within the former vestry with the one-bedroom flat as an affordable unit for rent.
- Provide 9 parking spaces at the front of the vestry.
- A bin/recycling storage will be provided opposite the parking spaces.
- A new vehicular access will be created (replacing the existing access) off the nearby class III county highway (High Street).
- A tree planting scheme will be undertaken.

1.2 Internally, the flats will include bedrooms, kitchens, living rooms together with showers with access to these via the existing openings. Externally, the existing white coloured UPV-c windows will be replaced by grey coloured UPV-c windows with the existing architectural features such as the banding being repaired and the existing rough pebble-dashed walls replaced by a smooth render with the colour to be agreed.

1.3 The property stands above and parallel to the High Street and its use as a chapel/vestry has ended since January, 2013. The site measures 0.04ha and comprises the chapel itself and the associated vestry, a lawn at the front of the vestry and a cemetery at the north-eastern corner of the site and written confirmation has been received from the applicant that there is no intention to disturb this section of the site. There is agricultural land to the north of the site, to the east are the backs of the High Street and Porth y Gogledd dwellings, to the south is the High Street with residential dwellings further afield and to the west are the residential dwellings of Llys Rhiwen and 1 & 2 Brook Cottage.

1.4 The site is located within the Deiniolen development boundary, as contained in the LDP, however, it has not been designated for any specific use. To support the application, the following documents were submitted - Bat Activity Survey, Protected Species Survey, Housing Mix Statement, Welsh Language Statement and information from local estate agents regarding the open market prices of the residential units (rental prices and residential/owner occupier prices).

2. **Relevant Policies:**

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable

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development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-2026 (LDP) adopted 31 July 2017:-

ISA 1: Infrastructure provision

ISA 2: Community facilities

PCYFF 1: Development boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PCYFF 5: Carbon management

PCYFF 6: Water conservation

PS 5: Sustainable developments

PS 6: Mitigating the Effects of Climate Change and Adapting to Them

AMG 5: Local biodiversity conservation

PS 1: The Welsh Language and Culture

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 17: Settlement strategy

TAI 3: Housing in Service Villages

TAI 15: Threshold of affordable housing and their distribution

PS 20: Protecting and where appropriate enhancing heritage assets

Supplementary Planning Guidance (SPG): Housing Mix (2018); Affordable Housing (2019); Planning Obligations (2019); Maintaining and Creating Distinctive and Sustainable Communities (2019) and Housing Developments and Educational Provision (2009).

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2.4 National Policies:

Future Wales: The National Plan 2040.

Planning Policy Wales (Edition 11 - December 2021)

Technical Advice Note 12: Design

Technical Advice Note 2: Planning and Affordable Housing

Technical Advice Note 20: Planning and the Welsh Language

3. Relevant Planning History:

3.1 Pre-application enquiry number Y19/000876 to convert the chapel and school-house into 7 flats (reduced from 9 flats originally), new access and parking spaces - the response stated:-

- *Principle - the principle of the development is acceptable as it is situated within the development boundary in the Anglesey and Gwynedd Joint Local Development Plan (LDP). However, as a chapel is considered to be a community facility, confirmation will be required if any effort has been made to use it for other community use, and if it has been unsuccessfully marketed for a specific period (Policy ISA 2 of the LDP).*
- *Housing considerations - any application will need to justify why more housing is needed in Deiniolen. In addition to this, a Welsh language statement will need to be submitted as the proposal exceeds the figure for the indicative housing supply for Deiniolen (Policy PS1 of the LDP).*
- *Affordable housing - although the numbers have reduced from 9 to 7 residential units the relevant policies continue to require an affordable unit as part of this plan. The main emphasis and priority is that housing developments include an element of affordable housing in any scheme exceeding 2 houses in villages such as Deiniolen although a provision of 10% is requested (this figure may be viable to the Western Coast and Rural Arfon) (Policy TAI 15 of the LDP) - it is 0.7 units in this context. It will be necessary to ensure that the size of the affordable unit is acceptable and how the affordable unit will be provided/marketed.*
- *Housing Mix - a housing mix statement will need to be submitted in accordance with the requirements of Policy TAI 8 of the LDP together with the Supplementary Planning Guidance: Housing Mix. The type of units proposed at this site will need to be justified on the grounds of local need for such units within the village and to also consider the housing already built or with planning permission in Deiniolen.*
- *Educational provision - Policy ISA 2 states that in some situations an educational contribution is required if the local school's capacity has been reached. In this case, it is deemed that an educational contribution would not be required bearing in mind the scale and nature of the development.*
- *Open amenity sites - as the proposal is under the threshold of 10 units no contribution will be required for an open/play area for children in this case.*

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4. Consultations:

Community/Town Council: Object on the grounds of lack of information and what is the specific purpose of the plan?

Transportation Unit: Following the receipt of a revised plan, the Transportation Unit has no objection to the proposal based on road safety and parking facilities, subject to the inclusion of appropriate conditions.

Natural Resources Wales: No objections to the application, but with standard observations regarding protected species, water courses and managing the environment.

Welsh Water: Need to submit a foul water drainage scheme for the site prior to the commencement of any work on the development.

Public Protection Unit: No response.

Strategic Housing Unit: Information regarding need: Figures for 2020 below, indicate the number of applicants who wish to live in the area:-

4 applicants on the Tai Teg register for intermediate property

74 applicants on the common housing register for social housing - it is noted here that the 2021 figures from the Housing Options Team show 54 applications for a two-bedroom house and 51 applications for a three-bedroom house.

Suitability of the Scheme: Based on the above information, it appears that the Plan partially addresses the need in the area. If a Housing Association were a partner for this development, the design of the property must conform to WG standards (DQR).

50% are priced out of the market in this area.

Language Advisor, Corporate Support Unit: There is no clear basis here to object to the application on linguistic grounds, and certainly if the need for these types of units has been

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proven and they would offer additional opportunities for young people to stay in their area. However, this would be based on intentional marketing to the local audience, and would entail retaining the figures and percentage of speakers stable, rather than adding to it. Retaining the level of Welsh speakers consistent in the area is considered to be a positive impact.

CADW: CADW recommend, should this application be approved, that a condition will be required for the applicant to re-surface the chapel and school-house walls with pebble-dash to reflect the existing pebble-dash rather than with render as this prominent and important building is located within the Nominated North-west Wales Slate Landscape World Heritage Site.

Biodiversity Unit: Conditions will be required regarding compliance with Part 8 (Outcomes) of the Protected Species Survey together with the submission of details regarding the provision for bats and swallows.

Gwynedd Archaeological Planning Service: Need to include a condition regarding conducting an appropriate photographic survey of the building work prior to the commencement of any work on the site.

Flood Risk and Coastal Erosion Management Unit: Our maps indicate that a culverted water course flows through the development site. The developer is advised to establish the exact path and condition of the culvert prior to undertaking any work on the site. Additionally, an Ordinary Watercourse Consent would be required for any work that could affect the flow of the water course, including any modifications to the culvert. The responsibility for maintaining the water course and the culvert within the site's boundaries lies with the owner/owners.

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Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has expired and correspondence was received objecting on the following grounds:

- More information is required regarding the development.
- A more suitable use needs to be found for this site.

As well as the above objections, correspondence was received stating the following:-

- Support the re-use of this local historical building for residential use and the proposal will retain the building's character.
- A stream runs through the site.
- The new tree planting scheme is to be welcomed, however, they would be located too close to the site's western boundary wall with a risk that they may undermine the wall's foundation.
- No information has been submitted regarding the applicant's proposal for the section at the back of the site where the cemetery is located.
- Confirmation that bats use the trees that exist on the site.

5. Assessment of the material planning considerations:

The principle of the development

5.1 The principle of providing residential units on this particular site is based on Policies PCYFF 1, TAI 3, TAI 15, PS 17 and ISA 2. Policy PCYFF 1 states that proposals will be approved within development boundaries in accordance with the other policies and proposals in the Plan, national planning policies and other material planning considerations. As referred to above, the site is located within the development boundary of the Deiniolen Service Village. Policy TAI 3 states that in Service Villages housing to meet the Plan's strategy will be secured through housing designations along with suitable windfall sites within the development boundary. The indicative supply level for Deiniolen over the Plan period is 45 units (including a 10% 'slippage allowance'). During the period 2011 to 2021, a total of 22 units have been completed in Deiniolen. The land bank, i.e. sites with extant planning permission, in April 2017, was 47 units.

5.2 Construction of all the units on sites with permission in the land bank will mean that Deiniolen will achieve its indicative provision. The Plan's Monitoring Framework will consider the number of units that are completed annually in order to determine if the Plan is achieving the housing requirement. Annual monitoring will also enable the Councils to determine what type of sites will supply housing i.e. designations or windfall sites. The focus will be on the completed units rather than permissions. Policy PS 17 states that 25% of the Plan's housing growth will be

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located within the Local Service Centres and in April 2020 it is shown that 1,394 units of the total 1,953 units (without slippage allowance of 10%) have been completed, with 844 in the land bank (and likely to be completed). Based on the completion rates to date only within the Villages, Clusters and Open Countryside (information as at April 2020) it is therefore likely given the growth considerations, that such a proposal would be acceptable.

5.3 However, as Deiniolen has seen its expected growth level on windfall sites via units completed in the period from 2011 to 2021 and completed the current land bank, there will be a need for the applicant to demonstrate that the proposal will address the needs of the local community. To this end, the applicant has stated the following:-

- The prices of the flats (rental and residential owners - see below) are affordable for prospective local occupants.
- The figures on the list of local housing estate agents indicate that 146 people are seeking to live in the Deiniolen area with 57 first time buyers for units up to £100,000 in value.
- The Gwynedd Local Housing Market Assessment 2018-23 confirms that there is a shortfall of 13% for one bedroom units and a shortfall of 11% for 2 bedroom units in Gwynedd and estimates that the need for small units (1 and 2 persons) together with larger units (5 persons) will increase up to 2035.
- Recent consents for housing in Deiniolen do not meet the need for smaller units in the form of flats:- (i) application C20/0485/18/AC (Victoria Terrace) that includes 2,3 and 4 bedroom housing and the original permission has already been renewed twice and there is no assurance that this proposal will be developed in the near future; (ii) Application Number C19/0003/18/MG (Rhiw Goch) that comprises 17 houses (2,3 and 4 bedrooms) and application number C18/0977/18/LL (Maes Gwylfa) comprising 9 houses (2, 3 and 5 bedrooms for Adra).
- Current enquiries with 'Right Move' confirm that there are no flats for sale in the village and only one two-bedroom house is for sale.
- Tai Teg have four applicants on their waiting list for intermediate affordable housing at Clwt y Bont and Deiniolen.

5.4 Given the above information we believe that local need can be justified for the types of residential units proposed in this current application.

5.5 Part 2 of criteria i - iii of Policy ISA 2 states that there is a presumption to resist the loss or change of use of an existing community facility unless:-

- i a suitable replacement facility can be provided by the developer either on or off site, and within easy and convenient access by means other than the car, or
- ii it can be demonstrated that the facility is inappropriate or surplus to requirements or

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iii. in the case of a commercially operated facility: there is evidence that the current use has ceased to be financially viable, and that it could not reasonably be expected to become financially viable, and there is evidence of genuine attempts to market the facility, which have been unsuccessful.

5.6 In response to the above, the applicant has stated that the building has been on the market since January, 2013 and was only sold in October, 2018 which indicates that there is not much interest within the market for former places of worship. The use of the property as a place of worship came to an end in January, 2013, and since then no interest has been shown to continue with its use as a place of worship and this is why the chapel and the vestry were originally placed on the market and there is another place of worship near to this site, namely Eglwys Crist, Llandinorwig. Converting the building into small, quality flats would make appropriate use of the site and the property bearing in mind that it is situated in an area that is mainly residential and it would be an opportunity to improve and tidy-up the site in terms of visual amenities and also a means to avoid any anti-social behaviour in this part of the village. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy ISA 2 of the LDP.

Visual amenities

5.7 The site can be described as a landmark in the streetscape and the building itself is a striking and very prominent architectural feature that contributes to the built environment of this part of the village, together with the wider local area (please see the comments of CADW above). The proposal will entail undertaking minor alterations to the chapel's external elevations together with the associated school-house. These alterations include changes to the design of the windows to comply with health and safety requirements although the openings themselves will remain in their current form. It is proposed to replace the existing white coloured UPV-c windows with grey coloured UPV-c windows, repair architectural features such as the banding and replace the existing rough pebble-dashed walls with a smooth render with the colour to be agreed. However, in accordance with the above advice from CADW, the external openings of the chapel and the vestry should be re-surfaced with a pebble-dash that reflects the existing pebble-dash and this can be secured by imposing a relevant condition on any planning permission.

5.9 It is proposed to open a new access in the south-western corner of the site by demolishing a stone wall (and close the existing access) and replace the green area (that includes a tarmac surface) with new parking spaces together with planting trees to compensate for those that will need to be felled for the parking provision. Bearing in mind the nature, scale and central location of the site in the established built area it is believed that the proposal, should it be approved, will not have a detrimental impact on the visual amenities of this part of the streetscape or on the character and wider integrity of the Dinorwig Landscape of Outstanding Historic Interest. Therefore, it is deemed that the proposal is in compliance with Policy PCYFF 3 and PS 20 of the LDP subject to the inclusion of a condition to secure a pebble-dash finish to the external elevations of the building.

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General and residential amenities

- 5.9 As referred to above, residential dwellings are located to the west, east and south of the application site. To the west are the dwellings of Llys Rhiwen and 1 and 2 Brook Cottage with number 2 located directly adjacent to the application site. A space of approximately 12m will be between the eastern elevation of number 2 and the windows of the residential unit at the rear of the vestry and these windows will be on higher land than the floor level of property number 2. Although the owner of number 2 has not objected on the grounds of the loss of privacy, it can be ensured that the situation is not exacerbated should this application be approved by including a condition in any planning permission to safeguard the residential amenities of the occupants of number 2 by undertaking suitable mitigation measures e.g. by placing opaque film on the lower pane of the windows of the proposed residential unit. It is deemed that the windows of 2 of the residential units provided within the chapel and facing the west will not significantly undermine the residential amenities of the dwellings of Llys Rhiwen or 1 & 2 Brook Cottage bearing in mind the distance between them and the setting of these windows in relation to the location of the nearby dwellings.
- 5.10 To the east the windows of 2 of the proposed residential units provided within the chapel will face the back of the houses on the High Street together with the backs of Porth y Gogledd houses. Although no objections have been received from the occupiers of these dwellings on the grounds of loss of privacy following the statutory consultation process, the privacy of these occupants can be secured by imposing a suitable condition as referred to above. South of the site is the High Street with residential dwellings further afield, however, considering that a foyer and steps to serve the proposed residential unit will face the south, it is deemed that the proposal will not significantly affect the amenities of these dwellings on the grounds of the loss of privacy.
- 5.11 Neither is it believed that the proposal, should it be approved, would significantly affect the residential and general amenities of nearby occupants on the grounds of noise nuisance bearing in mind the scale, density and proposed use together with the fact that the site has already been located in a central location within the village and opposite a busy public right of way. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.12 The proposal involves stopping up the current access off the High Street and create a new vehicular access in the south western corner of the site together with providing parking spaces on the front lawn of the site. Following the receipt of the amended site plan from the applicant regarding reducing the height of the existing front wall to create suitable visibility splays, additional information regarding the treatment of the existing footpath that runs along the front of the site as well as the re-design of the parking spaces, the Transportation Unit has no objection to the application subject to the inclusion of

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relevant conditions. It is therefore deemed that the proposal conforms to the requirements of policies TRA 2 and TRA 4 of the LDP.

Affordable housing and housing mix

5.13 As part of the application, a Housing Mix Statement was submitted and this information notes:-

- That there will be 7 units for intermediate rent with 1 one-bedroom unit as an affordable unit (Policy TAI 15 states that one of the 7 units will be required to be an affordable unit).
- Prices for the 1 and 2 bedroom units have been submitted by a local estate agent based on the conditions of the local housing market together with comparing similar evidence. Notional price (owner occupier) for an affordable flat in Deiniolen is £98,709 (based on the contents of the relevant SPG) with the price quoted by the estate agents from £75,000 to £80,000 for the affordable unit, £80,000 to £85,000 for the one-bedroom open market unit and between £90,000 to £105,000 for the open market two-bedroom units.
- The notional price for an affordable rental unit in Deiniolen is £539.00 (monthly) and the price quoted by the estate agents is £400.00 (monthly) for the affordable unit and the one-bedroom open market unit and £500.00 for the two-bedroom open market units. The prices submitted confirm that the rental prices and the owner/occupier prices of the proposed units are affordable.
- We contacted the Council's Housing Options Team and the Rural Housing Facilitator in line with the advice included in the relevant SPG, and the information received demonstrates that there is a high need for one and two-bedroom units with 46 applications on the Council's General Housing Register for one and two bedroom flats. There are 32 applications for a one bedroom flat and 35 applications for a two-bedroom flat.
- The Gwynedd Local Housing Market Assessment (2018-2023) confirms that there is a shortfall of 13% for one bedroom units with a shortfall of 11% for 2 bedroom units in Gwynedd and estimates that the need for small units (1 and 2 persons) together with larger units (5 persons) will increase up to 2035.
- On the whole, the 2011 census indicates that the number of private rented property on the market has reduced and that the size of families have also reduced and suggests that there is a need for more smaller units. The 24-34 age group (11% of the Gwynedd and Anglesey population) find it difficult to gain access to the housing market in the current economic climate with a vast number of them on low income. Consequently, small rental units as proposed here, will help to satisfy this need.
- The Council's Housing Options Team confirms that there are 54 applications for 2 bedroom social units in Deiniolen with 38 interested in 1 bedroom units and although 6 of the flats are open market their rental/sale price are equivalent to providing affordable units.

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- 5.14 Bearing the above information in mind, it is considered that the application can be supported based on the requirements of Policy TAI 8 of the relevant SPG and it can be ensured that the affordable unit is affordable now and in the future by including a standard planning condition.

Linguistic matters

- 5.14 Policy PS1 of the LDP states that the Councils will promote and support the use of the Welsh language in the Plan area and this will be achieved by asking for a Welsh Language Statement for some developments. One of the situations when it is a requirement to ask for such information is when the development provides more than the indicative provision for the settlement in question (Deiniolen in this case). As referred to above, although the proposal is acceptable on the grounds of the general provision for new residential units within the category Villages, Clusters and Open Countryside in the LDP, Deiniolen has already achieved its indicative provision for residential units and therefore to this end, a Welsh Language Statement was submitted with the application. The statement concludes that approving the proposal would have a positive impact on the Welsh language on the grounds of (i) new housing - allowing Welsh speakers who do not have the financial ability to buy/rent larger property to remain within their locality. (ii) population and linguistic constitution; (iii) local visibility of the language (iv) community infrastructure and (v) employment.

- 5.15 The observations of the Welsh Language Unit on the Statement have been received and they state that despite there being some inconsistencies in the information, and the evidence of need for the exact type of units is not firm, if the units are marketed purposely for the local audience, then offering a variety of units and enabling more people to remain within their local community, contributing to maintaining the current level in terms of population and Welsh speakers and from this point of view the Unit states that there will be a positive impact on the Welsh language and culture. It is therefore considered that the proposal is acceptable based on the requirements of Policy PS 1 together with the SPG: Maintaining and Creating Unique and Sustainable Communities.

Educational matters

- 5.16 The relevant policy within the context of educational contributions for residential developments is Policy ISA 1 of the LDP. The Supplementary Planning Guidance adopted to support the previous Development Plan continue to be a material consideration when determining planning applications until they are replaced by new ones. To this end, it is material to consider the contents of the SPG when discussing this application. The information/formula within the SPG notes the following in terms of the number of pupils who would be likely to derive from the development - primary school 0.33 pupil, secondary school (year 7 to 11) 0.24 pupil and secondary school (year 12 & 13) 0.018. Bearing these figures in mind, as well as the fact that 1 bedroom flats cannot be considered within the calculation, no educational contribution will be required in this

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context. It is therefore deemed that the proposal is acceptable on the grounds of the requirements of Policy ISA 1 of the LDP.

Open Spaces Matters

- 5.17 According to Policy ISA 5 of the LDP new housing proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development will be expected to provide suitable provision of open spaces in accordance with the Field in Trust benchmark standards. In this case, only 7 new residential units will be offered as part of the application and as a result there is no need for a financial provision/contribution for open spaces. It is, therefore, believed that the proposal is acceptable based on the requirements of Policy ISA5 of the LDP along with SPG: Open Spaces in New Housing Developments.

Biodiversity matters

- 5.18 As part of the application a Bats Activities Survey, Protected Species Survey as well as conducting a Night-time Activity Survey for bats were submitted. In the Bats Activities Survey it was confirmed that there was no physical evidence of bats using the building as a roosting place and it was noted, in general, that the potential for the building to support bats is very low and this was also confirmed following the Night-time Activities Survey. Having considered the information included in these documents, the Biodiversity Unit has stated that conditions will be required regarding compliance with Part 8 (Outcomes) of the Protected Species Survey that includes information regarding the provision for bats and swallows. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy AMG 5 of the LDP.

6. Conclusions:

- 6.1 Having considered the above assessment, it is considered that the proposal to provide 7 residential units including an affordable unit is a positive response to the need for small residential units in Deiniolen. In assessing the application, full consideration has been given to the observations received in response to the consultation period and the response received from statutory consultees. Based on the above assessment, it is not considered that the proposal is contrary to local or national policies and there is no material planning matter that outweighs these policy considerations. To this end, therefore, it is believed that this proposal is acceptable subject to the inclusion of the following conditions.

7. Recommendation:

- 7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions:-
1. Five years.
 2. In accordance with the plans and documents submitted with the application.
 3. Highway conditions.
 4. Submitting a landscaping/tree planting scheme.

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5. Biodiversity mitigation measures and enhancing biodiversity conditions.
6. Agree on details regarding a Welsh name for the development together with advertising signage informing of and promoting the development within and outside the site.
7. Ensure a plan/arrangement for the affordable unit.