

DESIGN AND ACCESS STATEMENT

Proposed Conversion of Commercial Premises
to
Two Semi-detached Dwellings
at
BRYN-YR-EOS
WHITEHURST
CHIRK
WREXHAM
LL14 5AS



D S Jones & Co.

Architectural & Planning Consultants.

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1.0 INTRODUCTION.

1.1

This Design and Access Statement has been prepared in support of an application for full planning permission for the conversion of the recently vacated commercial premises which previously supported the Applicant's business of Lotus Lampshades Ltd to provide two, semi-detached dwellings with separate amenity spaces and shared parking provision.

1.2

This statement meets the statutory requirements of Article 7 of the Town and Country Planning (Development Management Procedure) (Wales) Order ("the DMPWO") 2012, as amended by Article 9 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

1.3

This Design and Access Statement provides an analysis of the application site and building and sets out the principles that have guided and informed the design.

2.0 DESCRIPTION OF THE SITE AND SURROUNDINGS

2.1

The application site comprises the original Bryn-yr-Eos Chapel which comprises an important traditional, simple rectangular building for the purpose of worship which is of sandstone elevations with stained glass feature windows beneath a natural slate, pitched roof. There is a date stone above the tall, arched head feature window to the south elevation which shows that original building was constructed in 1895. In 1907, an extension of Ruabon Red smooth facing brickwork beneath a slated roof was added to provide a new south facing access door and ancillary space. The 1907 date stone confirms that the extension was erected "In Memory of David Owen by his Children".

2.2

Subsequently the building was purchased and occupied by the Applicant and the use was changed to a commercial use, Use Classes B1 (Business) and B8 (Storage and Distribution) in order to support the development of the Applicant's business, Lotus Lampshades Ltd. Lotus Lampshades manufactured high quality, bespoke handmade lampshades. In 2012, to cope with the expansion of the business and resultant increase in staff numbers, the building was further extended to the north to provide additional space for manufacturing, packing and storage of raw materials and finished products prior to shipping.

2.3

Earlier this year, Lotus Lampshades Ltd was sold as a going concern and the new business owner decided that due to the potential of the business to achieve further expansion, a move to more commercially located property was necessary. Therefore upon the sale of the business, the commercial property at Bryn-yr-Eos became vacant.

3.0 THE PROPOSAL.

3.1

The proposal which forms part of this application for planning permission involves the conversion of the existing building in its entirety to form a pair of semi-detached dwellings. Unit 1 which is proposed to be located within the original chapel will provide a three bedroomed family home and Unit 2, within the 2012 extension will provide a one bedroomed unit of accommodation suitable for a single person or couple.

3.2

The external works to the fabric of the building which are proposed to be undertaken in order to achieve this conversion and change of use are minimal and will include the following :-

Unit 1 – Remove an east facing window and take out masonry down to ground floor level in order to provide a new entrance door with glazed side and overhead panels.

Unit 2 – A small infill extension will be added between Units 1 and 2 to the western side of the building in order to ensure that the kitchen to Unit 2 is larger enough to function effectively.

Apart from some localized external works of maintenance, the above represents the sum total of necessary works which will have an impact upon the exterior of the existing building.

4.0 **PLANNING POLICY CONTEXT.**

4.1

The grant of planning permission for the 2012 extension was issued under LPA reference No. P/2012/0387 and the description of the approved development was “*Extension to existing commercial premises.*” Condition 5 imposed upon the grant of planning permission had the effect of placing the benefit of the planning permission with trading as Lotus Lampshades Ltd rather than with the land as is normally the case.

4.2

The actual wording of Condition 5 states that “*The permission shall not be for the benefit of the land but shall operate for the benefit of trading as Lotus Lampshades Ltd and immediately on the discontinuance of her / their use of that land, the use shall cease and be permanently abandoned. The land shall be restored to it’s previous condition not later than one month after that date.*” The reason stated for the imposition of this condition is “*In the interest of highway safety and the amenities of the occupiers of nearby properties.*” It is not clear to the writer how making the planning permission personal would be in the interests of highway safety, but nevertheless the condition exists and if the 2012 extension is to remain, this condition would either need to be varied or deleted by virtue of an application under Section

73A of the Act or be replaced by a new planning permission.

4.3

In terms of the 2012 extension, it is the case that the sympathetic design of the building and the careful selection of external materials has had the effect of enhancing the character and appearance of the original chapel and the wider area in general. It would therefore be counter-productive and unreasonable for the LPA to require the demolition of this part of the existing building. It would also be costly for the Applicant and would be counter to sustainability principles whereby the embedded carbon in the building would be wasted at a time where re-use of existing structures is preferable in planning terms to demolition and replacement which would further and significantly increase the carbon footprint of the building.

4.4

Having established that it is appropriate in planning and design terms to retain the 2012 extension, the conversion to residential use then needs to be considered in the context of adopted planning policy and supplementary planning guidance.

4.5

The application site lies outside settlement limits and within the Buffer Zone of the Pontcysyllte Aqueduct and Canal World Heritage Site. In terms of relevant planning policies and having regard to the judgement on the 29th of November 2023 by Judge Justice Eyre KC whereby the Council were ordered to adopt the Local Development Plan (LDP2) 2013 to 2028, the following LDP2 policies contained within the Deposit Plan, will be considered in preference to policies contained within the time expired Unitary Development Plan (UDP) –

- DM1 – Development Management Considerations
- BE1 – Pontcysyllte Aqueduct and Canal World Heritage Site
- H7 – Housing in the Open Countryside

- H9 – Conversion of Buildings Outside of Settlement Limits to Residential Use
- LPGN03 – Converting Rural Buildings
- LPGN16 – Parking Standards
- LPGN33 – Pontcysyllte Aqueduct and Canal – World Heritage Site

4.6

Policy DM1 sets out general Development Management Considerations to be taken into account when assessing all proposals seeking planning permission. This Policy requires, amongst other things, that development should accord with or enhance the character and local distinctiveness of the site and surroundings, not have an unacceptable impact upon the amenity of neighbours, take account of personal and community safety, be safely accessible for all users / occupiers and not give rise to parking or highway safety problems. In addition to the above, on sites which have previously been developed – such as the application site – proposals should make use of existing building materials and reduce the amount of imported materials. In all respects, the proposed conversion of the building to residential use with the minimum amount of work to the fabric of the existing building meets all of the above criteria.

4.7.

Having regard to the fact that the application site is within the Buffer Zone of the Pontcysyllte Aqueduct and Canal World Heritage Site, Policy BE1 and LPGN33 are relevant to the consideration of the proposals. This policy states that development will only be permitted where it would not harm the attributes which justified the inscription on the Pontcysyllte Aqueduct and Canal as a World Heritage Site. It has already been shown that the building in its current form enhances the character and appearance of the surroundings. The minimal amount of visible, external work required to effect the conversion to residential will have no impact whatsoever therefore, upon the attributes of the designated World Heritage Site in compliance with this particular policy.

4.8

LDP Policy H7 states that proposals for housing development outside defined settlement limits will only be permitted where, inter alia –

iv. it involves the conversion of an existing non-residential building (see policy H9).

Policy H9 goes on to say that the change of use or conversion of buildings to residential use outside settlement limits will only be permitted where :

- i. The building is structurally sound and capable of conversion without extensive alteration, rebuilding or extension; and
- ii. The building is worthy of retention due to it's appearance, historic, architectural or landscape value; and
- iii. The creation of a residential curtilage does not have a harmful effect on the character of the countryside.

The proposals which form part of this application for planning permission are clearly in full compliance with the requirements and objectives of both of these policies. The existing building is an existing, non-residential building which has been in active use until recently and has at all times been well maintained by the Applicant and so is structurally sound. The conversion does not require extensive alterations and the building is clearly worthy of retention due to it's significant historic and architectural merit and the longstanding positive contribution that the building continues to make to the character of the site and it's environs. As can be seen from reference to the drawings submitted in support of the application, the creation of residential curtilages will have no negative effects whatsoever on character of the immediate and wider countryside.

4.9

Local Planning Guidance Note No. 3 acknowledges that many buildings such as that forming part of this application for planning permission, make a positive contribution to the character and appearance of the area.

Furthermore, conversion of such buildings to amongst other things, residential use can safeguard the building's future and by using existing resources, conversions can also meet the aims of sustainable built development. The Note goes on to say that with very few exceptions, it is essential that converted buildings should retain their original character. The conversion of the building as indicated on the drawings submitted in support of the application, clearly retains the existing form, character and architectural style of the building in compliance with LPGN3.

4.10

Local Planning Guidance Note No. 16 (LPGN16) sets out the LPA's parking standards for development as set out below. Whilst these standards constitutes Maximum Standards, the provision of 3No. spaces for the 3-bedroomed Unit 1 is policy compliant. The provision of 2No. car spaces for the 1-bedroomed Unit 2 exceeds the standard but it is not possible to provide half spaces and it is considered appropriate within this relatively rural area to provide a space within the Garage and a further space to the front of the Garage to the shared turning area. Space for 2 secure cycle parking spaces per dwelling will be provided within the newly built, shared Garage.

C3 Dwellings	1 bedroom	1.5 car space per unit	Sufficient space to provide at least 2 secure cycle parking spaces per dwelling. In the case of flats, this should be provided via safe and secure communal cycle parking areas.
	2 bedrooms	2 car spaces per unit	
	3/4 bedrooms	3 car spaces per unit	

5.0 DESIGN

5.1

Good design is an all embracing concept. The statement considers the essence of good design in response to the following factors :-

- Use

- Amount
- Layout
- Scale
- Landscaping
- Appearance

The above objectives are key to good design, to the understanding of and response to context and should form the basis of any scheme and design statement.

5.2 Use and Amount.

The proposed development of a pair of semi-detached dwellings as part of the change of use of an existing commercial building which is essentially in two parts - the original chapel and the 2012 extension – utilizes the available space in the most appropriate, economical and effective way. The proposed residential use has been shown to be appropriate in terms of compliance with emerging local planning policies and adopted supplementary planning guidance and the fact that the conversion can take place without significant alteration or extension to the existing building represents a highly sustainable form of development.

5.3 Layout.

The proposed site layout includes the building itself and the existing shared parking and turning with very little alteration save for the construction of a secure shared garage and erection of screen fences to define the private gardens or amenity spaces.

5.4 Scale.

The proposed development is to occupy the existing building. The only alterations to the building involve the replacement of a window with an entrance door to Unit 1 and a small, unobtrusive extension to Unit 2. There will therefore be no impact upon the scale of the existing building.

5.5 **Landscaping.**

Soft landscaping will be provided by means of grassed lawns to the private amenity spaces. The area to the south of the existing building which will provide amenity space to Unit 1 is already laid to grass. The private amenity area to Unit 2 to the north of the existing building will replace an area of hardstanding with a grassed surface. Minimal tree planting as indicated on the submitted Site Layout Plan will further enhance the soft landscaping proposals forming part of the development.

5.6 **Appearance.**

As outlined above, the external appearance of this historically and architectural important building will not be altered save for two very minor alterations referred to above. A scheme of sensitive external, localized maintenance will further enhance the character and appearance of the building and ensure that it will continue to make a positive contribution to the character and appearance of the immediate and wider environs of the site for many years to come.

6.0 **SUMMARY AND CONCLUSION.**

In summary, the proposed development identified as part of this application for planning permission has striven to achieve the following aims and objectives :-

- Provide much needed residential accommodation within a recently vacated, historically and architecturally important commercial building.
- Maintain and enhance the character and form of the existing building and protect it to ensure that it continues to make a positive contribution to the character and appearance of the area for the future.
- Provide a development which achieves the aims and objectives of emerging LDP policies for this type of residential development.

In conclusion, this Design and Access Statement has demonstrated that the proposals are in accordance with local planning policy and supplementary planning guidance for the conversion of non-residential space to residential use outside settlement limits.

In consideration of the above and the other information provided as part of the application, officers are respectfully requested to view these proposals favourably and resolve to grant planning permission.

D.S. Jones & Co. December 2023.