

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **26th MAY 2021**

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

SUBJECT: **FULL APPLICATION FOR PROPOSED ALTERATIONS AND EXTENSIONS TO CREATE ENLARGED ENTRANCE AND LOUNGE, TOGETHER WITH 8 EN-SUITE BEDROOMS**

APPLICATION NUMBER: **062192**

APPLICANT: **MR DAVID PIERCE**

SITE: **THE CROOKED HORN INN, BRYN-SANNAN, BRYNFORD, CH8 8AX**

APPLICATION VALID DATE: **1ST DECEMBER 2020**

LOCAL MEMBERS: **COUNCILLOR MS J.S. DAVIES**

TOWN/COMMUNITY COUNCIL: **BRYNFORD COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **AT THE REQUEST OF THE LOCAL MEMBER DUE TO CONCERN OVER THE SCALE OF THE DEVELOPMENT**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This is a full application for proposed alterations and extensions to the building known as The Crooked Horn Inn, Bryn-Sannan, Brynfod. The alterations will facilitate the creation of eight new en-suite bedrooms (two on the ground floor and six on the first floor) together with an enlargement of the existing foyer and lounge.

1.02 The existing structure has little architectural merit having been subject to a number of alterations and extensions in the past that have created a somewhat confusing looking building. Whilst the extensions will enlarge the footprint of the building, the improvement to the external appearance is significant, and the tourist use is considered acceptable in this location.

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

- 2.01
- Time limit on commencement
 - Compliance with approved plans
 - Restriction on occupancy to holiday accommodation only
 - Materials
 - Parking and turning of vehicles
 - Submission of a conservation plan in relation to Great Crested Newts
 - No storage of materials on the Special Area of Conservation (SAC)

3.00 CONSULTATIONS

3.01 Local Member

Councillor Ms J.S. Davies – Requests planning committee determination due to concerns that the proposed works are overdevelopment and that the resulting building will be out of character with the surrounding area.

Brynfod Community Council

Concerns raised regarding the scale of development (overdevelopment) and the business model being adopted at the premises. In addition, that the development has encroached onto Registered Common Land. Finally, concerns are raised that the existing accommodation is being used for residential use.

Highways Development Control

The parking on site has been maximised and therefore, subject to the imposition of conditions relating to the parking and turning of vehicles then no objections raised.

Community and Business Protection

No objections raised to the proposed development

Natural Resources Wales

The application site is located adjacent to the boundary of Halkyn Mountain Special Area of Conservation (SAC). No objection to the proposal subject to the imposition of conditions relating to storage of materials on the SAC and a conservation plan in relation to Great Crested Newts.

Clwyd Powys Archaeological Trust

Little of historical or architectural interest survives externally or internally on the building and therefore no observations to make.

4.00 PUBLICITY

4.01 Site Notice displayed and Neighbour notification letters posted. One letter of objection received and three letters of support raising the following:

- The proposed extensions will improve the appearance of the building and remove the flat roofs.
- The proposed development will secure jobs and the long term future of the building for the community
- Concerns with noise – existing issues with the use of the function room which would be exacerbated by the current proposals
- The existing B&B units are not occupied therefore there is no quantifiable demand for additional units.

5.00 SITE HISTORY

5.01 059907 - Proposed extensions to create additional first floor 2 bedroom B & B accommodation, internal alterations and minor extension to existing ground floor B & B unit – Approved 3rd August 2020

057809 - Proposed ground and first floor extensions to create five self contained B & B units – Approved 8th June 2018

056127 – Erection of an extension to provide function room and toilets, alteration of ground floor layout to create two No self contained B&B units . Approved 24th January 2017

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

Policy STR1 – New Development

Policy STR6 – Tourism

Policy GEN1 – General Requirements for Development

Policy D1 – Design Quality, Location and Layout

Policy D2 – Design

Policy WB1 – Species Protection

Policy WB2 – Sites of International Importance

Policy AC13 – Access and Traffic Impact

Policy AC18 – Parking Provision and New Development

Policy T2 – Serviced Tourist Accommodation

Policy EWP 13- Nuisance

Future Wales Plan – Policy 1 Where Wales will grow

Additional Guidance

Planning Policy Wales Edition 11 (PPW11)

Technical Advice Note 6 – Planning for Sustainable Rural Communities

Technical Advice Note 13 - Tourism

7.00 PLANNING APPRAISAL

7.01 Introduction

This is a full application for the proposed alterations and extensions to the building known as The Crooked Horn Inn, Bryn-Sannan, Brynfod. The main issues to consider in determination of this application are design, and the impact of the development on the living conditions neighbouring occupiers.

7.02 Site Description

The application site extends approximately 0.4 hectares in size and comprises a large detached building with car parking. The existing building has been significantly altered and is currently used as a public house, function room and tourist accommodation in the form of bed and breakfast rooms.

7.03

The site is accessed off Brynfod Road and is located close to but outside of the settlement boundary of Brynfod as identified in the Flintshire Unitary Development Plan. To the north-west and east of the application are detached dwellings whilst the remainder of the site is bordered by open countryside.

7.04 Proposed Development

The application proposes a scheme of works to the existing building including an extension to the front elevation to provide a new entrance and enlarged lounge for use with the public house. Additionally two en-suite bedrooms are proposed on the ground floor. A first floor extension will facilitate the provision of a further six en-suite bedrooms.

7.05

The external appearance of the building will be altered significantly from the existing local vernacular to that of a formal Georgian house style.

7.06

Members are made aware that works in accordance with a previous planning permission reference 059907 are currently being undertaken at the site.

7.07 Principle of Development

The lawful use of the application site is that of a public house with a function room and serviced tourist accommodation in the form of bed and breakfast rooms. The main policies to consider are T2, D2 and EWP13 of the Flintshire Unitary Development Plan (FUDP).

- 7.08 With regards to the provision of additional holiday accommodation policy T2 of the Flintshire Unitary Development Plan confirms that proposals for new tourist accommodation outside of settlement boundaries will only be supported in the form of extensions to existing serviced tourist accommodation. Proposals must ensure that they are appropriate in terms of design, cause no significant adverse impact on neighbouring impact and where appropriate be capable of being accessed by various modes of travel. Detailed consideration of matters including design and impact on amenity are outlined below.
- 7.09 Chapter 16 of the Flintshire Unitary Development Plan outlines the necessity to provide quality tourist attractions and accommodation within Flintshire. This site is located within easy access to the historical town of Holywell, the coast and countryside of the Clwydian Range Area of Outstanding Natural Beauty. The tourism opportunity is significant and beneficial for the wider economy.
- 7.10 Additionally, Planning Policy Wales Edition 11 gives national guidance on tourism stating that 'In rural areas, tourism-related development is an essential element in providing for a healthy and diverse economy'. The development as proposed in this application will result in an increase in employment opportunities in the local area as well as securing the long term viability of the public house. The demand for tourist accommodation recently is well documented and this development will enhance the provision in this area.
- 7.11 Furthermore Policy 1 of Future Wales looks to support development and growth in towns and villages in rural areas of an appropriate scale and support local aspirations and need.
- 7.12 Concerns have been raised through the Local Member and Community Council that the existing tourist accommodation is being used or has the potential to be used for permanent residential accommodation (in the form of a House of Multiple Occupation). No evidence has been provided to substantiate those concerns and no alleged breaches have been logged with the Council's Planning Enforcement service. In line with policy T2 of the FUDP it is recommended that a condition restricting the occupancy of the units to holiday accommodation be imposed on any permission.
- 7.13 To conclude, the proposed extensions and alterations to provide additional serviced tourist accommodation, new entrance and enlarged lounge are considered acceptable in principle given the existing use and the National and Local Policy and Guidance.

- 7.14 Character and Appearance
The existing building of the Crooked Horn Inn has little architectural merit having been subject to a number of alterations and extensions in the past that have created a confusing building with no discernible character. This is particularly evident on the front elevation where flat roof extensions are prominent and detract from the main entrance of the building.
- 7.15 The site is visually prominent in the locality especially when approaching the settlement of Brynfod from the south. The proposal seeks to address previously poorly designed additions and remodel the building with well-balanced elevations in a classical ‘Georgian’ style. The resulting building, although not strictly reflective of the original structure, is considered to be visually a significant improvement.
- 7.16 Concerns have been raised that the proposals will result in overdevelopment of the site which would be harmful to the character of the area. Whilst it is acknowledged that the building would be larger and visually more striking, this has to be balanced against the visual impact of the existing structure and the relatively large plot the building sits on. In addition, consideration has been given to the orientation of the neighbouring properties and separation distances. Overall, it is not considered that the proposals will not amount to overdevelopment of the site.
- 7.17 Living conditions
The development proposed with this application is focussed on the front elevation of the building. Largely, the rear and side elevations will remain unaltered. The nearest dwelling to the site is Caerfa which is located approximately 17 metres to the east. The development as proposed does not provide any additional windows on the side elevation which could cause overlooking. In addition, due to the orientation of the neighbouring property there are no concerns with regards to overshadowing.
- 7.18 Concerns have been raised through the Local Member and residents that there are inherent issues with noise associated with the use of the function room at the premises and that this application will only exacerbate matters. The potential for noise was considered during determination of application 056127 and accordingly a condition relating to a noise reduction scheme was imposed in relation to the use of the function room. Members are advised that whilst the comments of the resident have been noted, no formal complaints relating to a breach of condition or noise nuisance have been received by either the Councils Planning Enforcement or Community and Business Protection services.

The provision of additional tourist accommodation units is not considered to give rise to any additional noise above that of the lawful public house use. The proposal is therefore considered compliant with policy EWP13 of the Flintshire Unitary Development Plan.

7.19 Highways

The existing site has a large car park located to the front of the premises. It is understood that the new application will result in the following:

- Use Class A3 - Net public floor area = 321m²
- Use Class D2 - Function room/dance hall = 169m²
- Use Class C1 - 13 beds in total with 4 staff on at any one time

Based on these calculations the car parking provision is considered to be acceptable and in line with policy AC18 of the Flintshire Unitary Development Plan.

7.20 Additionally, Policy T2 of the Flintshire Unitary Development Plan advises that new tourist accommodation should wherever possible have access to various modes of travel. It is acknowledged that this site is not the most sustainable in terms of location, although there is a bus service which runs from Brynford village less than one mile away. However, consideration has to be given to the fact that this site benefits from existing tourist accommodation and pre-pandemic was a well utilised public house and function room. As outlined above, even at maximum capacity the site has adequate parking provision. As an individual matter, the lack of easy access to public transport is not considered to outweigh the benefits the application will bring to the visual appearance of the area but also importantly the increase in tourism.

7.21 Ecological Matters

The application site is located adjacent to the boundary of Halkyn Mountain Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). It is recommended that if planning permission is granted that the applicant be required to provide details in the form of a Conservation Plan (including Reasonable Avoidance Measures) in respect of Great Crested Newts.

Other Matters

Third party comments have raised the issue that the existing B&B units are not occupied and therefore there is no demand for the use. There is no national or local policy requirement for the applicant to demonstrate that there is a demand for the proposed works and therefore very minor weight is attached to this matter in the overall planning balance.

8.00 CONCLUSION

The extensions and alterations as proposed in this application will bring about a significant improvement to the appearance of the building. The additional tourist accommodation will provide a long term future for the premises for the benefit of the wider community. Concerns regarding noise have been considered but these must be weighed against the existing public house and function room use and on balance it is not felt that the proposal will exacerbate any noise generation.

The proposal is considered compliant with both local and national planning policy. Accordingly, I recommend that planning permission be granted subject to condition.

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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