



## **PLANNING & DEVELOPMENT COMMITTEE**

**5 MARCH 2020**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 19/0829/10 (BJW)  
**APPLICANT:** Mr Ahmed  
**DEVELOPMENT:** Conversion of a church to 8 apartments.  
**LOCATION:** ENGLISH CALVARY BAPTIST CHURCH, CLIFF TERRACE, TREFOREST, PONTYPRIDD.  
**DATE REGISTERED:** 30/08/2019  
**ELECTORAL DIVISION:** Treforest

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**RECOMMENDATION:** Approve.

#### **REASONS:**

The application proposes the productive use of a currently disused building. The use of the site would be sympathetic and in keeping with surrounding land uses, which are predominantly residential, and would comply with the requirements of the Council's Supplementary Planning Guidance (SPG) for the conversion of larger buildings for residential purposes.

The application is considered to comply with the relevant policies of the Local Development Plan in respect of its access and highway safety considerations, the amenities of nearby residential properties and the impact on the visual amenities of the area.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development as the proposal is for more than 5 residential units; and
- Three or more letters of objection have been received.

#### **APPLICATION DETAILS**

Full planning permission is sought for the conversion of the English Calvary Baptist Church, Cliff Terrace, Treforest, Pontypridd into 8 apartments. The

conversion would include the basement, lower ground floor, ground floor and first floor with the following arrangement of accommodation proposed:

Basement – 1 no. 1 bed unit, 1 no. 2 bed unit and cycle and bin store area

Lower ground floor – 1 no. 2 bed unit

Ground floor – 3 no. 2 bed units

First floor – 2 no. 2 bed units

The conversion would use the existing building with no external alterations proposed as part of the application.

An amended layout plan has been submitted, following comments from the Transportation section indicating 7 no. off-street parking spaces at the front of the site to serve the development.

### **SITE APPRAISAL**

English Calvary Baptist Church is a large, civic scale religious building located within a predominantly residential area in the village of Treforest.

The building has a 2+ storey façade facing Cliff Terrace while the rear includes a lower ground floor and basement due to the sloping nature of the site to the north east onto the main railway line.

The highway to the front of the building is narrow and constrained to a single width of carriageway due to the historic layout of the area.

### **PLANNING HISTORY**

None relevant.

### **PUBLICITY**

This has included site notices and the direct notification of properties surrounding the site. Seven responses have been received, the main points of which are detailed below:

1. Lack of parking facilities for the proposal and the impact on existing parking within the area which is already oversubscribed.
2. It is not identified if this development is for students or working professionals/ families: more students in our catchment will place a bigger burden on refuse collections as they are excluded from paying any council tax.
3. There are a large amount of empty properties already so is there really a need for more?
4. Cliff Terrace is narrow and not wide enough for 2 vehicles to pass and I have concerns about large vehicles delivering building materials blocking this entrance and the additional room needed for the construction workers vehicles to be parked if not on site. These large vehicles are likely to have to reverse onto Wood Road where it is a narrow blind corner and also a main bus route.

5. It is not clear from the current plan who will be responsible for the maintenance of the graveyard and grounds of the former chapel. If these are neglected they will become an eye saw and potential risk to safety.

## **CONSULTATION**

Transportation Section – Initially raised objection to the application due to the lack of any off street parking facilities being included within the scheme. However, following an amendment to the scheme indicating 7 off-street parking spaces now offers no objection, subject to conditions to require the provision of a vehicular crossover, prior to commencement and the construction of the parking spaces as indicated in the amended plans, prior to beneficial occupation.

Land Reclamation and Engineering (Drainage) – No objection.

Public Health and Protection – No objection, subject to a condition to restrict the hours of operation during the construction phase of the development a condition to require a scheme for noise attenuation from the adjacent railway line, prior to commencement and standard informative notes in respect of noise, waste and dust associated with the proposed development.

Dwr Cymru Welsh Water – No objection, subject to conditions and informative notes.

Wales and West Utilities – No response received within the consultation period.

Western Power Distribution - No objection. The applicant should be aware that if they require a new connection, disconnection or service alteration that they should contact Western Power Distribution.

South Wales Fire and Rescue Service – No objection. Advice is provided in terms of the provision of adequate water supplies on site for fire-fighting purposes and access for emergency firefighting appliances.

Countryside, landscape and ecology – No response received.

Pontypridd Town Council – No response received.

## **POLICY CONTEXT**

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

The property is within the defined settlement boundary and is unallocated.

**Policy AW 1** - sets provisions for the creation of new housing throughout Rhondda Cynon Taf between 2006 –2021.

**Policy AW 2** - supports development proposals in sustainable locations including sites within the defined settlement boundary.

**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** – requires development proposals to have an acceptable impact on health and safety and local amenity in respect of issues such as pollution control and flooding.

**Policy SSA13** - permits housing development within the defined settlement boundaries where it can be demonstrated that the proposal meets set amenity, highway, design and contamination standards.

Supplementary Planning Guidance (SPG): Development of Flats- Conversion and New Build

### **National Guidance**

In the determination of planning applications regard should also be given to the requirements of National Planning Policy that 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.

The Welsh Government published Planning Policy Wales 10 on 5<sup>th</sup> December 2018, and the document aims to incorporate the objectives of the Well-being of Future generations Act into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and that the site has been 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 set down in Chapter 2 People and Places: Achieving Well-being Through Placemaking, of PPW10 and is also consistent with the following inasmuch as they relate to the development.

Chapter 3 (good design and better places, promoting healthier places, sustainable management of natural resources)

Chapter 4 (moving within and between places, transport, living in a place, housing)

Chapter 6 (distinctive and natural places)

### **Planning Policy Wales Technical Advice Note 12 Design.**

Sets out the objectives of good design and aims to encourage good design in all aspects of development.

The above chapters and Technical Advice notes set out the Welsh Government's policy on planning issues relevant to the determination of this planning 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:**

#### **Principle of the proposed development**

The site consists a disused and neglected church building with some attached ancillary buildings within a restricted plot in a prominent roadside position within the village of Treforest.

The site within the defined settlement boundary where development is considered to be acceptable, subject to compliance with other policies in the Local Development Plan. The premises has been disused for over three years before which it was used as a place of worship.

In terms of land-use planning considerations the site is within a sustainable location that has reasonable access to transport nodes, goods and services and is therefore in accordance with Policy AW2. The proposal would be sympathetic to surrounding land uses, which are predominantly residential, and would provide an alternative type of residential accommodation as well as securing a productive use for a currently disused site within the locality.

In this respect the re-use of the building is considered to be positive. However, the application will also need to be considered against the Council's Supplementary Planning Guidance (SPG) relating to the conversion of larger buildings into flats. The proposal features a prominent and identifiable entrance which is located at the front of the property. There is also space for bin storage and cycle storage within the property as well as limited amenity space and the potential for off-street parking within the site.

While it acknowledged that the units to the rear and within the lower ground floor and basement levels would not be ideally appointed it is considered that they do have reasonable levels of natural light and outlook due to the sloping nature of the site.

The principle of the development is therefore considered to accord with the provisions of the Local Development Plan, nevertheless, the proposal must also be assessed in line with the other key requirements of planning policy as discussed below.

## **Impact on amenities of neighbouring properties**

The new residential units would be formed within the conversion would be in close proximity to existing properties opposite the site.

The application proposes no external alterations to the building and it is indicated that the existing openings will be utilised to serve the development.

There is potential for overlooking from habitable rooms to existing properties to the south and east of the property, however it is considered that this could be successfully mitigated through the use of obscure glazing to a portion of habitable room windows where the relationship is close and direct. While this has not been the source of an objection it is considered prudent to control the glazing of the upper floor windows to be obscure glazed to a height of 1.8m from finished floor level to mitigate any potential adverse impact.

It is also considered that as the proposal is a conversion and would be of an identical scale that the development would not have an overbearing impact on neighbouring properties.

## **Character and appearance of the area**

The building is a large and attractive chapel building which retains much of its original character although its condition is clearly worsening due to disuse.

The proposal would retain the existing facade with the possible installation of new windows being the only minor external alteration. The works to the front of the property to create parking area are considered to be proportionate and visually acceptable to a conversion of this nature.

Consequently, it is considered that the scale and design of the converted property would remain sympathetic and be in keeping with the existing dwellings in the area. Therefore, the application is considered to be acceptable in this respect.

## **Highway safety**

The Transportation Section initially raised an objection to the proposal as there was no off-street parking provision indicated for the proposal. However, following the submission of amended plans, indicating 7 no. off street parking spaces to serve the development now raises no objection to the application on highway safety grounds. In this regard, the following comments have been offered in relation to the issues of access and parking.

### Access

The proposed development would be served off Cliff Street via the existing means of access to the Church. In the vicinity of the development Cliff Street can only accommodate single file traffic and has a continuous footway on the development side only. Double yellow line road markings prevent on-street

parking at the acute angled priority junction with Wood Road and the sub-standard turning area at the limit of Cliff Street.

Cliff Street does not meet current standards for a residential street, which gives cause for concern. However, given the existing dwellings on the street and the development's historic use as a church, the concern is not significant enough to warrant highway objection.

### Parking

The proposed development will result in 8 no. 1-2 bedroom apartments (7 no. 2 bed and 1 no. 1 bed). In accordance with the Council's adopted SPG, a maximum of 18 off-street parking spaces are required (16 spaces for residents and 2 for visitors).

The amended site layout plan indicates that 7 no. off-street parking spaces are to be provided off Cliff Terrace. This results in a shortfall of 11 spaces, which gives cause for concern. However, when considering the council's SPG advice that residents of flats often have lower car ownership rates than other types of household and the sustainable location of the proposed development, the concern is not significant to warrant highway objection.

Furthermore, the submitted information indicates that secure cycle parking is to be provided for the proposal.

### **Other Issues**

The comments of the Public Health and Protection Division in respect of a condition to restrict the hours of operation during construction are acknowledged, however it is considered that this issue can be better addressed through other legislative controls open to the Council.

In terms of the comments of neighbouring residents, the following comments are offered:

The application provides 7 no. parking spaces to serve the development. While it is acknowledged that this is less than would be ideally required, the fall-back position is that the use of the property as a Church or a similar D1 use (such as a clinic, crèche, day nursery or non-residential educational facility etc.) would generate an even higher requirement without the necessity for a planning consent or any ancillary parking provision.

The tenure of the flats is not specified. It is considered that this is a matter that is left to the market and is not a material planning consideration.

Similarly, the need for additional housing is a matter for market forces and not material to the consideration of the planning application.

The point made in relation to large delivery vehicles is acknowledged, however it would be the case whatever the use of the building is particularly if the use remained within its existing D1 use. Additionally, the application has

been examined by the Council's Transportation Section who have raised no objection in this regard.

The maintenance of the graveyard remains with the owner of the site who is responsible in this regard. Any neglect of the graveyard could potentially be remedied through enforcement action available to the Council.

### **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 a charge under the CIL Regulations 2010 as amended. The application lies within Zone 2 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £40 / sqm for residential development.

The CIL (including indexation) for this development is expected to be £38,176.57.

### **Conclusion**

The proposed conversion is considered to be a productive use of the property for a sympathetic and conforming use that would be of an acceptable scale and design, would not have a harmful impact on neighbouring properties, the visual amenity of the area or highway safety considerations. Consequently, the proposal is considered to be acceptable.

### **RECOMMENDATION: Approve.**

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 plan(s) no(s)
  - Site location plan, Plan No. CEX7/1
  - Block plan, including parking provision, Plan No. CEX7/10/A
  - Proposed basement level, Plan No. CEX7/6
  - Proposed lower ground floor plan, Plan No. CEX7/7
  - Proposed ground floor plan, Plan No. CEX7/8
  - Proposed first floor plan, Plan No. CEX7/9

and documents received by the Local Planning Authority on *<insert date>*, 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. Building operations shall not be commenced until samples of the materials 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 external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the details shown on the submitted plans, development shall not commence until details of a scheme of obscure glazing of the first floor side facing windows in the south-west and south-east elevations (facing 40 and 41 Wood Road) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the levels of obscuration to a minimum of level three. The agreed scheme shall be installed at the property to a height of 1.8m from finished floor level and shall be retained in place in perpetuity.

Reason: To safeguard the privacy of residents in the locality in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Notwithstanding the submitted plans, development shall not commence until details providing for a vehicular crossover in accordance with Highway Design Guide Standard Details Drg. No. 111 have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to beneficial occupation.

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

7. The parking spaces indicated on drawing no. CEX7/10/A shall be constructed on site in permanent materials prior to beneficial occupation and retained for the purpose of vehicular parking only.

Reason: To ensure vehicles are parked off the public highway, in the interests of highway safety in accordance with Policy AW5 of the Rhondda

Cynon Taf Local Development Plan.