



## **PLANNING & DEVELOPMENT COMMITTEE**

**4 FEBRUARY 2021**

### **REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 18/1105/10 (BJW)  
**APPLICANT:** Mr L Vaida  
**DEVELOPMENT:** Conversion of Ebenezer Chapel into No. 5 residential apartments with associated works (amended location plans and parking layout plan received 22/08/2019)  
**LOCATION:** EBENEZER CHAPEL, EBENEZER STREET, TRECYNON, ABERDARE, CF44 8NU  
**DATE REGISTERED:** 22/08/2019  
**ELECTORAL DIVISION:** Aberdare West/Llwydcoed

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**RECOMMENDATION:** Approve, subject to favourable referral of accompanying Listed Building Consent (LBC) application to Cadw.

**REASONS:** The application proposes the productive use of a currently derelict, disused and vandalised chapel building through internal conversion.

The approach to the proposal has been informed through a thorough evaluation of the heritage asset by way of the revised Heritage Impact Assessment (HIA).

The proposal would retain the character and appearance of the vast majority of the external features as well as an important internal staircase that would be retained and would form an important route through the converted property.

It is considered that the current proposal represents a positive and acceptable opportunity to bring this disused and semi-derelict building into productive use. For this reason it is considered that the alterations would be acceptable.

The use of the property 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. Furthermore, it would not have a detrimental impact on neighbouring properties, the visual amenity of the area or highway safety considerations.

**Consequently, it is considered that the proposal for the conversion of the building would be justified in this instance and a recommendation to approve the application is offered.**

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## **REASON APPLICATION REPORTED TO COMMITTEE**

The application is reported to Committee as the proposal is not covered by determination powers delegated to the Director of Prosperity and Development. It proposes 5 or more residential units.

## **APPLICATION DETAILS**

Full planning permission is sought for the conversion of Ebenezer Chapel, Ebenezer Street, Trecynon, Aberdare into five residential apartments. The proposal would also include the modification of the rear and side cemetery areas to create amenity space, bin and cycle storage and parking provision to serve the proposed development.

Accommodation would consist of five 2-bedroom apartments; two on the ground floor; two on the first floor and one within the roof-space of the building. External works would provide two communal amenity areas for residents; access from Mount Pleasant Street for vehicular traffic; 8 no. parking spaces and 10 no. stands for bicycle storage.

Specifically, the application would propose the following:

### **External works**

- Creation of a side and rear landscaped communal amenity area;
- Installation of a 1:10 ramped vehicular access from Mount Pleasant Street to the rear parking/cycle store/amenity areas;
- Installation of 8 no. vehicular parking spaces;
- Installation of a cycle rack for 10 no. bicycles;
- Installation of a total of 10 no. conservation-style rooflights, 5 no. on the west roof and 5 no. on the east roof;
- Installation of a circular attic window in the rear elevation, of a similar style to the existing window in the front elevation. The window would serve the internal stair access to the first floor and attic apartments;

### **Internal works**

- Conversion of the ground floor chapel area into 2 no. 2-bedroom apartments;
  - The entrance to flats one and two would be from the main front entrance.
  - Flat one would be accessed by a level entrance straight off the main entrance porch.

- Flat two would be accessed up a retained stairwell to the right of the main porch and would be located at first floor level.
- Conversion of the rear ground floor, first floor and attic area to 3 no. 2-bedroom apartments;
  - The apartments would be accessed via an existing side doorway in the western elevation.
  - The doorway would lead onto a shared lobby area.
  - The shared access lobby would provide level access into flat three.
  - A stairwell within the shared access lobby would provide access to flat four at first floor level and flat five within the attic area.
  - A mezzanine floor will also provide two additional living areas, one each for flats two and four (both flats located at first floor level).

This application is accompanied by the following additional information:

- Heritage Impact Assessment (HIA) (updated version 18/09/2020);
- Additional details have been submitted in relation to removal of the ceiling, the reuse of columns, the retention and cleaning of memorial plaques, roof-lights and shared utility apparatus.

Members are advised that a separate application for Listed Building Consent has also been submitted (18/0935/10). However this application is not required to be reported to Committee for final determination. It does however have to be referred to Cadw for consideration prior to determination.

## **SITE APPRAISAL**

The main Chapel building is set back at a splayed angle to Ebenezer Street within the village of Trecynon, Aberdare. The Chapel is one of several Listed Chapel Buildings within the village, and is located between Ebenezer Street to the north and Mount Pleasant Street to the south.

The site is irregularly shaped with the building taking up the majority of the eastern part of the site and the existing graveyard taking up the rear (south) and western side.

## **PLANNING HISTORY**

18/0935	Ebenezer Chapel, Ebenezer Street, Trecynon, Aberdare, CF44 8NU	Conversion of Chapel into 5 No. residential apartments with associated works (amended location plan and parking layout plan received 22/08/2019) (Application for Listed Building Consent)	Pending
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## **PUBLICITY**

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

1. The plans show that there will be walk in access from the main gates at the front of the chapel. This will encourage the occupants to park their cars on Ebenezer Street.
2. This road is one way and very narrow. Parking for the residents can become very difficult at the best of times due to use of the vestry and people from surrounding streets also parking there.
3. I own the house directly opposite the chapel. I have put parking to the side of the property but when cars park opposite the drive and house it is impossible to use the drive as the road is so narrow. Plus, there is a lamppost on the drive so when cars park opposite it makes it totally impossible to get in and out.
4. If residents of the chapel park to the front it will mean my son who often leaves for work at 4am in the morning will not be able to get out and I don't think the residents are going to be happy when he has to wake them up to move their cars.
5. If the lamppost is moved there would not be a problem as it will give enough room to swing a car around to get out and there would be no objection from us to the proposed build. Otherwise we are objecting to the use of the front gates and build.
6. Issues were raised by the owner of the garages to the rear of the site in relation to the access proposed to the rear amenity/parking/cycle store area. The owner of the garages stated that the access was on their land and that they would not consent to its use. The applicant then amended their point of access to be off Mount Pleasant Road, altered their site location boundary, and their land ownership certificate.

## **CONSULTATION**

Transportation Section – no objection, subject to conditions in relation to the laying out of the parking area in accordance with the submitted approved plans, the retention of the parking at the site, the requirement for a vehicular footway crossing and the restriction of surface water drainage to not discharge into the highway drainage system.

Drainage Section – no objection subject to the imposition of a standard drainage condition to specify the drainage arrangements for the proposal.

Public Health and Protection Division – no objection subject to a condition restricting the hours of operations during the construction phase of the development and standard informative notes.

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

Western Power Distribution – no objection. The applicant should be made aware that if they require a new connection or a service alteration, they will need to make a separate application to Western Power Distribution.

Wales and West Utilities – no objection. Wales & West Utilities (WWU) has pipes in the area. Our apparatus may be affected and at risk during construction works. Should the planning application be approved then WWU will require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable.

South Wales Fire and Rescue Service – no objection. The developer should consider the need for the provision of adequate water supplies on the site for firefighting purposes and access for emergency firefighting appliances.

Glamorgan Gwent Archaeological Trust (GGAT) - GGAT have reviewed the application and identified that the proposal will require archaeological mitigation.

In order to preserve this structure by record in its current form, GGAT strongly recommend that a building survey is made prior to demolition. GGAT would recommend that this takes the form of a Level 3 survey as set out in “Understanding Historic Buildings: A Guide to Good Recording Practice”, Historic England, 2016. To ensure that work is carried out in a suitable manner, GGAT therefore suggest that a condition worded in a manner similar to model condition 73 given in Welsh Government Circular 016/2014 is attached to any consent that is granted in response to the current application. This condition is worded:

*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.*

The justification for the imposition of the condition would therefore be:

*Reason: As the building is of architectural and cultural significance the specified records are required to mitigate impact.*

## **POLICY CONTEXT**

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

The property is within the defined settlement boundary and is unallocated. The chapel building itself is a Grade II Listed Building.

**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 AW7** – refers to the protection and enhancement of the built environment. This policy states that development which impacts upon sites of architectural and 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 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.

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 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 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

### **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.

### **Technical Advice Note (TAN) 24: The Historic Environment (2017)**

Provides guidance on how the planning system should consider the historic environment during development plan preparation and decision making on planning and Listed Building applications.

## **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 Listed chapel within its own, fairly sizable grounds and within the village of Trecynon, itself a suburb of Aberdare Town. The Chapel has ceased being in use for a considerable period of time with the case officer's first contact with the then owner being approximately 1999-2000.

At that time Council Officers and a Cadw Inspector were called and attended the site due to concerns that the interior was about to be "asset stripped" by the owner. The owner was cautioned at that time and no further action was deemed necessary.

In the intervening period the property has been neglected and vandalised and has passed through a series of different owners leading up to the current planning and Listed Building Consent applications.

The current owner has proposed an ambitious re-development of the property that would affect minimal external alterations to the property. In stark contrast, much of the fire damaged internal details will be lost, although the existing gallery stairs will be retained to form the access to apartment two and the four memorial plaques will be retained in situ as features of apartment three.

While it is acknowledged that this is not ideal, it is clear that extensive vandalism has diminished the remaining internal features within the property to such an extent that they now have very little evidential, historical, aesthetic or communal value.

The retention of the features that it is possible to retain does, however, provide an, albeit limited, evidential link to the original use of the building while allowing the successful conversion of the property to its new use.

While the loss of the remaining details are regrettable, the prolonged disuse of the building and its continued deterioration require urgent action to maintain the viability of the premises within its setting. In this regard it is considered that the situation for

the property is sufficiently advanced that the current proposal is warranted in this instance.

The current proposal would secure the long-term future of the building so that its external façade and features would be almost entirely preserved. In this instance, it is considered that this represents an acceptable compromise position.

### **Impact on neighbouring properties**

The application property is located in a prominent location within the village of Trecynon and in close proximity to existing residential properties in Ebenezer Street and Mount Pleasant Street.

It is considered that due to the relationship with existing, neighbouring properties and subject to appropriately worded conditions, that the proposed converted use of the property would not have an adverse impact on the privacy or amenity of those neighbouring properties.

### **Visual amenity**

The application is largely for the internal alteration of the property and external alterations have been kept to an absolute minimum. It is considered that what alterations are proposed would be acceptable, or would be capable of being made so by the imposition of appropriately worded conditions.

Consequently, it is considered that the proposal is acceptable in this regard.

### **Highway safety**

The application has been subject to negotiation and additional consultation with the Council's Transportation Section. Following these negotiations the Transportation Section have raised no objection to the application, subject to the imposition of conditions requiring the laying out of the parking area in accordance with the submitted approved plans, the retention of the parking at the site, the requirement for a vehicular footway crossing and the restriction on surface water drainage to not discharge into the highway drainage system.

It is considered that these conditions would be reasonable and necessary in order to maintain adequate parking facilities at the site and to safeguard highway safety in the surrounding area. It is also acknowledged that the provision of the parking facilities would require the modification of the existing graveyard at the site. This is beyond the scope of this application and is not a planning matter. The developer will be required to undertake the necessary steps to secure an affect this alteration and an appropriate advisory note should be included to address this issue.

Consequently, it is considered that the proposal is acceptable in this respect.



## **Other issues**

The comments of the neighbouring properties are acknowledged and the following comments are offered thereon:

1. The application contains sufficient parking provision for a development of this nature. Should residents park in a manner that would cause an obstruction within the area, this would be a matter regulated by the Police or Local Highway Authority.
2. The narrow and one-way nature of the road is acknowledged. However, this has been evaluated by the Transportation Section who have raised no objection to the amended access and parking arrangements.
3. Similarly, should parking within the street hinder the use of an existing resident's parking facilities, this would be a matter for the Police or Local Highway Authority to address.
4. Please see 2 and 3 above.
5. The removal of the lamppost would not be necessary due to the amended parking facilities to the rear of the site.
6. The amended plans now indicate that access would be gained to the rear of the site by an alternative route that would not affect or utilise any of the land of the adjacent commercial garage.

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.

## **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. However, the application site lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones where a £nil charge is applicable. Therefore no CIL would be payable.

## **Conclusion**

The application proposes the beneficial re-use of an attractive and prominent Listed Building within a residential setting. The building has, unfortunately, been neglected and vandalised over the last twenty years to the point that its current condition is poor and clearly worsening.

While the loss of features to any Listed Building is always regrettable and should be a last resort of any decision to grant planning permission / Listed Building Consent, in this case, it is considered that even the loss of the large amount of the internal features would be an acceptable compromise in order to retain what features can be incorporated into the internal conversion of the property, while also preserving the majority of the external façade of the property.

It is therefore considered the proposal would represent an acceptable and sustainable alternative use for the property that would serve to protect and maintain the façade and what limited internal features that would be incorporated into the conversion. Furthermore, as set out above, what external alterations that are proposed, such as rooflights and column supports, could be mitigated through the imposition of appropriately worded conditions.

Consequently, subject to satisfactory recording of the property, it is considered that the proposal to convert the Listed chapel would be acceptable.

**RECOMMENDATION: Approve, subject to a favourable referral of the associated Listed Building Consent to Cadw.**

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/drawings:

- Site location plan Revision P2, dated 22/08/2019
- Proposed site plan, Drawing 1714-02, Revision P2
- Existing/proposed ground floor plan, Drawing 1714-03, Revision P3
- Existing/proposed first floor plan, Drawing 1714-04, Revision P1
- Proposed First Floor Mezzanine, Drawing 1714-05, Revision P2
- Existing/proposed attic floor plan, Drawing 1714-06, Revision P1
- Existing/proposed roof plan, Drawing 1714-07, Revision P1
- Section A-A and B-B, Drawing 1714-10, Revision P1
- Section C-C, Drawing 1714-08, Revision P3
- Section D-D, Drawing 1714-09, Revision P3
- Detail A, Drawing 1714-15, Revision P1

Unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: In order to define the extent of the permission hereby granted and in order to ensure that the development is carried out in accordance with the approved plans.

3. Notwithstanding the details on the approved plans, prior to any development commencing on site, the design and details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- window repairs and replacements;
- rainwater goods;
- soffits and fascias;
- boundary treatments;
- roof lights;
- new attic window;

The works shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the Listed Building; in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

4. No works shall commence on site until copies of plans and/or a photographic record of Ebenezer Chapel is deposited by the applicant in the Royal Commissions archive.

Reason: To retain a record of the building to accord with para. 6.5.17 Chapter 6 of Planning Policy Wales.

5. All disturbed fabric shall be made good to match the existing building.

Reason: To ensure that the appearance of the proposed works will be in keeping with the special architectural and historic character of the Listed Building, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

6. No development works shall commence on site until full site drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The residential units hereby approved shall not be brought into to beneficial occupation until the drainage works have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Prior to the first unit being brought into beneficial occupation, the means of access, together with the parking and turning facilities, shall be laid out in accordance with the submitted plan 1714-02 REV P2 and approved by the Local Planning Authority. The Off-street car parking provision shall remain for the parking of vehicles only thereafter.

Reason: In the interests of highway safety and to ensure vehicles are parked off the highway, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. Prior to the first unit being brought into beneficial occupation, 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 commencing on site.

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

9. Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

10. 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: As the building is of architectural and cultural significance the specified records are required to mitigate impact.