

DELEGATED REPORT

Application No:	P/25/0204
Site Address:	Brynhyfryd Chapel Thomas Street Treharris CF46 5AA
Development:	Conversion of vacant chapel to 6 no. self contained flats
Case Officer:	Gareth Davies
Site Visit:	25th July 2025
Application Expiry Date:	18th November 2025
Consultation reply date expired:	14th August 2025

APPLICATION SITE

This application relates to the former Brynhyfryd Chapel located within a predominantly residential area on Thomas Street Treharris, along with an additional parcel of land to the south. There are a number of commercial properties in the vicinity of the site located primarily along Perrott Street to the North.

The property fronts on to Thomas Street which serves the site to the west, with a small forecourt separating the building from the highway. To the north and east of the chapel, the site is bounded by adjoining residential properties with a strip of vacant land along the southern boundary of the site. Beyond that strip of land is a small parcel of land which is also included as part of the application site which is accessed independently of the chapel from Thomas Street.

The Former Brynhyfryd Chapel lies within the Treharris Conservation Area and is designated as a building of local importance and can be seen on town centre plans pre dating 1900. The chapel is of a classical design and retains much of its original architectural merit, although it is not afforded any statutory protection. The site has been vacant for some time and is overgrown, the element that would become the parking area has also been the subject of recent fly tipping.

The chapel sits above the adjacent highway to the west with the general topography of the area sloping downwards from north to south.

PROPOSED DEVELOPMENT

Full planning permission is sought for the conversion of the former chapel into 6 no. flats comprising 2no. two-bedroom flats and 4no. one-bedroom flats compliant with WDQR and housing association requirements on room size and floorspace. The proposals also include the refurbishment of the building, the demolition of the rear annexe to create an area of amenity space. The proposals also include the inclusion of solar panels on the west facing roof slope and the inclusion of raised ridge tiles to facilitate bat access to the roof space. The scheme also includes the use of vacant land adjacent to the site to provide an area of designated off-street parking with a total of 12 parking bays. The removal of the rear annex provides space for a communal garden area, enclosed by a 1.8m close boarded fence, for the residents as well as an area for bin storage and recycling.

The application is supported with the following documents: -

- Bat survey
- Green Infrastructure Statement
- Structural Condition Report
- Design and Access Statement
- Vegetation Statement and additional comments

PLANNING HISTORY

P/25/0092 – Variation of Condition 2 of planning permission P/22/0326 to allow a variation in the approved boundary delineation of the site – Approved 9th June 2025

P/22/0326 – Conversion of chapel to 8 flats with associated refurbishment works demolition of rear vestry annexe and creation of dedicated parking area – Approved 21st November 2023

P/11/0189 – Conversion of former chapel to accommodate 6 apartments including the demolition of the rear vestry annexe and other associated external works. – Refused 31st October 2012.

P/07/0169 – Conversion of chapel to a dwelling (including alterations to the building). – Approved 18th May 2007

P/04/0193 – Change of use to single residential unit. – Approved 16th June 2004.

CONSULTATION

Head of Engineering and Highways – No objections.

Council Ecologist – No objections

Environmental Health Manager – No objections.

Rights of Way Division – No response.

Housing Division – No objections.

Natural Resources Wales – No objections.

Dwr Cymru Welsh Water	– No objections.
South Wales Fire & Rescue Service	– No objections.
Heneb	– No objections

PUBLICITY

In accordance with the Town & Country Planning (General Development Procedure) (Wales) Order 2012 letters were sent to neighbouring properties on 24th July 2025 and site notices were displayed in the vicinity of the site on 25th July 2025.

As a result of the publicity exercise one letter has been submitted from a local resident raising the following points/concerns: -

- Concerns with who would be living in the flats as there are a number of children and elderly people living in the area.
- The chapel overlooks some houses and the windows that do this should be frosted or obscured in some way.

The Ward Councillors were informed of the concerns raised as a result of the publicity exercise and no request was made for the application to be presented to the planning committee. As such, the application is to proceed under the delegated powers to be determined by the Director of Neighbourhood Services.

POLICY CONTEXT

National Planning Policy

Future Wales – The National Plan 2040: sets out a strategy for addressing key national priorities through the planning system, including, and sustaining a vibrant economy, achieving de carbonisation and climate resilience, developing strong ecosystems, and improving the health and wellbeing of our communities.

Planning Policy Wales 12 (February 2024):

Chapter 3 of PPW 12 amongst other things sets out the principles of good design in new developments which should consider its relationship with the surrounding context.

The policies in PPW are supported by Technical Advice Notes (TAN's). The most relevant TAN to this application is: -

TAN 12 Design – advises that the Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

Local Planning Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016 – 2031:

- 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 CW1 – Historic Environment
- Policy EnW1 – Nature Conservation and Ecosystem Resilience
- Policy EnW4 – Environmental Protection.

Supplementary Planning Guidance

- SPG Note 1: Affordable Housing (March 2012)
- SPG Note 3: Sustainable Design (July 2013)

PLANNING CONSIDERATIONS

The key considerations in the determination of this application relate to the principle of development, design and heritage, neighbouring and residential amenity, highways and access, drainage, ecology and biodiversity, loss of open space, loss of community use and planning obligations.

Principle of development

The site of the proposal is 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). The proposal – the change of use of a chapel to 6 flats - would be supported in principle as an acceptable use in this location. Furthermore, an extant planning permission remains for the conversion of the chapel to 8 flats under applications P/22/0326 and as revised under application P/25/0092.

Design and heritage.

Policy SW11 of the RLDP sets out the need for new development to contribute to the creation of attractive and sustainable places through high quality design. It should also be noted that the property lies within the Treharris Conversation Area and is a locally important building which is visually prominent within the street. As such, the design of the development should have regard to Policy CW1 of the LDP, which seeks to ensure the integrity of the historic environment will be conserved and enhanced.

The Treharris Conservation Character Area Appraisal was adopted in June 2009, and although it predates the adopted LDP, it is a material consideration. It provides a detailed analysis of the conservation area and the characteristics that contribute to its special historic and architectural interests including the location in the heart of the South Wales coalfield, the mountainside setting, a planned 19th century ‘model’ industrial settlement and high-quality townscape resulting from 19th century planning. The Character Area Appraisal refers to Brynhyfryd Chapel as a prominent building within the conservation area. To date whilst there have been previous approvals of planning permission, the site

remains undeveloped which means that the site continues to have a negative impact on the character and appearance of the conservation area.

In this respect it is considered that the proposed conversion of the chapel would help bring an otherwise abandoned building back into beneficial use. Presently the property is in a poor condition with overgrown vegetation in the forecourt and across the building. Many of the windows have also blocked up, which currently has a visually harmful impact on the character of the area. The submitted plans indicate the external features of the chapel would largely be retained, with the rear vestry annexe to be demolished and a new obscured glazed window provided at first floor level. The rear elevation would be made good with a rendered finish. The addition of solar panels to the west facing roof slope of the chapel building would add a modern feature to a traditional building. However, in this case the addition is considered acceptable on the basis that the panels will sit relatively flush to the roof and also improve the energy profile of the building.

In order to comply with the requirement for ecological enhancement, raised ridge tiles will be fitted to the roof to facilitate bat access, and bird boxes will be fitted to the one side and the rear elevation. It is not considered that these very minor accretions would adversely impact the character or appearance of the building.

The proposal includes the retention of the existing windows on the front elevation and the windows on the side elevations would be unblocked with new wooden window frames installed. It is noted that the proposed windows would be of a similar glazing pattern to those on the front.

As a result of the submitted Structural Report which outlines the current state of the building and clearly shows that the building has been gutted internally, Heneb no longer require that any building recording take place.

Overall, the proposed conversion and alterations to the Chapel are considered to be acceptable and would present an opportunity to improve the quality of the building and its contribution to the character of the area and the historic environment. The proposal is therefore in accordance with policies SW11 criterion 1 and 2 and CW1 of the adopted LDP.

Neighbouring and residential amenity

Policy SW11 requires development to contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design. Where appropriate new development will be required to, amongst other things, not result in unacceptable impact on local amenity, loss of light or privacy or visual impact and incorporate a good standard of landscape design and provide adequate facilities and space for waste collections and recycling.

The principle of a residential use of the chapel has previously been established; previous proposals having been approved originally for a single dwelling and then 8no. flats. This application proposes conversion to 6no. flats as described above, but since the chapel is in a predominantly residential area, it is not considered that the use will result in an unacceptable impact on local amenity. It is acknowledged that the new windows on the northern elevation will face directly towards neighbouring properties (fronting both Thomas Street and Perrott Street). These will be confirmed to be obscure glazed with restricted

opening by condition of consent, to secure the privacy of the adjoining occupiers and this element will be conditioned.

Unlike the earlier approved scheme there is no intention to provide living accommodation into the roof space and consequently there is no intention to install any roof lights. With regards to the outside amenity area, a small, shared area of grass is located to the rear of the chapel which is directly accessible from Flats no. 3 and no. 4 and to the rest of the flats via a side access, which also leads to the bin store area.

Highways and access

Policy SW11 criterion 5 requires new development to 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.

A previous planning application (P/22/0384) proposed conversion of the chapel to 6 no. flats, including the demolition of the rear vestry annexe and other associated renovation works. It was proposed that an area of vacant to the south of the site be utilised to provide dedicated parking for the flats. 12 parking spaces were offered in total, and this was deemed acceptable. The current proposals also include the same parking space.

The Head of Engineering and Highways has reviewed the application with regards access, circulation, and parking standards. The submitted floor plans indicate that primary access to the proposed flats is to be achieved via the existing entrance off Thomas Street, that previously served the chapel. Secondary access to the dedicated off-street parking provision is via the existing private access adjacent to the Royal Hotel. The plans of the parking area indicate an aisle width of 6m which will allow residents to leave and re-join the public highway in a forward gear.

With regards the level of parking provision, in accordance with Wales Parking Standards 2008. The proposal includes 12 spaces, resulting in off-street parking in excess of requirements.

Overall, there is no objection from the Head of Engineering and Highways subject to the imposition of conditions requiring the parking area to be laid out and retained and submission of cycle parking details. The proposal complies with policy SW11 (criterion 5).

Drainage

Policy SW11(9) requires new development to provide and protect relevant utility services and infrastructure without causing unacceptable environmental impacts. This is supported further by Policy EnW4 which requires development to demonstrate that it will not result in an unacceptable impact on people, residential amenity, property, and/or the natural environment.

Dwr Cymru Welsh Water (DCWW) have not raised objection to the proposed development and request the condition that no surface water from any increase in the roof area of the building or impermeable surfaces within the curtilage be allowed to directly or indirectly to the public sewerage system.

DCWW also advise that the site is crossed by a public sewer and that no operational development occur within 3 metres either side of the centreline of the public sewer. An advisory note will be attached to any consent issued.

Ecology and Biodiversity

Policy EnW1 requires development proposals to promote the resilience of ecosystems and that development proposals should maintain and enhance biodiversity interests.

The planning application is supported with a bat survey, which was undertaken under good conditions but without access to the building itself. The report identified that the building is now used by three pipistrelle bats as a roost. Moving forward, this means that the develop will now need to secure a licence from Natural Resources Wales and that any works to the property will need to be undertaken in a manner where the working methodology is bat friendly.

The application would include proposals for ecological gain for bats and birds. This includes accessible ridge tiles for bats and access for wall top crevice dwelling bats as well with suitable access space being provided behind the weatherboarding. Additionally, two swift boxes will be fitted to the front elevation of the property and at the rear of the building a further swift box, sparrow terrace and bat box will be provided. This level of provision for bats and birds exceeds what is recommended in the bat reports and compensates adequately for any temporary loss that might be brought about by the proposed development, both in respect of the building itself and in any loss of vegetation on the ground to the rear of the property.

Beyond the proposals for the building there is no great detail for the landscaping of the proposed garden area or the land to be formed around the proposed parking site. However, the submitted plans indicated a hedgerow and tree planting can be accommodated on the embankment to the one side of the parking area, which would introduce additional green infrastructure. This is a matter that can be adequately dealt with by planning condition.

In light of the above and subject to appropriate conditioning the proposals are considered to comply with the requirements of Policy EnW1 of the LDP.

Loss of Open Space

Policy SW10 states that development proposals that improve the quality, quantity or access to open space will generally be supported. Development proposals that would have an unacceptable adverse effect on or result in a loss of open space will not be permitted unless: -

- It would not cause or exacerbate a deficiency of open space in accordance with the Councils open space standards or.
- The majority of the open space can best be retained and enhanced through the redevelopment of a small part of the site or.
- Satisfactory equivalent community benefit or enhanced compensatory provision can be provided in accordance with the Councils open space standards and
- In all cases, the open space has not significant nature or historic conservation importance.

The proposed parking area that would serve this development lies within an area that is designated open space. However, this element of the open space has been used for parking for a considerable period of time and consequently the proposal will not result in any change in this respect other than to formally set out a parking area so that it can be used more efficiently. Furthermore, planning permission has already been granted recently to utilise this land for parking as part of the re-use of the Chapel.

The proposal complies with the requirements of policy SW10.

Loss of Community Use

Policy SW13 aims to protect and support the enhancement of the County Borough's existing community facilities, which includes places of worship, and states that development proposals resulting in the loss of an existing community facility should 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 the existing provision is inappropriate or surplus to the needs of the community and is no longer required, or,
- It can be demonstrated that there is no longer a viable community use for the facility.

Chapels are a community facility and proposals affecting chapels would need to meet the above justification. In this case though, the principle of a change of use to residential use has been established under previous planning applications (P/04/0193, P/110189 and P/22/03256). It is acknowledged that the 2011 application was refused, that though was due to the inappropriate design of the proposal rather than the principle of development itself. More importantly, the chapel has been vacant for a number of years and there are other similar active facilities in Treharris. As such, these proposals are considered compliant with the requirements of Policy SW13.

Other Matters

The comment from the public basically raises two concerns, the issue regarding overlooking is addressed above. The second, not knowing who will live in these apartments is not a planning issue, as it is a well-established principle that planning should only consider the use and not the user.

Planning Obligations

Policy SW9 relates to planning obligations and states that on sites of between 5 and 9 homes, a financial contribution towards the provision of affordable housing will be sought.

A viability assessment has been submitted with the earlier application, which demonstrated that the development would not be viable if such a contribution were sought. It was agreed that assessment was accurate at that time. In this case given the reduction in the number of units and the previous history no further such assessment has been sought as it is considered that a financial contribution towards affordable housing remains inappropriate in this case. Moreover, current proposals are clear that the intention is now to provide affordable housing through the conversion of the building. Additionally, Community Infrastructure Levy (CIL) is not chargeable in this part of the County Borough.

CONCLUSIONS

It is considered that for the reasons discussed above, the proposed change of use of the former chapel to 4 no. one – bedroom residential flats and 2no. two – bedroom flats is acceptable because it complies with the relevant policies of the LDP and the application is recommended for approval.

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 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 in 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:**

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: -

- Proposed elevations drawing no. AI(0)04 Rev D received 10.11.2025
- Revised existing and proposed site plans drawing no. AI(90)03 Rev B
- Revised car park block plan drawing no. AI(90)02 Rev B
- Revised site location plan drawing no. AI(90)01 Rev B
- Proposed floor plans drawing no. AI.(0)03.

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

3. **No building or use hereby permitted shall be occupied** until the parking areas (and turning space) shown on the approved plans has been completed and thereafter the areas shall be kept free of obstruction and available for the parking of vehicles associated with the development. The parking area must be properly consolidated and surfaced (not loose stone, gravel or grasscrete) in accordance with details to be submitted to and approved in writing by the Local Planning Authority and subsequently always maintained in accordance with the approved details for the lifetime of the development.

Reason - To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard and to protect the character and appearance of the conservation area in compliance with policies SW11 and CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **No building or use hereby permitted shall be occupied** until the windows on the north elevation have been fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the Local Planning Authority, and any part of the window(s) that is less than 1.7m above the internal floor level of the room in which it is installed shall be non-opening. The windows shall be permanently maintained in that condition thereafter.

Reason - In the interest of residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **Prior to the occupation of the flats** hereby approved, a plan indicating the position, height, design materials and type of boundary to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed and retained in accordance with the approved details.

Reason - To ensure that the new development will be visually attractive and in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

6. The stone pillars, railings and gates to the front of the chapel shall be restored and thereafter retained at all times.

Reason - In the interests of visual amenity and to protect the architectural integrity of the building which is important in the conservation area in compliance with Policies SW11 and CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. No surface water from any increase in the roof area of the building or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and to ensure no pollution of, or detriment to the environment in compliance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - In the interests of local amenity and to avoid statutory nuisance and in compliance with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

9. **Prior to the occupation of the flats** hereby approved, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the proposed grassland areas around the Chapel and the planting of a hedgerow and trees alongside the carpark. It shall include a planting plan; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant).

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

11. A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the dwellings on the site. The landscape management plan shall be carried out as approved.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

12. **Prior to the installation of any external lighting**, a detailed lighting scheme shall be submitted to and approved in writing by the local planning authority to protect bat foraging/commuting areas. The details shall include:

- horizontal and vertical illuminance plans demonstrating dark corridors/routes to be maintained, together with dark routes for access to the bat boxes, bat ridge tiles and weatherboards;
- details of the siting and type of external lighting to be used together with the proposed colour temperatures;
- Isolux drawings setting out the light spillage in key sensitive areas;

The lighting scheme shall be carried out in accordance with the approved details.

Reason - To protect the wildlife and the ecological interests of the site including protected species in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

13. **Prior to the occupation of the flats** hereby approved details of the proposed cycle stands shall be submitted to and approved in writing by the local planning authority. The cycle stands shall be provided in accordance with the approved details prior to the occupation of the flats and retained thereafter.

Reason - In the interests of highway safety, to promote sustainable modes of transport and in accordance with Policy SW12 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

14. **Prior to the occupation of the flats** hereby approved, details of the proposed bin stores shall be submitted to and approved in writing by the local planning authority. The bin stores shall be provided in accordance with the approved details prior to the occupation of the flats and retained thereafter.

Reason - In the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

15. **Prior to the occupation of the flats** hereby approved, the biodiversity enhancements as shown on the Proposed Elevations (Drawing No. AI(0)04 Rev D received 10.11.2025) shall be installed in accordance with the approved plan and retained in perpetuity.

Reason - In the interests of biodiversity and to comply with Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 13.11.2025