



**RHONDDA CYNON TAF**

**PLANNING & DEVELOPMENT COMMITTEE**

**REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 19/1296/10 (CA)  
**APPLICANT:** Mr C Cousins  
**DEVELOPMENT:** Demolition of Chapel and Construction of 2 No. Detached Dwellings (Amended Plans Received 12/02/2020).  
**LOCATION:** BETHEL CHAPEL, ABERNANT ROAD, ABER-NANT, ABERDARE  
**DATE REGISTERED:** 18/12/2019  
**ELECTORAL DIVISION:** Aberdare East

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**RECOMMENDATION:** Approve, subject to conditions.

**REASONS:** The application is considered to comply with the relevant policies of the Local Development Plan. The principle of the development is supported and the proposal is deemed to have an acceptable impact upon the character and appearance of the area as well as upon the residential amenities of neighbouring properties and highway safety.

The proposal would replace a derelict building with two family homes which would enhance the street scene, provide additional housing in a popular residential location and provide a degree of economic benefit to the local area.

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**REASON APPLICATION REPORTED TO COMMITTEE**

The application is reported to the Planning and Development Committee for final determination as three or more objections have been received and the application is recommended for approval.

**APPLICATION DETAILS**

Full planning permission is sought for the demolition of the former Bethel Chapel, Abernant and for the construction of two detached dwellings in its place.

The proposed dwellings would be sited roughly centrally within the site, orientated south east with their front elevations facing Abernant Road. Each dwelling would measure approximately 6.8 metres in width, 8.8 metres in depth and incorporate a pitched roof design to approximately 8.5 metres in height. The dwellings would be of two storeys but would contain additional accommodation in the roof space and as such

one dormer window, featuring a Juliet balcony, would be located in each of the rear roof slopes.

The dwellings would be of modern design and of an identical scale, finished in a mix of cream render and brick with slate roof tiles and white uPVC windows and doors. Each property would accommodate three bedrooms at first floor level, a further bedroom in the roof space, and various living accommodation across the ground floor.

Access to the dwellings would be provided off Abernant Road. There are four dedicated car parking spaces and a private shared access shown on the proposed site plan; all directly to the front of the dwellings. The dwellings also benefit from rear gardens and garden stores.

The application has been amended since its original submission to rearrange the off street car parking arrangement proposed.

## **SITE APPRAISAL**

The application site is a roughly rectangular plot amounting to approximately 450 square metres. It is currently occupied by a disused chapel. As such the building and wider site are in a poor state of repair and appear derelict.

The chapel building occupies the majority of the plot, fronting Abernant Road and having a small area of amenity space to the rear. A pedestrian access is located to the southern side of the building that leads from the front of the site to the rear, and a single storey annexe is located to the northern side. The plot falls from Abernant Road to the rear and as such the building appears two-storey in nature from the front, but three-storeys to the rear. There is no vehicular access but pedestrian access is gained from Abernant Road.

The site is bound by a detached two-storey dwelling to the south-west and a detached bungalow to the north-east. A private lane is located to the rear, beyond which is woodland. A number of modern, two-storey link properties are located to the front of the site, at the opposite side of Abernant Road.

The surrounding area is residential in nature and characterised by a mix of both modern and traditional, detached, semi-detached and terraced dwellings/bungalows.

## **PLANNING HISTORY**

18/0309/10	Proposed demolition of chapel and construction of 3 no. 4 bed link houses	Refused 30/08/2018 Dismissed at Appeal 11/12/2018
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## **PUBLICITY**

The application has been advertised by direct notification letter to neighbouring properties and two site notices have been displayed. Following receipt of the amended

plans, the application was re-advertised by direct notification letter to neighbouring properties. Three objections have been received and are summarised as follows:

- The proposal would result in the overdevelopment of the site.
- The dwellings are too large and the site is better suited to one dwelling.
- Concern that the development may result in the loss of the large bay tree on the adjacent site.
- Concern regarding what would happen to the party wall between the application site and the adjacent dwelling as sections of the existing chapel adjoin this wall.
- Vehicles would be required to reverse out onto Abernant Road which would prejudice highway safety.
- The parking spaces and shared private access are too confined and cars would not be able to manoeuvre adequately.
- The development would exacerbate the existing problem of on street car parking in the locality. There is already a shortfall of space available.
- The development may result in double yellow lines being introduced in the area which would stop existing residents parking in close proximity of their properties.
- The present scheme is no different to the originally refused scheme, other than the reduction of the number of dwellings from three to two.

A petition containing sixty six signatures against the development has also been submitted to the Council. The objections stated on the petition are summarised as follows:

1. The proposal would result in '*extreme dangers*' from vehicles exiting the site and parking at the location of the site.
2. The imposition of parking restrictions in the form of yellow lines would be an injustice to existing residents.

## **CONSULTATION**

Transportation Section – No objections, subject to conditions.

Flood Risk Management – No objections, subject to conditions.

Public Health and Protection – No objections, conditions recommended.

Countryside, Landscape and Ecology – No objections or conditions recommended.

Natural Resources Wales – No objections.

Dwr Cymru Welsh Water – No objections, subject to conditions and standard advice.

Glamorgan & Gwent Archaeological Trust – No objections, subject to condition.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan:**

The application site lies within the defined limits of development but is not allocated for any specific purpose.

**Policy CS 1 – Development in the North:** Places an emphasis on building strong, sustainable communities.

**Policy AW 1 – Supply of New Housing:** Provides criteria against which applications for new housing will be considered.

**Policy AW 2 – Sustainable Locations:** Provides criteria to determine whether a site is located in a sustainable location.

**Policy AW 4 – Community Infrastructure and Planning Obligations:** This policy provides support to secure planning obligations and contributions.

**Policy AW 5 – New Development:** This policy sets out criteria for new development in relation to amenity and accessibility.

**Policy AW 6 – Design and Placemaking:** This policy requires development to involve a high quality design and to make a positive contribution to place making.

**Policy AW 10 – Environmental Protection and Public Health:** Prohibits development proposals that would cause or result in a risk of unacceptable harm to health and/or local amenity.

**Policy NSA 12 – Housing Development Within and Adjacent to Settlement Boundaries:** Development within the Northern Strategy Area will be permitted within the defined settlement boundaries subject to a number of criteria.

**Supplementary Planning Guidance:**

Design and Placemaking  
The Historic Built Environment  
A Design Guide for Householder Development  
Nature Conservation  
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 Edition 10 sets out the Welsh Government's current position on planning policy, which incorporates the objectives of the Wellbeing of Future Generations Act in to planning.

It is considered that the current proposals meet the seven wellbeing of future generation's goals inasmuch as they relate to the proposed development and the site is being brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as defined by Chapter 2 People and Places:

Achieving Wellbeing through Placemaking of the policy document and that the proposal is also consistent with the following insofar as they relate to the development proposed:

- a) Chapter 3 (Strategic and Spatial Choices)
- b) Chapter 4 (Active and Social Places)
- c) Chapter 6 (Distinctive and Natural Places)

Other relevant national policy guidance considered:

PPW Technical Advice Note 5: Nature Conservation and Planning

PPW Technical Advice Note 11: Noise

PPW Technical Advice Note 12: Design

PPW Technical Advice Note 18: Transport

PPW Technical Advice Note: The Historic Environment

## **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:**

Full planning permission is sought for the demolition of the former Bethel Chapel and for the construction of 2 no. dwellings in its place. The plot is situated inside of the defined settlement limits and within an established residential area where the principle of residential development is generally considered acceptable, subject to compliance with the policies set out in the Local Development Plan and other relevant material considerations.

Further, whilst the loss of the community building is regrettable, it has not been in use for ten years and consequently the site has fallen in to a state of disrepair. As such the redevelopment of the site would significantly improve its current visual appearance and that of the surrounding area.

Based on the above, there would be no objection to residential development at the site, in principle, subject to an assessment of the criteria identified below and the scheme being considered acceptable in respect of the relevant criteria.

#### **Impact on the character and appearance of the area:**

The application site is between two existing residential dwellings. As such it appears as an infill plot along the street and it is considered the construction of two dwellings

on the site would generally be in-keeping with the character of the area. It is acknowledged the plot is currently occupied by a large chapel building and the loss of this community building would be regrettable, however, the existing building is not listed and is currently in a poor a state of repair. As such, it is not considered its replacement would significantly alter the current character of the street scene and would actually improve the plot's current visible appearance.

With respect to the proposed dwellings themselves, they would be appropriately positioned roughly within the centre of the plot allowing for amenity space to the rear and parking areas to the front. As such it is not considered the proposal would lead to an over intensive form of development and would also allow for a degree of landscaping to be introduced around the new buildings. Furthermore the new properties would follow the general pattern of development of the adjacent properties and would be of an attractive, modern design and scale with their mass and proportions being comparable to that of many similar properties in the wider locality, albeit of a different design to the immediate neighbouring properties. Therefore it is not considered the resulting structures would form overly prominent features in the street scene, especially given the mix of dwelling types in the immediate vicinity, and further, it is considered any potential impact would be minimised through the combination of appropriate external finishes.

It is noted that concerns have been raised by the objectors in respect of the visual impact of the proposed development, commenting that the proposal represents overdevelopment and the site is of a size suitable for one dwelling. Whilst these comments are acknowledged, it is not considered the proposal would have a significant impact upon the character and appearance of the site or the surrounding area.

Overall, the siting, scale and design of the proposed dwellings, as well as the materials proposed are regarded as suitable.

### **Impact on residential amenity and privacy:**

The site is currently occupied by a large chapel building that extends to approximately 11 metres in height and is sited approximately 12 metres from the adjacent bungalow to the north, Pippins, and approximately 13 metres from the two-storey dwelling to the south, Montserrat. As such the existing building results in a degree of impact to the amenities of the occupiers of these properties.

With respect to the adjacent property to the north, Pippins, the proposed dwellings would be sited at approximately the same distance from the neighbouring bungalow when compared to the existing chapel building. In addition, the proposed dwellings would be of a smaller scale and height than the existing structure. Therefore it is not considered the proposed dwellings would result in any further undue impact to amenities of the occupiers of this property in comparison to that which currently occurs.

The proposed Dwelling 1 would be situated closer to Monserrat than the existing chapel, with the gap reducing from around 13 metres to approximately 9 metres. The proposal would therefore be clearly visible from the side-facing windows of

Monserrat's kitchen/dining room, however there is an alternative, open outlook available from the secondary window of this room which faces Abernant Road. In terms of the side facing bedroom window of Monserrat, due to the reduced height of structures contained on the application site when compared with the chapel, as well as the fact the dwellings would be set further back from the front and rear boundaries, it is considered that outlook to the north and north east from this window would be acceptable.

Furthermore, there would be no windows at first floor level which would directly face the adjacent properties. The side facing windows which would serve the utility rooms of each dwelling can be obscurely gazed (secured by condition) to ensure any potential adverse impacts upon privacy levels to Pippins and Monserrat is avoided.

It is noted that the previously refused application was found by the Planning Inspector to have an acceptable impact upon the residential amenities of neighbouring properties. The current application, which proposes one less dwelling and is positioned further away from Monserrat, is also considered acceptable in this regard.

On balance, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered to be acceptable as it would not result in an undue loss of light or privacy or have any overbearing impacts.

It is considered that future occupants of the proposed dwellings would also have an acceptable standard of residential amenity. The dwellings would provide adequate accommodation to be used as family homes, both of which benefitting from private rear gardens as well as additional storage space for bikes, bins, etc.

### **Impact on highway safety:**

A number of concerns have been raised by the objectors in respect of the potential impact the proposed development would have upon highway safety in the locality.

In their assessment of the scheme the Council's Transportation Section noted that the application site is served off Abernant Road which is a bus route with a carriageway width of 7.3 metres and has footways which vary in width between 1.4 metres to 1.9 metres.

It was commented that the proposed private shared access off Abernant Road which facilitates access/egress in a forward gear forms a cross road junction with Abernant Road and Heol Y Parc. Cross road junction arrangements increase risk to all highway users and as such should be avoided where possible. In addition, considering the local context, highway safety is further compromised by limited vision splay to the right and reversing movements associated with the neighbouring property known as Monserrat, which gives some cause for concern.

In terms of car parking, the existing chapel requires in the region of 18 spaces in accordance with the SPG Access, Circulation & Parking 2011, with none provided. It is noted that being a community facility a number of these trips would have been taken on foot reducing on-street car parking demand.

Each of the dwellings proposed would contain four bedrooms and therefore require a maximum of 3 off-street car parking spaces per plot in accordance with the adopted SPG Access, Circulation & Parking 2011, with 2 per plot provided. This results in a shortfall of 2 spaces, which gives some cause for concern considering the location of the proposal directly fronting the junction of Heol Y Parc with Abernant Road and on-street parking pressure in the locality.

In order to mitigate the adverse impact of on-street parking at and in the vicinity of the junction, the developer has proposed double yellow lines, which is considered acceptable in principle. The proposed mitigation measures also include provision of secure cycle storage, proximity of the proposed development to public transport, Aberdare Town Centre and Cynon Community Route. Therefore, considering above, the shortfall in parking provision is on balance acceptable.

In conclusion, there is some concern regarding the proposed private shared access junction with Abernant Road, which results in a cross road effect with sub-standard vision splay to the right. There is also concern regarding a shortfall in curtilage parking provision and potential adverse impact on safety of all highway users and free flow of traffic. However, considering the advice given in paragraph 7.7.7 of Manual for Streets (MfS), PPW10, together with the volume of traffic on Abernant Road in the vicinity of the junction, carriageway width of Abernant Road (7.3 metres) and the limited volume of traffic generated by two dwellings with access/egress in a forward gear, no recorded accidents in the vicinity of the proposed junction and mitigation measures proposed, the proposal on balance is considered acceptable.

In light of the above highways assessment, whilst the comments raised by the objectors in respect of highway safety are acknowledged, it is not considered that the impacts of the proposal upon highway safety are so severe as to warrant the refusal of the application. The proposal is therefore considered acceptable in terms of its impact upon highway safety, subject to a number of relevant conditions.

#### **Other Issues:**

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation.

##### **Drainage:**

This issue would be covered by the required, separate SuDs approval prior to any development taking place. As such, it is considered unnecessary that the submission of details relating to both surface and foul water drainage is conditioned.

##### **Public Health & Protection:**

No objections have been received from the Council's Public Health and Protection Division following consultation, although several conditions have been recommended should planning permission be granted. The conditions relate to construction noise, waste, dust and land contamination. Whilst these comments are acknowledged, it is considered that these matters can be more efficiently controlled by other legislation.

##### **Ecology:**



As the scheme proposes the demolition of the existing chapel building a Bat Survey has been submitted with the application. The report details no bat roosts were recorded at the site. Therefore no further surveys or a separate European Protected Species license are required.

Having assessed the report the Council's Ecologist commented that it is an acceptable study of the site and that the conclusions and recommendations are reasonable and appropriate. Therefore no objections are raised, it is however suggested that some provision for roost bats and nesting birds is provided in the form of built in bat bricks and bird boxes, which are recommended to be conditioned.

It is also noted that no objections were received or conditions suggested following consultation with Natural Resources Wales (NRW).

#### Historic Land Uses:

Comments received from the Glamorgan-Gwent Archaeological Trust (GGAT) indicate that the Historic Environment Record, curated by GGAT, shows that the existing chapel was built in 1856 and was extended during 1862 and 1895. Further, the application site is situated to the east of the former Abernant Ironworks and as such the area has been extensively reclaimed and there is some possibility for the survival of buried remains associated with the ironworks. Consequently the chapel building is considered to be of historic importance by virtue of its history and cultural significance within a community that was built up around the ironworks and therefore a condition is recommended to ensure the structure is formally preserved by record prior to demolition.

#### Neighbour Consultation Responses:

Some concern is raised that the development may result in the removal of the neighbour's bay tree. There is no indication within the submitted application that the tree is to be removed to accommodate the proposal.

In addition to the above concern, it is also acknowledged that a section of the existing chapel adjoins the boundary wall with the adjacent property, Pippins, and therefore any subsequent demolition works would inevitably impact upon the wall. Any damage to the wall would however be a private matter between the two parties. Further, it is noted that the applicant has signed Certificate of Ownership B and served the relevant notice on the adjacent landowner. As such it is considered that all necessary steps have been taken by the applicant in this regard.

It is also commented that the current application is no different to the previously refused application (18/0309/10) except for the reduction of the proposed number of dwellings from three to two. In addition to this change, however, the design of the dwellings has been amended, the dwellings are positioned further away from the adjacent dwelling known as Monserrat and the access and parking arrangements have also been altered. The previous application was dismissed at appeal due to its impact upon highway safety as it would have resulted in vehicles reversing out onto Abernant Road. The current application proposes a private shared access which would allow for vehicles to exit the site in a forward gear. Although there are still some concerns regarding highway safety as noted above, they are not considered so severe as to warrant the refusal of the application.

## **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 liable for charge under the CIL Regulations 2010 as amended. The application site lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

## **CONCLUSION**

Having taken account of all of the issues outlined above, the proposal is considered acceptable and in accordance with the development plan. Therefore, the application is recommended for approval, subject to conditions.

## **RECOMMENDATION: Grant**

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 following approved plans:

Location Plan and Proposed Plans, shown on Drawing No. 2700 NB Rev A (dated 12<sup>th</sup> February 2020)

and documents received by the Local Planning Authority (LPA) on 16<sup>th</sup> and 18<sup>th</sup> December 2019, 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. Before the development is brought into use the private shared access and parking shall be laid out in accordance with Drawing No. 2700 NB Rev A dated 12<sup>th</sup> February 2020 and approved by the Local Planning Authority. The private shared access and parking shall remain free from obstruction for use of both dwellings thereafter for parking and turning of vehicles only.

Reason: In the interests of highway safety, free flow of traffic and to ensure that vehicles access and egress from the parking areas onto the public highway in forward gear, in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall commence until a Traffic Regulation Order (TRO) at the junction of Abernant Road, Heol Y Parc and the private shared access has been completed.

Reason: To ensure deliverability of Traffic Management measures and restrictions in the interests of highway safety and free flow of traffic, in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

5. Prior to the development being brought into use, a vehicular footway crossing shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development on site commencing.

Reason: In the interests of highway safety and pedestrian safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. Surface water run-off from the proposed development shall not discharge onto the public highway or be connected to any highway drainage system.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding, in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

7. HGV's used as part of the development shall be restricted to 09:00am to 16:30pm weekdays, with no deliveries on weekends and bank holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. a) No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;

- i. The means of access into the site for all construction traffic;
- ii. The parking of vehicles of site operatives and visitors;
- iii. The management of vehicular and pedestrian traffic;
- iv. Loading and unloading of plant and materials;
- v. Storage of plant and materials used in constructing the development;
- vi. Wheel cleansing facilities; and
- g) The sheeting of lorries leaving the site.

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed.

Reason: In the interests of highway and pedestrian safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

9. No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

Reason: The building is of cultural significance and the specified records are required to mitigate impact of its loss.

10. Notwithstanding the submitted details, prior to above ground works, a scheme for biodiversity enhancement, such as incorporation of permanent bat roosting features and or nesting opportunities for birds shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for the designed purpose in accordance with the approved scheme. The scheme shall include, but not be limited to, the following details:

- a) Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
- b) Materials and construction to ensure long lifespan of the feature/measure.
- c) A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- d) When the features or measures will be installed and made available.

Reason: To provide biodiversity enhancement, in accordance with Chapter 6 of PPW.

11. Notwithstanding the approved plans, the proposed utility room windows within the ground floor of the side (north east and south west) elevations shall be fitted with obscure glazing to an industry standard of privacy level three or above, and maintained in perpetuity as such.

Reason: In the interests of the privacy and amenity of neighbouring residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.