

**PLANNING & DEVELOPMENT COMMITTEE**

**24 MARCH 2022**

**REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0784/10 (BJW)  
**APPLICANT:** Podgy Dwarf Productions Ltd  
**DEVELOPMENT:** Change of use from Chapel to dwelling, art/film studio.  
**LOCATION:** SILOA CHAPEL, GREEN STREET, GADLYS, ABERDARE  
**DATE REGISTERED:** 04/06/2021  
**ELECTORAL DIVISION:** Aberdare East

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**RECOMMENDATION:** Approve, subject to positive referral of the associated Listed Building Consent (LBC) to Cadw.

**REASONS:** The application proposes the productive use of a currently disused chapel building through primarily internal conversion.

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

The proposal would retain and improve the character and appearance of external features as well as the layout and important internal features that would be retained and reused within the scheme.

It is considered that the current proposal represents a positive and acceptable opportunity to bring this disused historic building of acknowledged quality into productive use. For this reason it is considered that the change of use and the works to facilitate the same would be acceptable.

The use of the property would be sympathetic and in keeping with surrounding land uses, which also include residential use on upper floors (the nearby former Town Hall). Furthermore, the proposal 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**

Three objections have been received.

## **APPLICATION DETAILS**

Full planning permission is sought for minor external works and more substantial internal works to facilitate the change of use from a chapel to a dwelling and an art/film studio at Siloa Chapel and its attached hall, Green Street, Gadlys, Aberdare.

Specifically, the proposed works would consist of the following:

### **External works**

- Remove the roller shutter and enclosure from the vestry door and make good the resultant wall finishes; and
- Installation of CCTV cameras

The applicant states that the CCTV cameras will be modern, small, and relatively unobtrusive. They will be removable, and any small screw holes used to secure them can be rendered over. It is the aim to run the cabling through existing holes in the wall (i.e. the eaves/air bricks) where possible.

### **Internal works**

(It should be noted that the majority of the internal works would not require planning permission but are included here for completeness).

- Removal of existing and installation of new internal stud walls to the kitchen area to allow this to be used in connection with the proposed art/film studio;
- Enlargement of the existing doorway between the two rooms in the vestry to accommodate a tri-fold internal doors;
- Installation of a spiral stairs to allow access to the existing attic room;
- Installation of a shower within the existing bathroom;
- Remove the carpet from the vestry/living accommodation, to return to the original wooden flooring;
- Remove the modern acoustic panel ceiling from the vestry/living accommodation, to return to the original plaster ceiling;
- Installation of a temporary floor over the original wood floor of the chapel, out of plywood/hardboard;
- Remove the majority of the pews from the main church hall with some of them placed to the perimeter of the walls, to make the maximum use of the floor space. The remaining pews are to be repurposed as kitchen cabinets, wall paneling, and other furniture in the vestry/proposed living accommodation;
- Removal of the large “set fawr” pew that faces the pulpit from the main hall and its installation into the living accommodation;
- Removal of the pulpit, including attached lamps and plaques, to be reassembled in the living accommodation to create a raised sitting/office area. To make it fit with the intact “set fawr”, the right hand stairs would be removed and the banister extended over the gap;
- The organ mechanism which is underneath the pulpit, will be left in situ and any gaps created by the removal of the pulpit boarded over with plywood, leaving a raised stage area.

- Re-use of the redundant cast iron heating pipes that formed the old heating system running throughout the chapel. With the pews removed, these will be a trip hazard, so they will be re-used in the living accommodation, as central heating pipes, and also to run modern pipework and cables through (as opposed to plastic channel).

The application is supported by a Heritage Impact Assessment as well as a basic schedule of the proposed alterations.

This planning application is submitted in tandem with an application for Listed Building Consent (LBC), under reference no. 21/0783/12 which is also being considered within this agenda.

## **SITE APPRAISAL**

The application site relates to a disused Chapel building with an attached vestry located on Green Street in the historic town of Aberdare.

The site is accessed directly onto Green Street, close to the main route through the town to and from adjacent settlements. The property is within the settlement boundary, is within the Aberdare Town Conservation Area and both the main Chapel - Siloa, and the attached hall are Grade II Listed Buildings (Cadw reference nos. 10850 and 10851 respectively).

The surrounding area is characterised by ecclesiastical and civic scale buildings including several within the immediate area which are also listed.

The application property itself is a substantial building (approximately 232 sq.m, excluding the upper gallery) with an attached vestry building (approximately 95 sq.m) which is within a constrained wider site curtilage of some 614 sq.m and extends to the north and the west of the building.

The Listing(s) for the building(s) contains the following details:

Cadw Listed Building refs: 10850 and 10851 (both Grade II)

### **Location**

Near the western end of the street, facing north.

### **History**

Built in 1844; rebuilt in 1855; historically one of the foremost Congregational chapels in Wales.

### **Exterior**

Simple classical 3-bay gabled front; rendered with end pilaster strips, stringcourse to middle and cornice giving light pediment treatment. Oval date plaque to gable. Slate roof and wide boarded eaves. Round arched headed windows with keystones and

fluted architraves. Horned sashes with marginal glazing bars. Similar style round arched headed entrance to centre; double panelled doors with 5-pane semi-circular fanlight. 4-bay side elevations with camber headed sashes in square openings. Stepped down at the rear and with a steeper roof is the chapel hall with small pane sashes to the sides. Cement render rear gable facing the river with tiny octagonal chimney stack. Round arched and boarded gable window with flanking circular 4-pane windows; 4 pane sashes below; projecting stones on the south west corner suggests that some further structure formerly abutted here.

Forecourt has rubble piers with freestone caps swept up into ball finials at the gated entrance; the gates have 'Capel Siloa' to lock bar; the pier has commemorative tablet. Iron railings; some uprights are barley twist.

### **Interior**

Galleried interior with herringbone boarded ceiling with roses; end bays had different ornament (now removed to front end). Raked gallery with panelled and bracketed front carried on cast iron columns. Simple classical 'set fawr' with quatrefoil punched newels capped by ball finials. Pitch pine furnishings; seats approximately 900.

Attached vestry/hall with ceiling ventilators and central rose.

### **Listed**

Group value.

### **PLANNING HISTORY**

21/0783/12	Siloa Chapel, Green Street, Gadlys, Aberdare	Minor external alterations – 2 No. new conservation roof lights (Application for Listed Building Consent).	Not yet determined
20/5088	As above	Pre-application enquiry for the conversion of existing Chapel into an Art/Film Studio and a single residential unit within the attached hall/vestry	Raise no objection 30/02/2021

### **PUBLICITY**

The application has been advertised by letters to neighbouring properties and site notices. Three responses have been received, each making comments in respect of the internal alterations proposed which do not form part of this planning application. These comments are detailed and addressed within the separate report before Members for the associated LBC application (ref. 21/0783/12).

### **CONSULTATION**

Transportation Section – no objection or condition suggested. This is based on the parking requirement for the existing use compared to the proposed use (which is lesser) and the sustainable nature of the location of the site.

Public Health and Protection Division – no objection, subject to conditions to restrict the hours of operation during the construction phase of the development and standard informative notes.

Land Reclamation and Engineering (Drainage) – from a flood risk perspective, the applicant has proposed a change of use which does not increase the footprint of the building and does not increase the impermeable area, as such no comments are offered. Advice is provided in terms Sustainable Drainage Approval to the Sustainable Drainage Approval Body (SAB).

Natural Resources Wales (NRW) – no objection. Advice is offered in relation to potential flood risk.

Dwr Cymru Welsh Water – no objection, subject to conditions and standard advice.

## **POLICY CONTEXT**

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

Members will be aware that the current LDP's lifespan was 2011 to 2021 and that it has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LPD for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

The application site is within the settlement boundary of Aberdare, within the Aberdare Town Conservation Area and are a group of two Grade II Listed Buildings.

**Policy CS1** – sets out criteria for achieving strong sustainable communities including: promoting residential and commercial development in locations which support and reinforce the role of principal towns and settlements.

**Policy AW2** - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

**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 placemaking, including landscaping.

**Policy AW7** - development proposals which impact on sites of architectural/or historic merit and sites of archaeological importance will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

## **LDP Supplementary Planning Guidance (SPG): The Historic Built Environment (March 2011)**

### **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 11) (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. Future Wales: The National Plan 2040 (FW2040) sets out guidance for development at both regional and national level within Wales, with the thrust and general context also aimed at sustainable development.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is 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.

Given the relatively minor scale of the proposed development and its relationship with only the immediate surrounding area, there are limitations to the extent such a scheme can have in promoting planning objectives at a national scale. As such, whilst the scheme aligns with the overarching sustainable development aims of FW2040, it is not considered the policies set out in the document are specifically relevant to this application.

Other relevant national policy guidance consulted:

**Welsh Office Circular 61/96 (98)**

**Welsh Office Circular 1/98**

**PPW Technical Advice Note (TAN) 12 – Design (2016)**

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

### **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 building is currently a large former chapel with an attached vestry/hall within an urban setting, within the Town Centre of Aberdare. With diminishing congregation numbers the chapel has ceased being a place of worship and there is no realistic expectation that such a use could be supported in the future.

Alternative uses for such buildings are always difficult as particularly the internal layouts provide a significant barrier to these alternatives. This position is exacerbated when dealing with Listed Buildings.

Consequently, schemes for the change of use of such buildings will, by their very nature, require compromises in terms of the amount and methods undertaken to achieve their outcomes.

The impact on the special historical and architectural importance has been fully considered in the associated LBC application and subject to the suggested conditions and a positive referral to Cadw, it is considered that the proposal is acceptable in this regard.

In terms of the principle of the change of use and the material alterations required to facilitate this, it is considered that the planning merits of returning a prominent listed building to a productive commercial and residential use are positive.

It is acknowledged that the proposed scheme is a compromise, however, a productive use is a better incentive to drive maintenance and repair of the property as well as discourage vandalism than its continued disuse would be. Additionally, it is considered that the impact of the changes are far more measured and less impactful than, for instance, the usual schemes to fully convert the property for residential use.

Consequently, it is considered that the principle of the proposed works would be acceptable.

## **Character and appearance of the area, including the Aberdare Conservation Area**

The works are primarily to the interior of the chapel and its attached hall/vestry. What external works that are proposed are of a relatively minor nature that would, subject to acceptable details secured by condition, have a positive impact on the character and appearance of the area, particularly given its location within the Aberdare Conservation Area.

The external works are considered to be acceptable, proportionate and reversible. The effect on the special character and appearance of the Listed Building is fully considered in the associated Listed Building Consent application (21/0783/12).

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

The application site is located within an area of primarily commercial and civic buildings, although the upper floors of the former Town Hall building has been converted to residential use.

Due to the relationship between the closest neighbouring residential properties and the distance of over 50m between the properties, it is not considered that the proposal would have a detrimental impact on the existing levels of amenity to those properties.

It is also acknowledged that no responses have been received as part of the consultation exercise for the application.

### **Highway safety**

The application has been subject to consultation with the Transportation Section who have raised no objection to the application or suggested any condition be imposed.

This view acknowledges the sustainable nature of the site's location, within a short distance to a various of amenities and a variety of different transport modes. Additionally, the parking requirement of the proposal would be much less than the existing use, should that ever be re-established.

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

### **Other issues**

The comments of NRW are acknowledged in terms of part of the site being within a C2 Flood Zone. In this regard NRW have concluded that the part of the site that is within a flood zone is relatively minor and that the flooding is not a significant barrier to the proposed development. NRW have therefore not objected to the application and have instead suggested that the developer be made aware of the potential flooding issues by way of standard informative notes.

NRW's suggested informative notes would provide the applicant with sufficient information to consider flood alleviation provisions within the works of conversion. Consequently, it is considered that this issue is adequately addressed.

Similarly, the comments of the Council's Drainage Section and Dwr Cymru Welsh Water (DCWW) are acknowledged and their suggested advice and, in the case of DCWW, condition are considered to be reasonable and necessary to include.

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 change of use of this property to a dwelling with an art/film studio is considered to be a productive alternative use for this prominent and attractive listed property.

The proposed external works are minor, reasonable, reversible and ultimately acceptable, subject to conditions.

Additionally, the works would not have an adverse impact in terms of the amenity of neighbouring properties, the visual amenity of the area – including the Aberdare Town Conservation Area, highway safety considerations and the special architectural and historic importance of the listed building.

## **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 and block plan, Title. No. WA936253
  - Ground floor plan (proposed) Drwg. No3
  - First floor plan (proposed), Drwg. No4

and documents received by the Local Planning Authority 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. 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.

4. Notwithstanding the approved details, no works to which this consent relates shall commence until a scheme, including a method statement, for the

removal for the existing roller shutter and the making good of the external walls of the vestry, has been submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed details thereafter.

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.

5. Notwithstanding the approved details, no works to which this consent relates shall commence until a scheme, including a method statement and technical details, for the installation of CCTV cameras, has been submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed details thereafter.

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. Prior to the development hereby approved commencing, a scheme for the protection in situ of all memorial plaques, the memorial stained glass window and external blue plaque shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to any works commencing and protection measures retained in perpetuity.

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.

7. 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.

8. Notwithstanding the details on the approved plans, no works to which this consent relates shall commence until the design and details of the following have been submitted to and approved in writing by the Local Planning Authority:

- Relocation of the set fawr and pulpit within the living accommodation;
- New spiral staircase to the attic area;
- New tri-fold doors details;
- New protective flooring within the main chapel hall;

- Details, numbers and location of retained pews; and
- Details of re-used and repurposed timber pews, panelling and metal pipework.

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.

9. 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.