

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE:

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

SUBJECT: **APPEAL BY MS N. YOUNG AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FR THE APPROVAL OF DETAILS RESERVED BY CONDITON NOS 17 (METHOD STATEMENT FOR THE REPAIR OF THE ROOF) AND 20 (PROPOSED INSULATION) ATTACHED TO PLANNING PERMISSION REF: 057421 AT PEN Y CEFN FARM, RHYDYMWYN – DISMISSED.**

1.00 APPLICATION NUMBER

1.01 058874

2.00 SITE

2.01 Pen y Cefn Farm
Garreg Boeth
Rhydymwyn
Flintshire
CH7 5HP

3.00 APPLICATION VALID DATE

3.01 31st July 2018

4.00 PURPOSE OF REPORT

4.01 To inform Members of a decision in respect of an appeal, following the decision of the Local Planning Authority, under delegated powers, to refuse to discharge conditions Nos 17 and 20 of listed building consent Ref 057421 at Pen y Cefn Farm, Garreg Boeth, Rhydymwyn

The appointed Planning Inspector was Iwan Lloyd. The appeal was determined via written representations and was DISMISSED

5.00 REPORT

- 5.01 Listed building consent was granted on 30/11/2017 for minor alterations and major refurbishment of the Grade II listed building, subject to conditions. The appellant submitted details for approval of conditions 17 and 20, these were refused by the Council and were the subject of this appeal. Condition 17 requires a detailed method statement for the repair of the roof to include timber components, external covering, verge, eaves, gable, valley, barge board and torching treatment and samples of replacement materials. Condition 20 requires the details of proposed insulation to be installed in the building. Both conditions required details prior to the commencement of development.
- 5.02 The re-roofing works were undertaken prior to the Council's decision to refuse the application and the appellant set out the reasons for that action. This the appellant contended was due to the Council's alleged delay in processing the appeal application and the separate ecology matters, and as the roof needed urgent repair, action was necessary to safeguard the building from water ingress from inclement winter weather. The appellant maintained that the roof works amount to 'like-for-like repair' and asserted that this was done with agreement with the Council.
- 5.03 However, the removal of the front dormers which was included in the appeal application was not covered in the listed building consent and goes beyond its terms such that the inspector felt it could not be considered in this appeal. He concluded that these works were beyond the ambit of an approval of condition and the listed building consent which authorises the extent of repair and refurbishment.
- 5.04 The significance of this C16 minor gentry house is due to its plan-form, its affinity with local hall houses of the C16 and that it is a fine and rare example of a largely unaltered building of this age and type. The roof timbers and roof covering form an integral component of the historic and architectural significance of the building. Whilst elements of the repair/restoration are sympathetic, the Inspector felt that there was missing information on key components of the conditions as set out in detail above. Furthermore, approval of the conditions cannot be discharged if they include information not linked to that condition or include works which goes beyond that originally consented under the parent listed building consent. In this instance, the Inspector concluded that the submissions included extraneous information and go beyond the remit of the listed building consent.

6.00 CONCLUSION

- 6.01 The Inspector concluded that the absence of information on important components of the conditions and the inclusion of extraneous information mean that I cannot be satisfied that the proposed works would preserve the listed building or its setting, or any features of special architectural or historic interest which it possesses. . For the reasons outlined above, and having had regard to all other matters raised, the Inspector dismissed the appeal for approval of details pursuant to conditions Nos 17 and 20 of listed building consent Ref 057421 be refused

LIST OF BACKGROUND DOCUMENTS

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

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