

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
16/0046/COU 05.02.2016	Mr C Leader Horeb Baptist Chapel Castle Hill Gelligaer Hengoed	Convert Grade II listed chapel into a residential property Horeb Baptist Chapel Castle Hill Gelligaer Hengoed

**APPLICATION TYPE:** Change of Use

### SITE AND DEVELOPMENT

Location: Horeb Welsh Baptist Chapel, Castle Street, Gelligaer. The site is located within the settlement boundary and within the Gelligaer Conservation Area that was designated on 4/3/1980. It is a large chapel building located in a terrace of cottages to the south of Gelligaer Cemetery. Terraced residential cottages are located opposite the chapel. There are no pavements along the front highway serving the building.

Site description: The building was listed by Cadw on 1st March 1999. The List Description was later amended on 18th July 2001 during the National Resurvey of Wales (Cadw Ref. No. 21429). It was built of coursed local rubble stone with plain clay tiles to its roof, as a Welsh Baptist Chapel in 1848. A vestry was added in the late C19 and has been further extended since.

Development: Full planning permission is sought in respect of the conversion of the Grade II listed chapel into a residential property. An application for listed building consent (16/0045/LBC) has also been made.

The applicant has submitted a Design and Access statement and an outline of the schedule of works to support the application, which includes details of the refurbishment as follows:-

Generally

- Removal of the pulpit and unwanted pews to be taken for store for donation to local organisations concerned with preserving historic fabric.
- The existing wall mounted 'Roll of Honour' to be donated and transferred to St Cattwg's Church by agreement with the British Legion and War Memorials Trust.

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### Repairs to Chapel and Porch

- Removal of loose floorboards and treatment areas of infestation or rot found to be agreed with the conservation Officer.
- Hardboard ceilings to be removed, inspect existing roof structure and effect any timber repairs as necessary.
- Inspect existing timber windows to front and side elevations, undertake minor repairs and redecorate with water based gloss paint.
- Inspect existing roof and undertake such minor repairs to tile finishes in matching rosemary clay tiles.
- Remove existing external render finishes from porch and apply new lime render and lime wash finish.
- Inspect existing stack and rendered gable to side and make such limited repairs as necessary to render and leadwork, using matching materials.
- Inspect existing cast iron gutters and downpipes and replace or repair as necessary using matching materials. Decorate with water based gloss paint.
- Inspect existing timber fascias and repair as necessary and redecorate.
- Inspect and repair existing timber notice board to front elevation and redecorate with water based gloss paint.
- Overhaul existing cast iron front gate and fence and redecorate with water based gloss paint.
- Overhaul existing panel door to Porch as necessary and redecorate.

### Alterations to Chapel and Porch

- remove existing pews and pulpit, make good or extend existing plaster wall or finishes disturbed by removal. Remove existing raking and pews to balcony to create level floor area. Existing balustrade and handrails to balcony to be protected and retained. Make good and extend existing plaster wall finishes;
- remove existing fluorescent fittings from ceiling;
- integrate existing cast iron radiators and pipework into new gas fired heating system;
- replace existing metal plate metal finish door to basement and renew with gloss painted hardwood pane door and frame;
- remove existing light fittings and power circuits and install new light fittings and cable and electrical fittings. Design to allow for minimum intervention to existing fabric from chase cutting.

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### Repairs and Alterations to Vestry and Community Hall

- Remove asbestos roof finish.
- Remove existing projecting wings and form new external cavity walls using pennant stone or fine down painted render.
- Form new openings in new and existing external masonry walls.

### External Works

- New hardstanding with brick paviour finish and close boarded timber boundary fence to boundaries, new red brick retaining walls to hardstanding and boundaries and brushed concrete pathways and steps with concrete paving slabs to terrace outside bedrooms 1 and 4.

Dimensions: The footprint of the existing building has maximum dimensions of 25.4m (depth) x 11.8m (width) x 8.6m (height). The demolition of two projecting wings on the rear extension will reduce the width to 7.9m.

Materials: A schedule of works is submitted with the application, which includes some details of external finishes, with paint finishes indicated to be oil based gloss paint to softwood joinery and matt emulsion paint to plaster finishes to walls and ceilings.

Ancillary development, e.g. parking: None.

### PLANNING HISTORY 2005 TO PRESENT

None.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: Policy SP5 (Settlement Boundary), and within the Gelligaer Conservation Area.

#### Policies:

Strategic Policies

SP2 - Development Strategy in the Northern Connections Corridor, SP6 (Place making)  
SP21 (Parking Standards).

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## Countywide Policies

CW2 (Amenity) CW3 (Design considerations - Highways) CW15 (General locational constraints) associated supplementary planning guidance contained in LDP6 - Building Better Places to Live and LDP7- Householder Developments is also relevant.

## NATIONAL POLICY

National guidance contained in Planning Policy Wales, 8th Edition, January 2016 (par.6.1.1) states that "It is important that the historic environment encompassing archaeology and ancient monuments, listed buildings and conservation areas and historic parks, gardens and landscapes is protected."

Paragraph 6.5.8 "There should be a general presumption in favour of the preservation of listed buildings. The continuation or reinstatement of the original use should generally be the first option when the future of a listed building is considered. However, not all original uses will now be viable or necessarily appropriate. The application of development and listed building controls should recognise the need for flexibility where new uses have to be considered to secure a building's survival. The aim should be to identify the optimum viable use that is compatible with the character and setting of an historic building.

Paragraph 6.5.9 Where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses."

Paragraph 6.5.11 "Planning authorities must, unless directed otherwise, notify the Welsh Government before listed building consent is granted. Once a building is listed (or is the subject of a building preservation notice) consent is required for its total or partial demolition and for any works of alteration or extension, which would affect its character as a building of special architectural or historic interest. Controls apply to all works, both external and internal, that would affect a building's special interest."

National guidance also encourages good design to be the aim of all those involved in the development process. The guidance states, at Paragraph 4.11.9 "the visual appearance of proposed development, its scale and its relationship to its surroundings are material planning considerations and Local Planning Authorities should reject poor designs." Paragraph 4.11.10 "In areas recognised for their landscape, townscape or historic value, such as National Parks, Areas of Outstanding Natural Beauty and conservation areas, and more widely in areas with an established and distinctive design character, it can be appropriate to seek to promote or reinforce traditional and local distinctiveness.

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In those areas the impact of development on the existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important. The impact of development on listed buildings should be given particular attention."

Welsh Office Circular 61/96, paragraph 8 " Authorities are required by Section 66(1) of the Act (throughout this circular 'the Act' refers to the Planning (Listed Buildings and Conservation areas) Act 1990) in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses."

TAN 12 – Design.

#### 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 an issue in respect of this planning application.

#### CONSULTATION

Transportation Engineering Manager - No objection.

Head Of Public Protection - No adverse comments.

Countryside And Landscape Services - No objection subject to conditions being attached to any consent preventing any site vegetation clearance during the bird breeding season together with conditions requiring the provision of both bat roost and bird breeding provision as biodiversity enhancements. Advice is provided to be conveyed to the developer.

Dwr Cymru - Provides advice to be conveyed to the developer.

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Conservation & Design Officer - Recommends approval of the proposal subject to conditions being attached to any consent which ensure the refurbishment works proposed to the listed building are in keeping and do not adversely affect the character of the listed building.

### ADVERTISEMENT

Extent of advertisement: The application has been advertised on site and ten neighbouring properties have been consulted.

Response: One.

Summary of observations: Have no objection to the proposed change of use of the building but are concerned about parking provision and suggest the cemetery gates are set back and a barrier erected to allow access to off-street parking at the property.

### 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? There are no specific crime and disorder implications material to the determination of this planning application.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No but a bat and bird advisory note should be provided to the developer and conditions attached to any consent preventing the demolition or site/vegetation clearance during the bird breeding season together with bat roost and breeding bird provision in the development as a biodiversity enhancement.

### COMMUNITY INFRASTRUCTURE LEVY

Is this development Community Infrastructure Levy liable? Yes but the site is within a lower viability area where the charge is £0.

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## ANALYSIS

Policies: Policy SP6 of the Local Development Plan (LDP) is relevant to the determination of this planning application and states that development should contribute to creating sustainable places by having full regard to the context of the local, natural, historic and built environment and its special features through the promotion of good design, sustainable transport, resource efficiency and the enhancement of natural heritage, which will encourage a sense of place and identity, whilst reflecting local distinctiveness.

The external appearance of a listed building, both its intrinsic architectural merit and any group value, is a key consideration in judging this application. While the listing of a building should not be seen as a bar to all future change, the starting point for the exercise of listed building control is the statutory requirement on local planning authorities to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" (Section 66 of the Act).

The building was listed by Cadw on 1st March 1999. The List Description was later amended on 18th July 2001 during the National Resurvey of Wales (Cadw ref. no. 21429). It was built of coursed local rubble stone with plain clay tiles to its roof, as a Welsh Baptist Chapel in 1848. A vestry was added in the late C19 and has been further extended since. It is situated within a terraced row of residential cottages along Castle Hill.

The building which is currently vacant, has been identified in the 2016 Building at Risk Register (B@R) Survey as 'At Risk and 'vulnerable'. It is described as 'Condition deteriorating, action is now required to a wide range of defects to halt the decline.' In the B@R Survey carried out in 2011 considered it not to be at risk with some repairs being required, but this building has clearly rapidly deteriorated since.

The building has been vacant and its use has been redundant for a significant period. Its continued use as a place of worship and church hall in the future is considered to be very unlikely. Meanwhile the building is continuing to deteriorate and the church hall in particular is in a poor condition and has asbestos issues which also need to be tackled.

The Design and Access Statement (DAS) and set of drawings deliver a set of comprehensive conservation-based proposals that will hope to implement a project for the restoration of this building and also deliver a family home. The use of the original Chapel interior as the main family living space was considered to be the best way to limit the alteration to the original fabric of the building.

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Whilst the pulpit and the majority of the pews would need to be removed and given to local organisations for re-use, some would be retained to retain something of the original identity of the space. The tiered seating to the balcony would be removed to provide usable space at that level. Original wall and floor finishes will be made good as necessary after the removal of existing features. The 'Roll of Honour' wall monument will be donated to St Cattwg's Church by a process to be agreed with the British Legion and War Memorial Trust. Externally it is proposed to replace the existing render to the entrance porch with lime render and lime wash and to renew the existing floor to the basement. Main alterations are to the rear extension, part of which is to be removed to provide more external amenity space with some partial reconstruction. New boundary fences and a hard standing will be created. The existing white asbestos sheeting is to be replaced with clay tiles to match as closely as possible the main roof. The bedrooms, family and utility rooms are to be accommodated in the rear extension.

In terms of the loss of the community facility it is noted that the chapel was put up for sale as the congregation had dwindled to a point where the original ecclesiastical use had become untenable.

Policy CW2 of the LDP considers amenity. In this respect the applicant proposes obscure glazing to all windows on the eastern side of the building serving two bedrooms, one bathroom and a family room in order to ensure the privacy of the future occupants and the occupiers of the neighbouring property are not adversely affected. This may be ensured by attaching a condition to any consent. It is considered that the development would not have an unacceptable impact on the residential amenity of neighbouring properties, and sufficient amenity space is provided and there is adequate separation between existing habitable room windows to safeguard privacy standards.

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Policy CW3 of the LDP considers highway implications. One letter has been received concerned about parking in the area. Whilst the addition of parking facilities for this development would be welcomed, these could only be provided within the rear curtilage of the property and accessed through the Gelligaer Cemetery gates.

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It is acknowledged that these cannot be accessed 24 hours a day as the access to them is controlled by Bereavement Services Division of the Caerphilly Council and they are locked in the evening (5.00 p.m. in Winter and 7:30 p.m. in Summer) to deny public access to the cemetery. However the less intensive use in parking terms from chapel to dwelling would not require a parking facility to be provided and in this respect the Transportation Engineering Manager has raised no objection to the development.

It is considered that the proposed works are to refurbish dilapidated areas and as such will help prevent the further deterioration of this Grade II Listed Building and will be an improvement in terms of the visual amenity of the Conservation Area.

It is considered that the design, scale of the works and materials used are generally acceptable and will not harm the character of the Gelligaer Conservation Area. However, it is considered appropriate to attach conditions to any consent in respect of finishes and methods used in terms of refurbishment where the proposed details are not considered appropriate in the context of the listed buildings and conservation area.

The development proposed would accord with local plan policies and is therefore acceptable in planning terms.

Comments from Consultees: The concerns of the statutory consultees referred to above may be addressed by attaching appropriate conditions to any consent.

Comments from public: See above.

Other material considerations: None.

In conclusion it is considered the proposed development does not conflict with local plan policies or national planning guidance and as such is acceptable in planning terms.

**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.

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- 02) The demolition or site/vegetation clearance associated with the development hereby approved shall not take place during the breeding season for birds, from March to August inclusive in any given year, unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure that breeding birds are protected. All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.
- 03) Prior to the commencement of any works associated with the development hereby approved, a plan showing details of the provision of roosts and a means of access for bats at Horeb Baptist Chapel, Gelligaer, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the converted building hereby approved is first occupied.  
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, and policy contained in Welsh Assembly Government's Planning policy Wales and Tan 5 Nature Conservation and Planning.
- 04) Prior to the commencement of any works on site, details of the provision of nesting sites for bird species (House sparrow, House martin, Starling, or Swift) at Horeb Baptist Chapel, Gelligaer, shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented before the converted building hereby approved is first occupied.  
REASON: To provide additional nesting opportunities for birds as a biodiversity enhancement, in accordance with Section 40 Natural Environment and Rural Communities Act 2006, Planning Policy Wales and paragraph 1.4.3 of TAN 5 Nature Conservation and Planning.
- 05) Prior to the commencement of the development an appropriate programme of building recording and analysis shall be submitted to and agreed in writing with the Local Planning Authority, and shall thereafter be carried out before the development hereby approved commences by a specialist acceptable to the Local Planning Authority.  
REASON: To allow a record of the building to be made.
- 06) No new or replacement windows or doors shall be inserted in the building unless further details of their construction materials and style have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: To protect and preserve the character of the Listed Building.

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- 07) No new or replacement external rainwater, drainage and ventilation goods shall be installed at the building subject of this consent unless further details of their design, materials and colour have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
REASON: To protect and preserve the character of the Listed Building.
- 08) No works to the rear roof shall be undertaken until samples of the roof and clay ridge tiles together with the method of roof laying have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out using the approved tiles.  
REASON: To protect and preserve the character of the Listed Building.
- 09) Where original materials are to be removed in accordance with the development hereby approved, a scheme shall be submitted to and agreed in writing by the Local Planning Authority for their removal, storage and re-use. The development shall only be carried out in accordance with the approved scheme.  
REASON: To protect and preserve the character of the Listed Building.
- 10) The method of treatment of the floorboards and joists as referred to in paragraph 2.1 of the schedule of works shall be in accordance with conservation standards, details of which shall be submitted for consideration and approval in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.  
REASON: To protect and preserve the character of the Listed Building.
- 11) The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details: : drwg no's 812/P.02; 812/P.06; 812/P.07; 812/9.08; and 812/9.09; 888/9.10 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the windows in the east facing elevation of the rear extension shall be glazed with obscure glass and any replacement or repair shall only be with obscure glass.  
REASON: In the interests of residential amenity.

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Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2, CW4 and SP10.

The applicant is advised of the comments of the Conservation and Design Officer, Council's Ecologist and Dwr Cymru/Welsh Water.

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