

DATE WRITTEN	7th December 2022
REPORT AUTHOR	Judith Jones
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COMMITTEE	Planning and Regulatory
COMMITTEE DATE	14th December 2022

Application No.
P/22/0104

Date
3rd May 2022

Determining Authority
MTCBC

Proposed Development

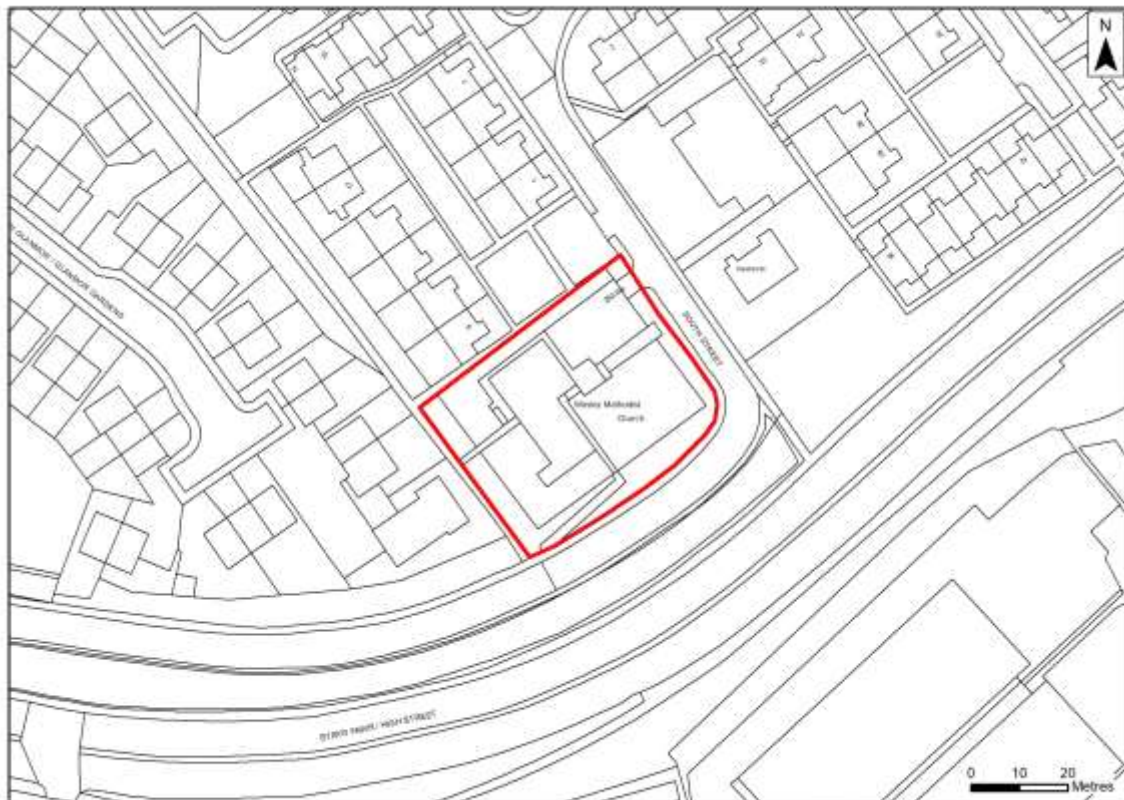
Location

Name & Address of Applicant/Agent

Proposed conversion of Wesley Chapel into 6 self contained flats with associated external works including new dormers to the northern and southern elevations

Wesley Methodist Church
South Street
Dowlais
CF48 3DS

Mr Alex Thomas
c/o Mr Karl Lewis
Letrucco Design
Suite 7
35 Stowpark Circle
Newport



PURPOSE OF REPORT

To further consider planning application P/22/0104

At the Planning, Regulatory and Licensing Committee meeting held on the 16th November 2022 it was resolved to defer the determination of the application to undertake a fact finding site visit to consider the impact of the proposed development on the availability of parking in the area. The fact finding site visit took place on the 5th December 2022.

At the fact finding site visit Members were shown a recently submitted amended block plan which primarily indicated a revised parking layout. The planning officer explained that, as a result of the revised proposal, the parking provision for the proposed development had been increased from 6 to 9 off-road parking spaces (which equates to one space per bedroom). The revised layout has been considered by the Head of Engineering and Highways and no objections were raised to the proposal.

No new issues were highlighted during the fact finding site visit that would alter the original recommendation to Committee. However, given the recently submitted amended plan, if Committee are minded to approve the application, it is recommended that conditions 2 and 7 are worded as follows:

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

Drawing no. LT2116.04.02 Rev G (Proposed Elevations) received on 03.10.2022

Drawing no. LT2116.04.03 Rev D (Proposed Site Plan) received on 21.11.2022

Page 10 Ansell Lighting Specification Brochure received on 30.09.2022

Drawing no. LT2116.04.01 Rev D (Proposed Floor Plans) received on 03.05.2022

Drawing no. LT2116.04.04 Rev A (Bin Store Details) received on 22.11.2022

Bat Scoping Survey received on 03.05.2022

Bat Survey Version 3.0 received on 03.10.2022

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

7. The car parking spaces, as indicated on Drawing no. LT2116.04.03 Rev D (Proposed Site Plan), shall be provided before any flat, hereby permitted, is occupied. The car parking spaces shall thereafter be kept available for the parking of motor vehicles at all times.

Reason - *To ensure that cars are parked off the highway in the interests of highway safety and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.*

All other conditions would remain as originally recommended.

COMMITTEE'S DECISION IS REQUIRED.

A copy of the original report to Committee is reproduced below for committee's convenience.

Councillor Declan Sammon has requested this application be reported to committee in order to consider the impact of future occupiers of the proposed flats, the impact of the proposed development on highway safety and the potential loss of privacy to neighbouring properties.

APPLICATION SITE

The application comprises the site of the former Wesley Methodist Church, located on South Street in the predominately residential area of Dowlais. The church is neither listed or locally listed and is of a non-traditional design. It has a grey brick finish with black framed windows and a steeply sloping roof design. It is set back from the highway of South Street to the north-east by approximately 22m and is served by a front car park measuring approximately 200 square metres. As a result of the topography, the site falls away in a south-easterly direction and the church is constructed over two levels. Its curtilage predominately forms a grassed area enclosed by low brick walls and green weld mesh fencing.

Being located within a residential area, a number of residential properties surround the site. 9 Bryn Carwyn lies to the north-west of the church. Its two-storey gable end wall, containing three windows (two at ground floor, one at first floor), faces onto its side elevation of the church. It is separated from the north-western side wall of the application building by a distance of 5.5m and is set apart from its north-western boundary by a small footpath which runs along the side of the house. To the front of 9 Bryn Carwyn is an open grass area and to the north of the church car park is another small car park which is presumably used by the occupiers of the nearby houses. The front boundary of the church fronts the highway of South Street. It is separated from the Grade II Bethania Independent Chapel and a property known as Newlands to the north east by distances of approximately 9m with greater separation distances of approximately 30m being maintained between these properties and the front elevation of the church. To the south, the application site abuts the highway and to the rear, it faces onto a grass verge and a narrow footpath, beyond which are the rear gardens of 19, 20 and 21 Glanmor Gardens.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the conversion of Wesley Methodist Church to provide 6 self-contained flats (3 two-bedroom flats and 3 one-bedroom flats arranged across three floors). As part of the development, the external elevations of the building would be refurbished, and dormer windows would be inserted into the northern and southern side elevations of the building. In addition, the brick walls and fencing surrounding the north-eastern, south-eastern and south-western boundaries would be increased in height.

The key aspects of the proposed external works are as follows:-

- The erection of two dormer bedroom windows within the northern side elevation of the building. Each dormer would measure 4.8m wide, 3.9m deep and have a maximum height of 1.8m above the roof slope. The external walls of the dormers would be finished with bronze effect cladding.

- The erection of two dormer windows within the southern side elevation of the building. The larger of the two dormers would measure 7.5m wide, 4.5m deep and 2m in height above the roof slope. It would contain two windows serving an open plan kitchen/living room. The second dormer would measure 4.3m wide, 3.7m deep and 1.7m in height and would contain a single window serving a bathroom. The external walls of both dormers would be finished in bronze effect cladding to match the dormer proposed along the northern elevation.
- Provide new slate cladding to the lower levels of the existing elevations and cover the existing brick columns with bronze effect cladding.
- Provide two new canopies and entrance doors to the front east facing facade of the building (one to the upper car park level and the other on the lower level).
- Provide new aluminium window openings to the front, rear and side elevations of the building.
- Create 7 additional window openings scattered across the rear elevation of the building. These windows would serve kitchen/living rooms and bedrooms. Also, a kitchen window and door would be installed in the return wall of the rear projection.
- Install two new windows to the south side elevation of the building to serve a kitchen and a living room.
- Create a new window opening to the northern side elevation of the building to serve a kitchen/living room.
- Create two new window openings and one new doorway to the eastern front elevation of the building.
- Provide a bin store, 6 bicycle stands and 6 off-road car parking spaces within the existing car park located within the front, north-eastern, corner of the site. The bin store would be enclosed on all sides by 1.8m high treated softwood.
- Raise the brick walls located along the north-eastern, south-eastern and south-western boundaries to 750mm in height and erect new 900mm galvanised railings on top. Erect two new security gates, one along the north-eastern front boundary and a second along the south-eastern side boundary.
- Provide a communal garden to the rear of the building and private areas for flats 2, 5, 6. The private areas would be enclosed by 1.5m high fencing with 300mm trellis on top.
- Provide new landscaping and lighting across the site.

The application is accompanied by a topographical survey, a Bat Scoping Survey and a Bat Survey.

PLANNING HISTORY

There is no recent planning history relating to the site.

CONSULTATION

Head of Engineering and Highways:	No objection.
Planning Division's Policy Officer:	No objection.
Ecologist:	No objection.

Environmental Health Manager:

No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and site notices were displayed within the vicinity of the site.

One letter of objection has been received from the resident of 1 Bryn Carwyn raising concern that there are currently not enough parking spaces in the area and that this issue would be exacerbated by the proposed development. Reference is made to residents having more cars per household and also staff of the recently opened Newland's Children's Centre using South Street for on-street parking.

POLICY CONTEXT

National Policy

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

Planning Policy Wales (PPW) Edition 11 (February 2021) sets out the land use policies of the Welsh Government. The most relevant sections are:

Paragraph 2.2 notes that *“All development decisions, either through development plans policy choices or individual development management decisions should seek to contribute towards the making of sustainable places and improved well-being”*. Paragraph 2.3 expands on this highlighting that *“the planning system should create sustainable places which are attractive, sociable, accessible, attractive, secure, welcoming, healthy and friendly”*.

Sections 3.3 – 3.16 set out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

Paragraph 3.45 provides guidance in relation to accessibility. It advises that *‘Spatial strategies should support the objectives of minimising the need to travel, reducing reliance on the private car and increasing walking, cycling and the use of public transport’*.

Paragraph 3.9 states *“the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations”*

Paragraph 4.1.8 advises that the Welsh Government is committed to supporting sustainable forms of transport with the aim of reducing reliance on the private car.

Paragraph 4.2.17 states *‘Maximising the use of suitable previously and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites’*.

Paragraph 4.2.22 highlights the preference for higher density development in suitable locations noting *“Planning authorities will need to ensure that in development plans and through the development management process they make the most efficient use of land and buildings in their area. Higher densities must be encouraged on sites in town centres and other sites which have good walking, cycling and public transport links”*.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TANs to this application are as follows:-

TAN 5 – Nature conservation and planning sets out the role of the planning system in protecting and enhancing biodiversity and geological conservation.

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 Policy

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

Policy SW1 – Provision of 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 EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

Policy EnW4 – Environmental Protection

Supplementary Planning Guidance (SPG) Note No. 1 - Affordable Housing

Supplementary Planning Guidance (SPG) Note No.2 – Planning Obligations

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design

Supplementary Planning Guidance (SPG) Note No. 5 – Nature and Development

PLANNING CONSIDERATIONS

Full planning permission is sought for the conversion of Wesley Church, situated on South Street, to form residential units. The scheme seeks to provide 6 flats, ranging from single to two-bedroom units, within the fabric of the existing building (with the addition of dormers to the side roof planes). The key considerations in the determination of this application are the potential impact of the development upon the character and appearance of the existing building and the surrounding area, and the potential impacts upon the privacy and amenity of neighbouring properties. The impact upon highway safety and ecology are further considerations. These matters are discussed in detail below.

Principle of the proposed conversion

The scheme seeks to provide 6 residential units, arranged over three floors. The building is located within settlement limits, within reasonable walking distance of the retail centre of Dowlais and a number of local amenities and facilities. Further to this, the proposal would result in the positive re-use of a vacant building in the settlement boundary. The re-use and conversion of existing buildings in sustainable locations such as this often assist in the regeneration of an area whilst at the same time, relieve pressure for development on greenfield sites. In this instance, the proposed residential use of the building is considered compatible with surrounding land uses and is an acceptable form of development which accords with Policy SW4 of the LDP.

Having assessed the proposed layout for the building and the amount of space available for each unit, it is also considered that the scheme represents an appropriate division and use of the space and does not represent over development of the site. Whilst it is recognised that the proposed conversion would result in the loss of a community facility, the Council's Planning Policy Officer has raised no objection to the loss of the church as it has been vacant for a period of time. Therefore, it can be considered as being surplus to requirements and is no longer required in accordance with Policy SW13 of the LDP. Moreover, it is acknowledged that churches are governed by their own systems and such closures are often linked to small congregation numbers which make the facility unviable.

Character and appearance of the area

The application building is neither listed nor locally listed. In order to convert and subdivide the building, several alterations would be undertaken to the external fabric of the building. However, the overall scale and appearance of the building would remain intact albeit four dormers would be inserted. It is considered that the introduction of the dormers would be acceptable in terms of their design and impact on the character and appearance of the building. Furthermore, to improve the visual appearance of the building, it is proposed to clad the external elevations with slate cladding, cover the existing brick columns with bronze effect cladding and provide new windows and doors across the elevations. Whilst these changes would alter the appearance of the building, the original character of the building would largely be retained. The changes proposed to the existing boundary treatments are also deemed acceptable and would not have a harmful impact on the character and appearance of the building or the surrounding area.

Residential Amenity

Wesley Church is surrounded by residential properties, however, the re-use of the building for residential purposes would not unduly compromise the amenities of nearby residents. It is acknowledged that the building would be altered but its footprint would remain the same, apart from the introduction of dormer windows to the south-eastern and north-western roof planes. As such, the scheme would not give rise to any harmful levels of overshadowing or overbearing impacts.

The greatest impact from the proposed development, in terms of overlooking would be to the residential properties located to the rear, namely 19 – 21 Glanmor Gardens and to the property to the north, 9 Bryn Carwyn. The existing and proposed windows in the rear

elevation of the application building would overlook the rear gardens of numbers 19 – 21 Glanmor Gardens from an elevated position. However, the rear boundaries of these properties are separated from the main back wall of the application building by a minimum distance of at least 17m. This is a sufficient separation distance to ensure that there is no unacceptable loss of privacy. It should also be noted that no letters of representation have been received from the occupiers of these properties.

Notwithstanding the above, the dormer windows proposed within the north-western roof plane of the building would face onto the side elevation of number 9 Bryn Carwyn (the neighbouring property situated to the north-west of the site). Given the close proximity of the application site to this neighbouring property, there is concern that the dormer windows proposed within this roof plane, and the window serving 'Bed 2' in particular, would create an overlooking impact. The dormer window closest to the front elevation of the building serving Bed 2 is of a size and location which could facilitate overlooking back towards the neighbour's front windows. However, while this potential impact is acknowledged, the view from the dormer window located closest to the front of the church would be at an acute angle and as such, the level of overlooking that could occur would be limited. The three windows located in the side elevation of 9 Bryn Carwyn are also small in size and are likely to serve non-habitable rooms. Consideration has also been given to the impact arising from the window and doorway located in the ground floor side elevation of the building. In this respect, it is not considered that the overlooking impact would be significant. Additionally, no letters of objection or representation have been received from the occupier(s) of number 9 Bryn Carwyn.

As such, the proposal accords with Policy SW11 of the LDP.

Parking and Highway Safety

A concern has been expressed, fearing that the proposed use would exacerbate parking problems in the area. In order to aid in the assessment of the scheme, consultation has been undertaken with the Council's Head of Engineering and Highways. In this respect, it is noted that no highway objections have been raised to the proposal. In arriving at this conclusion, careful consideration has been given to the key issues that affect this proposal including the established use and access, parking, proximity to local amenities and cycle parking.

In terms of off-street parking and traffic movements, it is considered that the existing use would have a greater demand for parking and could result in more traffic movements than the proposed use. The application site is also in a sustainable location where many day-to-day facilities can be accessed on foot, by bicycle or by using public transport. As a consequence, residents may choose not to own a car. The six car parking spaces proposed for this development are therefore considered acceptable. It is also noted that a cycle store would be provided as part of this development. On this basis, the development would not have a detrimental impact on highway safety or the free flow of traffic in the area and is compliant with the requirements of Policy SW11 of the LDP.

Ecology

A scoping survey was submitted in support of this application. The initial survey of the building indicated that there is roosting potential for bats and at least two bat surveys would

be required to establish the likely presence of bats within the building. As such, bat emergence surveys were subsequently undertaken. The Bat Survey highlights that no bats were observed emerging from the building and the site does not offer significant hibernation potential. Therefore, it concludes that the proposed works would have a negligible impact on the local bat population.

A number of onsite enhancements measures are proposed which include the siting of integrated bat and bird boxes. The scheme also includes a planting scheme in the form of tree planting across the site and the provision of a small privet hedge along the rear boundary of the car park. Having regard to the enhancements and mitigation measures being put forward with this application, the Council's Ecologist raises no objection to the scheme.

Accordingly, the proposal complies with policy EnW1 of the LDP.

Planning Obligations

Policy SW9 of the LDP considers the requirement for planning obligations and affordable housing contributions on all residential schemes. On proposed residential developments of less than 10 units, the Council will require a financial contribution towards the provision of affordable housing elsewhere in the corresponding growth area of the LDP.

The requirement for an affordable housing contribution towards the proposed development has been assessed by the Planning Division's Policy & Implementation Group Leader. 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.

Conclusion

For the reasons set out above, the proposed development is considered to be acceptable and therefore complies with the relevant LDP policies.

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

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 no. LT2116.04.02 Rev G (Proposed Elevations) received on 03.10.2022
Drawing no. LT2116.04.03 Rev C (Proposed Site Plan) received on 30.09.2022
Ansell Lighting Specification Brochure received on 30.09.2022
Drawing no. LT2116.04.01 Rev D (Proposed Floor Plans) received on 03.05.2022
Drawing no. LT2116.04.04 (Bin Store Details) received on 03.05.2022
Bat Scoping Survey received on 03.05.2022
Bat Survey Version 3.0 received on 03.10.2022

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

3. Before works commence details/samples of the following shall be submitted and approved in writing by the Local Planning Authority and all works undertaken shall be completed in accordance with such approved details/samples.

- (I) samples of the proposed slate and 'Bronze' effect cladding
- (II) paint colour proposed for the galvanised railings
- (III) colour proposed for the windows and doors

Reason - To protect the character and appearance of the area in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. 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 - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **No development or site clearance shall take place** until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

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.

6. 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.

7. The car parking spaces, as indicated on Drawing no. LT2116.04.03 Rev C (Proposed Site Plan), shall be provided before any flat, hereby permitted, is occupied. The car parking spaces shall thereafter be kept available for the parking of motor vehicles at all times.

Reason - To ensure that cars are parked off the highway in the interests of highway safety and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.
All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

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.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and

must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>) is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

3. The applicants/developers attention is drawn to the comments of the Authority's Environmental Health Section regarding the potential problems arising from the creation of noise and dust during the construction process. To avoid unexpected and unnecessary enforcement action by the Environmental Health Department, the applicants/developers are advised to contact the Environmental Health Section prior to the commencement of development to agree an appropriate method of noise and dust suppression.

The developer must ensure that all waste arising from the site is disposed of at a site licensed for its reception. Under no circumstances shall waste be burnt on site.

4. If a drop kerb is required, an application form to obtain permission for this aspect of the development can be obtained from the highways department;

Website : <https://www.merthyr.gov.uk/resident/parking-roads-and-travel/roads-footways-and-pavements/dropped-kerb/>

Email : Highways.CustomerCare@merthyr.gov.uk Tel no : 01685 727470 or 725000

5. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority