

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**DEVELOPMENT CONTROL
COMMITTEE
19 DECEMBER 2013**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 8
<p>APPLICATION NO: 13/0665 – NEW LIFE COMMUNITY CHURCH, MILL STREET, TONYREFAIL. INTERNAL ALTERATIONS AND TWO-STOREY EXTENSION AT REAR OF CHURCH. DEMOLISH EXISTING REAR EXTENSION (AMENDED PLANS RECEIVED 04/05/2013).</p>	

1. PURPOSE OF THE REPORT

Members are asked to consider the determination of the above planning application, as outlined in the updated report of the Service Director, Planning - detailed below. (Original report attached as **APPENDIX A**).

2. BACKGROUND

This application was originally reported to the Development Control Committee on 05th September 2013 with a recommendation to refuse the proposal. At this meeting Members deferred the application in order to carry out a site visit. A site meeting took place on 16th September 2013 and the application was reported back to Members at the meeting of the Development Control Committee on 03rd October 2013 (**APPENDIX B**). At that meeting, Members resolved to defer determination of the application in order that officers go back to the applicant to discuss the potential for revisions to the scheme.

Subsequent to Members decision to defer determination of the application, further discussion and negotiation has been undertaken with the applicant/agent regarding options for the submission of a revised proposal. The applicant submitted formal, significantly revised plans for the proposal on the 04th November 2013. Given the substantial changes undertaken to the scheme, a further updated report is presented for Members consideration:

3. UPDATED REPORT

APPLICATION NO: 13/0665

APPLICANT: New Life Community Church

PROPOSAL: Internal alterations and two storey extension at rear of church. Demolish existing rear extension (Amended plans received 04/05/2013 and 04/11/2013)

LOCATION: New Life Community Church, Mill Street, Tonyrefail

RECOMMENDATION: Approve

REASONS: Following the submission of amended plans the proposal to extend the existing church building is considered acceptable and such a proposal is unlikely to impact on neighbouring amenity to such a harmful degree that would warrant a recommendation to refuse the scheme. The scheme is therefore considered to accord with Policies AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan.

APPLICATION DETAILS

Full planning permission is sought for the erection of a two-storey rear extension at the New Life Community Church, Mill Street, Tonyrefail. An existing single-storey addition at the site would be demolished and replaced by the proposed extension. A number of internal alterations are also proposed within the main church building.

Following the submission of amended plans the proposed extension would have a smaller two-storey aspect. The ground floor of the extension would measure 11.4 metres in width with a projection of 8.2 metres. It would have a monopitched roof height measuring a maximum height of 5.0 metres from ground level, falling to 3.6 metres at eaves level. The two-storey aspect of the extension would project 4.0 metres from the main church building with a pitched roof design. The pitched roof would be set below the ridge height of the main church building, with a maximum height of approximately 10.0 metres from ground level. No windows would be positioned within the rear elevation of the extension, although blank/stone faced arched window features to match the general style of existing window surrounds within the building would be created within the rear elevation. A new 1.8 metres high timber fence would define the rear boundary of the site.

The key differences between the earlier submitted scheme and revised proposal include a 4.2 metres reduction in the projection of the two-storey aspect of the proposal; the introduction of a monopitched roof to the single storey aspect of the extension; changes to the fenestration arrangement and detailed finishes of the extension; and the removal of the external steel fire escapes from the extension.

SITE APPRAISAL

The application property consists of the 'New Life Community Church' that is prominently located on the busy Mill Street, within the main commercial area of Tonyrefail. The large, two-storey building whilst not listed appears as a distinctive and characteristic building that acts as a counterpoint to the surrounding, smaller commercial properties that make up the high street. The building benefits from attractive stone elevations, large feature windows with brick detailing and arched heads, and a slate tiled roof. The building occupies a broadly rectangular plot although has a limited external curtilage. A low boundary wall defines a small amenity area to the front of the building. There are narrow access paths to the side of the building that offset the building from the commercial premises that flank the site. There are two off-street parking spaces to the north-east of the application building that are accessed via a narrow access lane off Mill Street. To the rear of the main building is an existing single storey extension that the proposal would replace. To the immediate rear of the site, directly abutting the single storey extension of the church building is a residential garden area that forms part of the curtilage of number 3 Prichard Street.

PLANNING HISTORY

13/0252	New Life Community Church, Mill Street, Tonyrefail	Internal alterations and new two storey extension at rear of church (amended plans received 24/04/13).	Refused 22/05/13
07/1280	Bethel Pentecostal Chapel, Mill Street, Tonyrefail	Alteration to existing front boundary wall and removal of steps and installation of ramps and handrails and new steps for disabled access.	Granted 05/09/07

PUBLICITY

The amended application has been advertised by means of direct neighbour notification. One letter of representation has been received against the revised scheme (from the occupiers of no. 3 Prichard Street) that is summarised as follows:

- Although the amended plans seem to indicate a bit less of a prison-like outlook would be experienced, the proposal is still two-storey - which is the very thing the occupants of no 3 Prichard Street and their landlady are objecting against.

CONSULTATION

Transportation Section – raise no objections.

Land Reclamation and Drainage Section – raise no objections.

Welsh Water Dwr Cymru – raise no objections.

Public Health & Protection – raise no objections.

Countryside, Landscape and Ecology – advise that there is a Sewbrec Record of a bat roost within 95 metres of the Church and the application building does have some potential for bat use. Given the demolition of part of the existing building is being proposed, as a minimum, it is recommended an initial building assessment/bat survey by a qualified bat consultant be undertaken for the site.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The Proposals Map indicates that the site lies within settlement limits of Tonyrefail and within the defined retail centre.

Policy CS2 - aims to create sustainable growth within the Southern Strategy Area

Policy AW2 - seeks to support development proposals which are in sustainable locations.

Policy AW5 - specifies criteria for new development.

Policy AW6 - sets out the criteria for new development in terms of design and place making.

Policy AW7 - seeks to protect and enhance the built environment.

Policy AW8 - seeks to protect and enhance the natural environment, including protected species.

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales (PPW) Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

Main Issues:

Impact on the character and appearance of the locality

Following the submission of significantly revised plans and changes to the design of the extension, it is not considered the amended scheme raises significant visual concerns. The amended proposal now represents a more sympathetic and subservient addition that would not dominate the existing character or visual appearance of the church building. A pitched apex roof design for the main two-storey aspect of the extension would be utilised that is more in-keeping with the roof design of the main building (in comparison to the originally proposed hipped roof design). The detailed finish and design of the extension that incorporates a form of matching window design and brick quoin detailing would be in-keeping with the style of the existing building. The external, steel fire escapes have also been removed from the extension. A single fire escape is now being proposed to the side of the main building in a more secluded and screened position. Overall, given the extension would be erected to the rear of the building with no impact on the principal front elevation of the church building, coupled with the further social and community benefit such a proposal would bring, it is considered the amended proposal would not have a harmful impact on the existing character and appearance of the locality.

Impact of the development on the amenity and privacy of neighbouring properties

In terms of residential amenity, whilst careful consideration must be given to the impact of the scheme on the neighbouring property that directly abuts the rear of the site in particular, on balance, it is considered the development would not have an unduly harmful impact in this regard. The significant alterations undertaken to the design of the extension, including a reduction in the projection of the two-storey element of the extension by 4.2 metres, limit both the mass and bulk of the proposal and the subsequent impact on the neighbouring amenity space that abuts the rear of the site (no. 3 Prichard Street). Whilst the comments raised following the neighbour consultation process are again acknowledged, when balanced against the existing relationship between the properties, the wider merits of the scheme and the significant alterations undertaken, it is not considered the scheme would have such an adverse impact on the residential amenity standards currently enjoyed in the locality to warrant a recommendation to refuse the scheme.

Ecological Implications

Following further consultation with the Councils Ecologist, who has visited the site and received numerous photographs of the internal loft space of the rear extension that would be demolished as part of the proposal, concerns are raised about the bat potential of the building. It is therefore advised an

appropriate building/bat survey by a qualified person is justified and required to be undertaken in this instance.

Conclusion

The amended application is considered to accord with policies AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan representing an appropriately designed rear extension that is unlikely to have a harmful impact on the amenities of neighbouring residential properties. On the basis an appropriate bat assessment is undertaken and appropriately concludes the demolition of the existing building raises no adverse concerns for protected species, approval of the planning application is recommended.

RECOMMENDATION

Delegated Powers be granted to the Service Director Planning to approve the revised planning application following the submission of an appropriate bat assessment for the building.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development, hereby approved, shall be carried out in accordance with the amended/revised plans received by the Local Planning Authority on 04/11/2013.

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

3. Building operations shall not be commenced until samples/brochure details of the type and colour of render, face brick, windows, and roof tiles proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW 5 and AW 6 of the Rhondda Cynon Taf Local Development Plan.

4. Building operations shall not be commenced until full details of the type and colour of finishing materials proposed to be used for the external fire escape structure have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. FINAL RECOMMENDATION

Members are requested to approve the application in accordance with the recommendation of the updated report of the Service Director Planning and grant delegated powers to ensure the submission of an appropriate bat assessment prior to the issuing of the consent.

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APPENDIX A

APPLICATION NO: 13/0665/10 (LE)
APPLICANT: New Life Community Church
DEVELOPMENT: Internal alterations and two storey extension at rear of church. Demolish existing rear extension.
LOCATION: NEW LIFE COMMUNITY CHURCH, MILL STREET, TONYREFAIL
DATE REGISTERED: 27/06/2013
ELECTORAL DIVISION: Tonyrefail East

APPLICATION DETAILS

Full planning permission is sought for the erection of a two-storey rear extension at the New Life Community Church, Mill Street, Tonyrefail. An existing single-storey addition at the site would be demolished and replaced by the proposed extension. A number of internal alterations are also proposed within the main church building.

The proposed extension would measure 11.4 metres by 8.2 metres with a maximum roof height of approximately 10.0 metres from ground level. The roof of the extension would have a hipped roof design falling to approximately 6.0 metres at eaves level. The extension would be finished in rendered block work. No windows would be positioned within the rear elevation of the extension with the exception of sky lights within the rear roof plane of the proposal. High level windows and an emergency access door with associated external fire escape would be positioned to the side, south facing elevation. An additional access door with external fire escape and one window would also be created to the north facing side elevation of the extension.

The two-storey extension would provide an enlarged church area at ground floor level. At first floor level a meeting room, small office, kitchen area and storage room would be created. Internal alterations to the existing main building include the provision of an enlarged foyer area, additional toilet facilities and the replacement of the gallery seating to provide a new first floor level to accommodate a multi purpose area (the proposed internal works not requiring planning permission). The submitted Design and Access Statement highlights the premise is regularly used for religious and community services. It operates as a youth club, and also accommodates play clubs and employment services.

The planning application represents the re-submission of an identical proposal for the erection of a two-storey extension at the site with associated alterations that was recently refused planning permission. The proposal was considered harmful to both levels of visual and residential amenity currently enjoyed in the area.

The planning application is reported to Development Control Committee at the request of Councillor McDonald to allow further consideration of the reasons put forward for refusing the scheme.

SITE APPRAISAL

The application property consists of the 'New Life Community Church' that is prominently located on the busy Mill Street, within the main commercial area of Tonyrefail. The large, two-storey building whilst not listed appears as a distinctive and characteristic building that acts as a counterpoint to the surrounding, smaller commercial properties that make up the high street. The building benefits from attractive stone elevations, large feature windows with brick detailing and arched heads, and a slate tiled roof. The building occupies a broadly rectangular plot although has a limited external curtilage. A low boundary wall defines a small amenity area to the front of the building. There are narrow access paths to the side of the building that offset the building from the commercial premises that flank the site. There are two off-street parking spaces to the north-east of the application building that are accessed via a narrow access lane off Mill Street. To the rear of the main building is an existing single storey extension that the proposal would replace. To the immediate rear of the site, directly abutting the single storey extension of the church building is a residential garden area that forms part of the curtilage of number 3 Prichard Street.

PLANNING HISTORY

13/0252	New Life Community Church, Mill Street, Tonyrefail	Internal alterations and new two storey extension at rear of church (amended plans received 24/04/13).	Refused 22/05/13
07/1280	Bethel Pentecostal Chapel, Mill Street, Tonyrefail	Alteration to existing front boundary wall and removal of steps and installation of ramps and handrails and new steps for disabled access.	Granted 05/09/07

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. A letter of objection against the proposal has been received from the residents of 3 Prichard Street. The letter is summarised as follows:

- Both the tenant and landlady of number 3 Prichard Street strongly oppose the development, especially a two-storey proposal.
- The two-storey proposal would result in the loss of what little natural light is received within the adjoining rear garden that will be directly affected by the proposal.
- It is impossible to see how such a proposal can go ahead without massive disruption and a detrimental long term effect on the family and associated living and garden space at number 3 Prichard Street.

- There is no provision for a sufficient gap between the extension and the boundary of the residential garden. A small wall or fence is not acceptable.
- The site is difficult to access for builders/workmen etc and permission from the adjacent resident will not be given to allow builders to access their property during construction works.

CONSULTATION

Transportation Section – raise no objections.

Land Reclamation and Drainage Section – raise no objections.

Welsh Water Dwr Cymru – raise no objections.

Public Health & Protection – raise no objections.

Countryside, Landscape and Ecology – advise that there is a Sewbrec Record of a bat roost within 95 metres of the Church and the application building does have some potential for bat use. Given the demolition of part of the existing building is being proposed, as a minimum, it is recommended an initial building assessment/bat survey by a qualified bat consultant be undertaken for the site.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan:

The Proposals Map indicates that the site lies within settlement limits of Tonyrefail and within the defined retail centre.

Policy CS2 - aims to create sustainable growth within the Southern Strategy Area, particularly the concentration of development within the defined settlement boundary

Policy AW2 - seeks to support development proposals which are in sustainable locations.

Policy AW5 - specifies criteria for new development. It requires new development to have an acceptable impact on the character and appearance of the site and surrounding area and no significant impact on the amenities of neighbouring occupiers. It also requires development to be of a sustainable design with good accessibility by a range of sustainable modes of transport.

Policy AW6 - sets out the criteria for new development in terms of design and place making.

Policy AW7 - states that development proposals which impact upon sites of architectural or historic merit will only be permitted where it can be

demonstrated that the proposal would preserve or enhance the character and appearance of the site.

Policy AW8 - states the distinctive natural heritage of the Borough will be preserved and enhanced by protecting it from inappropriate development.

National Guidance

Planning Policy Wales

4.11.9 The visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.

4.11.2 Good design can protect and enhance environmental quality, consider the impact of climate change on generations to come, help to attract business and investment, promote social inclusion and improve the quality of life.

Technical Advice Note 12, (2009)

Aims to encourage and promote the importance of good design in all aspects of the development process.

PLANNING CONSIDERATIONS

Full planning permission is sought for the erection of a two-storey extension at the New Life Community Church, Tonyrefail to provide improved facilities for the building that is well used by the local community. As earlier detailed, the proposal represents an identical submission to a recently refused planning application at the site that was considered harmful to both residential and visual amenity values enjoyed in the area. The key considerations in the determination of this application are therefore considered to be: the impact of the development on the amenity and privacy of neighbouring properties, and the impact of the development on both the character and appearance of the existing property and the surrounding area.

In terms of residential amenity, the application property is sited within the centre of Tonyrefail with the front of the property facing onto the busy Mill Street. However, the church building has been developed on a limited and constrained plot with the existing single storey rear extension, directly abutting the domestic rear garden area of number 3 Prichard Street. Whilst the main rear elevation of number 3 Prichard Street is set at a right angle to the application site, there is a concern over the impact the proposed extension would have on the general amenity standards currently enjoyed within the rear garden space of this property. These concerns are echoed by the residents (tenants and owner) of this premise that whilst highlighting several concerns with the development as earlier detailed, directly comment: 'we find

it impossible to see how this can go ahead without massive disruption and a detrimental long term effect on my family living in number 3 and to the property and garden’.

The proposed extension, whilst marginally offset from the garden area of number 3 Prichard Street to allow the construction of a boundary structure, would have an imposing and direct overbearing impact on the adjacent garden space. A two-storey extension in this setting, consisting of a blank rear elevation measuring 11.4 metres in length with a height to eaves level alone of up to 6.0 metres would form an intrusive and harmful feature. When viewing such a structure from the neighbouring garden area in particular, it would appear as an unneighbourly addition and make the outdoor living space significantly less pleasant. Whilst the existing situation is acknowledged, it is felt the proposal to replace a single storey extension with a two-storey addition in this location would result in an unacceptable and unduly harmful form of development by means of its overbearing nature. As such, the proposal is considered to be contrary to Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Turning to the visual impact of the proposal and the subsequent impact it would have on the character and appearance of the existing church building and the wider area, there is also considerable concern in this regard. Planning policy, particularly Policy AW5 and AW6 of the Local Development Plan requires that extensions shall have regard to the scale and style of the original building. Policy AW7 further states that buildings that make an important contribution to the character and appearance of local communities shall be protected and enhanced. Technical Advice Note 12, (2009) also aims to encourage and promote the importance of good design and clearly emphasises planning permission should be rejected on grounds of poor design.

It is considered that the design and overall appearance of the proposed extension is unsympathetic and does not reflect or harmonise with the existing character and appearance of the host building. To limit the impact of the extension on the residential properties to the rear of the site, the style and general appearance of the extension appears to have been designed in an attempt to address this concern rather than as a feature that reflects or preserves the existing character of the traditional church building. The proposed hipped roof design, rendered finish, limited and uncharacteristic fenestration arrangement, external fire escape features and predominantly bland elevations of the extension are all considered to poorly relate to the design of the distinctive and visually attractive main church building. The extension would appear as an ad-hoc addition that would look out of place with regard to the character of the original building. Overall, the extension fails to complement or enhance the form and general character of the site. As such, the proposal is contrary to policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan.

The comments of the Councils Ecologist in relation to the demolition of the existing extension at the site and the need to undertake an appropriate bat

survey prior to the undertaking of such works are acknowledged, although it is not considered reasonable to request the applicant commission such a survey in this instance, given the proposal is being recommended for refusal.

In summary, whilst acknowledging the need and wider community benefit such a development would bring, the proposed extension would have a negative impact on levels of residential amenity currently enjoyed in the locality. The proposal would also introduce an insensitive and inappropriate feature to the detriment of the existing character and appearance of the church building and wider locality. The proposal is therefore considered contrary to the requirements of planning policy and refusal of the planning application is recommended.

RECOMMENDATION: Refuse

1. The proposed extension, arising from its siting, scale and mass, would be unneighbourly in its effect on the amenities of the occupiers of the adjoining residential property at number 3 Prichard Street by reason of its overbearing impact. This would be contrary to policy AW5 of the Rhondda Cynon Taf Local Development Plan.
2. The proposed extension arising from its siting, scale and design would result in an inappropriate and unsympathetic addition that would have a detrimental impact on the character and appearance of the existing building and surrounding area. As such the proposal is contrary to Policies AW5, AW6 and AW7 of the Rhondda Cynon Taf Local Development Plan.

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Development Control Committee Agenda - 3 October 2013

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**MUNICIPAL YEAR 2013-2014**

**DEVELOPMENT CONTROL
COMMITTEE
3 OCTOBER 2013**

**REPORT OF THE
DIRECTOR LEGAL AND
DEMOCRATIC SERVICES**

Agenda Item No.5
SITE MEETING APPLICATION NO. 13/0665 - INTERNAL ALTERATION AND TWO STOREY EXTENSION AT REAR OF CHURCH. DEMOLISH EXISTING REAR EXTENSION - NEW LIFE COMMUNITY CHURCH, MILL STREET, TONYREFAIL

Author: J Nicholls, Senior Democratic Services Officer

1. PURPOSE OF THE REPORT

To consider the outcome of the site inspection in respect of the above-mentioned proposal and to determine the application, as outlined in the report of the Service Director, Planning, attached at Appendix 1.

2. RECOMMENDATION

To refuse the application in accordance with the recommendation of the Service Director, Planning.

3. BACKGROUND

- 3.1 In accordance with Minute No.67 (Development Control Committee, 5 September 2013) a site inspection was undertaken on Monday, 16 September 2013 to consider the impact of the proposed development on the locality.
- 3.2 The meeting was attended by the Chairman and Vice-Chairman of the Development Control Committee (County Borough Councillor R.B. McDonald and D.Weeks respectively) and County Borough Councillor E.Webster together with County Borough Councillor P. Wasley, local Member for Tonyrefail East.
- 3.3 The Development Control Officer informed Members that full planning permission is sought for the erection of a two-storey rear extension at the

New Life Community Church in Tonyrefail which would replace the existing single storey extension.

- 3.4 Concerns had been raised by the occupiers of neighbouring properties in relation to the impact of the development on their amenity and privacy and the impact of the development on both the character and appearance of the existing property and surrounding area. The Development Control Officer advised Members that the primary concerns are the design and imposing nature of the proposal upon the property at No.3 Prichard Street and added that the two-storey addition in this location would result in an unacceptable and harmful development.
- 3.5 Whilst acknowledging the benefit the proposed development would bring to the community who attend the New Life Church, the Development Control Officer reported that the design and overall appearance of the proposed extension is not in keeping with the existing character of the traditional church building nor would it complement the general character of the site and wider locality. As such, the proposal is considered overly prominent and out of keeping with the street scene and is therefore recommended for refusal.
- 3.6 Members inspected the site from several angles and from the rear garden of No.3 Prichard Street to ascertain the overall impact of the proposed development.

LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

19 DECEMBER 2013

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATION NO: 13/0665 – NEW
LIFE COMMUNITY CHURCH, MILL
STREET, TONYREFAIL.
INTERNAL ALTERATIONS AND
TWO-STOREY EXTENSION AT
REAR OF CHURCH. DEMOLISH
EXISTING REAR EXTENSION
(AMENDED PLANS
RECEIVED 04/05/2013)**

OFFICER TO CONTACT

**MR L EVANS
(Tel. No. 01443 494769)**

See Relevant Application File

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