

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING COMMITTEE**

**DATE:** **30th MARCH 2022**

**REPORT BY:** **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

**SUBJECT:** **FULL APPLICATION FOR THE ERECTION OF AN EXTENSION AND PARTIAL REFURB AT MELIN Y WERN, NANNERCH**

**APPLICATION NUMBER:** **063458**

**APPLICANT:** **MR JAMES SAUNDERS**

**SITE:** **MELIN Y WERN, NANNERCH, CH7 5RH**

**APPLICATION VALID DATE:** **24<sup>TH</sup> AUGUST 2021**

**LOCAL MEMBERS:** **COUNCILLOR T. JONES**

**TOWN/COMMUNITY COUNCIL:** **YSCEIFIOG COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **AT THE REQUEST OF THE LOCAL MEMBER DUE TO CONCERNS OVER THE IMPACT OF THE DEVELOPMENT**

**SITE VISIT:** **NO**

**1.00 SUMMARY**

- 1.01 This is a full application for the erection of an extension and partial refurbishment works to the property and garden at Melin y Wern, Nannerch.
- 1.02 Melin y Wern is a Grade II Listed former Mill building which was converted into a four bedroomed dwelling with ancillary cottage and private gardens.
- 1.03 The application proposes the erection of an extension to the rear of the dwelling to provide a garden room. The existing living accommodation is proposed to be reorganised although there is no

increase in bedrooms. In addition, this application seeks the regularisation of works which were undertaken to remove walls in the garden which were considered unsafe by the applicant.

- 1.04 It is considered that careful consideration has been given to the design and scale of the proposed extension with use of matching materials for walls but with a metal roof as a reflection of the sites previous industrial use. The stone garden wall replacements are also considered reflective of the wider setting.
- 1.05 Members may be aware, and there have been significant concerns raised by third parties with regards to unauthorised works to a Leete and Mill pond. It must be noted that these works have been regularised by the applicant, although they largely fall outside of his land ownership, to the satisfaction of the Local Authority. These works do not form part of this application.
- 1.06 The proposed extension and associated works are considered to be respectful and reflective of the character of the Listed Building and the wider Conservation Area. The development will not give rise to any adverse impact. Historical parking and access issues cannot be resolved through this application as the proposal does not generate any increase in traffic demand.
- 1.07 For the reasons outlined above the application is considered to comply with local and national planning policy, and supplementary planning guidance. Subject to the imposition of conditions this application is recommended for approval.

**2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-**

- 2.01
- Time limit for commencement
  - Compliance with the approved plans
  - Approval of materials
  - Photographic survey of the existing building

**3.00 CONSULTATIONS**

- 3.01 Local Member  
Councillor Tudor Jones – Requests committee determination due to concerns over the impact of the development; parking issues; access issues and the unauthorised works already undertaken on the site.

Ysceifiog Community Council

The plans submitted seek to make significant changes to the building in size and design. The Council requests that all reinstatement work

identified by Enforcement Offices are completed prior to any new development taking place.

The Council requests that the decision ensures that the historical and heritage importance of the building is preserved.

The Council considers that the application appears to be for extensive expansion to the original buildings and provide for significant levels of occupation. The site is restricted by its size, availability for parked vehicles and its hazards access on or off the A541 highway which is shared with its immediate neighbouring property. Given the above concerns consideration should be given as to the number of vehicles permitted to be parked at any given time.

Head of Public Protection

No objections raised with regards to the proposal

Highways

No objections raised with regards to the proposal

Welsh Water/Dwr Cymru

Since the applicant intends to utilise an alternative method to mains drainage then no objections raised to the proposal.

Clwyd Powys Archaeological Trust

Given the historical significance of the building CPAT recommend that if planning permission is granted that a condition be imposed requiring the completion of a photographic survey.

Natural Resources Wales

Raises concern with the lack of a submitted bat survey as part of the application. However, advice from the County Ecologist as outlined below is that with a lack of recorded evidence of bats in the area, that a survey is not necessary and the matter can be resolved through the inclusion of a note to applicant on any consent.

County Ecologist

Whilst the submission of a bat survey prior to determination would have been preferable, given the proposed works and the lack of recorded evidence of bats in the area, it is considered acceptable to include a note to the applicant about the protection of these species on any consent.

AONB Joint Committee

The conservation area at this point of the A541 is an important historical asset, this was recognised by the original designation of the Clwydian Range by including it with the AONB. The committee are very disappointed and concerned that the applicant under took some work on the above property without the proper consents and this should be deplored.

However it is their understanding that the applicant intends to restore the wall that was damaged within this current planning application which is acceptable. The Committee does not have any further comments on the application providing the design and build is acceptable to Flintshire's Building Conservation Officer.

#### **4.00 PUBLICITY**

4.01 Press Notice, Site Notice and Neighbour Notification letters sent. 3 objections received raising the following concerns:

- The proposed extension is not suitable for the Grade II Listed Building
- Impact on amenity
- Impact on the Conservation Area
- Lack of parking
- Access issues to the site
- Works completed at the site without the benefit of planning permission
- Impact on protected species

#### **5.00 SITE HISTORY**

5.01 No recent planning history

#### **6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan  
GEN 1 General Requirements for Development  
GEN3 Development in the Open Countryside  
D2 Design  
HE1 Development Affecting Conservation Areas  
HE2 Development affecting Listed Buildings and their Settings  
HE8 Recording of Historic Features  
WB1 Species Protection  
AC13 Access and Traffic Impact  
AC18 Parking Provision and New Development  
HSG12 House Extensions and Alterations

Supplementary Planning Guidance Notes  
SPGN No1. Extensions and Alterations to Dwellings  
SPGN No 2. Space Around Dwellings  
SPGN No 6. Listed Buildings  
SPGN No 11. Parking Standards

## **7.00 PLANNING APPRAISAL**

### **7.01 Introduction**

This application seeks planning permission for the proposed erection of an extension to the rear of the dwelling known as Melin y Wern; internal reconfiguration works and the approval of works undertaken to the garden. The property is Grade II Listed, otherwise it is likely that most of these works could have been completed under permitted development.

### **7.02 Site Description**

The application site comprises of a Grade II listed former mill building, which is a substantial three storey stone building with a slate roof and still retains the water wheel on the southern elevation. The site is located within the defined Conservation Area. There is a single storey section attached to the opposite elevation which is set up higher where the land rises up. An associated cottage is located at this level which is used for ancillary accommodation, whereas the former warehouse is set at the same level as the mill. The door on the ground floor of the mill only provides access into this part of the building, with the main part which comprises the existing house, being accessed via a set of stone steps and along the front of the cottage.

7.03 The site is accessed from the main A541 via a small unadopted track which serves both Melin y Wern and the neighbouring property of the Old Mill to the south which is a four storey dwellinghouse. Fronting the A541 and adjacent to the access is a converted barn which is used as holiday cottages.

7.04 To the west of the application site is a detached dwelling although substantial screening exists between the two properties. To the north and east is open countryside.

7.05 The site is located outside of any defined settlement boundary but is central to the small complex of converted and new dwellings which formed for the former Mill.

### **7.06 Proposed Development**

This application proposes the erection of an extension to the rear elevation of Melin y Wern, where historically a drying structure was located. The extension will provide a staircase and voided storage area on the ground floor with a garden room on the first floor.

- 7.07 Internally some works are proposed to reconfigure the living accommodation of the existing building with the kitchen and living/dining space being relocated to the ground floor and the provision of a bedroom a first floor level. On the second floor level it is proposed to alter a bedroom into an additional bathroom.
- 7.08 Whilst additional living space of approximately 24.5 square metres is proposed the total number of bedrooms is unaltered at four.
- 7.09 Externally the walls of the extension will be constructed in a stone to match the existing building. The roof material is metal which is reflective of the former industrial use of the building.
- 7.10 The application has been submitted with a separate Listed Building Consent application.
- 7.11 Principle of Development  
Policy HSG12 of the Flintshire Unitary Development Plan concerns extensions and alterations to dwellings. It confirms that proposals will be permitted provided that they are subsidiary in terms of scale; respectful of the setting of the property and that the development will not give rise to any adverse impact on neighbouring amenity.
- 7.12 As this is a Listed Building greater scrutiny has been placed on the design and scale of the proposed extension and associated works. The increase in footprint is minimal at less than 25 square metres bearing in mind the scale of the existing building. In addition, the location of the proposed extension, to the rear, means that it is not considered to be in a visible location.
- 7.13 Consideration of neighbouring amenity with regards to policy HSG12 and SPGN No2 has been thoroughly examined but it is not felt that the extension will cause any loss of light or privacy to neighbouring dwellings. No windows are proposed on the side elevation facing The Old Mill and the orientation together with separation distances are such that there is considered to be no impact on privacy into the garden.
- 7.14 Works to remedy breaches of planning control in the garden of the application site (i.e. retaining walls) are also considered acceptable in terms of design.
- 7.15 Listed Status  
The building of Melin y Wern is a three-storey, three-window former mill built against a steep bank, constructed of rubble stone with larger quoins, and a slate roof. During the 19th century a two-storey wing was added on the uphill side, and a drying kiln was added at the rear. The current waterwheel dates from the late 19th century. It has been said that the mill was still in use as late as 1953. Any existing

machinery was removed after the mills closure and the ground floor of the building was converted into an art gallery.

- 7.16 Melin y Wern was designated as a listed building in 1976. Melin y Wern and the adjacent outbuilding have been altered over time and the current timber windows are replacements in earlier openings, except the middle and upper storeys on the left hand side, both of which are converted from former door openings. The lower storey has stone segmental-headed openings with a doorway to the left, while the middle storey openings are under wooden lintels and the upper-storey beneath the eaves, except on the left hand side where the original doorway has been converted to a dormer window.
- 7.17 Set back against the left hand gable end, where the ground level is higher, is an added single-storey two-window wing level with the middle storey of the mill.. The rear of the mill, where the ground level is higher, is only two storeys.
- 7.18 The Local Planning Authority and in particular the Conservation Officer have previously outlined support for the principle of the scheme of works but had asked for the submission of details in relation to the adjacent detached cottage which is defined as a curtilage listed building. The applicant has now amended the proposal to omit the works to the curtilage building and is only proposing an extension and alterations to the old mill building. Accordingly the submitted information is sufficient to fully assess the scheme.
- 7.19 The proposed extension to the rear of the mill will impact the largely demolished remains of the former grain dryer with the walls being either further reduced, or added to, and a new opening created. As some additional features of the mill complex will be altered, removed or concealed they should be recorded in their current form so that the Local Planning Authority and Clwyd Powys Archaeological Trust have an adequate record of their original layout, form and fabric. It is recommended that if planning permission is granted that the applicant commission a photographic survey to be completed prior to works commencing. This can be secured through a suitably worded condition.
- 7.20 The proposed works to the Listed Building are sympathetic and reflective of the historical significance and character of this building. The proposal is compliant with policy HE2 of the Flintshire Unitary Development Plan.
- 7.21 Highway Implications  
Significant concerns have been raised through third party representations with regards to existing highway safety issues at the application site. These issues relate to a lack of parking provision; inability to manoeuvre adequately and access onto the A541.

- 7.22 Highways Development Control Officers were consulted on the application and confirms that whilst the proposal will see an increase in living accommodation the number of bedrooms is unaltered and accordingly the provision of three parking spaces would usually be required.
- 7.23 Members should be aware however, realistically the property only currently has provision for two car parking spaces allowing for turning spaces. This appears to have been the case for a significant number of years. With no increase in bedroom numbers the proposal is not considered to give rise to any change in parking demand and accordingly it would be unreasonable to refuse the application based on the historic parking layout. With parking standard contained within SPGN No11 being maximum guidelines it is considered that the current provision is adequate.
- 7.24 Additionally, with no increase in traffic demand the Local Authority cannot require any improvements to the existing access off the A541.
- 7.25 Whilst the potential concerns of issues with deliveries to the site and parking on land outside of the applicants control are noted, these are civil issues and are not material to the consideration of this application.
- 7.26 Enforcement Investigations  
Representations from third parties in response to this application relate to enforcement investigations which have taken place at the site. Whilst most of the matters are not material to the determination of this application (with the exception of the garden walls) it is felt useful to provide Members with confirmation of the current position.
- 7.27 Enforcement action was instigated following the infilling of a Leete and Mill Pond which are located to the north and west of the proposed extension. The Local Authority understands that these works were undertaken due to concerns over the long term maintenance of the structures.
- 7.28 The Leete and Mill pond are considered crucial to the setting and historical background of Melin y Wern and accordingly enforcement action was instigated to remove the deposited material. These works have been completed to the satisfaction of the Local Authority. Subsequent clarification has been provided with confirms that the Leete is not within the applicant's control. Any ongoing maintenance will not be the responsibility of the applicant.
- 7.29 As stated above, these matters do not form part of this application, nor are they material considerations. The matter has been resolved satisfactorily but given the strength of objection it was considered necessary to provide this background information.



7.30 Ecological Matters

Third party representations raise concerns over protected species on or adjacent to the application site. The site is not within or close to any designated Statutory or local wildlife sites where there would be a concern over the importance of flora and fauna.

7.31 However, given the location of the site in the open countryside with mature woodland to the rear there is a potential for the presence of bats to be found. The main structure and roof space of the existing building is not being altered, neither are any demolition works taking place. Whilst the submission of a bat survey prior to determination would have been preferential it is considered, on balance, that a note can be included on any consent which reinforces the legal requirement to report any evidence of bats.

**8.00 CONCLUSION**

The proposed erection of an extension and internal remodelling of this Grade II Listed Building is considered to be acceptable in terms of scale; form and design. Careful thought has been given to reflect the existing building but with a nod to the sites previous industrial use.

Many of the concerns raised by third parties relate to previous enforcement investigations rather than the detail of the application currently under consideration.

The proposed development is compliant with national and local policy and therefore I recommend that planning permission be granted as set out in paragraph 2.0 of this report.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the

achievement of wellbeing objectives as a result of the recommended decision.

**LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

Responses to Publicity

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