

INTERNAL MEMORANDUM

To: Kate Glover - Development Control Case Officer
Reference: P/24/0241

From: Planning Policy and Implementation Section
Ask for: David James
Extension: 7053

Date: 8th November 2024

Summary

No objection raised. The development meets the relevant Replacement LDP policies (SW1, SW3, SW4, SW13 & EcW5).

If minded to approve in principle, particular consideration should be given to the impact of the development on the character of the Treharris Conservation Area, the impact on biodiversity, the impact on surrounding area and occupiers in terms of noise and disturbance, traffic generation and parking provision (Policies SW11, SW12, CW1, EnW1, EnW2, EnW3 & EnW4).

Observations in respect of the above proposal

1. Proposed Development

An application for the proposed conversion of a former chapel to five residential units, demolition of the rear vestry and the creation of a car parking area, at Bethel Chapel, John Street, Treharris.

2. Development Plan Framework

The Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016 - 2031)

The relevant LDP Objectives are:-

- *LDP Objective 1 Sustainable Population Growth: To encourage a sustainable level and distribution of population growth.*
- *LDP Objective 2 Welsh Language and Culture: To protect and enhance Welsh language and culture.*
- *LDP Objective 3 Housing Provision: To ensure the sufficient provision of land for the delivery of a range and choice of housing and affordable housing to address local housing needs.*
- *LDP Objective 4 Regeneration: To promote the suitable reuse of previously developed land and the continued regeneration of local communities.*

- *LDP Objective 6 Sustainable Design: To promote high quality, sustainable and inclusive design and support measures which mitigate the predicted effects of climate change.*
- *LDP Objective 7 Transport: To support an integrated transport system, promote active travel and ensure new developments are accessible by walking, cycling and public transport links.*
- *LDP Objective 8 Community Facilities: To support existing community facilities and suitable community led development.*
- *LDP Objective 9 Heritage and Cultural Assets: To protect, enhance and promote all heritage, historic and cultural assets.*
- *LDP Objective 10 Biodiversity: To improve ecosystem resilience and connectivity which support habitats and species of principle importance.*
- *LDP Objective 14 Town and Local Centres: To develop the town and local centres as accessible, attractive, viable and vibrant places.*

The following development plan policies would apply:-

- *Policy SW1: Provision of New Homes*
- *Policy SW2: Provision of Affordable Housing*
- *Policy SW3: Sustainably Distributing New Homes*
- *Policy SW4: Settlement Boundaries*
- *Policy SW9: Planning Obligations*
- *Policy SW11: Sustainable Design and Placemaking*
- *Policy SW12: Improving the Transport Network*
- *Policy SW13: Protecting and Improving Local Community Facilities*
- *Policy CW1: Historic Environment*
- *Policy EnW1: Nature Conservation and Ecosystem Resilience*
- *Policy EnW4: Environmental Protection*
- *Policy EcW3: Retail Hierarchy – Supporting Retailing Provision*
- *Policy EcW5 Town and Local Centre Development*

The following supplementary planning guidance is applicable:-

- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 1: Affordable Housing (March 2012)*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 2: Planning Obligations (March 2012)*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 4: Sustainable Design (July 2013)*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 5: Nature and Development (May 2015)*

National Planning Policy

Future Wales – The National Plan 2040

Future Wales – The National Plan 2040 is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system. Matters relevant to this application include:

- Policy 1: Where Wales will grow
- Policy 7: Delivering Affordable Homes
- Policy 8: Flooding
- Policy 2: Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 33: National Growth Area – Cardiff, Newport and the Valleys

Planning Policy Wales (Edition 12, February 2024)

Planning Policy Wales provides guidance on matters relevant to this application, namely:

- Placemaking in Action: Good Design Making Better Places
- Strategic Placemaking: Previously Developed Land
- Activities in Places: Living in a Place
- Activities in Places: Retail and Commercial Development
- Active and Social Places: Community Facilities
- Recognising the Special Characteristics of Places
- Recognising the Environmental Qualities of Places

3. Policy Considerations

The Merthyr Tydfil Replacement Local Development Plan (2016 - 2031)

The application site is a former chapel located within the Treharris Local Centre (Policies EcW3 and EcW5) and within the Treharris Conservation area (Policy CW1). It is also located within an Other Growth Area (Policies SW1 and SW3), as defined by the LDP, and within the settlement boundary where development will be allowed subject to the proposals compatibility with other plan policies and material considerations (Policy SW4).

Policy SW1 states that 2250 additional homes are required to sustainably grow our population. The proposal comprises 5 new residential units, which would represent a contribution to the 2250 units that are required during the plan period. Furthermore, Policy SW3 states that while new homes will be concentrated within the main settlement of Merthyr Tydfil, new homes will also be directed to our other settlements, including, Treharris. As such, the proposal complies with policies SW1 and SW3.

Policy SW9 relates to planning obligations. Where appropriate and having regard to development viability, planning obligations will be sought for:

1. On site provision of affordable housing on sites of 10 homes or more at a level of:
 - 10% in the Primary Growth Area.
 - 5% in the Other Growth Area.
2. A financial contribution towards the provision of affordable housing:
 - On sites of between 5 and 9 homes or;
 - On sites of 10 or more homes, where on-site provision is not appropriate.
3. The provision of open space on sites of 10 homes or more, where there is an identified need.

4. Other relevant obligations not included within the Council's Community Infrastructure Levy (CIL) Regulation 123 List of Infrastructure.

In this instance no planning obligations for the provision of affordable housing or any other contributions have been sought as this would likely render the development financially unviable. In order to come to this conclusion, an assessment has been carried out using the Three Dragons Toolkit. A summary of the assessment can be seen below.

Additionally, CIL would not be liable in this part of the County Borough.

Key Inputs		
	100% Market Housing	5% Affordable Housing
Development Revenue		
15 1-bed flats	£600,000	
Development Costs		
build costs including conversion works, external works, professional fees, profit, site purchase, etc	£602,000	
Residual Value	£-2,000	
AH Contribution = RV 100% MH - RV 5% AH		

Policy SW11 requires new development to, among other things:

1. be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;
2. integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape;
3. not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design;
4. contribute to the provision of green infrastructure, including open space in accordance with the Council's standards, sustainable drainage systems where appropriate, and ensure that the County Borough's network of green infrastructure is accessible and connected;
5. allow access for the widest range of people possible, and demonstrate that any traffic movements will not have an unacceptable impact on local amenity or highway safety and satisfy the Council's parking standards.

Considering the location of the application site, within the Treharris Conservation Area, and in close proximity to existing dwellings and commercial and public uses, careful consideration should be given to these issues. The submitted plans indicate that the development would have off-street parking provision, however, the site is adjacent to a public car park. As such, the proposed parking provision should be checked against the

Council's current parking standards, and the views of the Engineering and Traffic Group Leader should be sought in this respect.

Policy SW12 supports development that encourages a modal shift towards sustainable transport, including the enhancement of pedestrian, cycle, rail and bus facilities, in addition to any necessary road improvements. Development proposals will be expected to demonstrate how they reduce the need to travel and encourage the use of sustainable transport. As such, the views of the Engineering and Traffic Group Leader should be sought in this respect.

Policy SW13 states that the provision of new and enhanced community facilities will be supported subject to satisfying other relevant LDP policies. And that the Council will protect and support the enhancement of the County Borough's existing community facilities. Development proposals that would result in a loss of an existing community facility will only be permitted where:-

- alternative provision of at least equivalent value to the local community can be provided nearby, or
- it can be demonstrated that existing provision is inappropriate or surplus to the needs of the community and is no longer required, or
- it can be demonstrated there is no longer a viable community use for the facility.

The proposal would result in the loss of a community facility (a former chapel), and as such would not be in accordance with Policy SW13. However, it is noted that the previous planning permission (P/16/0340) established that the site had been vacant for a considerable time. Additionally, there is alternative provision in close proximity. Therefore, in this instance, it is considered that the proposal satisfies the criteria above, and is therefore in accordance with Policy SW13.

Policy CW1 advises that the integrity of our historic environment assets will be conserved and enhanced. Development proposals will only be permitted where it can be demonstrated they would preserve or enhance the architectural quality, character or the historic or cultural importance of our designated historic environment assets. And that, development affecting undesignated historic environment assets including, Locally Listed Buildings or structures, Landscapes of Outstanding Historic Interest in Wales, Urban Character Areas and Archaeologically Sensitive Areas should have regard to their special character and archaeological importance.

The site lies within the Treharris Conservation Area. The impact of the proposed development on the character of the Conservation Area should be particularly considered. As such, the views of the appropriate Council Officer, or Heritage body, should be sought as required.

Policy EnW1 seeks to protect nature conservation and ecosystem resilience. Policy EnW2 seeks to protect Internationally and Nationally Protected Sites and Species. Policy EnW3 states that development proposals likely to have an adverse impact on Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves, or Priority Habitats and Species will only be permitted where it can be demonstrated that:

1. The need for the development clearly outweighs the conservation value of the site;
2. Adverse impacts on nature conservation features or geological features can be avoided;

3. Appropriate and proportionate mitigation and compensation measures can be provided; and
4. The development maintains and where possible enhances biodiversity and geodiversity interests.

As such, the views of the Council's Ecologist should be sought.

Policy EnW4 advises that development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from either:

- Pollution of land, surface water, ground water and the air;
- Land contamination;
- Hazardous substances;
- Land stability;
- Noise, vibration, dust, odour nuisance and light pollution; or
- Any other identified risk to public health and safety.

Where impacts are identified the Council will require applicants to demonstrate that appropriate measures have been incorporated to reduce, or minimise the impact identified to the lowest possible acceptable level. Planning conditions may be imposed or legal obligation entered into, to secure any necessary mitigation and monitoring processes. With regard to flood risk, new developments will be expected to avoid unnecessary flood risk and meet the requirements of TAN 15. As such, the views of the Engineering and Traffic Group Leader should be sought in this respect.

Policy EcW5 advises that development enhancing the vitality and viability of the Town and Local Centres will be supported.

The proposal is located within the Treharris Local Centre. The application site is a former chapel, and would therefore not result in the loss of any existing retail or commercial space. Moreover, the introduction of additional residential units would result in more potential users of the local centre. As such, this use would be appropriately located, and is not considered to be detrimental to the vitality, attractiveness or viability of the local centre. As such, the proposal would be in accordance with the requirements of Policy EcW5.