

**Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

Local Planning Authority Statement of Case

**APPEALS RELATING TO BAPTIST CHAPEL, CHAPEL STREET, HOLT,
WREXHAM, LL13 9DJ**

PINS Refs: APP/H6955/E/16/3149423 (Listed Building Consent) and
APP/H6955/A/16/3149339 (Standard)
LPA Planning Refs: P/2015/0749 (LBC) and P/2015/0750 (Standard)

1.0 THE SITE

- 1.1 Baptist Chapel is a Grade II listed building located in the centre of Holt. It is a vacant building which appears not to have been occupied for some time. It is surrounded on both sides and to the rear by residential properties. The curtilage to the building is relatively tight to the regular shape of the chapel footprint. To the rear is a small courtyard area and outrigger forming ancillary space to the main chapel.

2.0 PROPOSAL

- 2.1 A detailed description of the proposals subject to this appeal are listed in the Council's observation report attached to this statement at Appendix 1.

3.0 LOCAL PLANNING CONTEXT

- 3.1 The relevant development plan for this appeal is the Wrexham Unitary Development Plan (UDP) as adopted by the Council in 2005. For the purposes of this appeal, policies PS1, PS2, PS3, PS4, GDP1, EC9, H2 and T8 are relevant.
- 3.2 Policies PS1, PS2, PS3 and PS4 are strategic policies which aim to ensure the broad location of development.
- 3.3 Policy GDP1 states that new development should:
- (a) Ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the locality,
 - (d) Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality.
- 3.4 Policy EC9 requires that alterations and additions to, and development or redevelopment within the curtilage of buildings listed as having special architectural or historic interest must respect the setting and character of the listed building.
- 3.4 Policy H2 allows for the development of unannotated land with defined settlement limits subject to compliance with Policy GDP1.
- 3.6 Policy T8 requires that all new development should provide, either on site or in close proximity, parking provision in accordance with the Council's current parking standards.

- 3.8 Paragraph 4.1 of the UDP states that the Council will, from time to time issue supplementary planning guidance with the aim of encouraging high standards of development and design. Accordingly, 16 – Parking Standards and 21 – Space Around Dwellings.

4.0 THE COUNCIL'S CASE

- 4.1 The Council's case is set out at Appendix 1.

5.0 CONCLUSION

- 5.1 The Council considers that the proposal would represent an inappropriate intervention to the building to facilitate a form of development. There is insufficient justification to demonstrate that the works as proposed will not have a detrimental impact upon the setting of the listed building nor the interests of species which are afforded statutory protection in law and in planning policy.

6.0 SUGGESTED CONDITIONS

- 6.1 Should the Inspector be minded to allow either appeal, the Council respectfully requests that consideration be given to the conditions outlined at Appendix 2.

APPENDIX 1

P/2015/0750

Philip Forster

CONSULTATION RESPONSES	Objects	No Objection	Comments	Accepts/ Supports	No reply
Community Council					x
Local member(s)					x
Highways		x			
Public Protection		x			
Natural Resources Wales					
Welsh Water			No representations		
CPAT			Photo survey required		
Neighbours	X - parking				

Press notice expired 6.11.2015

KEY ISSUES See obs.	Summary of Relevant History (See SX3 History) None relevant
Action required	Committee ☒ /N (Check delegation scheme) (*Committee decision required if application requires an Appropriate Assessment) Relationship to Council Employee/Member?

PLANNING POLICY/CONSTRAINTS

UDP NOTATION	YES	ACCEPTABLE	NOT ACCEPTABLE
Outside settlement			
Inside settlement	x	Principle acceptable	
Conservation Area	x	As above	
Listed Building/ setting	x		x
Green Barrier			
Special Landscape Area			
Flood Risk			
Within Buffer Zone or affecting SAC*			
World Heritage Site			
AONB			
Other			

LPGN's No.	Title	ACCEPTABLE	NOT ACCEPTABLE
16	Parking Standards	X	
21	Space Around Dwellings		

WAG Guidance	Title	ACCEPTABLE	NOT ACCEPTABLE
Circ 61/96	Planning and the Hist. Env.		x

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KEY ISSUES	Acceptable	Observations below	Conditions Required	Not Acceptable	N/A
Residential Amenity	X	X			
Design* (see below)		X		X	
Accessibility*	X				
Highway safety	X	X			
Parking	X	X			
Conservation/LB		X		X	
Ecology		X		X	
Landscaping	X				
Other					X

Design Statement*	Yes	No	Comments
DAAS Acceptable	X		
Design Justified		X	
Design Acceptable		X	

*Refer to DAAS document on SX3 if applicable

OBSERVATIONS:

Planning permission (P/2015/0750) and listed building consent (P/2015/0749) is sought for the change of use and external alteration to the existing building from a place of worship to a single dwelling house. The existing building is Grade II listed. The main material considerations in this instance are as follows:

- The impact of the proposed change of use and associated alterations upon the setting of the listed building;
- The impact of the proposed change of use and associated alterations upon the setting of the conservation area;
- The impact of the proposed change of use upon the amenity of the neighbouring residential occupiers;
- The impact of the proposed change of use upon highway safety.
- The ecological impact of the proposed development.

The former Baptist Chapel is a grade II listed building which originates from 1827. The building is of historical importance being an early example of Baptist Chapel and is of architectural interest through its classical design and architectural detailing which remains relatively intact. The building is located prominently on Chapel Street, which gains its name from the building, within Holt Conservation Area opposite the Infant and Junior School. The former chapel, which closed in mid 20th Century, has been used as furniture storage most recently however is now redundant and included on the Council's list of buildings vulnerable of becoming at risk through continued decay and neglect. As such it is very positive that an alternative, viable use for this building is now being sought.

In terms of the using the building for residential purposes I raise no objection to this in principle. The key considerations relate to the alterations required to the interior of the listed building to accommodate this new use. The building is located within the defined settlement limit of Holt. Notwithstanding the listed nature of the building, there are no 'in principle' restrictions in policy terms upon the conversion of the building.

The chapel retains some original and early internal features and a classical symmetrical approach to the space. Features of interest include the balcony and staircase leading up, two cast iron supports to the balcony, a fireplace within the later rear addition, some decorative plaster work to the ceiling and cornice. There are also some remnants of the original paint work, particularly on the rear wall where the preaching stage would have been located. The shape, size and form of this decoration clearly indicate that this space was the central focus of chapel space.

The most significant alteration to the interior is the removal of balcony, staircase and supports and insertion of new mezzanine/first floor area above the main chapel space. The extent of the mezzanine is significantly larger than the area of the current balcony. In addition the focus of the chapel is to be altered from the centre of the rear wall to the left side elevation with the shape of the mezzanine/first floor reinforcing this. The shift in focus and the extent of the first floor level will significantly impact upon the original internal character.

The main area of concern relates to the following aspects of the scheme:

Insertion of first floor mezzanine - This most significant alteration to the interior involving the removal of balcony, staircase and supports (their retention has not been confirmed on the amendments) and insertion of new mezzanine/first floor area above the main chapel space. The extent of the mezzanine is significantly larger than the area of the current balcony and this along with shape of the mezzanine significantly alters the focus of the chapel from the centre of the rear wall to the left side. Much of the aesthetic, evidential and historic values of the building derives from this focus and clear use of space and I have some concerns over this shift in focus and the extent of the first floor level will detrimentally impact upon the original internal character. It is not proven necessary that the original metal support posts require removal and no detail on the new mezzanine floor construction has been provided as previously requested and the impact of this cannot be properly assessed.

Replacement windows - it is detailed that all windows are to be replaced with new frames and slim-profile double glazing however no justification for the wholesale renewal of the windows has been provided. The originals should be retained and repairs with replacement undertaken on a like for like basis.

Removal of internal plaster finishes and replacement with dry lining system and insulation - it is appreciated that the thermal performance of the chapel will not be the level of modern dwelling however the insertion of modern insulating system raises concerns; firstly in terms of the character of the internal space and secondly in terms of performance of the listed building and its ability to 'breathe'. The lime finishes to both the walls and the ceiling add to the integrity of the building and give character to the internal space providing a more tactile surface finish. Additionally the use of modern insulating system is at odds with the historic construction which is designed to 'breathe' allowing natural evaporation. Circular 61/96 advocates like for like repairs to ensure successful conservation and the use of insulating lime plasters is considered to offer reasonable compromise in this instance.

In summary, whilst the proposed re-use of the building is supported, the level of alteration and detailing proposed is considered to outweigh this benefit and the proposals are considered to be contrary to the advice of circular 61/96, local policy EC9 and would detrimentally harm the special interest of the building.

Turning to the other material planning considerations. The proposed development is located within the village of Holt. It is considered to be a sustainable settlement with a range of village services, including a bus route, village shops and primary education facility. Whilst the principle of development in the settlement is acceptable, the proposed development does not provide any off street parking provision. The impact of the development must be balanced against the current lawful use of the building and what its current parking demand could be within the village, set against the proximity to a range of community facilities. There is no dispute that the proposed change of use will result in on some street parking. In accordance with the maximum parking standards in LPG16 this would require a maximum of three off road parking spaces. This SPG sets out the maximum parking requirements. Given the sustainable village location, I consider it safe to assume that the development may not result in such a demand. The existing building, if operational, would result in some traffic generation and I consider that the levels would be comparable. I therefore do not consider that to allow the development would result in a danger to highway users or pedestrians.

The limited nature of the external alterations will seek to preserve the character of the Holt conservation area and therefore accords with policy EC7.

The proposed development includes for the provision of two new windows to the rear of the building. The yard area of the building is surrounded by a high wall. Existing windows would be utilised for the proposed rooms. The heights of the windows are 1.4m above finished floor level. To the northern elevation, only the ground floor windows will provide serve habitable room. The neighbouring dwelling to the north is unlikely to be impacted by loss of privacy. The chapel windows do not directly face neighbouring habitable room windows. There is the possibility for some limited overlooking to occur, but given the high level of the sill and the nature of the proposed room in the chapel I consider that this will not be detrimental.

To the eastern elevation, again, the high level boundary wall is unlikely to result in ground floor overlooking. At first floor level, the rear facing bedroom window will look out onto an outbuilding which appears to be used as an outbuilding/accommodation associated with The New House or Chamber Cottage. Overlooking is unlikely to be detrimental and whilst the separation standards are below that in LPG21, the proposed bedroom is served by two windows, therefore the position of this neighbouring outbuilding should not hinder the quality of the occupiers in that proposed room.

To the south, only ground floor existing windows are shown with the existing first floor windows being used for the bedroom and landing. There are no facing windows on the neighbouring dwelling to the south and in reality; the first floor level of the chapel will result in the existing windows being of an extremely low level.

The proposed garden area would be formed by the existing courtyard to the rear with full external access. The scale of the yard area is acceptable. In summary I consider that the proposal will not result in a substandard development and will be acceptable in terms of neighbouring amenity. In any case, I consider that any demonstrable will be minimal but on balance, set against the significant benefits in the positive re-use of the building, this proposal can be considered acceptable.

The proposal was not accompanied by an ecological assessment of the building. Technical Advice Note 5 requires such a submission where there is the potential for the building to be habitat for protected species. In this instance bats and birds are considered to species at most risk. It is therefore not possible to make this assessment without the submission.

RECOMMENDATION SUMMARY – cont....

Recommend Refusal	Summary of Reasons	LM(s) Notified of Delegated refusal? (Include any response)	
X	- Impact upon the setting of listed building; - Insufficient ecological submissions	Pending	

Please complete Green Register Sheet with conditions/ reasons and any special instructions.

APPENDIX 2

P/2016/0749

APP/H6955/E/16/3149423

Listed building Consent– suggested conditions

1. The works hereby granted consent shall be commenced before the expiry of five years from the date of this consent.

R: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. The works shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 01 Rev A and 04 contained within the application documentation.

R: To ensure that the development fully complies with the appropriate policies and standards.

3. Prior to their use on the development samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

R: To ensure that the works reflect the special character of the building and in the interests of the visual amenity of the area.

4. No development shall commence until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The resulting digital photographs should be forwarded on a CD or DVD to the Local Planning Authority, and the Development Control Archaeologist at Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR (Tele no. 01938 553670).

R: To provide for a record of a building or buildings of local architectural or historic interest.

5. No works shall commence until a repair schedule for the existing windows is submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the extent and type of repair necessary to each window and include drawings and justification of any replacement windows. The works shall only be carried out in strict accordance with the details as approved.

R: To ensure that any intervention with existing features of the building is fully justified and any works that may be carried out are in the interests of the character of the listed building.

6. No works shall commence until a schedule of design for the replacement of the existing roof to the single storey extension to the rear has been submitted to and approved in writing by the local planning authority. The works shall only be carried out in strict accordance with the details as approved.

R: To ensure that any intervention with existing features of the building is fully justified and any works that may be carried out are in the interests of the character of the listed building.

7. Prior to first use of the development, all external joinery shall receive a painted finish in accordance with a colour which has been submitted to and approved in writing by the Local Planning Authority. The colour of the painted finish shall not thereafter be changed without the prior written consent of the Local Planning Authority.

R: To ensure the new works reflect the historic character of the listed building.

8. All new and replacement rainwater goods shall be cast iron only.

R: To ensure the new works reflect the historic character of the listed building.

9. Prior to the cleaning of the date stones, a methodology outlining the method of cleaning to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall only be carried out in strict accordance with the details as are approved.

R: To ensure the new works reflect the historic character of the listed building.

10. Prior to commencement of the works hereby approved a site meeting between the Council's Conservation Officer and the Contractor shall take place in order to determine the extent of repair and replacement of the historic fabric. The applicant/contractor shall give the Council's Conservation Officer no less than 5 working days notice in writing of this meeting.

R: To protect the integrity of the Listed Building.

11. No new pipework, extracts, meter boxes, flues, vents or ductwork shall be fixed to or formed through the external walls or roofs of the building until their exact position, type, number and finish has been submitted to and approved in writing by the Local Planning Authority. Works shall only be carried out in strict accordance with such details as approved.

R: To ensure the development is carried out in a manner that reflects the existing character and appearance of the Listed Building.

12. Prior to undertaking any repointing works to the boundary wall or repairs to the lath and plaster ceiling, a specification, which includes full details of the mix, finish and extent of the lime mortar and plaster repairs shall be submitted to and approved in writing by the Local Planning Authority. Works shall only be carried out in strict accordance with the details as are approved.

R: To ensure new works reflect the original materials of the listed building.

13. Prior to their installation on the building, drawings to the scale 1:5 and 1:20 fully detailing all new internal doors and the new staircase shall be submitted to and approved in writing by the Local Planning Authority. The details shall fully describe the proposed materials and decorative/protective finishes. The works shall only be carried out in strict accordance with such details as are approved.

R: To ensure the new works reflect the historic character of the listed building.

14. Prior to their installation on the building drawings to a scale of 1:5 and 1:20 fully detailing the new bi-fold doors to the single storey rear extension shall be submitted to and approved in writing by the Local Planning Authority. The drawings shall fully describe the material, decorative/protective finish, glazing type and include cross section for the head and threshold. The works shall only be carried out in strict accordance with the details as are approved.

R: To ensure the development is carried out in a manner that reflects the existing character and appearance of the Listed Building.

15. Prior to the commencement of the repairs to the iron railings a short methodology outlining the approach to cleaning, repainting and any additional necessary repairs shall be submitted to and approved in writing by the Local Planning Authority. The works shall only be carried out in strict accordance with the details as are approved.

R: To ensure the works reflect the character and appearance of the building.

P/2016/0750

APP/H6955/A/16/3149339

Planning Appeal – suggested conditions

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

R: To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 01 Rev A and 04 contained within the application documentation.

R: To ensure that the development fully complies with the appropriate policies and standards.

3. Prior to their use on the development samples of all external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

R: To ensure that the works reflect the special character of the building and in the interests of the visual amenity of the area.

4. No development shall commence until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The resulting digital photographs should be forwarded on a CD or DVD to the Local Planning Authority, and the Development Control Archaeologist at Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR (Tele no. 01938 553670).

R: To provide for a record of a building or buildings of local architectural or historic interest.

5. No part of the development shall commence until a bat roost and breeding bird Assessment, as carried out by a qualified ecologist, has been submitted to and approved in writing by the Local Planning Authority. The report shall include an Ecological Method Statement identifying any measures of protection, compensation and mitigation. The recommendations as approved shall be implemented in strict accordance with timescales to be agreed before any part of the development commences on site.

R: In order to ensure that the development can be carried out without having a detrimental impact upon species which are afforded statutory protection.

6. - Prior to their use on site, samples of the gravel and paving slabs to be laid around the perimeter of the building shall be submitted to and approved in writing by the Local Planning Authority. The works shall only be carried out in strict accordance with the details as are approved.

R: To ensure the works reflect the character and appearance of the building.