

INTERNAL MEMORANDUM

To: David Cross - Development Control Case Officer

Reference: P/23/0326

From: Planning Policy and Implementation Section

Ask for: David James

Extension: 7053

Date: 15th November 2023

Summary

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

If minded to approve in principle, particular consideration should be given to the impact of the development on the character and appearance of the Treharris Conservation Area, and the impact on surrounding area and occupiers in terms of noise and disturbance, highway safety, traffic generation and parking provision (Policies SW10, SW11, SW12, CW1, EnW1 & EnW4).

The requirements of Policy SW9 should also be noted.

Observations in respect of the above proposal

1. Proposed Development

Application for the conversion of a chapel into 8 flats, with associated refurbishment works, the demolition of the rear vestry annexe and the creation of a dedicated car parking area, at Brynhyfryd Chapel Thomas Street Treharris.

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 3 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 5 Infrastructure: To ensure that community infrastructure and open space supports the 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.*

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 SW10: Protecting and Improving Open Spaces*
- *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*

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)*

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**
- **Distinctive and Natural Places: Recognising the Special Characteristics of Places**

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 7: Delivering Affordable Homes
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

3. Policy Considerations

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 8 flats - would be supported in principal as an acceptable use in this location.

Policy SW1 states that 2250 additional homes are required to sustainably grow our population. The proposal comprises 8 residential units, which would represent a contribution to the 2250 units that are required during the plan period. Furthermore, Policy SW3 states that new homes will be concentrated within the main settlement of Merthyr Tydfil.

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 application, which indicates that the development would not be viable if such a contribution was sought. It is agreed that assessment is accurate, and therefore a financial contribution towards affordable housing would not be sought. Additionally, Community Infrastructure Levy (CIL) is not chargeable in this part of the County Borough.

Policy SW10 state 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 impact 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 Council's 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 Council's open space standards and
- In all cases, the open space has no significant nature or historic conservation importance.

It is acknowledged that the proposed parking area that would serve the development is within an area of designated open space. However, this part of the open space has been used for parking for a significant period of time and, as such, the proposal would not result in any change in this respect. Therefore, in this instance, the proposal would not be contrary to Policy SW10.

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. 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 uses, careful consideration should be given to these issues. The submitted plans indicate that the development would benefit from a dedicated parking area with space for 12 vehicles. 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 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.

A chapel is considered to be a community facility, therefore the above justification would be required. However, the principle of a change of use to residential use has been established by previous planning applications (P/04/0193 and P/11/0189). It is acknowledged that application P/11/0189 was refused, but that this was by virtue of inappropriate design. Additionally, the chapel has been vacant for a significant period of time, and there are other similar active facilities within Treharris. As such, in this instance the proposal would 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 (UCA) and

Archaeologically Sensitive Areas should have regard to their special character and archaeological importance.

The application site is located in the Treharris Conservation Area. As such, the impact of the proposal on the character of the Conservation Area should be carefully considered, and the views of the relevant Officer and/or external body should be sought in this regard.

Policy EnW1 seeks to protect nature conservation and ecosystem resilience. 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.