

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
19/0365/COU 29.04.2019	Mr J Davies Beechwood Park Terrace Trelewis Treharris CF46 6BT	Change the use to chapel of rest John Davies And Sons Salem Chapel High Street Nelson Treharris CF46 6EU

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: The application property is located on the northern side of High Street, Nelson.

Site description: The application property is an existing chapel that is used for funeral services by a funeral director. It is a traditional single storey chapel building with a large hall to the front where services are carried out and a small space to the rear that was previously used as a vestry. The building is finished in render with a slate roof and it has timber windows and doors. The site is within the Nelson Conservation Area and in a residential area on the edge of Nelson village centre.

Development: This application seeks full planning consent for the change of use of the chapel into a chapel of rest with preparation rooms. The proposal is to continue to use the chapel for funeral services but to also carry out preparation of bodies in a room together with providing two viewing rooms so that family members can see the deceased and a cold store to store the bodies. These rooms will be created by subdividing the vestry at the back of the building into four separate rooms and a reception area. It is also proposed to replace an existing window in the side elevation of the building with double doors in order to improve access to the chapel for coffins.

Dimensions: Not applicable.

Materials: The new doors would be in upvc.

Ancillary development, e.g. parking: There is an existing parking area to the side of the chapel with access off High Street.

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Application 19/0365/COU Cont'd

PLANNING HISTORY 2005 TO PRESENT

None.

POLICY

Local Development Plan: Within settlement limits.

Policies

Local Development Plan: SP2 (Development in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways) and CW15 (General Locational Constraints).

Supplementary Planning Guidance LDP 5 Car Parking Standards sets out parking requirements for all developments.

Supplementary Planning Guidance LDP 6 Building Better Places to Live gives advice on all levels of development.

National Policy: Planning Policy Wales states:-

3.16 Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence.

5.4.15 Whilst employment and residential uses can be compatible planning authorities should have regard to the proximity and compatibility of proposed dwellings to existing industrial and commercial uses to ensure that both residential amenity and economic development opportunities are not unduly compromised.

National Planning Guidance contained in Technical Advice Note 12 - Design.

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Application 19/0365/COU Cont'd

ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? Not applicable.

COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not applicable.

CONSULTATION

Conservation & Design Officer - No objection.

Transportation Engineering Manager - No objection based on the building's existing use as a chapel having the same non-operational parking requirements as the proposed new use, in addition to the existing operational parking which exists within the site curtilage.

Head Of Public Protection - No objection subject to conditions.

Joint Committee Of The National Amenity Societies - No comments.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and neighbour letters.

Response: Three letters of objection have been received.

Summary of observations:

- Loss of property value.
- The applicant has another facility elsewhere and as such why is this needed here?
- Mental health issues of nearby resident and potential to exacerbate issue by virtue of proposed use causing danger to other members of the public and themselves.
- The site is in a residential area.
- Services at the chapel cause parking issues in the area.

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Application 19/0365/COU Cont'd

SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?
None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

Is this development Community Infrastructure Levy liable? No.

ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main point to consider in the determination of this application is whether the proposed use is acceptable in this mainly residential area. In that regard the first point to note is that national planning policy states that commercial and residential uses can exist in close proximity and as such the principle of the proposal is considered to be acceptable in planning terms.

Secondly it should be noted that the application property has a lawful use as a chapel. In that regard funeral services can be held at the chapel and there would be no material change of use. Consent is only required in this instance because the application proposes internal and external alterations to the building in order to facilitate the use, and that preparation of bodies will be carried out therein, together with family viewings of the deceased. These activities are considered to be low key events and they would not be likely to give rise to amenity issues to the neighbours by virtue of noise or odour etc. In that regard it is considered that the proposal complies with Policy CW2 of the LDP.

It should also be noted that any vehicular activity associated with the services at the premises would be no greater than that which could be possible with any place of worship, and as such there would be no greater impact on highway safety. In that regard it is considered that the proposal complies with Policy CW3 of the LDP.

With regard to the internal and external alterations to the building it is considered that these are so minor that there would be no detrimental impact on visual amenity or on the character of the conservation area and as such they are acceptable in planning terms.

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Application 19/0365/COU Cont'd

Comments from Consultees: No objections raised.

Comments from public: The objections of the public are addressed as follows:-

- Loss of property value is not a material planning consideration.
- It is not for the Local Planning Authority to consider whether the use is required in this location, it only has to consider whether it is acceptable in planning terms.
- The mental health issues of an objector are not considered to be a material planning matter in this instance.
- As stated above there is no reason in planning terms why a commercial use cannot co-exist with residential uses provided the impacts on amenity and parking are considered to be acceptable.
- As stated above, whilst services at the chapel may cause parking issues in the area, this is no different to the impact that could be caused by the lawful use of the building as a chapel and as such it is not considered that the proposal is unacceptable in highway safety terms.

Other material considerations: None.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

RECOMMENDATION that Permission be GRANTED

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents: Site Location Plan, Salem Chapel Proposed (1), Side elevation Proposed and Proposed Door Opening, all received 29.04.2019.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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Application 19/0365/COU Cont'd

- 03) Unless otherwise agreed in writing with the local planning authority, prior to the commencement of the use hereby approved arrangements for the storage, collection and disposal of commercial and clinical waste, including bodily fluids and chemicals shall be implemented in accordance with a scheme to be agreed in writing with the local planning authority.
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 04) Prior to the commencement of the development hereby approved a scheme of odour/effluvia/fume control, including the erection of any associated stacks or vents, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out and operated in accordance with the approved scheme.
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Prior to development commencing on site, details of all external and roof mounted plant/machinery associated with the application shall be submitted to and agreed in writing with the Local Planning authority. These details shall include the location of the plant and predicted noise levels (measured as a LAeq 1 hour) as measured on the boundary of the application site. Thereafter these agreed details shall be fully installed prior to the use of each of the units commencing.
REASON: In the interests of the amenity of the area in accordance with policy CW2 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

Please find attached the comments of The Head of Public Protection that are brought to the applicant's attention.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

