

**FLINTSHIRE COUNTY COUNCIL**

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

**DATE:** **28<sup>TH</sup> JUNE 2017**

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

**SUBJECT:** **APPEAL BY MR. R. FURSE AGAINST THE  
DECISION OF FLINTSHIRE COUNTY COUNCIL TO  
REFUSE LISTED BUILDING CONSENT FOR THE  
CONVERSION AND EXTENSION OF REDUNDANT  
PIGGERIES TO STORE VEHICLES AND GARDEN  
EQUIPMENT FOR THE BENEFIT OF THE EXISTING  
DWELLING AT NERQUIS HALL, NERCWYS –  
DISMISSED.**

**1.00 APPLICATION NUMBER**

1.01 050789

**2.00 APPLICANT**

2.01 Mr. R. Furse

**3.00 SITE**

3.01 Nerquis Hall,  
Nercwys.

**4.00 APPLICATION VALID DATE**

4.01 11<sup>th</sup> September 2013.

**5.00 PURPOSE OF REPORT**

5.01 To inform Members of a decision in respect of an appeal following the refusal to grant listed building consent for the conversion and extension of the piggeries building to store vehicles and garden equipment in association with Nerqis Hall, Nercwys, Mold CH7 4EB by the Local Planning Authority.

5.02 The decision to refuse listed building consent was taken via officer delegated powers and was reused on the 25 May 2016.

5.03 The appointed Planning Inspector was Vicki Hirst, the appeal was determined following the exchange of written representations and was **DISMISSED**.

## **6.00 REPORT**

### The Main Issue

6.01 The Inspector considered that the main issues in relation to the appeal as whether the proposed works and development would preserve the listed buildings or their settings, or any features of special architectural or historic interest which they possess and whether the proposed works and development would protect and conserve the registered park and garden and their setting.

### Background

6.02 The Inspector noted the listing of the main house Nerquis hall as a grade 1 listed building and its associated group of stone outbuildings arranged around a courtyard, and whilst they are situated within the grounds they are also listed in their own right and are listed for their group value. There are also a number of other listed buildings and structures within the grounds garden walls, a folly, and orangery and gates. It is also noted that 2.7 acres of the parkland and gardens that surround Nerquis Hall are a registered historic park and garden equivalent to grade 2. The primary reason for this grading is due to the partial survival of an early 18<sup>th</sup> C form and layout with unusual garden and park buildings.

### The Piggeries

6.03 The Inspector noted that the piggeries building is in a state of poor repair, however the principle elevation which faces the courtyard remains clearly legible with its five arched openings largely intact. Whilst the brick partitions dividing the sites and the mono pitch roof of the rear are in poor repair, the original form and layout of the building is clearly evident.

6.04 Whilst the arched openings of the piggeries would be retained in the proposed scheme, the extension and excavations to the rear in order to facilitate the scheme would mean that only the front elevation of the arched openings would be the only original element of the building. Much visual reference would be lost through the removal of most of the internal sty partitioning. The Inspector drew on the advice of Circular 61/96 that states that the preservation of a façade alone and the gutting and reconstruction of interiors, is not normally acceptable, as it destroys the buildings special interest, the Inspector concurred with this advice.

6.05 In addition the Inspector considered that the change in levels, the longer roof and overall higher vertical walling to accommodate the scheme would considerably alters the overall proportions of the building, with the scheme proposed dominating the original scale and

form of the building resulting in the loss of the historical association with the wider estate as a small and subservient service buildings. The works and development would not preserve the special qualities and setting of this building or the wider group

#### Creation of Courtyard

6.06 The Inspector considered that the creation of the access to serve the garage proposed would lead to a further courtyard being created. This would be located to the north of the site and would be shared space for the garage and the biomass/ store building and external store area. This would change the emphasis away from the main court yard and would be at odds with the original design of the overall estate. This would not preserve the setting of the listed buildings of Nerquis Hall and associated stable buildings.

#### 6.05 New Uses to Ensure the Reuse of the Building

The Inspector noted the advice in Planning Policy Wales for flexibility in relation to finding alternative uses to be considered to secure that the buildings survival, and in this instance the Inspector considers that the buildings walls have no inherent defect of weakness that would prohibit it being brought back in to new use without adverse effects arising from the proposal.

#### Registered Historic Park and Garden

6.07 The Inspector noted that the main designated garden is located away from the piggeries buildings. The piggeries lie within the northern part of the registered park although the works proposed are small in context of the overall park and given the close association with the host building it was not considered to adversely impact upon the setting of the registered park and garden.

6.08 However the creation of access and turning area proposed to the rear of the piggeries was considered to be at odds with the design of the estate, with the courtyards facing away from the wider park and garden. The creation of further vehicular turning area within the access to the garages facing the park area would not follow the overall design philosophy, and found that this would not protect or conserve the setting of the registered park and garden.

### 7.00 CONCLUSION

7.01 For the reasons given for the above the Inspector concluded that the appeal be **DISMISSED**.

#### **LIST OF BACKGROUND DOCUMENTS**

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

**Contact Officer:** Barbara Kinnear  
**Telephone:** (01352) 703260  
**Email:** [Barbara.kinnear@flintshire.gov.uk](mailto:Barbara.kinnear@flintshire.gov.uk)