

DELEGATED REPORT

Application No: P/20/0202

Site Address: Nazareth Chapel
Yew Street
Troedyrhiw
Merthyr Tydfil
CF48 4DZ

Development: Refurbishment of property including removal of rear annexe, creation of car parking area and erection of railings and boundary wall

Case Officer: Rebecca Owens

Site Visit: 14th September 2020

Application Expiry Date: 23rd November 2020

Consultation reply date expired: 24th September 2020

APPLICATION SITE

The application relates to a former chapel, which is now being used as a residential dwelling. The site is located in a mainly residential area within the settlement boundary and occupies a prominent corner position on the junction of two residential streets. The site is bound by highways to the front and south eastern side and dwellings to the rear and north west. The profile of the site is relatively flat.

PROPOSED DEVELOPMENT

Full planning permission is sought for the refurbishment of the property, which includes the demolition of a rear annexe. This annexe has an elevation fronting onto Popular Street to the south east and currently connects the former chapel to the dwelling to the rear (21 Popular Street). However, as the former church now benefits from a residential use, this can be undertaken without planning permission. However, along the south eastern boundary where this annexe currently stands it is proposed to erect a 2m high wall to form the new boundary. This would have a stonework finish. Metal railings are also proposed around the front forecourt of the former chapel, which would enclose the area directly in front of the front elevation. These would be 1.1m in height. Planning permission is also sought for the creation of a car parking area adjacent to the front forecourt. This would be 7.3m by 5.3m and would be surfaced with grey pavements.

It is noted that the submitted drawings also detail other refurbishment works including a further wall, new windows, doors and rainwater water goods and a new internal layout. However, given the property's permitted use is now residential, these can all be undertaken under permitted development rights and thus do not require planning permission.

PLANNING HISTORY

The relevant planning history is detailed below:

- P/20/0160 Use of Nazareth Chapel and adjoining garden as a residential dwelling
(Certificate of Lawful Development)
Certificate of lawful development granted on 27 July 2020
- P/07/0328 Residential development (involving demolition of existing buildings)
Granted outline planning permission subject to conditions on 27 September
2007
- P/00/0479 Change of use from chapel to residential use (including small craft workshop)
Granted planning permission subject to conditions on 6 February 2001

CONSULTATION

The following bodies were consulted and their responses are presented below:

Engineering & Traffic Group Leader No objection

Representation was also received from:

Planning Division's Ecologist Requested a Preliminary Roost
Assessment for bats and nesting birds

Glamorgan Gwent Archaeological Trust No objection subject to a condition relating
to historic building recording.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure)
(Wales) Order 2012, letters were sent to neighbouring properties.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

Policy SW11: Sustainable design and place making of the Merthyr Tydfil County Borough
Council Replacement Local Development Plan 2016-2031 is relevant to the determination
of this planning application. Furthermore, the application will be determined having regard
to the advice contained within Supplementary Planning Guidance Note 6, A Design Guide
for Householder Development.

PLANNING CONSIDERATIONS

The application relates to a prominent former church building which is located in a highly
visible corner position. The demolition of the relatively large rear annexe and changes to
the external appearance of the main part of the building, would be a significant change.
However, as this property is now a dwelling, these works do not require planning
permission. Those works that do require consent are deemed to be relatively minor in

nature. The proposed new boundary wall along the south eastern elevation would be of a standard boundary height with a stonework finish which would match the stone work of the former church. Similarly, the proposed railings to the front forecourt area are considered to be in keeping with the character of the building and thus would not appear incongruous or harmful to the visual amenities of the area. Finally, the proposed car parking area would only have a minimal impact on the streetscene and character of the property and in fact, this along with the proposed railings would help to displace parking directly in front of the property on the existing forecourt area. This would be beneficial visually. Thus, the works that can be controlled through planning permission are deemed to be acceptable in this respect and would comply with Policy SW11 of the LDP.

Regard has also been had for the impact of the proposal on the residential amenities of the surrounding occupants. In this respect it is not considered that the boundary wall, railings or indeed the car parking area would have any significant impact. They would neither be overbearing or result in any objectionable loss of light or overshadowing. It is also noted that no representations were received following the publicity exercise. The proposal is therefore found to be in accord with Policy SW11 of the LDP.

The rear annexe, which it is proposed to demolish, is directly adjoining the flank elevation of the dwelling to the rear of the site known as 21 Popular Street. It is recognised that this demolition works may impact on this neighbouring property and may result in some damage. However, the demolition does not require planning permission and as such cannot be controlled. Furthermore, any damage would be a private matter between the parties involved. Notwithstanding this, a suitable informative regarding the Party Wall Act can be included with any planning permission.

The Head of Engineering and Traffic has also considered the proposal and has not raised any objections to the creation of the off street parking area. Whilst he acknowledges that it would necessitate reversing movements onto or off the adjacent highway, he is satisfied that this would not impinge on highway or pedestrian safety. The proposal is therefore satisfactory in this respect.

It is noted that the Division's Ecologist has requested a Preliminary Roost assessment for bats and nesting birds. However, as this application relates to a dwelling and is for relatively minor works it is not considered proportionate to request such information. However, informatives relating to bats and birds are recommended on any planning permission.

A representation has been received from Glamorgan Gwent Archaeological Trust indicating that the chapel is an important element in the cultural life of the area. As the proposed works would involve significant internal changes to the structure, they have strongly recommend that a Level 2 survey (Historic England 2016, *Understanding Historic Buildings: A Guide to Good Recording Practice*) is made prior to work commencing preserve the structure by record and to ensure that this work is carried out in a suitable manner, they suggest that a condition is attached to any consent that is granted. However, the internal works proposed do not require planning permission and thus cannot be controlled. As such, it would not be justifiable to include such a condition.

It is noted that the application site is located in a C2 Flood Zone but given the proposal is for householder development it is deemed to be of a minor nature which would not have any significant impact on flooding.

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS:**

CONDITIONS/REASONS:

1. The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Drawing Title: Refurbishment of Property, Drawing Number: 2745 R, Amended Plan Received on 27 October 2020.

Photograph of railing design Received on 28 September 2020.

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. The stonework to be used in the construction of the external surfaces of the boundary wall adjacent to Poplar Street shall match the stone work of the existing building.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Works to any trees, hedgerows and other suitable nesting bird habitat which are to be removed or pruned as part of the proposal should only be carried out outside the bird breeding season. The bird breeding season typically extends between March to August inclusive.

If any vegetation removal or site clearance works are scheduled to commence in the bird nesting season it is advised that the advice from an Ecologist is sought. Any active nests will need to be protected until the young have fledged.

3. The developer is advised to seek appropriate legal advice if the development to which this application refers involves either:-

- i) work on an existing wall shared with another property;
- ii) new building on the boundary with a neighbouring property;
- or
- iii) excavating near a neighbouring building.

as these works may fall within the scope of the Party Wall Act 1996 and may require statutory notices to be served on affected owners.

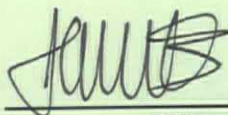
4. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

5. The applicant/developer is advised to liaise with the County Borough Council's Head of Engineering regarding any consents which are required in association with the provision of any vehicle cross over.
6. The developer is advised to contact the County Borough Council's Head of Engineering regarding any retaining works or other works affecting the highway **BEFORE** construction works commence.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

2/11/20