

REFERENCE: P/20/99/FUL

APPLICANT: Wales & West Housing Association
c/o C2J Architects, Unit 1A Compass Business Park, Pacific Road,
Ocean Park, Cardiff CF24 5HL

LOCATION: Trinity Chapel, Penybont Road, Pencoed CF35 5RA

PROPOSAL: Demolish existing chapel; construct 3 storey residential development of 12 self-contained apartments with on-site amenity, cycle and refuse stores; widen existing lane and provide turning head

RECEIVED: 29 January 2020

SITE INSPECTED: 10 March 2020

DESCRIPTION OF PROPOSED DEVELOPMENT

Full planning permission is sought for the demolition of Trinity Chapel on Penybont Road, Pencoed and the erection of a new three-storey building containing twelve one bedroom apartments with a shared amenity space at the rear. In addition, the proposal comprises the provision of cycle and refuse stores together with the widening of the existing rear access lane for the provision of a turning head.

All of the residential units proposed will be affordable as the scheme will be progressed with a local social housing provider (Wales and West Housing Association). Access to the site will be obtained from the existing access points on the north western boundary, adjacent to Penybont Road and on the south western boundary off the rear access lane which leads from Penybont Road to the south of the site.



Proposed Site Plan

The site layout plan shows that the proposed new building will be relatively centrally located between the existing buildings on Penybont Road and will principally face north west. There will be a 3m gap between the south western (side) elevation of the building and the side elevation of 26 Penybont Road and a 1m gap between the north eastern (side) elevation of the building and 28 Penybont Road.

The building will be set back from the north western boundary of the site by a distance of between 3.5 and 4.5 metres, creating a forecourt area enclosed by a dwarf wall with railings positioned between the building and the pavement. In this position the building will be set 2 metres behind the front building line of 26 Penybont Road and 3 metres behind the front of the building line of 28 Penybont Road.

The building itself is proposed to measure 15 metres in width, 17 metres in depth and 10.1 metres in maximum height. It will comprise interlocking mono-pitched roofs as shown below:



Proposed Elevations

The main entrance is located on the south western side elevation of the building. It provides access to a central hall/stairway providing access to the four apartments on each of the three floors. Each apartment will comprise a kitchen/dining/living room with separate bedroom and bathroom. The first and second floors have an identical layout. The units in the eastern half of the building will have a floor area of 55m² whilst the units in the western half of the building will have a floor area of 48m², as shown below:

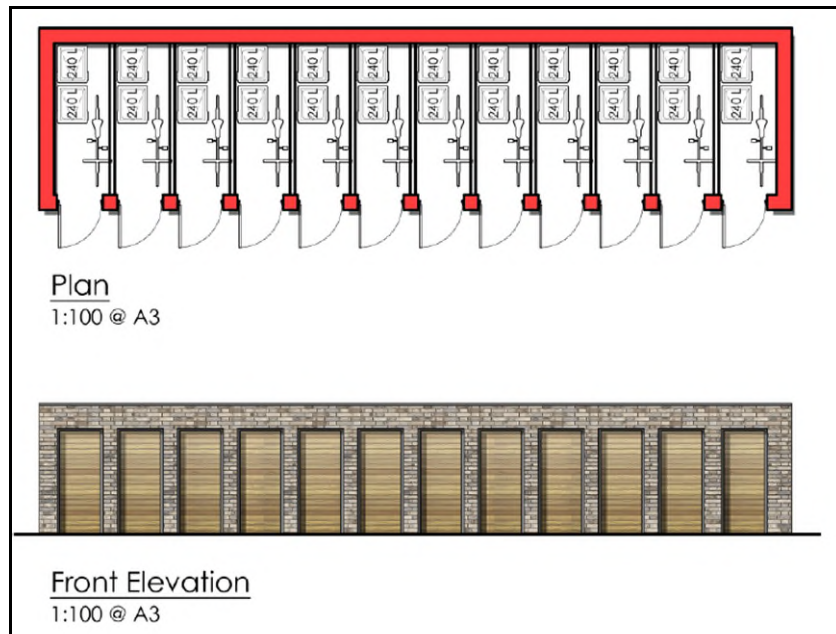


Proposed Floor Plans

Externally the building will have a combination of facing-brickwork elevations and rock panel cladding in white with window and door openings framed in grey powder coated aluminium. A grey flashing reveal is also included.

An amenity area is proposed to the southern part of the site which measures 16 metres in depth and 15 metres in width. The amenity area will be shared for communal use by the future residents of the apartments.

To the south west of the shared amenity space it is proposed to erect a detached storage building for each apartment to have an area to store rubbish, recyclables and bicycles. The building will measure 15 metres in width, 3.5 metres in depth and 2.6 metres in maximum height. It will be a flat roof structure split into twelve separate units, as shown below:



Proposed Floor Plan & Proposed Front Elevation (north east)

Again, the building will be finished in facing brickwork.

The layout also shows that the lane running to the rear of the premises on the southern side of Penybont Road is to be widened and a turning head created towards the south eastern corner of the site.

SITE DESCRIPTION

The application site is centrally located within the Main Settlement of Pencoed as defined by Policy PLA1 of Bridgend County Borough Council's adopted Local Development Plan (2013).

It lies on the south eastern side of Penybont Road, Pencoed and is currently occupied by a substantial and vacant two to three storey Chapel which occupies the central part of the application site. The existing access points lie along the north western and south western boundaries of the site, off the vehicular access lane leading from Penybont Road which provides access to the rear of surrounding properties (see below).



Application Site Identified in Red

The Chapel is set back from the highway and is positioned to face the north west on land which slopes from east to west. The site is therefore slightly elevated above the hairdressing salon at 26 Penybont Road but slightly below the levels of the block of commercial units starting at 28 Penybont Road. This section of Penybont Road is generally commercial in character although there are a number of residential properties to the east and south. The site lies in close proximity to the traffic light controlled junction of Penybont Road and Penprysg Road and there are parking restrictions in the form of double yellow lines along this side of the road.



Google Street View Image (May 2018)

The site lies wholly within the District Centre of Pencoed as defined by Policy SP10 of the Local Development Plan (2013) and identified as being a focus for retailing, cultural and leisure activities within the County Borough.

There is a mix of land uses, architectural styles and pallets of materials within the immediate vicinity of the application site. These include the use of stone and render together with both flat and pitched roofs.

RELEVANT HISTORY

Application Reference	Description	Decision	Date
P/04/736/FUL	Extension to church comprising hall kitchen and toilets	Conditional Consent	26/07/2004

REPRESENTATIONS RECEIVED

This application was initially advertised through the erection of a site notice dated 10 March 2020, an advertisement in the local press published on 26 March 2020 and direct notification to thirty one of the closest properties to the application site. The initial period for responses expired on 16 April 2020.

Twenty one replies were received from Pencoed residents in response to the consultation undertaken, generally objecting to the proposed development for the following reasons:

1. Loss of an architecturally impressive building that has historic links to the community and is valued by local residents who considered it should be converted not demolished;
2. Replacement building is considered to be a bland modern design which is out of keeping with the area;
3. Disruption caused during the demolition and construction phases of the proposed development;
4. Lack of parking provision for future occupiers;
5. Rear lane is a narrow muddy lane which is not suitable to serve as an access;

6. Loss of a community facility;
7. Infrastructure in Pencoed in terms of Doctors, Dentists, Schools etcetera cannot support this additional development;
8. Traffic congestion in the area is already significant and the proposed development particularly during the demolition and construction phases will exacerbate traffic problems and increase air pollution;
9. Proposal contains too many units;
10. Sale of the building was not advertised and locals were unaware of its availability.

On receiving amended plans, a second consultation was undertaken and all properties initially consulted were sent a second letter requesting further views on the proposed changes. Three further responses were received from the occupiers of 29 Lletai Avenue, 6 Gwalia Road and 29 Beechwood Grove who objected to the changes on the following grounds:

1. The use of the building for residential properties is not suitable for the area;
2. The widening of the rear access lane and creation of a turning head will cause further traffic congestion;
3. Overshadowing and loss of light caused by the proposed building and invasion of privacy and overlooking from the rear elevation of the building;
4. Rear access lane is unstable and in a state of disrepair;
5. No adequate parking for the provision of twelve flats.

COMMENTS ON REPRESENTATIONS RECEIVED

Factors to be taken into account in making Planning decisions must be Planning matters, that is, they must be relevant to the proposed development and use of land in the public interest. The matters raised in the objections received are addressed below:

- Loss of Existing Building
Whilst the community highlight their historic links to the facility, the Chapel has not been used for a significant period of time (at least two years). In addition, the existing building does not lend itself readily to conversion to a residential use in terms of the existing internal floor space being difficult to subdivide, window positions, heating and drainage facilities.
- Design of New Building
It is noted that the objectors consider the proposed replacement building to be out of keeping with the area and further consideration of the design and its contribution to sustainable place making is addressed in the Appraisal section of the report.
- Disruption from Demolition and Construction Phases
Objectors concerns regarding the disruption during these phases of the development particularly on traffic congestion and highway safety are noted. In the event that the Council were minded to approve the development then it would be necessary to impose a condition requiring a method statement to control hours of operation, vehicle movements, traffic management and routes, arrangements for construction workers etc. to address the concerns raised and to ensure the amenities of neighbouring properties are protected.
- Lack of parking provision
The objectors have highlighted that the submission does not include any parking facilities to serve the proposed development and this issue is addressed in the Appraisal section of the report.
- Rear Lane and its junction onto Penybont Road
The use of the existing rear lane and its junction onto the main road is addressed in the Appraisal section of the report.
- Loss of a Community Facility
Many of the objections received raise concern about the loss of a community facility, however, on the basis that the Chapel has been vacant for a lengthy period

of time, its loss as a community asset is not so significant as to warrant a refusal for this reason.

- Infrastructure in Pencoed

Local residents consider that there is insufficient capacity in schools, GP practices and dentists to serve the proposed additional development. It is considered that as the proposed development relates to 12 x one bedroom apartments, it will be unlikely to accommodate families with children requiring school places. A development of 12 units would also be unlikely to overwhelm existing health practitioners and therefore this matter is not relevant to the determination of the Planning application.

- Traffic Congestion

Although objectors have expressed a concern that the proposed development will generate traffic congestion to the detriment of air quality in the area, it is clear that the impact of works would be of a temporary nature during a limited time period when the demolition and construction phases are undertaken. It is considered that the previously mentioned condition controlling the methodology for these phases of the development will largely address concerns if the Authority are minded to approve the application. Similarly, a condition requiring details of servicing and delivery arrangements post occupation would satisfactorily control these issues.

- Number of Units Proposed

Some of the objectors consider that the number of apartments proposed is too many to be adequately accommodated on the site. Consideration of the appropriateness of the scale, site layout and amenities for future occupiers is addressed in in the Appraisal section of the report.

- Sale Not Advertised

The respondents have expressed disappointment that the sale of the building was not advertised. However, this is not a material Planning consideration.

- Use of the Building for Residential Purposes

The objectors consider that the proposed building should not be used for residential purposes. This issue is addressed in the Appraisal section of the report.

- Overshadowing and Overlooking

The impact of the development on the amenities of neighbouring properties and occupiers is addressed in the Appraisal Section of the report.

RESPONSE TO INTIAL CONSULTATION UNDERTAKEN

CONSULTEE

COMMENTS

Public Protection:
Contamination
6 March 2020

No objection subject to the inclusion of the recommended planning conditions.

Pencoed Town Council
10 March 2020

Highlights the lack of pre-application advertising and considers the correct procedures have not been followed. The aesthetics and design of the proposed building are considered unsuitable and provision should be made for the building to include some commercial premises which would benefit the town centre and its commercial emphasis. There should be a change of use of the building and there are no defined parking spaces.

Land Drainage
13 March 2020

No objection subject to the inclusion of the recommended Planning conditions and informative notes.

Dwr Cymru Welsh Water
25 March 2020

No objection subject to the inclusion of the recommended conditions.

Ecology
17 August 2020

Subject to the inclusion of the recommended Planning conditions, the conclusion and recommendations of the Protected Species Report by Wildwood Ecology (dated June 2020) are considered to be acceptable.

In response to Pencoed Town Council, the Town Council is correct in noting that The Town and Country Planning (Development Management Procedure) (Wales) (Order) 2012 requires pre-application consultation (PAC) to be undertaken as set out in Part 1A of the Order. In this case, however, as the proposal relates to 12 one bed apartments, the development is not for dwellings and cannot be defined as a 'Major Development'. As such, the developer is not required to undertake a PAC. The proposed development does not meet the criteria set out in Article 2 of Town and Country Planning (Development Management Procedure)(Wales) Order 2012 and the developer has followed the correct procedures prior to submitting a Planning application.

RESPONSE TO SECOND CONSULTATION UNDERTAKEN FOLLOWING SUBMISSION OF AMENDED PLANS

CONSULTEE

Pencoed Town Council
22 October 2020

COMMENTS

Strongly object to the demolition of the existing Chapel - the existing building should be remodelled. The original concerns raised in respect of the development are reaffirmed which include the aesthetics and design of the building, access issues and lack of parking provision.

Land Drainage
28 October 2020

No objection subject to the inclusion of the recommended Planning conditions and informative notes.

Glamorgan-Gwent
Archaeological Trust
3 November 2020

Recommends the inclusion of a Planning condition which requires the submission of an appropriate programme of historic building recording and analysis prior to the demolition of the building.

Dwr Cymru Welsh Water
6 November 2020

No further comments since the initial response provided on 25 March 2020.

RELEVANT POLICIES

The relevant policies and supplementary Planning guidance are highlighted below:

Policy PLA1	Settlement Hierarchy and Urban Management
Policy SP2	Design and Sustainable Place Making
Policy SP3	Strategic Transport Planning Principles
Policy PLA11	Parking Standards
Policy SP4	Conservation and Enhancement of the Natural Environment
Policy ENV6	Nature Conservation
Policy ENV7	Natural Resource Protection and Public Health
Policy SP10	Retail and Commercial Hierarchy
Policy REG7	Non A1, A2 and A3 Uses Outside of Primary Shopping Frontages
Policy SP12	Housing
Policy COM3	Residential Re-Use of a Building of Land
Policy COM5	Affordable Housing
Policy SP13	Social and Community Facilities
Policy COM7	Protection of Social and Community Facilities
Policy SP14	Infrastructure

Supplementary Planning Guidance 8	Residential Development
Supplementary Planning Guidance 13	Affordable Housing
Supplementary Planning Guidance 15	Community Facilities and Residential Development
Supplementary Planning Guidance 17	Parking Standards
Supplementary Planning Guidance 19	Biodiversity & Development

In the determination of a Planning application regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan. The following Welsh Government Planning Policy is relevant to the determination of this planning application:

Future Wales – the National Plan 2040	(24 Feb. 2021)
Planning Policy Wales Edition 11	
Planning Policy Wales TAN 2	Planning and Affordable Housing
Planning Policy Wales TAN 5	Nature Conservation and Planning
Planning Policy Wales TAN 12	Design
Planning Policy Wales TAN 18	Transport
Planning Policy Wales TAN 23	Economic Development

APPRAISAL

This application is presented to the Development Control Committee to consider the objections received from local residents and Pencoed Town Council.

PRINCIPLE OF DEVELOPMENT

The application site lies within the Main Settlement of Pencoed as defined by Policy PLA1 of the Local Development Plan (2013). Policy PLA1 states that development will be permitted within settlement boundaries at a scale commensurate with the role and function of that settlement.

Policy COM3 of the Local Development Plan (2013) states “residential developments within settlement boundaries defined in Policy PLA1 on ‘windfall’ or ‘small scale’ sites for the conversion of existing buildings, or the re-use of vacant or under-utilised land will be permitted where no other LDP policy protects the building or land for an existing or alternative use”. The policy is intended to support the re-use of buildings and land to maximise housing opportunities within the identified settlements and re-use underutilised land in urban areas to reduce the need to develop greenfield sites.

In this case, whilst it is acknowledged that the application is seeking to maximise the potential of the land by increasing the density of the wider site and providing affordable housing within the existing community, the application site lies wholly within the District Centre of Pencoed, as defined by Policy SP10 of the Local Development Plan (2013). Policy SP10 states “all new development proposals within retailing and commercial centres should provide retail, community or commercial floorspace on the ground floor”.

The Local Development Plan (2013) recognises that the town and district centres have been and will continue to be the focus for retailing, cultural and leisure activities within the County Borough. District Centres usually contain a small supermarket and offer a range of convenience and comparison goods as well as services such as sub-branches of banks, newsagents, sub-post offices etc.

Policy REG7 of the Local Development Plan (2013) refers to ‘Non A1, A2 and A3 Uses Outside of Primary Shopping Frontages’ and states that development will only be permitted for residential purposes if:

1. The premises/floorspace has been vacant for at least two years and has been actively marketed over that time; and
2. The premises/floorspace does not form part of a purpose-built retail environment or a continuous frontage of three or more existing commercial units.

To support the application, the applicant has provided confirmation that the building has been closed for religious services since 2016 and since then the owners have explored opportunities to provide affordable housing before reaching agreement with Wales and West Housing Association in 2018. The building has remained vacant and unused for the past five years.

Whilst it is noted that the immediately adjoining premises are commercially occupied, the application site itself has never formed part of the retail frontage and, therefore, the proposed development does not result in the loss of a retail or commercial unit. The supporting text to Policy REG7 refers to developing criteria by which **retail units** outside of the primary shopping areas can be converted to more viable uses such as residential and in these circumstances, it would need to be demonstrated that the property has been actively marketed for at least 2 years prior to the submission of an application.

However, this ecclesiastical building has never been utilised as a retail unit (and is unlikely to be suitable as a retail unit) so there is no loss of retail accommodation and there is no justification to seek evidence that the building has been actively marketed for retail purposes.

It is therefore considered that the proposal is compatible with Policy REG7 as the property does not result in the loss of a retail unit, has been vacant since 2016 and does not result in the loss of a continuous retail frontage.

Policy COM7 of the Local Development Plan (2013) seeks to protect all existing social and community facilities that provide a valuable role in their communities and proposals which result in their loss will only be permitted if:

1. An alternative location is available and a facility of equivalent community benefit is provided by the developer on or off the site; or
2. In the view of the Local Planning Authority the existing facility is no longer required for the current use or any other social and community uses or there is already an excess of such provision in the area.

In this case, it is clear that the building has been vacant for a period of at least five years which can be evidenced by both Wales and West Housing Association and the Presbyterian Church. Therefore, it is considered that the Chapel is no longer required for its current use due to a lack of demand and the proposal complies with criterion (2) of Policy COM7 of the adopted Local Development Plan (2013).

The site classifies as a small site which will make an important contribution to the overall housing supply and which will introduce an important element of choice and flexibility into the housing market in accord with Policy COM3 of the Local Development Plan (2013). On the basis that the proposal would not result in the loss of any existing retail development and will not result in the loss of an existing community facility, it is considered that the redevelopment of the site is acceptable and accords with Policies REG 7 and COM7 of Local Development Plan (2013).

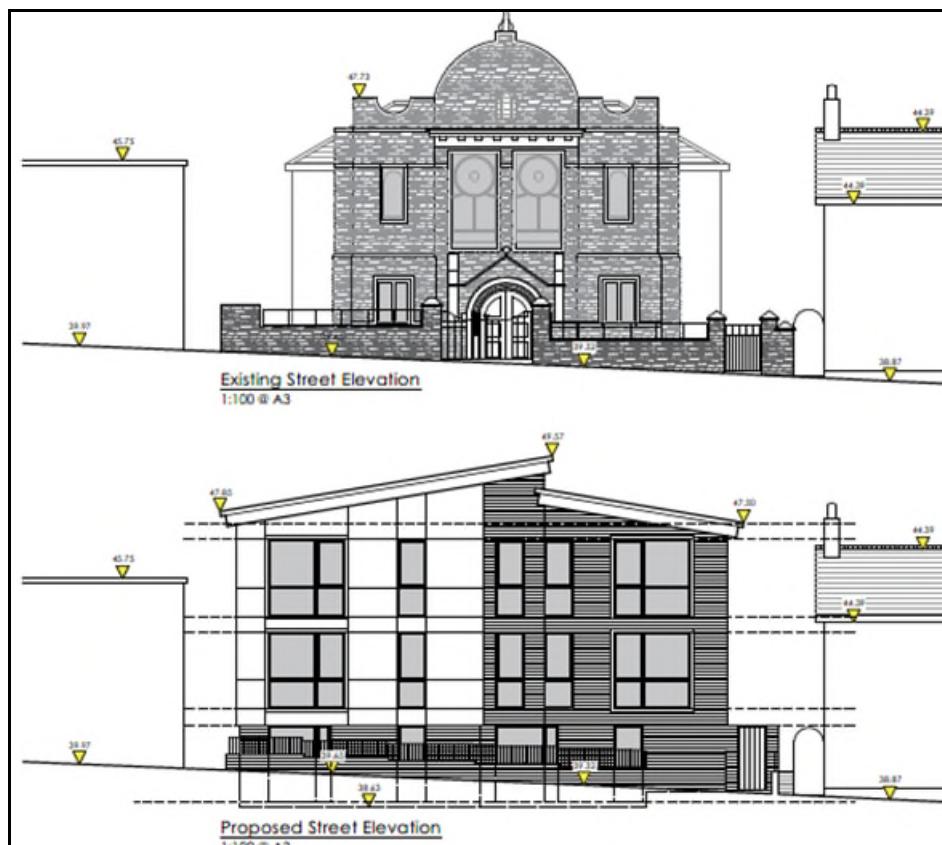
The proposal provides twelve affordable residential units on brownfield land providing much needed accommodation within the vicinity of the site and reducing the need to develop on greenfield land. Therefore, it is concluded that, in principle, the provision of

twelve affordable units is considered to be acceptable.

VISUAL AMENITY

Policy SP2 of the Local Development Plan (2013) states “all development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment”. “Design should be of the highest quality possible, and should be appropriate in scale, size and prominence”.

The application site is currently occupied by a vacant Chapel building with a landscaped area to the rear (south). The substantial stone fronted Chapel has architectural embellishments which are symmetrically balanced either side of the central entrance. The scheme results in the demolition of the existing Chapel and its replacement with a slightly taller building of modern design, as demonstrated below:



Existing and Proposed Street Elevation

In general terms, and with commercial properties to the east and west of the site and the existing residential properties to the south west, the introduction of residential development in this location is considered to be in keeping with the general mix of land uses in the vicinity of the site.

The visual context of the site varies in style and age. Properties to the south west are primarily set over two storeys whilst the commercial properties to the north east vary from single storey to three storeys. The pallet of materials also varies from traditional stone fronted buildings to smooth painted render and facing brick.

As per the above drawing and the photomontages below, the proposed residential building will be readily visible from the streetscene and from public vantage points:



Whilst visible, it is considered that the building is not excessive in terms of its size or scale and is considered to be in keeping with the general architectural character of the area.

Whilst its introduction would result in a more prominent feature being added to the street, the building is set back from its north eastern boundary by 4.5 metres and it is therefore considered that it would not result in an overly obtrusive or incongruous addition to the streetscene. The building and its intended position is considered to be appropriate in terms of its prominence and scale.

The proposed building takes reference from, and generally reflects, the character and appearance of the surrounding area. The finishes will mimic the properties to the south of the site by incorporating facing brick and the scheme will complement the properties to the north east by incorporating white rock panel cladding on the front and side facing elevations. This is considered to be an appropriate finish and will not detract from the visual amenities of the area.

The established character of the wider area varies and whilst the proposed building represents a modern new addition to the streetscene, it does not detract from its character. The pallet of materials and variation in the size, scale and age of the existing buildings results in a mixed character and the introduction of the proposed building will not detract from this or cause harm to the visual amenities of the area.

It is considered that the proposed scale of the scheme has been designed to integrate with the existing context of the street scene and does not appear to be overbearing due to the proposed orientation and position of the building. Any form of development proposed at the site would affect the visual setting of the area, however, it is considered that the overall design and layout of the scheme seeks to enhance the appearance of the wider area and is therefore considered to be acceptable in design terms.

The introduction of a detached storage building in the south western corner of the site is considered to be a modest addition which, given its position at the rear of the proposed building and its limited prominence from public vantage points, will not detract from the overall character or appearance of the area. Its introduction is considered to be appropriate and of an acceptable design.

Accordingly, it is considered that whilst the introduction of the proposed development will have an effect on the visual appearance of the street scene, it will not have such a significantly adverse impact to warrant refusal on these grounds due to its sensitive overall design, scale, materials and layout. When viewed within the context of the street the proposed development accords with Policy SP2(2) and SP2(3) of the LDP (2013) and does not detract from the established character of the area.

NEIGHBOUR AMENITY

Criterion (12) of Policy SP2 of the Local Development Plan (2013) seeks to ensure that the viability and amenity of neighbouring uses and their users/occupiers is not adversely

affected by development proposals and, in addition, seeks to ensure that an appropriate level of amenity is afforded to future occupiers of a development.

Although Supplementary Planning Guidance Note 02 Householder Development (SPG02) relates to household development, it is considered that the principles are applicable in this instance. Note 6 of SPG02 states that development “should respect the privacy of neighbouring houses”.

The building has been designed so that no windows are proposed in the north eastern elevation of the building and the only windows proposed in the south western elevation are those which serve the entrance hall/stairway and the living areas of the flats at first and second floor level. Given that the property to the immediate south west has no windows in the side elevation, the introduction of the windows which serve the flats at first and second floor levels will not result in any direct overlooking and, therefore, it is considered that the impact of the development on the amenities of the adjoining properties is negligible.

In terms of the impact upon properties on the opposite side of Penybont Road, the introduction of a building which incorporates more glazing than the existing Chapel will inevitably result in an increase in perceived overlooking particularly given that the Chapel has been vacant for a long period of time.

Again, the properties to the north are predominantly commercial and owing to the separation distance with the properties along the northern side of Penybont Road by a main highway, it is considered that the building will not result in unacceptable overlooking or privacy issues on the existing residential amenities of the properties as a result of the proposed development.

In respect of the rear south east facing elevation, an objection has been received from the occupier(s) of 29 Lletai Avenue. The letter specifically refers to overshadowing of the rear garden area caused by the proposed building and direct overlooking from residents of the proposed units. Paragraph 4.6.2 of SPG02 states “the minimum distance between directly facing habitable room windows...should normally be 21 metres”. As shown below, the distance provided between the rear elevation of the proposed building and the rear elevation of 29 Lletai Avenue is circa 40 metres:



Distance Provided between Rear Elevation and 29 Lletai Avenue, Pencoed

Given the distance between the rear elevation of the proposed building and the rear gardens of the properties to the south east of the application site and the difference in orientation, it is considered that the building is positioned to limit any sense of overlooking into the rear garden areas of properties in Lletai Avenue. The rear elevation of the building

is also separated from the dwellings to the south east of the site by the rear access lane and as such, will be located over 21 metres away from any habitable room windows, in accordance with the guidance contained within SPG02.

Note 8 of SPG02 refers to amenity. It states at paragraph 5.1.1 “while an individual may accept a window box as sufficient garden space, the County Borough Council believes that generally there should be a reasonable private outdoor area for enjoyment of the present and future households”. In this instance there is a relatively large amenity space proposed at the rear of the building albeit communally shared by all occupiers of the building. Whilst it could be argued that the level of amenity space provided for each residential unit is minimal, it is considered that this provision would not be so impractical for the future occupier(s) of the flats as to warrant a refusal on such grounds. To encourage a sense of well-being and promote placemaking, it is considered necessary to impose a planning condition which requires the submission of details for a hard and soft landscaping plan. The hard landscaping element of the scheme should include small patio areas for the residents of the ground floor flats so that they can access outdoor space from the proposed living areas. This will improve the occupiers interaction with the outdoor space and promote a sense of well-being. The soft landscaping element should demonstrate areas which promote social inclusion and health protection, such as a communal growing area or greenhouse, where residents can grow their own fruit and vegetables, and encourage a sense of community and social cohesion among future occupiers.

The provision of a storage building ensures that there is adequate space for each apartment to house rubbish externally in between collections, as well as safe and secure cycle storage, and the amenity space provided is therefore considered to be reasonable given the context of the application site.

It is considered that the proposed scheme will not have a significant adverse impact on the amenities of the existing neighbouring properties nor the future occupiers of the residential units and the scheme therefore accords with criterion (12) of Policy SP2 of the Local Development Plan (2013) and SPG02.

HIGHWAY SAFETY AND PARKING PROVISION

Policy PLA11 of the Local Development Plan (2013) stipulates that “all development will be required to provide appropriate levels of parking...[which]...should be in accordance with adopted parking standards”.

The proposal seeks to demolish an existing Chapel and construct 12 one bedroom flats. The site does not currently have any formal off-street parking and the opportunity to provide any is severely limited by the frontage with Penybont Road and the substandard private lane serving the rear of the site.

The highway network within the immediate vicinity of the site does not offer many opportunities to park in an on-street location without being in contravention of waiting and loading restrictions. Whilst it is noted that the existing building has been vacant for a period of five years, the extant use as a Chapel could generate parking demand not only as a place of worship but also if it were operated as another community facility within the same Use Class (Class D1) such as a crèche, day nursery, a public library or a museum.

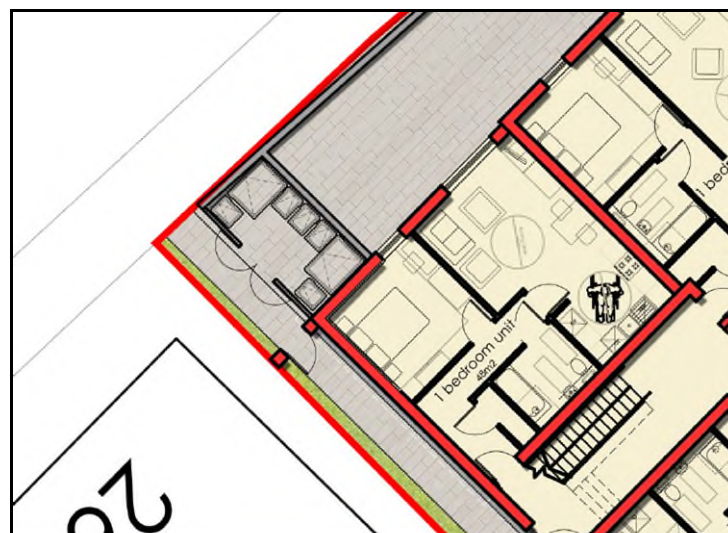
Supplementary Planning Guidance Note 17 Parking Standards (SPG17) states that for residential development, one off-street car parking space should be provided per bedroom. The floorspace of the existing chapel has been calculated and it would generate an off-street parking requirement of 14 spaces. This is equivalent to the parking requirement for the proposed residential units (one space per unit plus two visitor spaces).

Accordingly, the parking demand of the proposal is not considered to generate any additional demand when compared to the existing Chapel and the proposed development is therefor considered to result in a 'nil detriment'.

In addition it should be noted that the application site is highly sustainable in terms of its pedestrian, cycling and public transport linkages owing to its location within the centre of Pencoed. It is readily accessible by regular buses and trains and benefits from having community facilities within walking distance. In addition, the fact that the development will offer entirely affordable housing where it is acknowledged that the levels of car ownership are less than a private residential development, leads the Highways Authority to consider that the proposed development is acceptable in terms of off-street parking provision.

Notwithstanding the above, the proposed development is considered to generate an increased number of delivery vehicles and a significant quantity of household waste and recycling. The Transport Statement suggests that these will be collected by BCBC residential waste vehicles. Initially, the Highways Authority raised concern that the collection model operated by BCBC for collection of such waste would generate up to 60 individual recycling receptacles to be collected every week. On alternate weeks this would be supplemented with up to 24 waste sacks, equating to a total of 84 collectables. Given the quantity that would need to be collected, concerns were raised about the waiting time of the collection vehicles within close proximity of a signalised junction which would impact on the safety and free flow of traffic.

The Waste Contracts Manager for BCBC has confirmed that in such circumstances, it is possible to have a communal waste and recycling arrangement provided that suitable waste receptacles storage areas are provided. In these instances, larger receptacles are used to store the individual categories of recycling and waste and these are collected by several different vehicles. To address the concerns raised, amended plans were received on 23 February 2021 which show the provision of a bin storage facility at the front of the site for the storage of larger communal waste bins, as shown below:



Extract of Site Layout Plan showing Bin Store

The bin storage facility will measure 2.5 metres in width and 4.5 metres in depth and will be finished in facing-brick elevations to match the proposed building.

Whilst the introduction of a communal bin store alleviates the concerns initially raised by the Highways Authority (as the collection of larger receptacles significantly reduces the time period for the collection of waste and subsequently reduces the delay to traffic on the highway network within close proximity to the signalised junction) it is considered that it would be too prominent in this location and should be relocated to the rear of the site

alongside the individual storage areas. The communal wheelie bins could still then be moved to the edge of the highway in time for the communal waste collections which would further reduce the impact of the development on the highway network and at the same time improve the appearance of the building in the streetscene. A condition will be attached to the recommendation requiring a revised scheme for the communal bin store as well as landscaping proposals for the front and rear courtyards.

The communal bin storage facility is considered to be a necessary addition to the development to overcome the initial concerns raised by the Highways Authority and to ensure that the impact of the development on the highway network is reduced to the extent that it would not be harmful or detrimental to highway safety.

For the reasons outlined above, the proposed development is considered to be acceptable from a highway and pedestrian safety perspective in accord with Policies SP3 and PLA11 of the Local Development Plan (2013).

BIODIVERSITY

Criterion (10) of Policy SP2 of the Local Development Plan (2013) seeks to ensure that biodiversity and green infrastructure is safeguarded. This follows the approach identified in Section 40 of the Natural Environment and Rural Communities Act 2006, which states 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been replaced by a "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 which came into force on 21 March, 2016.

Section 6 (1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions." Section 6(2) goes on to state that "In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems."

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires Local Planning Authorities to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are:

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
2. That there is "no satisfactory alternative"
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

In reviewing the Planning application, the Countryside Management Officer considered that due to the proximity of the application to suitable bat habitat and the likelihood of bat roost features being found within the existing Chapel, it was reasonable to request the submission of an initial bat survey and report.

Criterion (3) of Policy ENV6 of the Local Development Plan (2013) states "proposals for development or redevelopment will be required to avoid or overcome harm to nature

conservation assets and/or species of wildlife which may be either resident, in-situ or which can be demonstrated to have frequented habitats within the site on a migratory basis". Its aim is to achieve a balance between the location, design and layout of development or redevelopment and the need to conserve that site's biodiversity interest whilst also taking into account the interests of any adjacent nature conservation resources.

The applicant provided a 'Protected Species Survey Report' by Wildwood ecology Limited, dated 16 June 2020, which was reviewed by the Countryside Management Officer. It was concluded that the both the on-site structure and neighbouring properties do support bat roosts and therefore the development would have an impact on protected species. A licence from Natural Resources Wales (NRW) will be needed for any works to be undertaken at the site in order to mitigate the proposed development.

It is recommended that Section 5 of the aforementioned report be the subject of a condition to ensure that the developer complies with the report's findings. Therefore, subject to the inclusion of the recommended Planning condition and informative notes, the proposal is considered to be acceptable from an ecology perspective and compliant with Policy ENV6 of the Local Development Plan (2013) and criterion (10) of Policy SP2.

DRAINAGE

Subject to the imposition of the recommended drainage conditions, the application is considered to be acceptable in land drainage terms and is therefore compliant with criterion (8) of Policy SP2 of the Local Development Plan (2013).

PUBLIC PROTECTION; CONTAMINATION

Policy ENV7 of the Local Development Plan (2013) states "development proposals will only be permitted where it can be demonstrated that they would not cause a new, or exacerbate an existing, unacceptable risk of harm to health, biodiversity and/or local amenity. Criterion (4) refers to contamination (including invasive species).

In order to comply with the requirements of Policy ENV7 conditions are recommended to ensure that should there be any importation of soils to develop the garden/landscaped areas of the development or any site won recycled material or materials imported as part of the construction of the development, it must be demonstrated that they are suitable for end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

Thus, subject to the inclusion of the recommended Planning conditions, the proposed development is considered to be compliant with criterion (4) of Policy ENV7 of the Local Development Plan (2013).

ARCHAEOLOGY

The application site is recorded by the Royal Commission on the Ancient and Historical Monuments of Wales and is stated as being built in 1897 and rebuilt in 1907 with its present form "built in the Lombadic style with a gable entry plan and small pane flat headed windows".

Whilst the building has no statutory designation, as a place of worship it is of historic importance by having value in the streetscene of the area and reflecting the socio-cultural patterns of the late 19th and early 20th century.

Many of the objections received refer to the demolition of the Chapel building and they consider that the conversion of the building would be more acceptable in this instance. Whilst it is acknowledged that the Chapel has historic links to the community and is valued

by local residents, its internal layout does not readily lend itself to conversion to a residential use in terms of the subdivision, window positions, heating and drainage facilities. The high ceiling voids, lack of openings to the side and rear elevations and other architectural characteristics of the Chapel create difficulties in achieving Building Regulations compliance in terms of access, circulation, fire escapes and thermal efficiency.

Therefore, whilst it is acknowledged that the community are concerned about the demolition of the Chapel building, its conversion would be unlikely to satisfy Building Regulations, particularly owing to the deterioration of the building over the five years that it has been vacant.

In order to preserve this structure by record, the Glamorgan-Gwent Archaeological Trust recommend that a Level 3 survey is undertaken prior to works commencing. The survey will include a measured scale in the photographs and a directional plan and a supporting descriptive analysis.

The Glamorgan-Gwent Archaeological Trust has therefore recommended the inclusion of a Planning condition which requires the submission of a programme of historic building recording and analysis to the Local Planning Authority. Subject to the imposition of the recommended condition, the proposed demolition of the Chapel is considered to be acceptable in accord with Policy SP5 of the Local Development Plan (2013).

PLANNING OBLIGATIONS

The following refers to the applicant's obligation to enter into a Section 106 Agreement in accord with Policy SP14 of the Local Development Plan (2013). Policy SP14 states:

Applications for development should include material proposals which deal with the fair and reasonable infrastructural requirements of the development, and which help to mitigate any negative impacts that may arise as a consequence of the development. Where appropriate, such proposals will be secured by means of planning agreements/obligations.

Policy COM5 of the Local Development Plan (2013) refers to Affordable Housing, and stipulates "the Council will expect an appropriate element of 'affordable housing' to be provided on sites capable accommodating 5 or more dwellings". The Council seeks a 20% affordable housing contribution in Pencoed which is implemented through a Section 106 Agreement.

Whilst it is acknowledged that the proposal comprises the introduction of twelve affordable residential units, it is the practice of the Authority to seek an obligation to ensure that at least 20% of the units are retained as affordable in perpetuity.

Policy COM11 requires the provision of a satisfactory standard of outdoor recreation space for all new housing developments. The 'Proposed Site Plan' (drawing number AL(90)10 Rev E received on 23 February 2021) includes an amenity area to the south of the existing building to serve the future occupiers of the residential units. Whilst this space is to be shared, it is considered sufficient to satisfy the requirements of Policy COM11 of the Local Development Plan (2013) given that the apartments are one bedroom and do not generate the need for a contribution towards the provision of a play area.

As a proposal for twelve one bedroom flats, the proposal does not trigger the threshold indicated in the Council's Supplementary Planning Guidance Note 16 Education Facilities and Residential Development (SPG16) and therefore, the developer is not required to contribute towards the provision of education.

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

The Well-being of Future Generations Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without comprising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of the proposed development.

CONCLUSION

Having regard to the above and notwithstanding the objections raised, in this case, it is clear that the former Chapel has been vacant for a period of at least five years, is therefore no longer required for its current use due to a lack of demand and does not result in the loss of a retail unit within the retail centre.

The small site will make an important contribution to the overall housing supply within Pencoed and will introduce an important element of choice and flexibility into the housing market in accord with Policy COM3 of the Local Development Plan (2013).

The proposal will provide twelve affordable residential units on brownfield land providing much needed accommodation within the vicinity of the site and reducing the need to develop on greenfield land. It is concluded that, in principle, the provision of twelve affordable units outweighs the preference for retail, community or commercial floorspace at ground floor level under Policy SP10 and does not result in the loss of retail space within a retailing centre under Policy REG7 of the Local Development Plan (2013) and, therefore, in this instance, the development is considered to be acceptable in principle and in accordance with the development plan.

The building itself is considered, in general terms, to be in keeping with the mix of land uses within the vicinity of the site and, whilst it will be visible, the building will not be excessive in terms of its size or scale. Its introduction is considered to be in keeping with the general architectural character of the area and the palette of materials proposed takes reference from buildings within the immediate vicinity of the site. On balance, whilst the building is modern in nature, it is considered that it will not detract from the overall character of the streetscene and is considered to be acceptable in this regard.

The highway impact of the scheme is considered to be mitigated through the introduction of a communal bin store which provides space for the storage of larger bins for a communal collection to take place. The communal collection results in waste collection vehicles stopping on the highway for a minimum period and reduces the impact of the scheme on the highway network to an extent which is, on balance, considered to be acceptable.

No concerns are raised in respect of the impact of the development on neighbour amenity,

drainage or biodiversity and subject to the imposition of the recommended Planning condition, the scheme is acceptable from an archaeological perspective.

The application is recommended for approval subject to the following Planning conditions and informative notes:

RECOMMENDATION

(A) The applicant enters into a Section 106 Agreement to provide a minimum of 2 units as affordable units, which shall be transferred to a Registered Social Landlord or by payment of an equivalent financial contribution in lieu of on-site provision.

(B) The Corporate Director Communities be given delegated powers to issue a decision notice granting conditional consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Agreement as follows:-

1. In accordance with drawing number AL(90)01 received on 29 January 2020, drawing number AL(00)11 received on 20 October 2020 and drawing numbers AL(00)10 Rev E, AL(00)15 Rev G, AL(00)20 Rev D, AL(90)10 Rev E, received on 23 February 2021.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. Notwithstanding Condition 1, the development shall be undertaken in accordance with Section 5 Conclusions and Recommendations of the 'Protected Species Survey Report' by Wildwood ecology Limited, dated 16 June 2020.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

3. No development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road and roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the beneficial use commencing of the residential units hereby approved.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

4. No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

5. 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 significant the specified records are required to mitigate the impact.

6. Construction works shall not take place outside the following hours:

0800 hours and 1800 hours Mondays to Fridays,
0830 hours and 1300 hours on Saturdays and not at any time on Sundays and Bank Holidays.

Reason: To maintain noise levels at a sustainable level in the interests of residential amenities.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop and no further development shall take place until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. No development shall take place, including any works of demolition/site clearance, until a demolition and Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for:
- The routing of HGV construction traffic to/from the site in order to avoid Penprysg Road supplemented with a scheme of temporary traffic management;
 - The parking of vehicles of site operatives and visitors;
 - Loading and unloading of plant and materials;
 - Storage of plant and materials used in demolition and construction of the development;
 - Wheel washing facilities;
 - Measures to control the emission of dust and dirt during demolition and construction;
 - The provision of temporary traffic and pedestrian management on Penybont Road;
 - The phasing of the demolition and construction.

Reason: In the interests of highway safety.

9. The private cycle parking and storage units shall implemented before the development is brought into beneficial use and retained for cycle storage purposes thereafter in perpetuity.

Reason: In the interests of promoting sustainable means of travel to/from the site.

10. The proposed set back of the eastern site boundary and provision of a widened rear lane and turning facility shall be implemented in permanent materials in accordance with the agreed details before the development is brought into beneficial use.

Reason: In the interests of highway safety

11. Notwithstanding the submitted plans, no development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing a continuous boundary treatment along the eastern site boundary to restrict vehicular access to the rear lane. Such a scheme shall be fully implemented in accordance with the agreed details before the development is brought into beneficial use and shall thereafter be retained in perpetuity.

Reason: In the interests of highway safety.

12. No development shall commence until a revised scheme for the proposed Communal Refuse Store and a Waste & Delivery Plan has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and all servicing and delivery vehicle movements to the site shall be made in accordance with the approved Waste & Delivery Plan following first beneficial use and shall thereafter be retained in perpetuity.

Reason: In the interests of highway safety.

13. Notwithstanding the plans as hereby approved, no development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping for the front and rear communal spaces which shall at a minimum, provide for:

- A hard landscaped area for ground floor residents to access outdoor amenity areas from the proposed living rooms;
- A soft landscaped area at the rear of the property which provides for a communal growing area;
- An appropriately landscaped amenity area at the rear of the building with demarcated seating areas, a patio and grassed areas.

The development shall be implemented in accordance with the approved scheme and shall thereafter be maintained in perpetuity.

Reason: To ensure a satisfactory form of development.

14. *THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS*
- a. No surface water is allowed to discharge to the public highway.
 - b. No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.
 - c. As of 7 January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Local Authority as the determining SuDS Approval Body (SAB) in relation to their proposals for SuDS features. Please note Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.
 - d. The applicant may need to apply to Dwr Cymru Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more

than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

- e. The applicant is also advised that some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
- f. The archaeological work must be undertaken to the Chartered Institute for Archaeologists (CIfA), "Standard and Guidance for Building Recording" (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.
- g. Any topsoil [natural or manufactured] or subsoil, to be imported, should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants free material should be imported.
- h. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants free material should be imported.
- i. Any site won material including soils, aggregates, recycled materials should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants material should be reused.
- j. The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for the safe development and secure occupancy of the site rests with the developer.
- k. The Developer is reminded that consent under the Town and Country Planning Act 1990 conveys no approval under the Highways Act 1980 for works to be undertaken affecting any part of the public highway including verges and footways and that before any such works are commenced the developer must:
 - o obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway;
 - o indemnify the County Borough Council against any and all claims arising from such works;
 - o give not less than one calendar month's notice in writing of the date that the works are to be commenced to the Policy, Development and Transport Team Leader, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541.

Janine Nightingale
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None