

Heading:

REFERENCE NO 41/2013/0858/LB
DINORBEN ARMS PUBLIC HOUSE
BODFARI

Graham Boase
Head of Planning & Public Protection
Denbighshire County Council
Caledfryn
Smithfield Road
Denbigh
Denbighshire LL16 3RJ
Tel: 01824 706800 Fax: 01824 706709

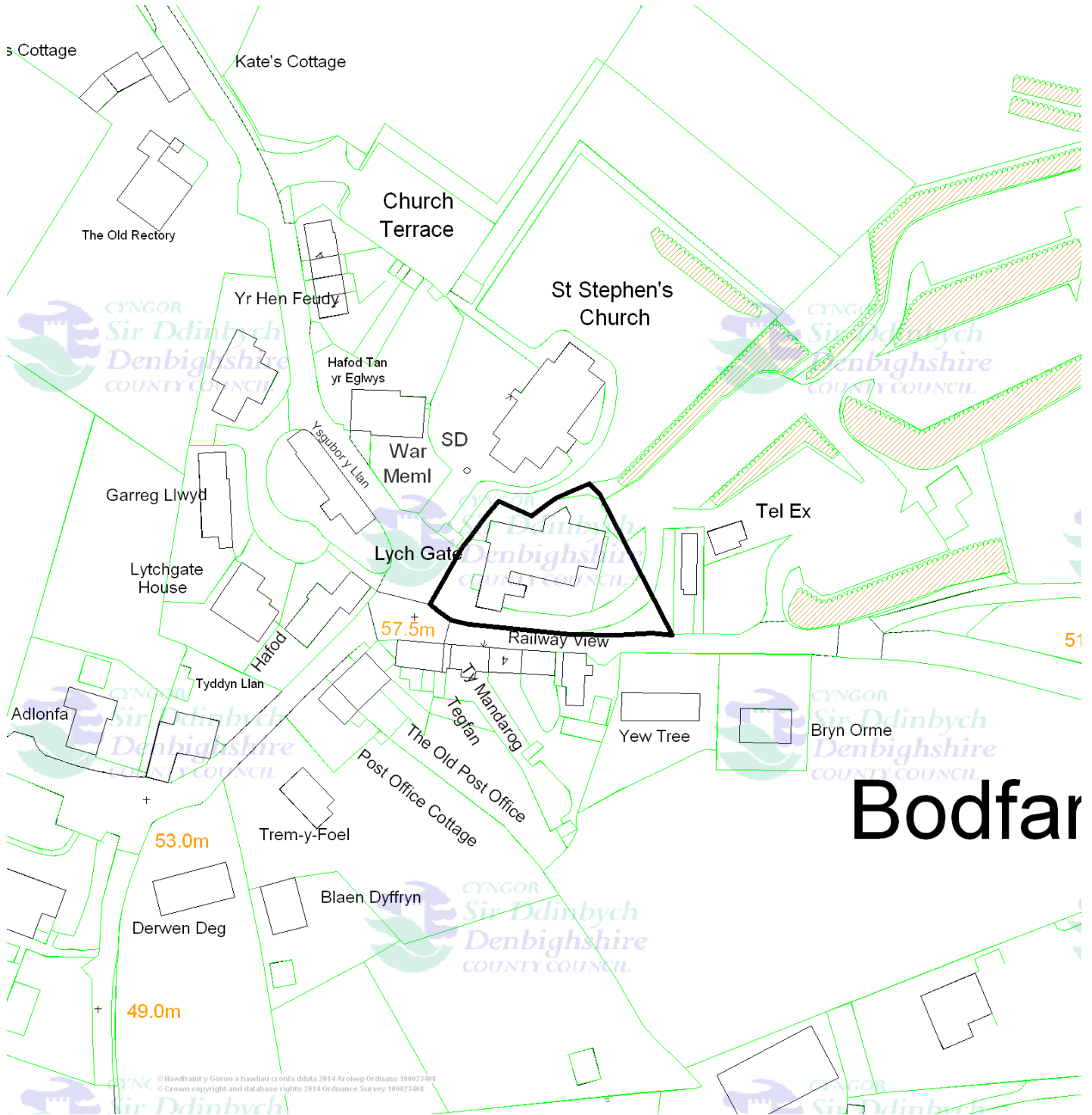
 Application Site



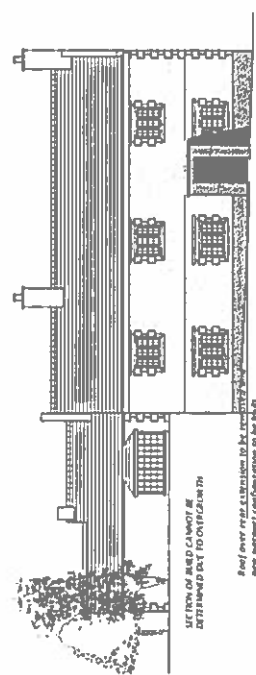
Date 29/9/2014
Centre = 309255 E 370085 N

Scale 1/1250

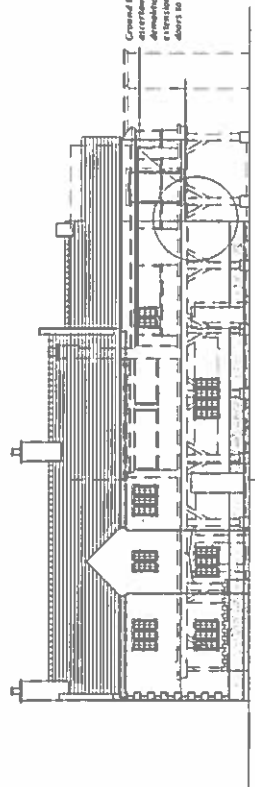
This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



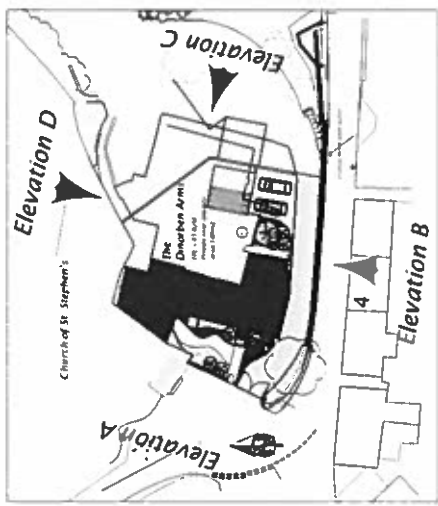




Front elevation- elevation A-west

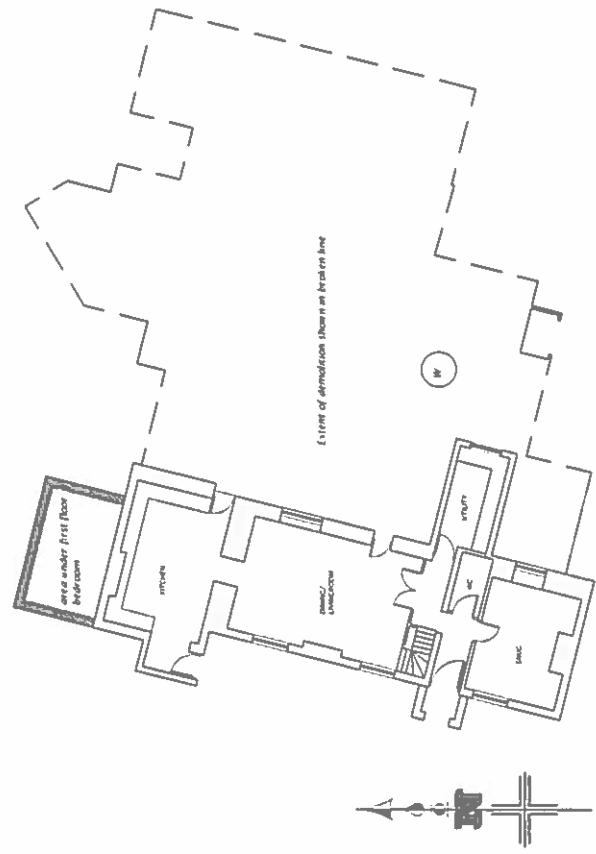


Side elevation- elevation C-east

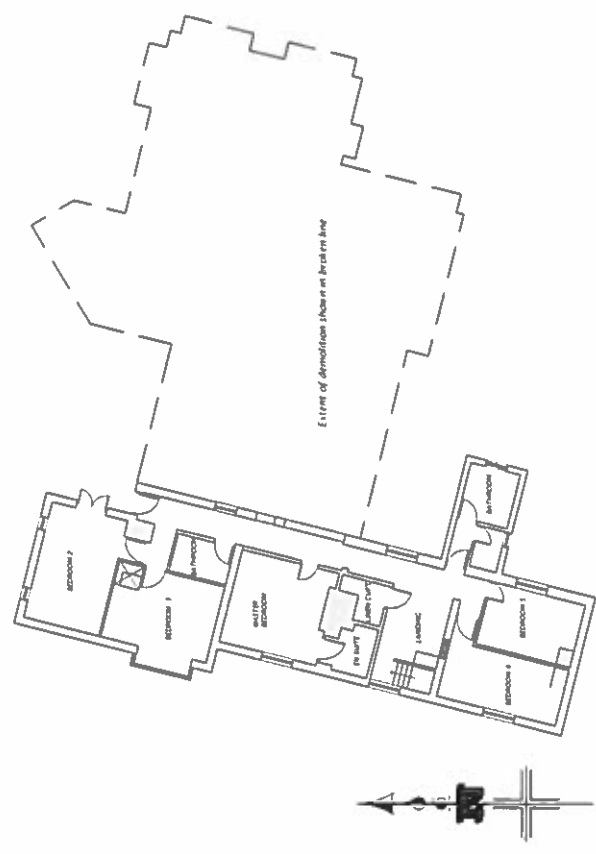


Side elevation- elevation B- south, as viewed from the B5429

Approved: [Signature] Chartered Architect
 Date: [Date]
 All drawings shall be in accordance with the Building Regulations 2010.
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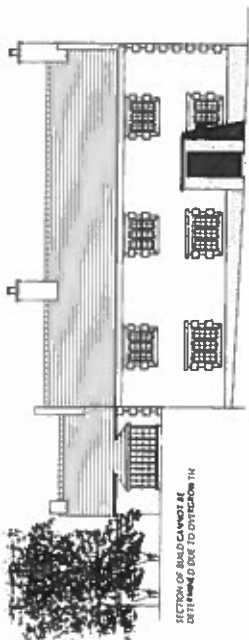
Ground floor layout plan
 Proposed ground floor area : 95.54sqm / 1028.16 sq ft



First floor layout plan
 Proposed first floor area 120.34sqm / 1295.24 sq ft

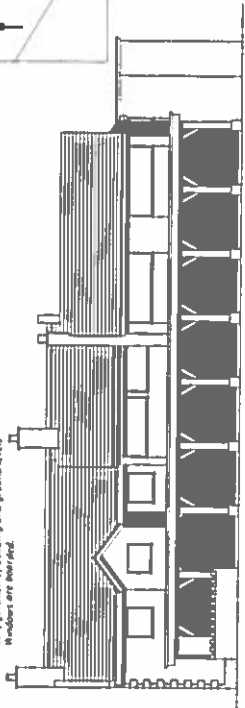


Parry Davies Architects	
Chartered Architects	
The Donor's Arms, B5429	
At Proposed	13.5449.3
100-101 St Stephen's Church, B5429	

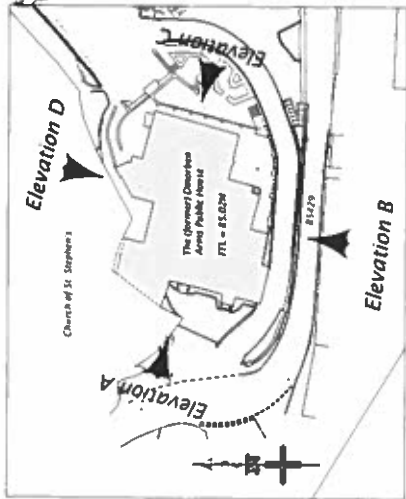


Front elevation- elevation A-west

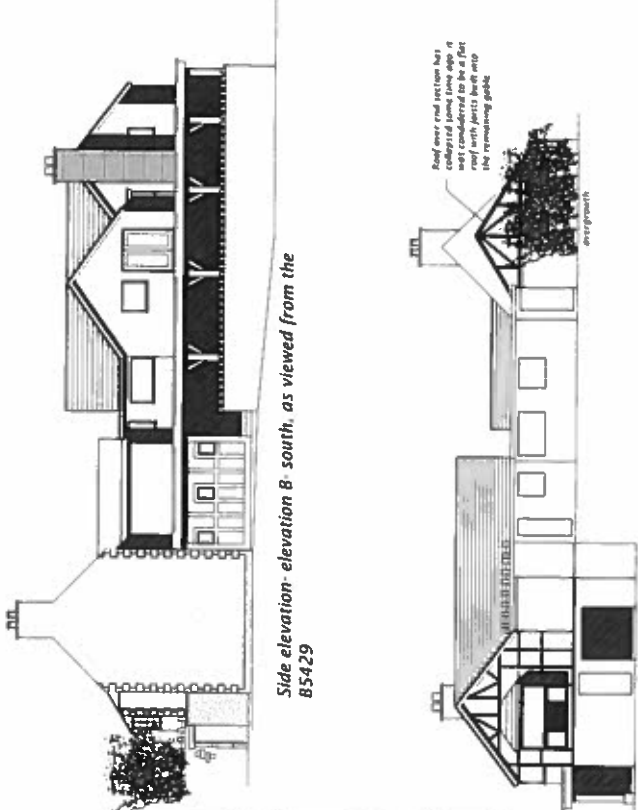
Rear elevations are made up of mass timber boarding with white render panels. Actual type of panels is difficult to assist due to the way the building and ground levels. Windows are boarded.



Side elevation- elevation C-east

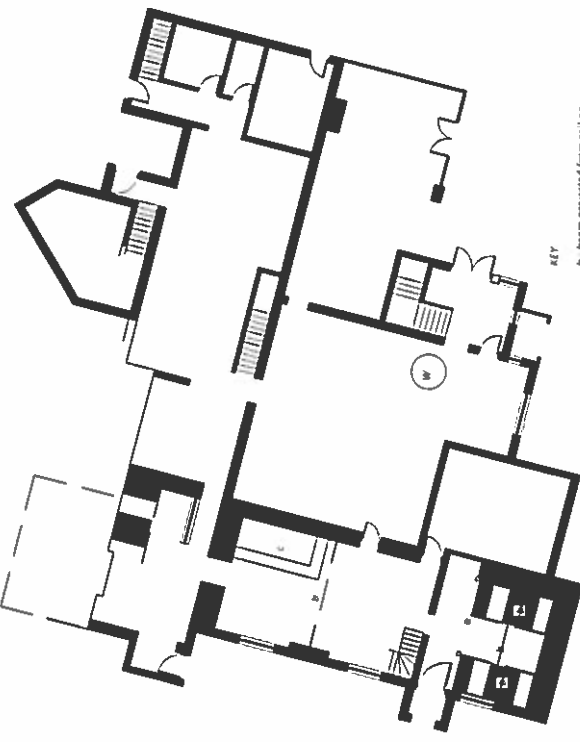


Side elevation- elevation B-south, as viewed from the BS429



Side elevation- elevation D-north

Rear over end section has collapsed along with top of roof with joints have into the remaining gable.



Ground floor layout plan

Existing Ground floor area: 316.97m² / 4057.25sq ft

- KEY
- a. beam supported from ceiling
 - b. vertical post from floor
 - c. section of lowered ceiling within lifting booth
 - d. new seating
 - e. existing bar counter
 - W. approx position of wall



First floor layout plan

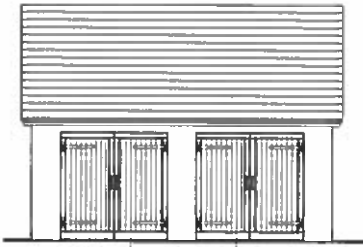
Existing first floor area: 312.63 m² / 3365.14 sq ft



Party Davies Architects, Chartered Architects.	
The Openwork Arms, Bedford 116 4DA	Project No. 13 5489/J
As Existing	Scale 1:50 (1:100)
Number 11, 20, North Walsham Business Park, North Walsham, Norfolk, UK	Drawn by: P. J. 11/12

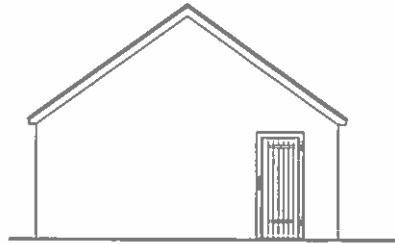


NEW GARAGE

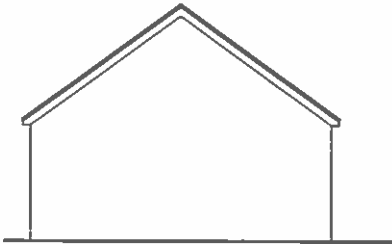


Front elevation

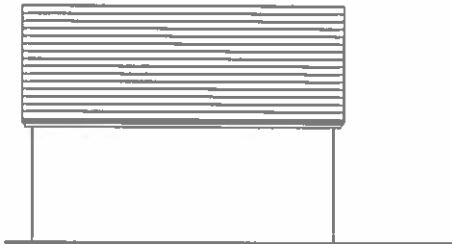
Battered and frame doors with T hinges and pull handles



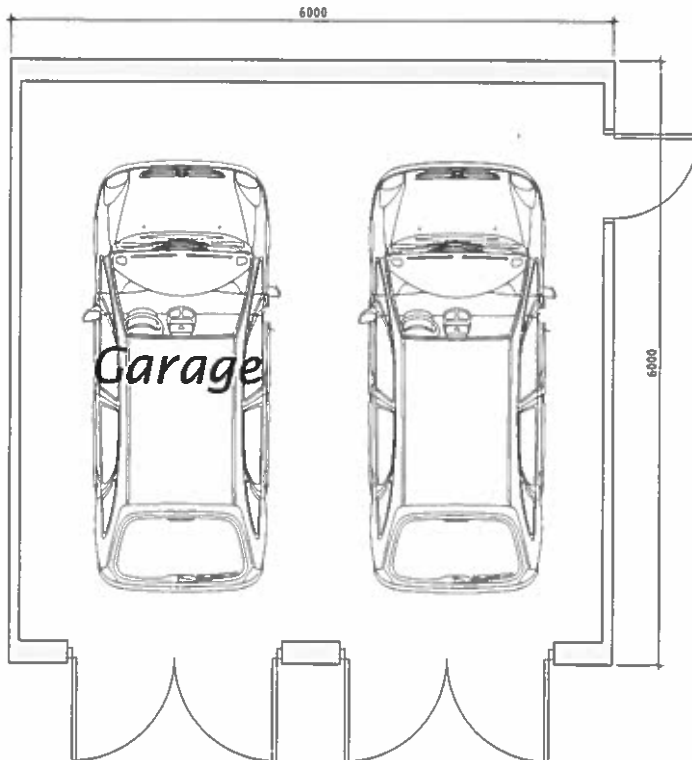
Side elevation



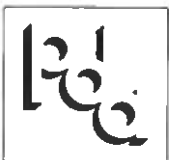
Side elevation



Rear elevation



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Parry Davies Architects.

Chartered Architects.

PROJECT TITLE: **The Dinorben Arms, Bodfari LL16 4DA**

DATE	SCALE	DRAWN	CHECK
June 2013	1:100 / 50 @ A3	KEG	

DRAWING TITLE: **Proposed Garage**

DRAWING NO.	REV
13.5449/6	

Barclays Buildings, High Street, St Asaph, LL17 0RF

Tel: 01745 585517 Fax: 01745 582162 E-mail: PDA@architects@aol.com

ITEM NO:

WARD: Tremeirchion

WARD MEMBER(S): Cllr Barbara Smith

APPLICATION NO: 41/2013/0858/ LB

PROPOSAL: Listed Building Application for conversion, partial demolition and alterations of former public house to form 1 dwelling with new detached garage at rear

LOCATION: Dinorben Arms Public House Bodfari Denbigh

APPLICANT: ABC&D Limited Tony Thackeray

CONSTRAINTS: Listed Building
Conservation Area
AONB

PUBLICITY UNDERTAKEN: Site Notice – Yes
Press Notice – Yes
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

BODFARI COMMUNITY COUNCIL

“It was **RESOLVED** to recommend refusal on the following grounds:-

- (1) Contrary to policy BSC12 no evidence has been submitted to show that the continued use of the Dinorben Arms as a public house is un-viable or unsuitable. The applicant’s comments on the reason for closure of the public house are speculative and not supported by any evidence.
- (2) Policy PSE3 : again the applicant’s claims are speculative and no evidence has been provided in support either as to the reasons for closure or of the alleged attempts to market the property.
- (3) POLICY PSE10 :The suggestion that, because the area has still been able to meet a range of local employment needs does not, in itself, demonstrate that its loss is without effect on the local economy. The effect such services have in performing a vital role in meeting the daily needs of people is emphasised in the justification to this policy. The Dinorben Arms, throughout its existence as a functioning public house, has been a major source of employment, predominantly within the village and its immediate surroundings.
- (4) In the absence of cogent arguments based on firm evidence of non-viability or unsuitability, the council take the view that this application is premature and lacking in substance.

THE GEORGIAN GROUP

No objection in principle to the demolition of the modern extension to the rear of the property, it is unsightly and detracts from the simple and traditional character of the original fabric. Overall the proposed development is sympathetic to the original fabric and will preserve and enhance this important local building.

ROYAL COMMISSION ON THE ANCIENT AND HISTORICAL MONUMENTS OF WALES

The Dinorben Arms was listed for its special interest as a C17th house in the vernacular tradition remodelled in the C19th. The Dinorben Arms has been closed for some time and is rather derelict and the proposals to refurbish it are therefore to be welcomed. Do not need to make a special record of the building before demolition.

ANCIENT MONUMENTS SOCIETY

Has concerns over the way the proposals for Listed Building Consent have been presented.

COUNCIL FOR BRITISH ARCHAEOLOGY

No response received

VICTORIAN SOCIETY

No response received

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS

No response received

CLWYD POWYS ARCHAEOLOGICAL TRUST

No objection, suggests a photographic survey condition.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Conservation Architect

No objection, supports the proposals to reinstate and renovate the Listed Building subject to conditions requiring additional details of the scheme.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

J. & G. Barnes, Hafod Tan Eglwys, Bodfari

J. & J. Pearce, Yr Hen Feudy, Bodfari

Mrs Muir, Minehead, Bodfari

Dee & Alex Jones, Bella Vista, Bodfari

Glynis Shaw, Castell House, Bodfari

Jenny Potter, Rectory, Caerwys (with 39 names listed)

Summary of planning based representations in objection:

Loss of Public House, Tourist facility & Community Facility :Would like to see it reopened as a pub;

Visual Impact

Detrimental effect on the character of the neighbourhood, Conservation Area and AONB by closing off the open front of a historic listed building and suburbanising the heart of the community;

EXPIRY DATE OF APPLICATION: 9/9/2013

REASONS FOR DELAY IN DECISION:

- additional information required from applicant
- protracted negotiations resulting in amended plans

- re-consultations / further publicity necessary on amended plans and / or additional information

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is for Listed Building Consent, relating to works on The Dinorben Arms in Bodfari in relation to its conversion to a single dwelling, which includes partial demolition.
- 1.1.2 The application comprises of the plans showing the proposals, and a Listed Building Appraisal. This summary contains reference to the proposals and design considerations, restoration intentions and aspirations and to considerations given to the impacts on the listed buildings.
- 1.1.3 Members are referred to the plan at the front of the report for details of the proposed scheme.

1.2 Description of site and surroundings

- 1.2.1 The Dinorben Arms is a 2 storey property located in the centre of the village of Bodfari. The property was formerly in use as a Public House, which is understood to have closed in 2007.
- 1.2.2 The property has an existing vehicular access, and also located to the rear is a large tiered car park with separate access off the main village road.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the development boundary of Bodfari.
- 1.3.2 The Dinorben Arms is a Grade II Listed Building located within the Bodfari Conservation Area.

1.4 Relevant planning history

- 1.4.1 None

1.5 Developments/changes since the original submission

- 1.5.1 Amended plans and additional information relating to the Listed Building application resulted in a Listed Building Appraisal being submitted.

1.6 Other relevant background information

- 1.6.1 The Dinorben Arms was classed as vulnerable in the 2011 Listed Buildings at risk survey, which is the Council's most up to date survey. The building is on the Council's eyesore site list and has been for 3 years.

2. DETAILS OF PLANNING HISTORY:

- 2.1 None

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
 Denbighshire Local Development Plan (adopted 4th June 2013)
Policy RD1 – Sustainable development and good standard design
Policy VOE 1 - Key areas of Importance

Supplementary Planning Guidance
 Supplementary Planning Guidance 14: Listed Buildings

Government Policy / Guidance
 Planning Policy Wales Edition 7 July 2014

4. MAIN PLANNING CONSIDERATIONS:

4.1 The main land use planning issues in relation to the application are considered to be:

4.1.1 Impact on the character and appearance of the Listed Building

4.2 In relation to the main planning considerations:

Impact on the character and appearance of the Listed Building

The site is located within the settlement boundary of Bodfari, comprising a Grade II Listed Building located within a designated Conservation Area.

Policy VOE 1 of the Denbighshire Local Development Plan looks to protect sites of built heritage and historic landscapes, parks and gardens from development that would adversely affect them. It indicates development proposals should maintain and wherever possible enhance these areas for their characteristics, local distinctiveness and value to local communities.

Planning Policy Wales 7, 2014 (PPW) confirms the general presumption in favour of preservation of listed buildings. The continuation or reinstatement of the original use should generally be the first option when the future of a listed building is considered. It recognises that not all original uses will now be viable or necessarily appropriate and that the application of development and listed building controls should recognise the need for flexibility where new uses have to be considered to secure a building's survival.

Planning Policy Wales, Section 6.5.9 confirms that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting, or any features of special architectural or historic interest which it possesses. (Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Welsh Office Circular 61/96 (Planning and the Historic Environment: Historic Buildings and Conservation Areas), provides general guidance on the principles applied to proposals involving listed buildings, and issues relevant to the consideration of applications. The 4 issues are identified as:

- i. The importance of the building, its intrinsic architectural and historic interest and rarity in both national and local terms
- ii. The particular physical features of the building which justify its inclusion in the list
- iii. The buildings setting and its contribution to the local scene
- iv. The extent to which the proposed works would bring about substantial benefits for the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment.

The Community Council have not raised any specific objections relating to the Listed Building Consent. Their concerns over the principles of the change of use are addressed in consideration of the accompanying planning application in the previous item on the agenda. Local residents have made general comments in terms of the general impact of the proposal on the visual amenity of the area and the historic environment which has also been considered in the assessment of the planning application. No specific concerns have been raised relating to the Listed Building Consent application.

The Council's Conservation Architect has been consulted and has been supportive of

the proposals, in particular the demolition of the extensive flat roof extensions to the rear of the building. The removal of these is considered to greatly enhance the original character of the listed building and the internal plan form is positively restored. The building has been subject to further deterioration over the years and its preservation and conservation is of key importance. Its location, in the middle of the village and next to several other listed buildings and structures – The Church of St. Stephen, the lych gate and step of the church, and Hafod Tan y Eglwys – creates a townscape of high significance. Listed building consent is recommended, subject to clarification being sought in relation to some points of detail, in addition to the need to submit some additional details which are suggested as conditions. The building has declined since Denbighshire County Council's 2002 listed buildings at risk survey from Not at Risk (Category 5) to Vulnerable (Category 4) in 2011. It is now considered to be at risk by the Council. The proposals will secure its preservation.

Whilst acknowledging the basis of representations, based on the response from the Conservation Architect, the proposals are considered to be acceptable and respect the site's historic and visual significance, and the aim to preserve and enhance the building and surrounding area. On these grounds, Officers consider there would be no unacceptable adverse impact on the character and appearance of the Listed Building.

5. SUMMARY AND CONCLUSIONS:

The recommendation is to Grant Listed Building Consent subject to conditions, and to referral of the application to CADW, to determine whether to authorise the County Council to grant consent.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.
2. **PRE COMMENCEMENT CONDITION**
No development shall commence until a method statement and schedule of works identifying protective measures to secure the safety and stability of that part of the Listed Building which is to be retained have been submitted to and approved in writing by the Local Planning Authority. Such steps shall include, in relation to the part of the listed building to be retained, measures to strengthen any wall or vertical surface, to support any floor, roof or horizontal surface and to provide protection for the building against the weather during the progress of the works.
3. Notwithstanding the plans submitted, a site analysis of the exposed elevations that are currently inaccessible shall be undertaken in presence of the Council's Conservation Officer. Any features of interest uncovered by the execution of the approved alterations should be recorded and the advice of the Conservation Officer should be sought prior to any further works.
4. A window schedule shall be undertaken and submitted to and approved by the Local Planning Authority prior to any repair or restoration works undertaken.
5. Notwithstanding the details submitted, cast iron rainwater goods shall be installed on the property.
6. **PRE COMMENCEMENT CONDITION**
No development shall commence until details of all external materials including paint colours, render type and finish, pointing, slates and ridge tiles have been submitted to and approved in writing by the Local Planning Authority.
7. All other repair work outlined in the Listed Building Appraisal dated January 2014 PDA Ref: 13.5449/7 shall be undertaken in strict accordance with the submitted detail unless otherwise agreed in writing by the Local Planning Authority. The development shall proceed strictly in accordance with the approved details.
8. Prior to installation, details of all new windows and doors, and internal joinery, shall be

submitted to and approved in writing by the Local Planning Authority. The development shall proceed strictly in accordance with such approved details.

The reason(s) for the condition(s) is(are):-

1. To comply with the provisions of the 1990 Listed Buildings Act.
2. To protect the Listed Building
3. To protect the Listed Building
4. To protect the character and appearance of the Listed Building.
5. To protect the character and appearance of the Listed Building.
6. To protect the character and appearance of the Listed Building.
7. To protect the character and appearance of the Listed Building.
8. To protect the character and appearance of the Listed Building.

NOTES TO APPLICANT:

None