

Application No.
P/15/0197

Date
12th June 2015

Determining Authority
MTCBC

Proposed Development

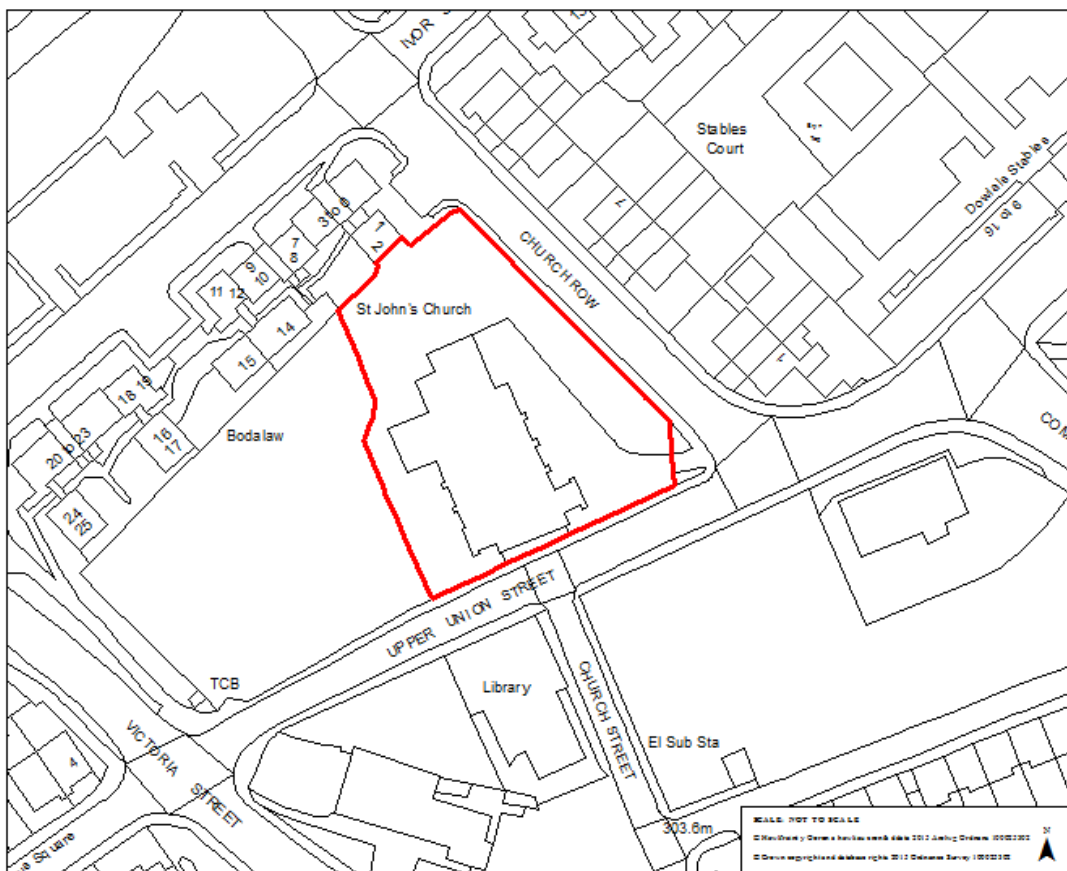
Location

Name & Address of Applicant/Agent

Change of use of church into 20
No apartments with associated
internal and external works
(Renewal of Planning Permission
P/11/0031)

Former St Johns Church
Upper Union Street
Dowlais
Merthyr Tydfil
CF48 3LE

Graft Ltd
c/o Page & Dean
Consulting Ltd
C/o Mr Richard Dean
Old St Peters, St Peters
Crescent
Peterstone, Cardiff



APPLICATION SITE

The application relates to the Grade II Listed St. John's Church within Dowlais Conservation Area. The building is listed as a historic parish church, demonstrating strong linkages with Dowlais Ironworks and the Guest family, and has a high group value with Dowlais Stables and Dowlais Public Library. The building is set on the corner of Upper Union Street (to the south) and Church Row (to the east). The site is also bound by vacant land to the south-west and flats to the north-west which front onto Ivor Street.

St. John's Church was built in 1873 in a Victorian Gothic style and is constructed of rock-faced rubble stone, containing ashlar dressings, largely of Bath stone. A large aisle of blue

pennant stone makes up the majority of the building with a number of windows and porches and a Gothic style turret to the south-west. The building is signified by its steep pitched roof, viewable from a distance.

The interior of the building, though largely deteriorated, contains an arcade of rounded columns with large pointed arches. A number of features of interest are still located within the building including a memorial plaque to Sir John Josiah Guest as well as plaques dedicated to other mine workers. A large stained glass miner's window forms part of the building's historic interest.

Access to the building's curtilage is achieved from a point at the junction of Church Row and Upper Union Street. A masonry wall encompasses the curtilage of the building to the south, whilst a white painted modern steel parkland fence fronts the curtilage at Church Row.

PROPOSED DEVELOPMENT

Permission is sought for the renewal of planning application P/11/0031 which relates to the change of use of the building to accommodate 20 apartments with associated internal and external alterations and works within the curtilage of St John's Church.

External Alterations

The external works would largely consist of the formation of a number of new apertures. A total of 36 new 'Lumen' rooflights would be added to the building, 22 of which would be added to the south elevation and 14 to the north elevation. Six new quatrefoil windows would be added to the vestry walls of the building, one of which would be added to the west elevation and five to the north elevation. These would be approximately 1480mm in height and width.

A number of current openings would be extended and elongated by 1820mm in matching Bath Stone to produce light for internal rooms, including two arched windows on the north elevation and one on the south elevation. Two small ventilation towers would be added to the roof pitch, consisting of an oak framed structure with slate louvers and copper finials. The works would also facilitate the repair of the roof using Welsh natural slate, limestone repairs to external walls and repairs to window glazing and frames.

Curtilage Works

A parking area would be incorporated around the eastern grounds of the building allowing for 25 parking spaces. The access driveways within the building's curtilage would be surfaced in compact gravel, along with some parking spaces. Most car parking spaces would be surfaced in grasscrete. Grass would remain around the immediate building curtilage whilst a flagstone walkway would be constructed to the south of the site. An oak close boarded refuse compound would be located within the parking area and a number of specimen trees would be retained. The parkland railings along the eastern boundary of the site would be replaced to match existing.

Internal Alterations

Four floors would be added to the building by means of an internal mezzanine structure, which would not be attached to the original internal faces of the building. The structure would be partitioned appropriately to provide facilities for 20 separate apartments (14 flats and 6 maisonettes) each containing one bedroom, bathroom and sitting room. An 8 person lift is proposed within the floor structure, together with its associated plant room and four storage rooms.

A void is proposed to be kept in the southern end of the building, exposing the entire window to the southern elevation and would be used as a publicly accessible area displaying some exemplar remaining pews, a number of relocated commemorative plaques, the Lady Chapel screen and the font. A memorial tomb within the northern vestry of the building is also proposed to be kept, displaying the John Josiah Guest memorial mural and pulpit. The original chancel steps would run alongside this mural.

Councillor Tony Chaplin requested that this application be presented to Committee for determination to consider the impact of the proposal on highway safety.

PLANNING HISTORY

The relevant planning history in determining this application is detailed below:

- P/15/0198 - Internal alterations and repairs, retention of eastern bay, addition of rooflights, windows and addition of 2 No. new roof ventilators (Renewal of Listed Building Consent P/09/0303).
Currently under consideration.
- P/12/0263 - Temporary siting of 1 No. residential caravan.
REFUSED permission on 26.11.2012
- P/11/0031 - Change of use of church into 20 No. apartments including internal alterations and repairs, retention of eastern bay, addition of rooflights, windows and 2 No. new roof ventilators.
Permission GRANTED on 30.06.2011
- P/09/0303/LB- Internal alterations and repairs, retention of eastern bay, addition of rooflights, windows and addition of 2 No. new roof ventilators.
Listed building CONSENT granted on 15.06.2010
- P/99/0403 - Removal of items and features, extension of time period for implementation of previous consent P/98/0482.
Listed building CONSENT granted on 21.02.2000
- P/98/0482 - To remove stained glass windows for safe keeping and eventual incorporation into All Saints Church, Dowlais.
Listed building CONSENT granted on 01.04.1999

CONSULTATIONS

Internal consultees

- | | | |
|---|---|--|
| Engineering and Highways Manager | - | No objection. |
| Town Planning Division's Policy and Implementation Group Leader | - | No objection. |
| Town Planning Division's Countryside Officer | - | No objection subject to a condition relating to a habitat management plan. |
| Environmental Health Manager | - | No response. |

External consultees

- | | | |
|---|---|---------------|
| Glamorgan Gwent Archaeological Trust (GGAT) | - | No response. |
| Cadw | - | No response. |
| Welsh Water | - | No response. |
| Wales & West Utilities | - | No objection. |
| Western Power Distribution | - | No response. |

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) Order 2012, letters were sent to adjoining properties on the 17th June 2015, three site notices were displayed within the vicinity of the site on the 23rd June 2015. A press notice was also displayed in the local newspaper on the 25th June 2015. It is noted that the consultation period does not expire until the 16th July 2015.

At the time of writing this report no representations have been received as a result of this publicity exercise. In the event that any representations are received after this report is submitted, they will be verbally reported to Committee.

POLICY CONTEXT

National planning policy

Planning Policy Wales (PPW) 7th edition, July 2014:

Chapter 4 – Planning for Sustainability

Para 4.11.9 – 4.11.12 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context. Regard should be given to the appropriate scale, appearance, landscaping and quality of building design and should also be accessible for all.

Chapter 5 – Conserving and Improving Natural Heritage and the Coast

Para 5.5.1 – 5.5.3 notes that the impact a development proposal may have on wildlife or the landscape is an important consideration in determining an application. Where ever possible adverse effects on the environment should be avoided or acceptably minimised.

Chapter 6 – Conserving the Historic Environment

Para 6.4.6 acknowledges that the character and appearance of a conservation area must be a major consideration in the determination of planning applications. However, it is recognised that it should not prevent new development from coming forward.

Para 6.5.17 states that should any proposed development conflict with the objective of preserving or enhancing the character or appearance of a conservation area or its setting, there will be a strong presumption against the grant of planning permission.

Chapter 9 - Housing

Para 9.3.1 – 9.3.4 highlights that new housing schemes should be well integrated with and connect to the existing patterns of settlements. Sensitive infilling of small groups of houses, or minor extensions to groups, in particular for affordable housing to meet local needs, may be acceptable, though much will depend upon the character of the surroundings. In determining applications for new housing, particular regard shall be given to the area's character, amenity and density. High quality design and landscaping standards are also important.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TANs to this application are as follows:

TAN 5: Nature Conservation and Planning, September 2009.

TAN 12: Design, July 2014

Welsh Office Circular 61/96 “Planning the Historic environment” Part 1 Para II: the Setting of Listed Buildings”

Part 1 Para 11 reiterates Sections 16 and 66 of the Town and Country Planning Act 1990 in requiring Local Planning Authorities, when considering applications for works affecting listed buildings to have regard to their character and setting.

Part 1 Para 12 addresses the change of use of historic buildings. This states that new uses may be the key to the preservation of a building and reaffirms that planning matters should be exercised sympathetically where it would enable a historic building to be given a new lease of life.

Part 2 Para 30 acknowledges that Conservation Areas include buildings which make little or no contribution to its character and appearance; therefore it is important that change to these buildings should be designed to respect the Context of the Conservation Area.

Local Planning Policy

The following policies contained within the Merthyr Tydfil Local Development Plan 2006-2021 are relevant to the determination of this application:

- Policy BW1 - Development strategy – Primary Growth Areas
- Policy BW4 - Settlement boundaries / locational constraints
- Policy BW5 - Natural heritage
- Policy BW6 - Townscape and built heritage
- Policy BW7 - Sustainable design and place making
- Policy BW8 - Development and the water environment
- Policy BW12 - Development proposals and transport
- Policy BW17 - Securing community infrastructure benefits.
- Policy AS4 - Historic landscape
- Policy AS22 - Affordable housing contributions
- Policy TB11 - Access, parking and accessibility of local facilities

Other material consideration

- SPG 1- Affordable Housing, March 2012.
- SPG 2- Planning Obligations, March 2012.
- SPG 4- Sustainable Design, July 2013.
- SPG 5- Nature and Development, May 2015
- Dowlais Conservation Area Character Appraisal and Management Plan, January 2014.
- CSS Wales Parking Standards, January 2008.
- Circular WGC 016/2014: The use of planning conditions for development management.

PLANNING CONSIDERATIONS

This application seeks to renew a full planning permission (Ref P/11/0031) for the conversion of the former St John's Church into 20 residential apartments with associated internal and external works, which was granted permission on 30th June 2011.

The advice within Circular WGC 016/2014 (Section 5.21) clearly states that renewal applications should only be refused in the following circumstances:

1. There has been some material change in planning circumstances since the original permission was granted.
2. Continued failure to begin the development will contribute unacceptably to uncertainty about the future pattern of development in the area; or
3. The application is premature because the permission still has a reasonable time to run.

Since the approval of the P/11/0031 application there has been no change in the policy considerations since the adoption of the Local Development Plan on the 25th May 2011.

There have been no significant changes in the site circumstances which remain the same or are very similar to that when the previous application was determined. Therefore, it is considered that there has been no material change in the planning circumstances.

Whilst the development works have not commenced since 2011, this absence of development on the site has not contributed to uncertainty about the future pattern of development in the area. The majority of land within the vicinity that lies within the settlement limits has already been developed, and hence the pattern of local development has already been established.

This application was submitted to the Town Planning Division on the 12th June 2015, a year and 18 days before the expiration of the P/11/0031 permission. An application for the renewal of the listed building consent (P/15/0198) is also being sought, which expired on the 15th June 2015. Whilst this application still has at least a year before it expires, renewal of the planning permission is sought at this point in time so that it coincides with the renewal of the listed building consent. In this respect, this application is not considered to have been submitted prematurely.

The Town Planning Division's Countryside Officer has indicated that there is an increased potential for the church building to be used by protected species, albeit, in small numbers. The significance of any impact is likely to be minimal provided a wildlife protection plan is submitted i.e. to ensure the appropriate timing of works. This can be addressed by means of a suitably worded condition attached to any permission granted.

CONCLUSION

For the above reasons, it is considered that the proposed development is acceptable and complies with the relevant circular advice and LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS:**

1. All apertures and ventilation features shall be constructed in accordance with the submitted detail indicated in Drawing No's: 012/08/047, 012/08/048, 012/08/049, 012/08/050, 012/08/051 and 002 Rev 7.

Reason - To ensure compliance with the approved plans and clearly define the scope of this permission.

2. **Before construction works commence** details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. All works undertaken shall be implemented in full, in accordance with such details prior to the beneficial occupation of any of the residential units hereby approved.

Reason - To ensure that all new enclosures are of a design sympathetic to the original character of the principal listed building in accordance with Policies BW6 and BW7 of the Merthyr Tydfil Local Development Plan.

3. **Before construction works commence** details/samples of the proposed compacted gravel and grasscrete surfaces to the car parking area illustrated in the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. All works undertaken shall be completed in accordance with such approved details.

Reason - To ensure the development will be visually attractive in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

4. **Before any of the residential units hereby approved are brought into beneficial use**, the car parking area illustrated in the drawings hereby approved shall be laid out at a gradient not exceeding 1 in 8. These car parking spaces shall be made available for vehicular parking at all times thereafter.

Reason - To ensure the proposed residential units are served by sufficient parking facilities in the interests of road safety in accordance with Policies BW12 and TB11 of the Merthyr Tydfil Local Development Plan.

5. **No development shall take place** until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the local planning authority. The plan shall include:

- a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).
- d. Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan

Reason - To protect the natural environment in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.
