



PLANNING & DEVELOPMENT COMMITTEE

20 SEPTEMBER 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0537/10 – ADDITIONAL USE OF LOWER GROUND LEVEL CHURCH HALL, TO INCLUDE SMALL WORKSHOP FOR FURNITURE UPCYCLING WITH BASIC TOOLS AND EQUIPMENT AT ST LUKES CHURCH, BEDW ROAD, CILFYNYDD, PONTYPRIDD, CF37 4NU.

1. PURPOSE OF THE REPORT

Members are asked to consider the determination of the above planning application.

2. RECOMMENDATION

That Members consider the report in respect of the application and determine the application having regard to the advice given.

3. BACKGROUND

This application was originally reported to the Planning and Development Control Committee of 16th August 2018 and a copy of the original report is attached as **APPENDIX A**.

During this meeting, Members resolved that they were minded to approve the application contrary to the recommendation of the Service Director, Planning, for the reasons that the small scale of the development and proposed use would not be likely to create highway safety issues; providing the scope of the consent be defined by an appropriately worded condition.

As a consequence it was resolved to defer determination of the application for a further report to highlight the potential strengths and weaknesses of taking a decision contrary to officer recommendation.

4. PLANNING ASSESSMENT

In terms of the principle of the proposed additional use Members agreed with the report of the Service Director, and also that the intended furniture recycling project could be carried out without affecting the amenity of residents nearby.

However, in respect of the objection from the Transportation Section, whilst the view of Members is acknowledged, the Section remains of a view that the development would be detrimental to highway safety.

In particular, there is a concern that the development would result in additional demand for on-street parking, and that due to the project being carried out on the lower ground floor deliveries, by whatever means, would be made from Bodwenarth Road. This highway is of substandard dimensions and does not have a turning head, which the Transportation section believes would result in dangerous reversing movements.

Nonetheless, it was noted during the late morning of the site visit that on-street parking demand on Bedw Road was not excessive and numerous spaces were available. Furthermore at the time of day when the project would be operating, this would not conflict with travel to work or school traffic and local roads would be less congested.

In addition, the applicant advised Committee about the scale and purpose of the project, whereby there would be limited numbers of deliveries, none of which would be made by large commercial vehicles.

If, having considered the above advice, Members remain of a mind to approve planning permission, it is suggested that a condition restricting the extent of the additional use should be appended to any consent. Otherwise a wider scope of operations within the B1 use class may be permitted, some of which may not be compatible within a residential area. Suggested conditions, together with a reason for approval, are presented below:

Reason:

The small scale of the community project and proposed additional use would be acceptable in principle and not be considered to be detrimental to neighbour amenity. The scheme would therefore represent a compatible use in the context of the surrounding residential development.

Furthermore, it is considered that the low intensity of the use, during the hours of operation, would not exacerbate demand for on-street parking, or result in a quantity of vehicle movements that would be harmful to highway safety.

The application is therefore considered to comply with Policies AW5, AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

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 approved plans and documents received by the Local Planning Authority on 16th May 2018, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. The additional B1 use hereby approved, shall apply and be carried on only by St Luke's Church, Cilfynydd, for the purposes of undertaking a furniture recycling project. In the event of the project ceasing to operate at the premises, the approved use shall revert to the existing sole D1 use as Church and Church Hall.

Reason: In the interest of the amenity of neighbouring residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan and to define the scope of the consent.

4. The operating hours of the furniture recycling project shall be restricted to the following:

Monday to Friday	10.00 to 15.00 hours
Saturday, Sunday and Bank Holidays	Not At All

Reason: In the interests of the amenity of neighbouring occupiers and to define the scope of the consent, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

PLANNING & DEVELOPMENT COMMITTEE

16 AUGUST 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0537/10
(GH)
APPLICANT: Revd Peter Lewis
DEVELOPMENT: Additional use of lower ground level church hall to include small workshop for furniture upcycling. (Re-submission of 18/0104/10)
LOCATION: **ST LUKES CHURCH, BEDW ROAD, CILFYNYDD, PONTYPRIDD**
DATE REGISTERED: 16/05/2018
ELECTORAL DIVISION: Cilfynydd

RECOMMENDATION:

REASONS:

The small scale of the community project and proposed additional use would be acceptable in principle and not be considered to be detrimental to neighbour amenity. The scheme would therefore represent a compatible use in the context of the surrounding residential development.

However, on account of the substandard highways both adjacent to and leading to the site, the development would result in additional vehicle reversing movements and on-street parking by commercial traffic, to the detriment of the safety of all highways users. Therefore the development would not comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

A request has been received from Councillor Mike Powell for the matter to come to Committee, for the reason that highways officers have not taken into account the low number of vehicular movements and access requirements that this low intensity of activity would need and generate.

APPLICATION DETAILS

Full planning consent is sought to use the lower ground level Church Hall at St Lukes Church, Bedw Road, Cilfynydd, for a community furniture upcycling project.

The applicant has clarified no external works to the building would be required and that the internal floor layout would remain the same.

Whilst the Church will still be used as a place of worship, particularly the main part of the building at the Bedw Road level which incorporates the nave, chancel and altar, it is intended to operate a social enterprise project to help develop the skills of those seeking employment and provide social and work experience,

This would take the form of repairing and upcycling old furniture, between the hours of 10.00 to 15.00 hours on week days only, using basic tools and equipment. It is intended that the site would not be open to visiting members of the public, but that items would be sold online.

This application is a re-submission of a recently refused and identical scheme (18/0104/10). Following refusal, the applicant sought advice from Highways Development Control as to how to make the application might be made acceptable, and was advised that a transport statement, clarifying the small scale of the activity and associated traffic movements and parking would be acceptable. This application has been accompanied by such a statement.

SITE APPRAISAL

The application site is St. Luke's Church, which is located to the eastern side of Pontypridd known as Cilfynydd, Constructed in 1893, its elevations consist of coursed pennant stone, with bathstone detailing to frame window and door openings.

On account of the westerly fall in land levels, the Church itself is of split level construction, with accommodation arranged over two storeys. It appears as a single storey structure from Bedw Road, where access is gained to the place of worship.

Conversely, the elevation facing Bodwenarth Road reveals the lower ground Church Hall, and the area to which the application relates.

Neighbouring properties within the immediate area surrounding the site consist mainly of Victorian terraced dwellings.

PLANNING HISTORY

The most recent applications on record associated with this site are:

18/0104	Additional use of lower ground level Church Hall, to include small workshop for furniture upcycling with basic tools and equipment.	Refused: 06/04/18
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16/1287 The covering of the south gable wall of the church with vertical slate hanging. Works undertaken at the same time that do not require planning consent will include external and internal repairs to the church along with internal alterations at the rear of the nave to provide a new kitchenette and disabled WC. Granted 25/01/17

PUBLICITY

The application has been advertised by direct notification to twenty-nine neighbouring properties and notices were erected on site.

A letter of objection was received from a resident of Bodwenarth Road, in respect of the large vehicles that might be required to access the premises via Bodwenarth Road, which would block the carriageway.

A further email was received from a resident, with no objection in principle but raising similar concerns about parking and turning on Bodwenarth Road. These matters are considered below.

CONSULTATION

Public Health and Protection - no objection, however conditions in respect of demolition, noise, dust, waste and hours of operation have been recommended. Nonetheless, the development would not include any construction work, so these conditions would not be necessary.

Transportation Section - object on the basis of highway safety.

No other consultation responses have been received within the statutory period.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pontypridd

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

Policy AW10 - supports development proposals which are not detrimental to public health or the environment

Supplementary Planning Guidance

- Access, Circulation and Parking

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 Chapter 3 (Making and Enforcing Planning Decisions) and Chapter 4 (Planning for Sustainability), set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other policy guidance considered:

PPW Technical Advice Note 12 - Design

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:

Principle of the proposed development

Although it is clear that the principal use of the Church would remain as a place of worship, the additional use of the lower ground floor hall for the furniture project has the potential to generate a wider community benefit.

Therefore, whilst the manufacturing of products for sale on a commercial basis, larger scale, or by employing machinery would be less likely to be acceptable at a site surrounded by mostly residential properties, what is proposed is clearly part of the ethos of the Church to help train and educate, and would represent a small ancillary activity.

Nonetheless, it would be considered appropriate to append a specific condition to any consent limiting the B1 use to be carried on only by the Church and for the purposes of undertaking the furniture recycling project. Such a condition could incorporate a reversion to the current D1 use, should the project cease to operate. Furthermore, a condition restricting delivery times and hours of operation to those sought, would also be appropriate.

Consequently, in general terms the principle of the development is considered to be acceptable, but subject to the material concerns further below.

Impact on the character and appearance of the area

The proposed change of use of the site would not require any alteration of the external appearance of the Church.

Therefore, no objections are raised in this regard.

Impact on neighbouring occupiers

As noted above, the main issue for consideration is whether or not the refurbishment of second hand furniture for an initial period of two days per week, and for a period of five hours in the middle of the day, would be detrimental to the amenity of the closest residents.

It is considered that the scale of the operation would be unlikely to cause harm to neighbouring occupiers from noise or general disturbance, and particularly since the project would operate for a maximum of five hours per day and from inside the building. The additional use would therefore be of no greater disruption to residents than if the lower ground floor was fully utilised as a Church Hall for other community events.

Noting that the objection and comments received from two neighbouring residents were in respect of parking and access issues, which are considered below, in terms of the privacy and amenity of residents, the proposed development would be acceptable.

Highways and accessibility

The upper level of the Church is served by Bedw Road, which is a through road with a carriageway width of 6.5m. There is a 1.5m footway on the opposite side of the road, but none fronting the Church side. Bedw Road is acceptable for safe vehicular movement.

Bodwenarth Road, which gives access to the lower ground floor, has a carriageway width of 4.5m with a 1.2m wide footway and no turning area. There is concern that the additional use would lead to increased traffic movements. The street lacks a turning area and is of sub-standard carriageway width for two large vehicles to pass one another, which gives major cause for concern.

In accordance with the Council's SPG Access, Circulation & Parking 2011 the existing lower ground floor requires up to a maximum of 23 off-street car parking spaces with none provided.

The additional B1 light industrial would require up to a maximum of 1 van space and 2 car parking spaces with none provided, which gives further cause for concern given the already high on-street parking demand within the vicinity and the sub-standard road width.

Transportation Section have noted the additional information submitted by the applicant regarding the expected number of vehicular movements, type of vehicles anticipated and proposed car parking arrangements. Having reviewed the submitted

information they consider that the proposal is unacceptable in terms of highway safety.

Notwithstanding that a specific condition restricting the use to that sought could be appended to any consent, Transportation Section consider that should the proposed use cease the lower ground floor could change to a new business under the new use class.

Consequently their view is that this would generate multiple vehicle movements along a sub-standard street by all types of vehicles, including service and delivery vehicles, with no turning area. This would result in vehicular reversing movements to the detriment of safety of all highway users along a sub-standard street with sub-standard junction and on this basis highway objections are raised for the following reasons:

- The proposed development would result in additional vehicular reversing movements by commercial vehicles to the detriment of safety of all highway users.
- The proposed development would result in additional on-street parking by commercial traffic to the detriment of highway safety.
- Bedw Road leading to the site has sub-standard geometry, junction radii, vision splays, turning area and forward vision to cater for additional commercial traffic.

Community Infrastructure Levy (CIL) Liability

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

It is considered the proposal would not have a significant impact on the character and appearance of the locality or upon the residential amenity of the surrounding neighbouring properties. However, the impact upon highway safety and on street parking demand, caused by the proposed additional use, would be considered detrimental to highway safety.

RECOMMENDATION: REFUSE DUE TO THE FOLLOWING:

1. The small scale of the community project and proposed additional use would be acceptable in principle and not be considered to be detrimental to neighbour amenity. The scheme would therefore represent a compatible use in the context of the surrounding residential development.

However, on account of the substandard highways both adjacent to and

leading to the site, the development would result in additional vehicle reversing movements and on-street parking by commercial traffic, to the detriment of the safety of all highways users. Therefore the development would not comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

