

DELEGATED REPORT

Application No:	P/25/0114
Site Address:	Wesley Methodist Church South Street Dowlais CF48 3DS
Development:	Non material amendment to planning permission P/24/0167 to substitute integrated bat and bird boxes to surface mounted
Case Officer:	Rebecca Owens
Application Expiry Date:	20th June 2025

APPLICATION SITE

The application site relates to the former Wesley Methodist Church, located on South Street in the predominately residential area of Dowlais. The church has recently been converted into flats by virtue of previous planning applications (outlined below). The church is neither listed or locally listed and is of a non-traditional design. It is set back from the highway of South Street to the north-east by approximately 22m and is served by a front car park measuring approximately 200 square metres. As a result of the topography, the site falls away in a south-easterly direction and the church is constructed over two levels. Its curtilage predominately forms a grassed area enclosed by low brick walls and green weld mesh fencing.

Being located within a residential area, a number of residential properties surround the site. 9 Bryn Carwyn lies to the north-west of the church. Its two-storey gable end wall, containing three windows (two at ground floor, one at first floor), faces onto the side elevation of the converted church. It is separated from the north-western side wall of the application building by a distance of 5.5m and is set apart from its north-western boundary by a small footpath which runs along the side of the house. To the front of 9 Bryn Carwyn is an open grass area and to the north of the church car park is another small car park which is presumably used by the occupiers of the nearby houses. The front boundary of the church fronts the highway of South Street. It is separated from the Grade II Bethania Independent Chapel and a property known as Newlands to the north east by distances of approximately 9m with greater separation distances of approximately 30m being maintained between these properties and the front elevation of the church. To the south, the application site abuts the highway and to the rear, it faces onto a grass verge and a narrow footpath, beyond which are the rear gardens of 19, 20 and 21 Glanmor Gardens.

PROPOSED DEVELOPMENT

This is an application for a non-material amendment to a recently approved planning application for the change of use of the church into six self contained flats (Planning Ref: P/24/0167). This application seeks permission to substitute the integrated bat and bird

boxes previously approved to surface mounted alternatives, namely a Beaumaris woodstone bat box, Elegance sloping roof bird box and a Sparrow Terrace nest box.

PLANNING HISTORY

The relevant planning history is detailed below:

- P/24/0167 Proposed conversion and change of use of existing vacant Wesley Chapel into 6 No self contained flats and associated external works (retention)
Granted planning permission subject to conditions on 11 October 2024
- P/22/0104 Proposed conversion of Wesley Chapel into 6 self contained flats with associated external works including new dormers to the northern and southern elevations
Granted planning permission subject to conditions on 15 December 2022
- P/23/0095 Discharge of condition 3 (materials) and 5 (landscaping) of planning permission P/22/0104
Approved on 25 May 2023

CONSULTATION

No consultation exercise was undertaken.

PUBLICITY

No publicity exercise was undertaken.

Local Planning Policies

Of the policies identified in the original planning application, the following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 would be relevant to the determination of this planning application.

- Policy SW11: Sustainable design and place making
- EnW1: Nature Conservation and Ecosystem Resilience
- EnW2: Internationally and Nationally Protected Sites and Species

Welsh Government Planning Guidance: Approving Non-material Amendments to an Existing Planning Permission (July 2014)

The guidance advises that a non-material amendment will depend on factors such as the context of the overall scheme, the amendments being sought to the original planning permission, the specific circumstances of the site and the surrounding area, which will vary from one application to another.

In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change, together with any previous changes made to the original planning permission. The guidance also identifies four tests, which local planning authorities may wish to consider when assessing and determining whether a proposed change would qualify as a non-material amendment. These are as follows:

- is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and,

- would the proposed change result in a detrimental impact either visually or in terms of local amenity?
- would the interests of any third party or body be disadvantaged in planning terms; or,
- would the proposed change conflict with national or development plan policies?

These four tests have been used in the determination of this application, as set out below.

REASONS FOR REACHING THE RECOMMENDATION

Section 96a of the Town and Country Planning Act 1990 provides the mechanism to approve non-material amendments to an existing planning permission.

Main issues:

The main issue in determining this application is whether the use of surface mounted bat and bird boxes would constitute a non-material amendment to the development approved under application reference P/24/0167. In this respect, the main consideration would be the impact of the change on ecology and to a lesser extent their visual impact.

It is noted that integrated bat and bird boxes are favoured for their permanency as they can not simply be removed in the way that surface mounted boxes can. However, the bat and bird boxes were proposed to provide a biodiversity enhancement to the development. The proposed surface mounted boxes would still provide the same enhancement and as such, the proposal would continue to comply with policies EnW1, EnW2 and EnW3 of the LDP.

In terms of the visual impact of the change, it is recognised that integrated boxes often are more discrete being built into the fabric of the building. However, the surface mounted alternatives would be a de minimus addition that would have little visual impact and would not impact on the character or appearance of the property. As such no concerns are raised in this respect.

The revised scheme would therefore be acceptable and remain in accord with the relevant policies of the Replacement LDP.

Other Considerations:

The following have been taken into account in considering the application and in reaching the recommendation set out below.

1. Condition 4 of the original planning permission requires the bat and bird boxes to be installed in accordance with an approved drawing that states that these will be integrated. This condition does not prevent the non material amendment from being approved but a new condition will need to be included to ensure they are installed in accordance with the amended details and that these are retained in perpetuity thereafter.
2. There have not been any other non material amendments to the permission.
3. No representations were received following the original publicity exercise.

CONCLUSION

In conclusion, the proposed amendment is considered to be acceptable and would constitute a non-material amendment to the originally approved scheme. Accordingly, the following recommendation is made:

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

1. **BEFORE** any of the flats hereby approved are occupied, bat and bird boxes shall be installed in accordance with drawing number LT2116.04.02 Rev K. The bat and bird boxes box shall be retained in perpetuity thereafter.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 01.05.2025