

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **12<sup>TH</sup> NOVEMBER 2014**

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

**SUBJECT:** **PART CHANGE OF USE TO SMALL SCALE ARTISAN PRODUCTION OF SAUCES AND CONDIMENTS INCLUDING BOTTLING AND DISTRIBUTION AT PWLL GWYN HOTEL, DENBIGH ROAD, AFONWEN.**

**APPLICATION NUMBER:** **052414**

**APPLICANT:** **MRS NICOLA ADEDEJI**

**SITE:** **PWLL GWYN HOTEL, DENBIGH ROAD, AFONWEN**

**APPLICATION VALID DATE:** **1<sup>ST</sup> SEPTEMBER 2014**

**LOCAL MEMBERS:** **COUNCILLOR J FALSHAW**

**TOWN/COMMUNITY COUNCIL:** **CAERWYS TOWN COUNCIL**

**REASON FOR COMMITTEE:** **LOCAL MEMBER REQUEST**

**SITE VISIT:** **YES**

**1.00 SUMMARY**

- 1.01 This application seeks planning permission for the change of use of the existing outbuilding attached to the public house and part of the ground floor of the holiday let building at the Pwyll Gwyn Hotel, Afonwen for use as a small scale, artisan sauce manufacturer, including bottling and distribution.
- 1.02 The proposal is considered to comply with policies GEN1, GEN3 and EM4 of the adopted Flintshire Unitary Development Plan.

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

2.01 The proposal is hereby recommended for approval subject to the following conditions:

1. Time limit.
2. In accordance with the approved plans.
3. Permission is only for a food sauce manufacturing, bottling and distribution business. Notwithstanding Use Classes Order, no other business that falls within the same use class shall operate without planning permission.
4. Details of a gate across the bin store to be agreed.
5. Facilities to be provided for the loading, unloading and turning of vehicles.
6. The hours of use shall be restricted to 6:30 to 23:00 Monday to Saturday and 7:30 to 23:00 on Sundays.

**3.00 CONSULTATIONS**

3.01 Local Member  
Councillor J. Falshaw

Requests committee determination and site visit. He considers that the development is not consistent with the UDP as it is in the open countryside.

Caerwys Town Council

Objects to the application on the following grounds:

- The loss of the local pub
- No indication of hours of operation
- Detrimental impact on local residents
- Odour pollution

Head of Assets and Transportation

No objection subject to a condition ensuring that facilities are provided within the site for the loading, unloading, parking and turning of vehicles.

Clwyd and Powys Archaeological Trust

There are no archaeological implications for the proposed development.

Head of Public Protection

No objection.

Natural Resources Wales

No objection.

## **4.00 PUBLICITY**

### **4.01 Site Notice**

There have been 31 representations received, including two from David Hanson MP and one from Sandy Mewies AM, objecting to the application on the following grounds:

- The loss of the pub would be detrimental to the local area
- There are no other pubs within reasonable distance for local residents
- There are no other community facilities in the village
- No longer any local facilities
- Odour pollution
- Detrimental to the character of the Grade II listed building
- The proposal offers no benefit to the community
- The proposal should be in a more suitable location
- The proposal offers nothing to the local economy
- There are other more suitable units on nearby industrial estates

### **4.02**

A representation has been received supporting the application because the high quality, niche business fits in well with Flintshire's development of tourism-related activities.

There has been one representation received in support of the application from the Flintshire Tourism Association as the area is enhanced by local produce and it makes the area stand out.

## **5.00 SITE HISTORY**

### **5.01 004865**

Proposal: NEW KITCHEN AND CONVERSION OF ADJACENT BARN TO RESTAURANT

Location: Pwll Gwyn Hotel, Afonwen

Decision: Approved

Decision Date: 26 September 1980

### **005870**

Proposal: ADDITIONAL CAR PARKING

Location: Pwll Gwyn Hotel, Afonwen

Decision: Approved

Decision Date: 1 June 1982

### **006147**

Proposal: EXTENSION OF EXISTING BARN RESTAURANT TO PROVIDE ADDITIONAL SEATING

Location: Pwll Gwyn Hotel, Afonwen, Mold

Decision: Approved

Decision Date: 8 December 1981

**006337**

Proposal: DEMOLITION OF CHIMNEY  
Location: Pwll Gwyn Hotel, Afonwen  
Decision: Approved  
Decision Date: 12 November 1982

**006357**

Proposal: ERECTION OF AN ILLUMINATED PROJECTING SIGN  
Location: Pwll Gwyn Hotel, Afonwen  
Decision: Approved  
Decision Date: 14 March 1982

**013204**

Proposal: FULL - PROPOSED NEW CAR PARK CONSTRUCTED FROM EXISTING GARDEN  
Location: Pwll Gwyn Hotel, Afonwen, Mold  
Decision:  
Decision Date: 6 March 1989

**014168**

Proposal: SITING OF CARAVAN TO PROVIDE STAFF ACCOMMODATION  
Location: Rear Of Pwllgwyn Hotel, Afonwen  
Decision:  
Decision Date: 10 March 1992

**016365**

Proposal: CHANGE OF USE OF PART OF RESTAURANT TO SHOP/POST OFFICE  
Location: Pwll Gwyn Hotel, Denbigh Road, Afonwen  
Decision: Approved  
Decision Date: 6 August 1990

**016520**

Proposal: LISTED BUILDING APPLICATION - INTERNAL ALTERATION TO FORM POST OFFICE AND SHOP  
Location: Pwll Gwyn Hotel, Denbigh Road, Afonwen  
Decision: Approved  
Decision Date: 5 September 1990

**028249**

Proposal: CONSERVATORY EXTENSION TO BAR/RESTAURANT  
Location: Pwll Gwyn Hotel, Afonwen  
Decision: Approved  
Decision Date: 25 May 1999

**028252**

Proposal: LISTED BUILDING APPLICATION - CONSERVATORY  
Location: Pwll Gwyn Hotel, Afonwen

Decision: Approved  
Decision Date: 9 June 1999

**035819**

Proposal: Conversion and extension of outbuildings to provide holiday accommodation

Location: Pwllgwyn Hotel, Denbigh Road, Afonwen, Mold, CH7 5UB

Decision: Approved

Decision Date: 1 October 2003

**035955**

Proposal: Listed Building Application - conversion and alterations of existing outbuildings to provide holiday accommodation

Location: Pwllgwyn Hotel, Denbigh Road, Afonwen, Mold, CH7 5UB

Decision: Approved

Decision Date: 9 October 2003

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan

STR1 – New Development

GEN1 – General Requirements for Development

GEN3 – Development in the Open Countryside

HE2 – Development Affecting Listed Buildings and their Settings

AC13 – Access and Traffic Impact

EM4 – Location of Other Employment Development

**7.00 PLANNING APPRAISAL**

7.01 Introduction

This application seeks consent for the change of use of the outbuilding attached to the Pwyll Gwyn Hotel from restaurant/public house to a small scale, artisan sauce production, bottling and distribution facility.

7.02 Site Description

The application site comprises a large, two storey detached building which is a Grade II listed building. Attached to the east elevation of the building is a single storey outbuilding which has been converted into the kitchen area, general storage; attached to this outbuilding is a further, two storey outbuilding which has been converted into holiday lets.

7.03 A large car park is to the front of the building providing two access/egress points from/to the adjacent highway, the A541.

7.04 The site is located within the open countryside and lies just outside the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB)

7.05 Principle of Development

Many objections have been received to the proposal stating that the loss of the pub would be detrimental to the area; however, the application does not seek the change of use of the pub but merely part of the outbuildings attached to it. Therefore, policy S11 *Retention of Local Facilities* of the FUDP is not applicable as the use of the building as a public house will be retained. Whether the pub/restaurant is operated is a decision to be made by the owner of the property and is not a material consideration in the determination of this application.

7.06 The proposed small scale business will be operated by Bim's Kitchen, which is a family run business, who also live on the site. The main building already has first floor residential accommodation. The proposal does not involve any external alterations to the building. Internal works have already been undertaken and include the installation of the equipment to carry out the proposed operation. It is considered that the works involved and the proposed change of use will not affect the character of the listed building and therefore listed building consent is not required.

7.07 Policy EM4 of the FUDP allows for new employment uses outside settlement boundaries through the conversion of existing buildings subject to a number of criterion. It is considered that due to the small scale of the business and its negligible impact on the surrounding environment the proposal would, in principle, be acceptable.

7.08 Impact on the Character of the Area

The area can be defined as being semi-rural, characterised by sporadic dwellings of varying scales and designs. Abutting the Southern boundary of the site is the busy A541.

7.09 The proposal does not involve any external alterations so there will not be any visual impact on the character of the area.

7.10 The business will operate from a relatively small floor area, that itself will limit the size to which the business could grow without further planning permission, which could be required if they wish to expand into other parts of the property.

7.11 Highways Impact

The site provides more than adequate parking provision and turning facilities on site for both staff parking and deliveries. Furthermore, there are two existing vehicle access points which can be utilised and therefore there will not be a need for any additional access points.

7.12 Notwithstanding the adequate parking and turning facilities, a condition can ensure that these remain, preventing any possible future highway impacts.

- 7.13 Impact on Residential Amenity  
In terms of noise and odour pollution, the site already benefits from a pub/restaurant use and therefore there is an expectation that food smells will be omitted from the site, although it is not considered that these will be detrimental to the amenities of any neighbouring properties, the closest being approximately 30m from the site.
- 7.14 In respect of hours of operation, as stated the site already benefits from a pub/restaurant use and therefore the proposed hours of operation of 6:30 to 23:00 Monday to Saturday and 7:30 to 23:00 on Sundays are not considered to be unreasonable. For the avoidance of doubt, a condition can be imposed restricting the use to these hours.

## **8.00 CONCLUSION**

- 8.01 The proposal is considered to be acceptable as a matter of planning policy principle. The proposed development takes account of the applicable planning policies and represents the correct balance between the various issues which relate to this site.
- 8.02 Notwithstanding that the proposed business is small scale and will not have any unacceptable detrimental impact, any such permission should be granted with a condition restricting the use to that which is applied for and not any other uses that fall within the same use class. This will ensure that no other businesses will be permitted to operate from the site.
- 8.03 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.

### **LIST OF BACKGROUND DOCUMENTS**

Planning Application & Supporting Documents  
National & Local Planning Policy  
Responses to Consultation  
Responses to Publicity

**Contact Officer:** Alex Walker  
**Telephone:** (01352) 703235  
**Email:** alex.walker@flintshire.gov.uk