

DELEGATED REPORT

Application No:	P/23/0054
Site Address:	Hope Chapel High Street Merthyr Tydfil CF47 8UG
Development:	Replace existing roof with new slates
Case Officer:	Rebecca Owens
Site Visit:	6th March 2023
Application Expiry Date:	15th November 2023
Consultation reply date expired:	28th March 2023

APPLICATION SITE

The application relates to a prominent church building located within the town centre and thus within the settlement boundary. It is also within the town centre conservation area and opposite the Grade II Listed Town Hall, Former County Court and a listed Pillar box.

PROPOSED DEVELOPMENT

A roof survey has been undertaken which has identified a need for roofing repairs. As such full planning permission is sought to replace the existing roof. The Heritage statement submitted within the application indicates that the existing slates would be used as much as possible with additional British slates used where needed.

PLANNING HISTORY

There is no relevant planning history which needs to be taken into consideration when determining this application.

CONSULTATION

The following bodies were consulted and their responses are presented below:

Ecologist	No objection subject to mitigation
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PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, two site notices were displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

National Planning Policies

Planning Policy Wales (Edition 11, February 2021)

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- SW13 Protecting and Improving Local Community Facilities
- CW1 Historic Environment
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- EnW4 Environmental Protection
- EcW3 Retail Hierarchy – Supporting Retailing Provision
- EcW5 Town and Local Centre Development

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4, Sustainable Design.
- Note 5, Nature and Development.

PLANNING CONSIDERATIONS

Principle

The application site is located within the settlement boundary and as such the principle of development is deemed to be acceptable subjected to compliance with other relevant policies and material planning considerations. In this respect it is noted that the site is located within the town centre area where policies EcW3 and EcW5 would be applicable. These policies support proposals which enhance the vitality and viability of the centre. The maintenance and repair of the roof is important for the protection of the building and its continued beneficial use which in turn helps to bring people into the area and maintain the condition and appearance of the building itself. This would therefore enhance to vitality and viability of the centre and align with these policies. Similarly, policy SW13 seeks to protect and enhance community facilities. For the reasons noted above, the proposal would also comply with this policy.

Design, visual amenity and impact on heritage assets

The application relates to a prominent church building located within a public square which is well used and where the church would be highly visible. It is also within the town centre conservation area, Urban Character Area 1 and adjacent to the Grade II Listed former Town Hall. As such the impact of the proposal on the character and appearance of the building itself, the conservation area and the setting of the listed structures would be one of the main considerations of this application. However, the proposal seeks permission just to replace the existing roof and as such providing the replacement slates are deemed to be a sympathetic alternative, there would not be any significant alteration in the general appearance of the church. In this respect it is noted it is the intention to reuse as much of the original slate as possible, using additional British slate tiles where required. Thus providing any new slates match the existing slates there would not be any harmful visible impact from the works proposed. To ensure that this is the case it is suggested that a condition is included on any permission granted which requires details and/or samples of the new tiles to be submitted to and approved by the Local Planning Authority prior to any works commencing. With the inclusion of this condition the proposal would not harm the character or appearance of the church itself or any of the historic assets outlined above. As such the proposal is found to accord with Policies SW11 and CW1 of the LDP.

Residential amenity

Regard has also been had for the impact of the proposal on residential amenity but give the nature of the works proposed there would be no adverse impact in this respect.

Ecology

An initial bat inspection survey has been undertaken which indicated that the building is at least of moderate potential for roosting bats and it was found to be a roost for a single common pipistrelle bat. As such a European Protected Species Licence is required and an informative to this effect should be included on any permission issued. Whilst the findings of the report are acknowledged, it is also recognised that the maintenance and repair of a building of this age is important to ensure its longevity, usability and secure its future. It is therefore considered that the development is necessary to keep the building in a good state of repair. In addition, the Ecology Officer has not raised any objection to the proposal subject to the mitigation measures outlined in the report being implemented. As such a condition should be imposed to ensure that the enhancements are provided and retained.

Conclusion

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly the following recommendation is made:

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

1. The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Hope Church Merthyr Project Proposal, Received on 27 February 2023.

Bat Survey Issue 1, Version B, July 2023, produced by BE Ecological Ltd, received on 21 September 2023

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

3. In accordance with the recommendations of the Bat Survey **BEFORE** works commence on site, details of the bat and bird boxes, their exact siting on the building and the timing for their installation, shall be submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall be completed in accordance with the approved details and shall remain in perpetuity thereafter.

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

4. **BEFORE** works commence on site detail and/or samples of the existing and replacement slate tiles to be used in the re-roofing of the church, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policies SW11 and CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at

<https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>) is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services



DATE: 28.09.2023