

DELEGATED REPORT

Application No:	P/24/0040
Site Address:	Bethel Chapel John Street Treharris CF46 5PS
Development:	Proposed Solar Panels on south facing roofline and air source heat pump
Case Officer:	Nia Chard
Application Expiry Date:	18th April 2024
Consultation reply date expired:	21st March 2024

APPLICATION SITE

This application relates to the former Bethel Chapel located within the Treharris Conservation Area. The chapel has planning permission for its conversion to six residential flats. The building has a prominent frontage onto Perrot Street to the east where it has a group value with other imposing buildings, such as Tabernacle Chapel (a grade II Listed Building) opposite, as well as a number of smaller commercial properties. To the north and east of the site are adjoining residential properties.

The former chapel is of a modest design with rendered elevations and a slate pitched roof, incorporating an array of timber framed windows across the southern, western and northern elevations. The principle (western) elevation provides the main entrance into the building which includes large timber doors currently obscured by a roller shutter door. There are also a number of stone plaques to either side of the main entrance. To the rear (west) of the building is a vestry annexe with access onto John Street. Additionally, along the southern and eastern boundaries of the site is a pennant stone wall with metal railings and a gate to the front of the building.

PROPOSED DEVELOPMENT

This application seeks planning permission to install solar panels on the south elevation and two air source heat pumps to the rear.

The solar panels are conservation style, and are manufactured by Jinko Solar. They would be black in colour and would be located on the south facing roof slope. Thirty four panels are proposed, measuring 1.7m by 1.1m and would be no more than 40mm thick. The solar panels would be installed using the GSE in-roof system, the solar panels would be installed on the battens of the building and would be positioned between the velux roof lights.

The air source heat pumps are located to the rear of the building either side of the rear access door and would measure 1.5m by 0.6m.

RELEVANT PLANNING HISTORY

P/16/0340 Conversion of former chapel to six residential units, demolition of rear vestry and creation of car parking area – Granted subject to conditions 12.2.2017

CONSULTATION

The following consultations were undertaken:

Ecologist No objection, subject to conditions.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to nearby properties and two site notices were displayed within the vicinity of the site. No letters of representation have been received in response to the publicity exercise.

POLICY CONTEXT

National Development Framework

- Future Wales: the National Plan 2040 (February 2021)

Policy 1 – Where Wales Will Grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

National Planning Policy

- Planning Policy Wales (Edition 12, February 2024)

Paragraph 3.3 refers to good design and states that *‘...design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area...’*

Paragraph 3.9 refers to character and states that *‘...the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are*

important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...'

Paragraph 3.14 refers to context appraisal and states that these '*...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...*'

Paragraph 6.16, 6.17 and 6.19 discusses the Welsh Government's objectives for the historic environment and states that these seek to '*...protect the Outstanding Universal Value of the World Heritage Sites; conserve archaeological remains, both for their own sake and for their role in education, leisure and the economy; safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved; preserve or enhance the character or appearance of conservation areas, whilst the same time helping them remain vibrant and prosperous... It is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way... Any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place...*'

- TAN's (Technical Advice Note)

TAN 5 – Nature and Conservation Planning (2009)

This TAN provides advice on development affecting designated sites and habitats, in addition to protected or priority habitats and species. Section 6.2.2 states that '*...It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. It is considered best practice that such a survey is carried out before planning application is submitted. Planning permission should not be granted subject to a condition that protected species surveys are carried out and, in the event that protected species are found to be present, mitigation measures are submitted for approval. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of them being present...*'

TAN 12 – Design (2016)

This TAN advises that the Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales. Section 2.6 of TAN12 states that '*...Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality or function of an area, should not be accepted, as these have detrimental effects on existing communities...*' Section 4.3 of TAN12 points out '*...Understanding the site and its*

immediate and wider context is the basis for a meaningful and sustainable design response, and is the responsibility of all those involved in the design process...'

TAN 24: The Historic Environment (2017)

Section 1.14 of TAN 24 refers to conservation principles and '*... recognises that the whole of the historic environment is a finite and shared resource. Every place has its own history, which has shaped its character and leaves tangible traces in its present form and fabric. This historic character makes each place unique and gives it a distinctive identity. Historic character should be taken into account in the management of change in order to sustain local distinctiveness and a sense of place. The use of an objective, structured approach to identify the elements of historic character and creating an evidence base is vital...*'

Local Planning Policies

The Merthyr Tydfil Replacement Local Development Plan 2016-2031

LDP Policy SW4 – Settlement Boundaries

LDP Policy SW11 – Sustainable Design and Placemaking

LDP Policy CW1 – Historic Environment

LDP Policy EnW1 – Nature Conservation and Ecosystem Resilience

- Supplementary Planning Guidance (SPG):

SPG4 - Sustainable Design, July 2013

SPG5 – Nature and Conservation, May 2015

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed introduction of PV solar panels and air source heat pumps would be acceptable in respect of their impact upon the character and appearance of the conservations area and the wider area. The impact of the proposed development upon ecology and residential amenity are also important considerations.

Character and Appearance

The proposed development, as described above, seeks to introduce solar panels on the south facing roof profile of the building and two air source heat pumps to the rear.

The solar panels are required to reduce energy use of the converted building and would be, and of similar size and thickness, as the existing slate tiles. The solar panels are an engineering product made of toughened glass and aluminium. The solar roof panels would be located on the side elevation of the property. Although the solar panels would project above the roof slope by approximately 0.04 metres. As this projection would be minimal and would be almost unnoticeable when viewed from the streetscene by passersby, they would therefore not cause any significant harm to the appearance of the building. With regard to the air source heat pumps, they would be located to the rear of the building and therefore are discreetly located. As such, the solar panels and air source heat pumps would not be considered to significantly harm the appearance of the property nor would it

adversely affect the character of the street scene or wider conservation area. The development would therefore comply with LDP Policies CW1 and SW11.

Residential Amenity

The proposal has been considered in respect of its impact upon surrounding neighbouring occupiers. However, given the nature and siting of the development, the proposal would not cause any harm upon the surrounding residential amenity. In this respect, no representations were received following the publicity exercise. The relationship between the proposed development and the neighbouring dwellings would therefore be considered acceptable and would accord with LDP Policy SW11.

Ecology

It is recognised that the proposal would result in works to the roof of the unit but the Planning Authority's Ecologist is satisfied that in this instance no ecological survey work is required. It is noted that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, due to the scale and nature of the development, which only includes solar panels to the roof, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancement would be required and can be secured via a suitably worded condition. The enhancements would contribute to the wider green infrastructure objectives. The proposed development would therefore comply with LDP Policies EnW1, EnW2 and EnW3 of the LDP.

CONCLUSION

The proposed development, for the reasons discussed above, is therefore considered acceptable and would accord with the relevant policies.

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.

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;

Cross section drawings, Received 30 April 2024

Longitudinal cross section drawings, Received 30 April 2024

Proposed Elevations, Drawing No. PD/BCT/EA/02, Received 14 May 2024

Site Location Plan, Received 22 February 2024

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

3. BEFORE the installation of the solar panels and the air source heat pumps a scheme for biodiversity enhancement, including a timescale for implementation, shall be submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.
All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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: 15.05.2024