

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **WEDNESDAY, 12 DECEMBER 2012**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **050024 - FULL APPLICATION - CHANGE OF USE FROM PUBLIC HOUSE TO A SINGLE DWELLING INCLUDING PART DEMOLITION, AND ALTERATIONS, TOGETHER WITH THE CREATION OF A NEW VEHICULAR ACCESS AT WHITE LION INN, FFORDD PEN Y BRYN, NERCWYS, MOLD**

APPLICATION NUMBER: **050024**

APPLICANT: **MR. A. GAUNT**

SITE: **"WHITE LION INN", FFORDD PEN Y BRYN, NERCWYS, MOLD**

APPLICATION VALID DATE: **9TH AUGUST 2012**

LOCAL MEMBERS: **COUNCILLOR NANCY MATTHEWS**

TOWN/COMMUNITY COUNCIL: **NERCWYS COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **MEMBER REQUEST**

SITE VISIT: **YES**

1.00 SUMMARY

- 1.01 This application seeks planning permission for change of use of the public house to form a dwelling, creation of a new vehicular access and extensions, alterations and partial demolition works to the building at the former White lion Inn, Ffordd Pen Y Bryn, Nercwys, Mold.
- 1.02 The main issues to consider are the principle of development in planning policy terms, the highway implications and the effects of the partial demolition, extensions and alterations upon the character and appearance of the building and whether or not they preserve or enhance the character and appearance of the conservation area.
- 1.03 It is considered that the change of use of the public house to a dwelling is acceptable in planning policy terms, with the new vehicular

access being also considered acceptable in highway terms. However, it is considered that the two storey extension is not acceptable due to its form, excessive size and location having a significant detrimental impact upon the character and appearance of the building and is considered not to preserve or enhance the character and appearance of the conservation area either. It is also considered that the demolition works to the cellar at the front will have a detrimental impact upon the character and appearance of the conservation area also.

2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

- 2.01
1. It is considered that the proposed two storey extension by virtue of its form, excessive size and visible location will have a significant detrimental impact upon the character and appearance of the building and does not preserve or enhance the character and appearance of the conservation area in which it is set, thereby contrary to policies GEN1, HSG12 and HE1 of the Flintshire Unitary Development Plan and guidance within Local Planning Guidance Note 1 – Extensions and Alterations to Dwellings.
 2. It is considered that the proposed demolition of the existing cellar structure at the front of the building does not preserve or enhance the character or appearance of the Conservation Area due to its location and contribution to the building and conservation area in which it is set, thereby contrary to Policy HE3 of the Flintshire Unitary Development Plan.

3.00 CONSULTATIONS

3.01 Local Member

Councillor Nancy Matthews

Requests both Committee determination and site visit. Supports application for following reasons:

- Not sure what is protected in conservation area as no character appraisal has ever been carried out
- White Lion is not a listed building. There is nothing of architectural merit to be preserved
- Public house empty and for sale since 2007/8 – no expressions of interest for the business
- Proposal returns the dwelling to its original use which will be sympathetic in appearance to the listed building across the road (Plas Yn Llan)
- Sloping roofed extension at front obstructs visibility and more inconveniently for residents, floods regular due to highway drainage.

Nercwys Community Council

No objection.

Head of Assets and Transportation

No objection to amended plans.

Head of Public Protection

No adverse comments to make.

Clwyd-Powys Archaeological Trust

Will affect a building which is at least 125 years old. Conversion will completely alter the original function and layout of the building and would therefore wish to retain a record of the building in its present form for archive purposes. Require a digital photographic survey of interior and exterior of the building prior to conversion.

4.00 PUBLICITY

4.01 Press Notice, Site, Notice, Neighbour Notification

5 letters of support received. The grounds of support being:

- Conservation area greatly enhanced with the approved scheme. Removal of all flat roof and lean to extensions returning the front to its original state.
- New access and blocking up of original site entrance would enhance safety on adjoining junction and to school children on narrow section of Pen-y-Bryn.
- Cellar caused problems to previous owners.
- Proposals will give heart back to the village and allow another family to enjoy rural village life.

5.00 SITE HISTORY

5.01 **372/95**

Change of use of existing shop to licensed area – granted 2nd August 1995.

252/95

Alterations, extensions and new pitched roof – withdrawn 5th June 1995.

437/94

Conversion of ground floor to retail shop – granted 9th August 1994.

Relevant Planning History relating to Butchers Arms

049029

Renewal of planning permission Reference: 41559 for the change of use of public house to dwellings – granted 14th November 2011.

41599

Change of use to dwelling – granted 9th October 2006

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy GEN1 – General Requirements for Development

Policy D1 – Design Quality, Location and Layout

Policy D2 - Design and Access Statement

Policy HE1 – Development Affecting Conservation Areas
Policy HE3 – Demolition in Conservation Areas
Policy HSG3 – Housing on Unallocated Sites within Settlement Boundaries
Policy HSG12 – House Extensions and Alterations
Policy S11 – Retention of Local Facilities

Local Planning Guidance Note 1 – Extensions and Alterations to Dwellings
Local Planning Guidance Note 24 – Retention of Local Facilities

It is considered that the change of use of the Public house to a dwelling accords with Policy S11 as the other public house, The Butchers Arms, is located within reasonable walking distance of the village.

Policy HSG3 in terms of the requirement for the dwelling to be for local need is not considered to be applicable in this case as there is already a unit of accommodation associated with the pub and that the proposal is merely enlarging it and not creating an additional new dwelling.

The principle of the alterations, extensions and demolition to the building is also considered acceptable in principle in planning policy terms. What needs to be considered are the effects upon the character and appearance of the building and whether they preserve or enhance the character and appearance of the conservation area.

7.00 PLANNING APPRAISAL

7.01 Site Description and Proposals

The site comprises of the former White Lion public house together with its car park to the rear and its vehicular access to the south. It is situated on the edge of the southern conservation area of Nercwys which includes the church, school, bowling green and Plas Yn Llan. The Inn contributes therefore to an attractive nexus of historic buildings at the heart of the village.

7.02 The proposals involve change of use of the public house to a dwelling, demolition of the existing single storey flat roofed extensions to the rear to be replaced by a large two storey extension perpendicular to the existing building, demolition of existing side flat roofed extension, creation of new vehicular access to the north and blocking up of existing vehicular access to the south and the erection of a detached single storey garage within the proposed garden of the dwelling to the rear. The large two storey perpendicular extension will measure approximately 6.7m x 4.9m x 6m (height to ridge).

7.03 Issues

The main issues to consider within the determination of this planning application are the principle of the developments in planning policy terms, the highway implications and the effects of the proposed extensions and demolition works upon the character and appearance of both the building and conservation area in which they are set.

7.04 Principle of Development

The site is located within the settlement limit and southern conservation area of Nercwys as defined by the Flintshire Unitary Development Plan (FUDP).

7.05 In terms of the principle of development of the change of use of the public house to a dwelling in planning policy terms, both policies S11 and HSG3 of the FUDP apply.

7.06 S11 permits the loss of a public house which performs a social as well as an economic role only where similar facilities exist in the neighbourhood or village which are equally as conveniently accessible to local residents or where this is not the case, the property has been advertised at a reasonable price for sale or lease in its existing use for a period of at least one year without success.

7.07 Given that the Butchers Arms is located within reasonable walking distance of Nercwys (approx 750m by road) it is considered that this would satisfy the first criterion of policy S11. It is noted that the Butchers Arms does have planning permission for change of use to a dwelling but this has not been implemented and is still trading as a public house. In relation to the second criterion of the policy, the agent refers being able to supply documentation relating to four years of marketing. However, this has not been submitted with the application.

7.08 In terms of HSG3, Nercwys is a category C settlement which only allows for change of use of non-residential buildings to dwellings provided that it is the renovation or replacement of an existing dwelling or it is to meet proven local needs and cumulatively does not result in over 10% growth since 2000. The dwelling is not proposed to be for a local need. However, as there is already a unit of residential accommodation associated with the pub and that the proposal is merely enlarging it and not erecting an additional new dwelling, then it is considered that Policy HSG3, in terms of local need is not applicable.

7.09 In relation to the extensions and alterations to the building these are considered acceptable in principle in planning policy terms. What needs to be considered are their effects upon the character and appearance of the building and conservation area in which they are set.

7.10 Highways

Access to the dwelling and its curtilage will be via a new vehicular access to the north, off Pen-Y-Bryn with the closure of the existing access to the pub car park to the South on the corner of Pen-Y-Bryn with Ffordd-Y-Pentre. The new access will involve the realignment of the existing hedge to the north in order to provide the required visibility sightline for cars emerging from the site.

7.11 Amended plans have been received now conforming to the requirements of the Highway Engineer in terms of visibility. It is noted that the new vehicular access will be much safer for both vehicles and

pedestrians than the existing vehicular access.

7.12 Character and Appearance of Building

The Inn is a simple gabled building built in a traditional form with its ridge running in parallel to the road onto which it originally took access. The original southernmost part of the Inn may originally have been a house and this is still the clear visual focus of the composition, being the most prominent and substantial element of the building as extended. The building has been extended a number of times and although three of the extensions – those to the east and south and the porch to the west are unsympathetic in detailed design, two of the forms employed, lean to and gable in sequence with the original gable, derive from the vernacular typology of the area. These existing extensions fail to respect the simple form of a domestic property, however, they were perhaps justified in terms of the requirements of maintaining a public house in the area with decent dining and toilet facilities.

7.13 It is considered that the proposed extension of the building with a large perpendicular wing would subsume the simple linear form of the existing building into one comprising three wings of almost the same dimensions. Although some of the unsympathetic commercial extensions would be removed, the resulting form would have a greater negative impact on the character of the building because it would be a more dominant form and would be in conflict with the linearity and size of the original.

7.14 The applicant has modified the design by reducing the width and height of the neck of the new wing where it adjoins the existing building. This might reduce the impact of the extension on the fabric of the original building but it does not take away from the fact that it would be a very substantial non traditional form which would result in the loss of the clear visual hierarchy of the present building. Indeed, the proposed variation in levels of the proposed extension adds to its visual complexity, drawing attention away from the historic southern range as the focal point of the composition. The proposed extension is considered so large as to have a similar visual weight to that of the original building. This issue is of greater concern than might otherwise have been the case, if the extension had been at the rear of a property because it is in full public view of Ffordd Y Pentre.

7.15 The other significant publicly visible alteration involves the demolition of the beer cellar which helps define and constrain the road to heighten the drama of arrival into Ffordd Y Pentre from the north and whose cat slide slated form is so typical of extensions in the Flintshire countryside. The loss of this feature seems unnecessary, even if it is of little practical use to the new owner. It makes a contribution to the character and appearance of the building and the conservation area.

7.16 Given the above, it is considered that the alterations and extension would have a significant detrimental impact upon the character and appearance of the building.

7.17 Character and Appearance of Conservation Area

Together with the parish church and agricultural and residential

properties on the opposite side of the road, the Inn contributes to an attractive nexus of historic buildings at the heart of Nercwys. The central importance of this group of buildings is recognised in the designation of this small area of village as its conservation area.

7.18 A key attribute of the arrangement of buildings is the manner in which they contain and enclose public space, allowing the church, the listed farm buildings and houses and the pub all to provide interesting offset viewpoints along the village road. An attractive sense of arrival is also experienced on the approach from the north up Pen Y Bryn where the cellar outrigger of the Inn tightly frames the road, adding to the sense of special contrast as this land opens into the broad central space of the village where Ffordd Y Pentre widens out. The sense that this is the village centre is emphasised by its enclosure by the neighbouring buildings and also by the functions of the church and pub. The Inn in particular creates a central landmark as it projects across the line of Ffordd Y Pentre on a sharp bend in the road.

7.19 As stated in paragraphs 7.12 – 7.16 because it is considered that the proposed large extension to the rear and the proposed demolition of the beer cellar have a significant detrimental impact upon the building and as the proposals are particularly visible, they are considered also to have a significant detrimental impact upon the character and appearance of the conservation area and do not enhance or preserve the features referred to above.

8.00 **CONCLUSION**

8.01 It is considered that the change of use of the public house to a dwelling is considered acceptable in planning policy terms. However, it is considered that the proposed two storey extension to the rear by virtue of its design form, excessive size and visible location will harm the special character and appearance of the conservation area. It is also considered that the demolition of the existing cellar on the front of the existing will also have a significant detrimental impact upon the character and appearance of the building and the conservation area in which it is set.

In considering this planning application 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.

Contact Officer: Alan Wells
Telephone: 01352 703255
Email: alan.wells@flintshire.gov.uk