

INTERNAL MEMORANDUM

To: Caroline Pulley - Development Control Case Officer

Reference: P/22/0153

From: Planning Policy and Implementation Section

Ask for: David James

Extension: 7053

Date: 4th August 2022

Summary

No objection raised. In this instance, the development meets the relevant Replacement LDP policies (SW4, SW13, EcW3 & EcW5).

If minded to approve in principle, particular consideration should be given to the impact of the development on the character of the church and the wider area, the impact on surrounding area and occupiers in terms of noise and disturbance, traffic generation and parking provision, and any other relevant risks to public health and safety (Policies SW11, SW12, CW1 & EnW4).

Observations in respect of the above development

1. Proposed Development

Application for the change of use of a church hall to a charity shop, at St Aloysius Presbytery Church, Chestnut Way Gurnos, Merthyr Tydfil.

2. Development Plan Framework

The existing development plan framework in Merthyr Tydfil is provided by:-

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 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 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 & Ecosystem Resilience*
- *Policy EnW4: Environmental Protection*
- *Policy EcW3 Retail Hierarchy – Supporting Retailing Provision*
- *Policy EcW5 Town and Local Centre Development*
- *Policy EcW9: District Heating*

The following supplementary planning guidance is applicable:-

- *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).*

National Planning Policy

Planning Policy Wales (Edition 11, February 2021)

Planning Policy Wales provide 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
- Activities in Places: Community Facilities

Future Wales: The National Plan 2040 (February 2021)

Future Wales provides guidance on matters relevant to this application, including, but not limited to:

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

Technical Advice Notes (TANs)

TAN 4: Retail and Commercial Development (November 2016).

TAN 12: Design (March 2016).

3. Policy Considerations

The application site is a church, sited within its own grounds, in the mainly residential area of Gurnos. The site is located within the Primary Growth Area and settlement boundary where new development can be considered acceptable in principle (LDP Policy SW4) subject to proposals being compatible with the Plan's other policies and all other material considerations.

Policy SW9 considers the requirement for planning obligations. Due to the nature of the development, Community Infrastructure Levy (CIL) would not be chargeable.

Policy SW11 advises that development must 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):

- be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;
- integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape;
- 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;
- 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 nature of the development (the change of use of the hall to A1), and the location of the site (in close proximity to existing residential and commercial uses) particular consideration should be given to the above issues. As such, the views of the Council's Environmental Health department and the Engineering and Traffic Group Leader should be sought where appropriate.

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. Developments will be expected to demonstrate how they reduce the need to travel and encourage the use of sustainable transport. The proposal could result in an increase in the amount of visitors to the site. As such, the views of the Engineering and Traffic Group Leader should be sought in this respect.

Policy SW13 seeks to protect and support the enhancement of the County Borough's existing community facilities, which include places of worship, and states that, development proposals resulting in the loss of an existing community facility would 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.

It is acknowledged that the proposal would result in part of the church being given over to an A1 use. However, the applicant has indicated that the church hall is currently under-utilised, with the church's main building being adequate for the required activities of the church. As such, it is not considered that the loss of the church hall would have a negative impact on the community facility. Indeed, the addition of an associated charity shop is likely to increase the use and improve the viability of the church. As such, the proposal is considered to comply 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.

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. As such, the views of the Environmental Health department should be sought as appropriate.

Policy EcW3 advises that Merthyr Tydfil Town Centre is the favoured location for retail, leisure, and other complementary development, being situated at the head of a retail hierarchy and being followed by the local centres of Dowlais, Gurnos, Cefn Coed and Brecon Road/Morgantown, Troedyrhiw, Aberfan, Treharris and a new local centre forming part of the 'Hoover Strategic Regeneration Area'. Proposals for new and enhanced retail, leisure and other complementary provision in all these centres will be permitted where they improve the vitality and viability of the centre(s) concerned.

Outside the above centres, proposals will be subject to an assessment of need and a strict application of the sequential test. Proposals will then only be permitted where they avoid causing harm to town/local centre vitality and viability.

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

The proposal is for a change of use to an A1 use (Retail), with the site not being located within the Town Centre or a local centre. As such, the proposal will be subject to an assessment of need and the application of the sequential test.

The applicant has submitted a justification, addressing above requirements, in support of the application. The application site, while not being located with a defined retail centre, is in extremely close proximity (approx. 30m) to the Gurnos local centre. The site also currently experiences varying degrees of activity throughout the week from visitors to the church. As such, it is considered that the proposed charity shop would benefit from shared trips from visitors to the church, and the local centre across the road. It is therefore not considered that the location of the proposed retail use is unsustainable, nor would it harm the viability of the nearby local retail centre (indeed, it could improve the local centre's viability by providing an additional service). Similarly, and given its small scale, it is not considered that it would harm the viability of Merthyr Tydfil town centre, given the relatively large number of charity shops already located there. Additionally, given that the shop would be run by an organisation related to the church, it could share facilities and resources with church, improving its viability over a separate, unrelated unit. In this regard, the applicant has indicated that no suitable unit is available in the Gurnos local centre.

The applicant also considers that the charity shop would be of benefit to the local community, with Gurnos being an area of low income, with the associated issues causing this, and resulting from it. The community would thus benefit from affordable goods, as well as potential employment and volunteering opportunities, at a location that could be reached by foot.

Considering the above, the proposal would be in accordance with the requirements of Policy EcW3 and EcW5.