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18/2015/0887

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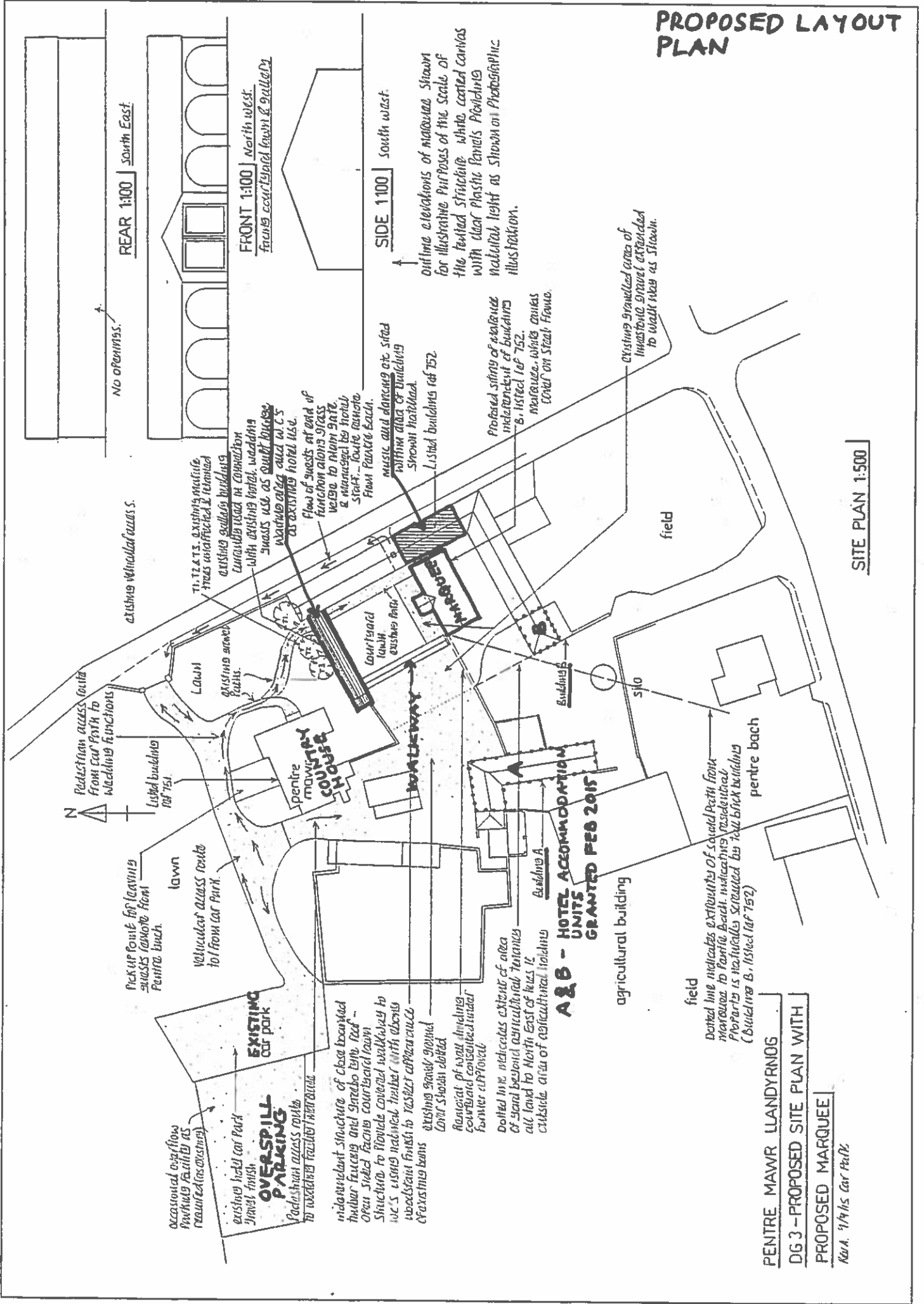
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Denbighshire Boundary




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PROPOSED LAYOUT PLAN



REAR 1:100 South East

FRONT 1:100 North west
facing courtyard lawn & garden

SIDE 1:100 South west

Outline elevations of individual shown for illustrative purposes of the scale of the invited structure white coated canvas with clear plastic panels providing natural light as shown on photographic illustration.

EXISTING Vehicular access.

TI. T. T. A. T. S. existing machine, trees unroofed & retained existing gallery buildings with existing hotel, wedding swans use as built blocks, window area and W.C.S. as existing hotel use.

Flow of swans at end of function along grass verge to main gate & managed by horse staff - route through Flan Parkers Esch.

Music and dancing etc. sited within area of building shown hatched.

Proposed string of external intermediate of building measures - white canvas cover on steel frame.

Existing gravelled areas of industrial street extended to width shown as shown.

Pedestrian access route from car park to wedding functions

Pickup point for leaving seats shown from Pentre bach.

Volunteer access route to car park.

EXISTING car park

Independent structure of close boarded timber framing and gable roof - open sided facing courtyard lawn structure to provide covered walkway to W.C.S. using narrow timber with eaves overhang finish to timber structure. Existing gravel ground cover shown dotted.

Area of land beyond agricultural tenancies all land to North East of this is outside area of agricultural holding.

A&B - HOTEL ACCOMMODATION UNITS GRANTED FEB 2015

agricultural building

field

Dotted line indicates extent of area of land beyond agricultural tenancies all land to North East of this is outside area of agricultural holding.

PENTRE MAWR LLANDYRNOG
DG 3 - PROPOSED SITE PLAN WITH
PROPOSED MARQUEE

Mar. 1/14/15 Car Park

SITE PLAN 1:500

18 2015/0887/PF
**FLOOR PLANS OF
 DANCING &
 CEREMONY
 BUILDING**

trusses over support traditional
 roof structure.

existing timber windows

At hinged timber shutters as shown with
 ledge & braced T&G boarding. above
 woodstain finish

ceremony

first floor area.

T1

T2

T3

existing timber windows.

FIRST FLOOR

Note, bar and ancillary fixtures etc
 all freestanding independent units
 not attached to listed building.

marquee dining

Proposed siting of
 detached staircase.

bottles
 fridges

existing external doors to South
 West 151°

3N° doors currently over boarded internally
 with independent T&G boarding

existing arched
 through way with
 roof ball tower
 over.

bar

music

dancing

existing timber stairs

lounge

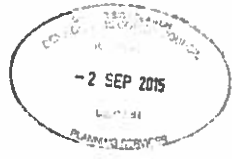
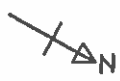
GROUND FLOOR

boarded & tiled dance floor
 loose laid over existing
 floor.

existing brass verge.

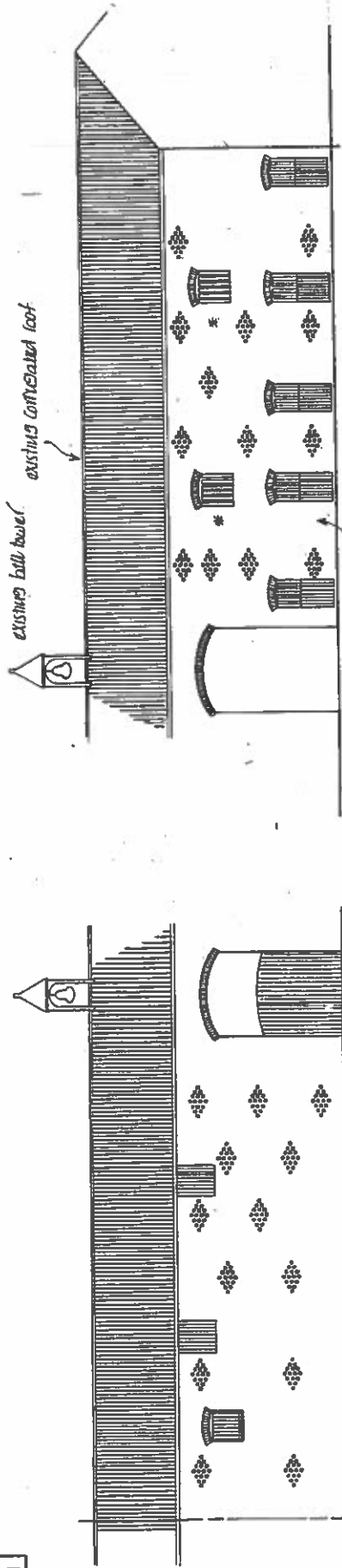
highway.

PROPOSED
PENTRE MAWR
 DG7 1:50



ELEVATION PLANS OF DANCING & CEREMONY BUILDING

PENITRE MAWR
DG 6 1:100
EXISTING



NORTH EAST

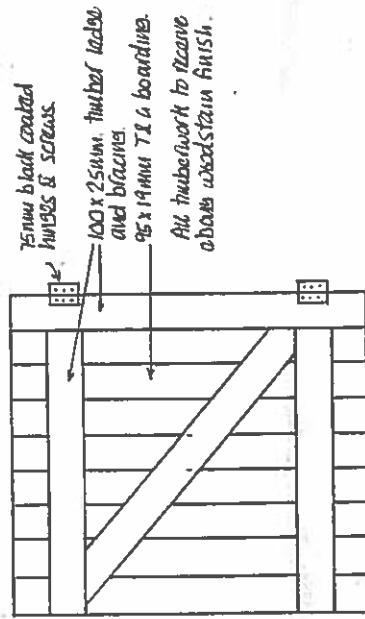
SOUTH WEST

existing ball bowl
existing conical roof

existing timber floors and windows

* denotes windows to be filled with new internal shutters as shown below.

* PROPOSED INTERNAL WINDOW SHUTTER 1:10

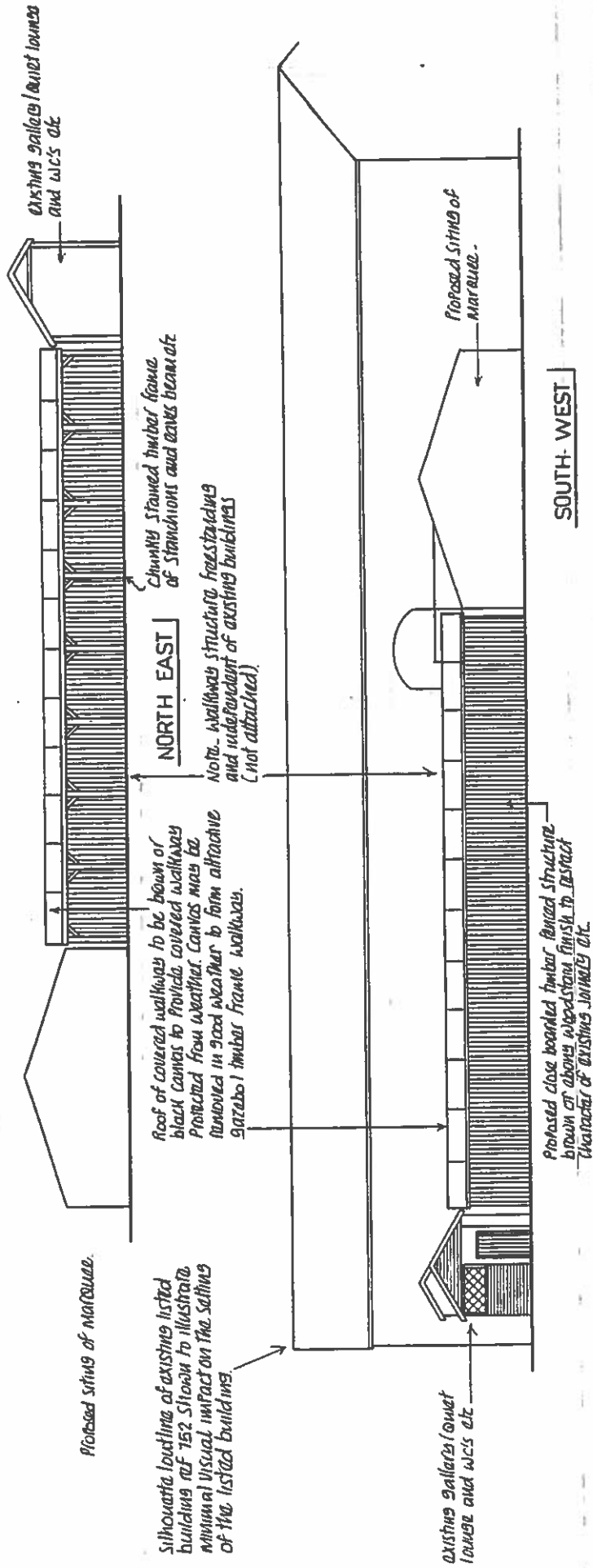


Internal view



Vertical Section

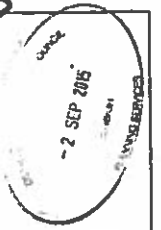
PENTRE MAWR LLANDYRNOG DG4 1:100
PROPOSED COVERED WALKWAY



NORTH EAST

SOUTH WEST

PROPOSED COVERED WALKWAY



WARD : Llandyrnog

WARD MEMBERS: Councillor Merfyn Parry

APPLICATION NO: 18/2015/0887/ PF

PROPOSAL: Change of use of part of listed building and part of courtyard for weddings and other functions in association with existing hotel business, including erection of detached marquee and covered timber walkway within courtyard and use of paddock as overspill parking area (partly in retrospect)

LOCATION: Pentre Mawr Country House Hotel Llandyrnog Denbigh

APPLICANT: Mr Graham Carrington-Sykes

CONSTRAINTS: Listed Building

PUBLICITY UNDERTAKEN: Site Notice – No
Press Notice – No
Neighbour letters - Yes

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

- Referral by Head of Planning / Development Control Manager

CONSULTATION RESPONSES:

LLANDYRNOG COMMUNITY COUNCIL

“There were no observations or objections.... supported.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Head of Highways and Infrastructure

- Highways Officer

Refers to previous concerns over the proposals in relation to the local highway network to the site being narrow with limited passing places and the likely traffic generated for a wedding function for 140-200 guests, and to requests for provision to be made for passing places along the approach road leading from the south towards Llandyrnog, and related measures along the B5429 in order to support the application. States that none of these issues has been addressed, and that if planning permission is to be considered then conditions should be attached to address them (passing places along the lane, availability of overspill parking area at all times, and scheme of signage to discourage use of minor road east to the B5429).

- Pollution Control Officer
Does not object, but has concerns over noise levels and suggests if permission is granted then strong conditions be applied to ensure that nearby residential amenity is protected. Lists a number of conditions for consideration.

- Conservation Architect
No objection to the proposals. In conclusion, considers these are not detrimental to the historical character of the listed buildings and do not affect the essential setting of the listed buildings. The proposals will allow the business to develop and grow, which can only be beneficial to the long term maintenance and condition of all the buildings within the group.

RESPONSE TO PUBLICITY:

Representations received from:

In objection

Aaron and Partners, Solicitors, on behalf of Mr and Mrs Edwards, Pentre Bach, Llandyrnog
Mrs S. Edwards, Pentre Bach, Llandyrnog

Summary of planning based representations in objection:

Noise and disturbance

Occupiers of dwelling need peace and quiet to rest, including children during term time / existing use of hotel has caused considerable noise nuisance to occupiers of Pentre Bach, and has been under investigation by environmental health department / sources of noise and disturbance are music from hotel functions, singing and chanting encouraged by DJ's running discos; shouting, singing and swearing from guests leaving in the early morning; cars screeching along the lane late at night and taxi horns alerting guests they have arrived; inappropriate activities in hot tubs / use has been allowed to continue for two summers / submissions recognise noise is an issue but do not provide technical information to support this assertion or inform the local planning authority of the effect that attenuation by the masonry structure may provide, and there is no background noise level against which noise from the development should be assessed, and no acoustic report submitted in support of the application / it is suggested specific measures be considered to reduce noise at the point of generation, to provide sound insulation or other containment measures, to design the layout of the space between the noise source and noise sensitive building, and limiting the operating time of the noise source and setting an acceptable noise limit.

Council should not determine application until a proper noise assessment report is produced by the applicants to allow assessment of the impact of noise generated by the development.

Conflict with planning policies and guidance

Noise is a planning consideration contained in planning policies in the Local Development Plan, Welsh Government's Technical Advice Note 11

Other matters

Land ownership issues

Notification of the planning application has not been served on the agricultural tenant / owner occupier of Pentre Bach farms land at Pentre Mawr and Ty Bracia in partnership with his father and brother and the father is the agricultural tenant of the yard and listed building included in the application / owners of Pentre Mawr have unlawfully fenced off the yard and building the subject of the application / there is a legal dispute regarding the farming tenancy

Objections to issue of separate licence for functions and concerns over process relating to licence / seem to be getting minimal consideration from neighbours and the Council / concerns over statements made in submissions over neighbours actions

EXPIRY DATE OF APPLICATION:

REASONS FOR DELAY IN DECISION (where applicable):

- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application relates to developments in connection with the staging of weddings and other functions, associated with the existing Country House Hotel enterprise at Pentre Mawr, Llandyrnog. It follows the withdrawal of a previous application of different detailing in September 2015.
- 1.1.2 The application should be read in conjunction with the listed building consent application forming the subject of the following item on the agenda, code no. 18/2015/0888.
- 1.1.3 The proposed site layout is shown on the plan at the front of the report. The main elements are:
 - The siting of a marquee within the courtyard area to the south east of the main Pentre Mawr Country Hotel building. The marquee is indicated on the submitted plans as a white canvas cover on a steel frame.
 - The use of two sections of existing outbuildings forming the courtyard in connection with the functions use :
 - The Gallery Building, for use by wedding guests as a quiet lounge waiting area and WC's
 - A 15m x 7m section of one of the range of outbuildings on the eastern side of the courtyard, for music and dancing
 - The erection of a timber structure running from the gallery building to the marquee, to enclose a lawn area
 - The erection of an acoustic fence on the south west side of the marquee

- The provision of an overflow parking area in a paddock area immediately to the west of the existing parking area to the west of the Pentre Mawr Country Hotel.
- Suggested pedestrian circulation patterns for functions.

- 1.1.4 The application is in part retrospective, as the marquee has already been sited on the land forming the garden area of Pentre Mawr, and the two buildings shown on the plan for use as a lounge area and music and dancing have been used for functions in 2015.
- 1.1.5 The plans at the front of the report also show the relationship of the buildings and the complex to the nearest dwelling in separate ownership at Pentre Bach to the south, and the location of outbuildings buildings granted permission for conversion to accommodation units in connection with Pentre Mawr in February 2015.
- 1.1.6 The application is accompanied by a Design and Access Statement incorporating a Listed Building Justification Statement, a property Structural Condition report, and was supplemented in November 2015 by an Acoustic Report by Cheshire Environmental Services.
- 1.1.7 The Design and Access Statement refers to the 5 star hotel and tourism business at Pentre Mawr, offering high quality accommodation and dining facilities. It states the hotel has identified wedding functions as a suitable additional facility that would enhance the business and provide maintenance funding for the substantial range of listed buildings. The use of a marquee has been suggested to provide the necessary space and it is suggested this would be erected for the relevant periods when functions are booked, and that it would be a temporary structure stored away for the remainder of the year.
- 1.1.8 It is stated in the Design and Access Statement that the hoteliers have recognised that functions may lead to noise disturbance (from music and dancing) to the nearby dwelling and have identified the existing barn as a suitable location to accommodate the music and dancing, as siting it within a dense masonry structure will limit noise emanating to an acceptable level, assisted by the 'L' shape of the building which would provide a screening effect. It is further stated that to ensure there is no damage to residential amenity at the dwelling, noise monitoring is undertaken and a noise limiter will be fitted to the sound system to ensure noise levels are strictly and automatically controlled. The Statement also mentions the position of the marquee has been chosen to ensure the masonry structures adjacent provide a natural buffer and screen for noise to protect the residential amenity at Pentre Bach.
- 1.1.9 In relation to the listed buildings, it is stated in the Design and Access Statement that the setting of the marquee within the courtyard of largely redundant buildings will not really have any adverse impact on the listed buildings, being a temporary structure erected for a limited period within the courtyard, then being returned to its open appearance when it is stored away while not in use. It is suggested that the proposed use of part of the listed barn building for music and dancing does not have any impact on the listed

building, the only works being the provision of temporary shutters to the upper windows to provide additional noise limitation, which it is stated does not impact on the character of the listed structure.

1.1.10 The Acoustic Report provides a site survey identifying site features, an assessment to show the impact of amplified sound and people noise on the nearest residential dwelling, and recommends noise mitigation measures to ensure noise from the venue does not have an adverse effect on the dwelling. The contents are referred to in more detail in section 4.2.3 of the report.

1.1.11 The applicants have submitted supporting information explaining the development of the Country House business and the commercial considerations leading to the diversification into wedding functions in 2013 and 2014. They have forwarded a number of letters from local businesses and suppliers in support of the application. They have also provided commentary on the noise issues arising from the functions use and efforts made to address them following complaints, and investigation by officers of the Public Protection Section.

1.1.12 Pentre Mawr and its main outbuildings are Grade II Listed Buildings

1.2 Description of site and surroundings

1.2.1 The Pentre Mawr complex of buildings is located approximately 2km north of Llandyrnog village.

1.2.2 It is accessed off minor roads from the B5429. The vehicular access serving the Country House is a driveway off the minor road. The drive runs past the front of the main house to the parking area to the west.

1.2.3 The building complex consists of an historic Manor House (as noted, a Grade II listed building) and a range of outbuildings, most of which are also listed buildings. There are also more modern agricultural buildings including a silo and a portal frame building in the south / south west part of the complex.

1.2.4 The main building at Pentre Mawr is in use as a bed and breakfast business with dining facilities and there are a number of 'tented bedrooms' on land immediately to the west of the main house. The parking area for visitors is located 40 metres to the north west of the main house at Pentre Mawr, and has a capacity of up to approximately 15 spaces. It is understood that a grassed paddock area immediately to the west of this is used as overspill parking when the need arises.

1.2.5 An area of the courtyard immediately to the south of the main house has been in use in connection with the bed and breakfast business and owners private accommodation. Its extent has been defined by a substantial stone wall which until recently divided the area enclosed by the range of outbuildings. Land and buildings to the south side of the wall has been in use in connection with an agricultural business, which is referred to in Section 1.6 of the report.

- 1.2.6 There is a dwelling in separate ownership to the south west of the outbuildings, at Pentre Bach. The relative location and proximity of Pentre Bach to the application site can be seen from the plans at the front of the report.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located in the open countryside.

- 1.3.2 Pentre Mawr and its outbuildings are Grade II Listed Buildings.

1.4 Relevant planning history

- 1.4.1 The bed and breakfast use at Pentre Mawr has developed gradually over time from an incidental use to the dwelling. The owners obtained planning consent to use the 'Manor' house as a bed and breakfast facility / Country House Hotel in October 2013, involving use of 3 out of 5 bedrooms as guest accommodation. Planning permission was granted for the retention of 6 'tented bedrooms' used in connection with the facilities in the main house, in June 2014. Permission was granted in February 2015 for the conversion of two of the agricultural buildings into accommodation units for use in connection with Pentre Mawr. The 2015 permission has not been commenced at the time of drafting this report.

- 1.4.2 The Council was made aware during 2014 of the introduction of a marquee in the garden area of the property, used in connection with the staging of functions, including weddings. This was the subject of separate enforcement investigation and led to the submission of planning and listed building applications in March 2015 to retain the marquee, to use the Gallery building and part of the courtyard in connection with the functions. Following receipt of responses and in particular concerns over the noise arising during functions, these applications were withdrawn in September 2015 on submission of the current planning and listed building applications.

- 1.4.3 The listed building application submitted is being handled under application code no. 18/2015/0888/LB, and forms the subject of the following report on the agenda.

- 1.4.4 There is a separate application dealing with a variation of one of the conditions imposed on the February 2015 permission for the conversion of the 2 outbuildings to self contained living accommodation. This application, code no. 18/2015/0327 forms the subject of the report following the one on the listed building consent application.

1.5 Developments/changes since the original submission

- 1.5.1 As noted in 1.1.3, the application is submitted in retrospect as the marquee has been erected and events have been held in it and the outbuildings which are now the subject of the application.

- 1.5.2 In terms of planning matters the carrying out of uses and development in anticipation of the grant of permission is not to be condoned, and this has led to repeated concerns from the neighbours over noise and disturbance. There has been investigation of complaints over noise nuisance, and Officers in the Public Protection Section have offered 'without prejudice' advice on potential measures to mitigate impacts and on matters of concern in relation to the playing of music and the noise break out from the marquee, including that due to 'people noise'. To this extent, the holding of

events has allowed opportunity for the Public Protection Officers to undertake noise monitoring which has provided useful information on the impact of the use and has assisted with assessment of the acceptability of the proposals.

- 1.5.3 The Public Protection Officer requested submission of an independent Noise Assessment to assist consideration of the application. This was forwarded in November 2015, and the objectors and their representatives have been offered opportunity to comment on the contents.

1.6 Other relevant background information

- 1.6.1 Members will note reference in the Response to Publicity Section of the report to matters relating to land ownership. These also arose in the course of progressing the applications relating to the conversion of outbuildings to additional hotel accommodation, submitted in late 2014.
- 1.6.2 The applicant's agent is aware of representations and has confirmed in December 2015 that on the basis of information provided by his clients and solicitors that the correct certificate of ownership has been submitted with the applications.
- 1.6.3 Members may appreciate that the Local Planning Authority can not become involved in any civil dispute over claims to ownership and it is considered appropriate to move to determine the application. In the circumstances, it would be normal to include a note to applicant on a Certificate of Decision advising the applicants of the challenge to legal statements on ownership.

2. DETAILS OF PLANNING HISTORY:

- 2.1 18/2008/0289 - Construction of 6 no. chalets, landscaping and pedestrian access routes. GRANTED 18/06/2014
- 2.2 18/2013/0981 - Mixed use of premises as dwelling and bed and breakfast facility (retrospective application). Granted 16/10/2013
- 2.3 18/2014/0793/PF - Change of use of outbuildings to form 2 no. self-contained suites of hotel letting accommodation, demolition of steel silo, steel framed agricultural building and stone wall; installation of a package treatment plant and associated works. GRANTED 18/02/2015
- 2.4 18/2014/0794/LB - Change of use of outbuildings to form 2 no. self-contained suites of hotel letting accommodation, demolition of steel silo, steel framed agricultural building and stone wall; installation of a package treatment plant and associated works (Listed Building application). GRANTED 20/04/2015
- 2.5 18/2015/0325 – Change of use of existing gallery building and part of courtyard for wedding and other functions associated with existing hotel business and including erection of detached marquee within courtyard area. WITHDRAWN 08/09/2015.
- 2.6 18/2015/ 0326 - 18/2015/0325 – Change of use of existing gallery building and part of courtyard for wedding and other functions associated with existing hotel business and including erection of detached marquee within courtyard area. WITHDRAWN 08/09/2015

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:
Denbighshire Local Development Plan (adopted 4th June 2013)

Policy PSE5 – Rural economy

Policy VOE1 - Key areas of importance

Policy ASA3 – Parking standards

3.1 Supplementary Planning Guidance
Re-use and adaptation of Rural Buildings

3.2 Government Policy / Guidance
Planning Policy Wales Edition 8 January 2016

Technical Advice Notes – TAN 6 Planning for sustainable rural communities July 2010

3.3 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 8, January 2016 (PPW) confirms the requirement that planning applications 'should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise' (Section 3.1.2). PPW advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned., and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Sections 3.1.3 and 3.1.4).

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

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

4.1.1 Principle

4.1.2 Visual amenity

4.1.3 Landscape

4.1.4 Residential amenity (including noise) impacts

4.1.5 Ecology

4.1.6 Drainage

4.1.7 Highways (including access and parking)

4.1.8 Inclusive design

4.1.9 Impact on Listed Building

Other matters

4.2 In relation to the main planning considerations:

4.2.1 Principle

The main policy in the Local Development Plan which is relevant to tourism / business related development is PSE5, which offers general support for proposals which make a contribution to sustainable development. The policy contains four tests relating to employment proposals for conversions and new build. These require that the proposal is appropriate in scale and nature to its location; that any suitable buildings are converted or reused in preference to new build; proposals for new build are supported by a business case; and full account is taken of impacts where proposals are in the AONB, AOB or World Heritage site.

PSE5 reflects the general support in the Local Development Plan to develop the local economy and businesses. Section 11 of Planning Policy Wales 7 emphasises the importance of tourism to economic prosperity and job creation, supporting the objectives to encourage community well-being, whilst protecting and giving value to natural heritage and culture, all in the context of minimising environmental impact.

Having regard to the elements of the proposals in relation to policy PSE 5:

- The scale and nature of the proposals are considered appropriate to the location (subject to due regard to the specific impacts dealt with in subsequent paragraphs)
- The development involves use of existing buildings (The Gallery and part of the main Listed Building), a use of land (the marquee), and limited 'new build' in the form of a timber shelter to enclose a lawned area.
- Given the limited relevance of the timber shelter to the scheme, it is not considered relevant that this extent of new build development should have to be justified by a business case
- The site is not in any statutory designated landscape or World Heritage site

It is suggested therefore that the general principle of the proposals are acceptable in relation to the policy. The key issues are considered to be the localised impact of the proposals, which are reviewed in the following sections of the report.

4.2.2 Visual amenity / design

In referring to what may be regarded as material considerations, Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The impact of a development on visual amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. As the Courts have ruled that the individual interest is an aspect of the public interest, it is therefore valid to consider the visual amenity implications of a proposal as a material consideration.

There are no adverse representations raised in relation to the visual impact of the proposals. The Conservation Officer has no objections to the siting of the

marquee and the detailing of the works on the Gallery or main range listed building.

In Officers' opinion, in terms purely of the design detailing, the plans in relation to the Gallery and the listed building demonstrate a sensitive approach to the task of adaptation to the intended use. The marquee is only partially visible from the Pentre Bach direction, and the combination of this and the proposed acoustic / boundary fencing would mean the development would have not have an unreasonable effect in terms of visual impact to the extent that it would be unacceptable.

4.2.3 Landscape impact

Policy VOE 1 relating to key areas of importance seeks to protect areas designated of natural landscape value and Historic Landscapes from development which may adversely affect them. Due consideration has therefore to be given to the impact of proposals on the Vale of Clwyd Historic Landscape, which the site lies within. The requirement to take account of landscape impact is reflected in general advice in Planning Policy Wales 7 and Technical Advice Note 12: Design.

There are no representations raising issues relating to the landscape impact of the proposals.

Officers' view is that the development would not have unacceptable effect on the Vale of Clwyd Historic Landscape Area. The marquee, Gallery building, and the main range listed building are not visible from wider viewpoints and the proposals do not involve significant changes which would have an impact in wider landscape terms.

4.2.4 Residential amenity

Planning Policy Wales 3.1.4 refers to the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment as potentially material considerations. The impact of a development on residential amenity is therefore a relevant test on planning applications. This is emphasised in Paragraph 3.1.7, which states that proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. As the Courts have ruled that the individual interest is an aspect of the public interest, it is therefore valid to consider the residential amenity implications of a development as a material consideration.

Objections have been received from and on behalf of the owner / occupiers of Pentre Bach expressing concerns at the impact of the proposals in terms of noise and disturbance. The basis of the concerns are that events held already have reduced the enjoyment of the property, creating unacceptable disturbance to a silent environment. They acknowledge efforts being made to mitigate noise experienced previously, but have concerns over the impact of the thump from music played and the 'people noise' from voices and dining during evenings, along with laughter and singing, including at unsocial hours. It is suggested that sleep is being disturbed.

The submission includes a number of details geared at mitigating noise and managing the circulation of people attending functions within the complex.

Some of these are in response to points raised in objection, and 'without prejudice' suggestions from the Public Protection Officers to tackle noise and disturbance arising in relation to Pentre Bach from events staged. These measures are referred to in an Acoustic Assessment submitted in November 2015 which states the owners are aware guests voices may give rise to noise from the site and have taken a proactive approach to control noise by incorporating the measures outlined:

locating the marquee as near as possible to the second barn building to take advantage of the building to act as a noise barrier.

- using the 8 metre height of the second barn building as a noise barrier
- locating the marquee 20 metres from the end of the second barn building line so that the building acts as a barrier to noise at the Farm House
- construction of a 2.61 metre high acoustic timber fence to separate the marquee from Pentre Bach Farm House
- construction of a second timber fence 1.84 metres high the whole width of the courtyard from the marquee to the original library building, This fence will contain the movement of guests to within the marquee courtyard area.
- constructing an arched door to separate the music barn building from the courtyard. Guests will have to leave the site after events via the site entrance along the country road.

The implications of the staging of functions in the marquee and the use of the Gallery and part of the main listed building have been the subject of detailed assessment by the Public Protection Officer, including monitoring of events at Pentre Bach. The contents of the submitted Noise Assessment and the representations from and on behalf of the occupiers of Pentre Bach have been carefully scrutinised. The impacts of the activity in the building accommodating music / dancing, the marquee and lawned area, the issue of 'people noise', and the practicality of managing the movement of guests involved in functions have been taken into account. As with every application, consideration has to be given to the possibility of attaching conditions which may address matters of concern and make the development acceptable to a point where it may be reasonable to recommend grant of permission.

In the context of the above, the response of the Public Protection Officer is considered to be significant to the progression of the application. The Officer does not object but has concerns over noise levels and suggests the inclusion of strong conditions if permission is granted, to ensure that nearby residential amenity is protected. A list of conditions is suggested covering the hours of use and deliveries, and measures to mitigate noise (e.g. restricting playing of amplified music to the one building, the fixing of a noise limiter to equipment, setting a limit on noise levels, requirements for noise monitoring).

The Pollution Control Officer's comments reflect Officers unease over the potential impact of the functions use on occupiers of nearby property, but fall short of an objection as it is considered possible to mitigate impacts through the imposition of a number of conditions to control the functions use and to address the noise and disturbance arising from music and amplified sound and from 'people noise', which appear to be the main areas of concern relative to the occupiers of nearby property. Whilst the range of controls considered necessary is extensive, suggesting the acceptability of the use is

marginal through reliance on additional measures and strict management of events, in the absence of formal objections from the Pollution Control Officer, it is concluded that it may be reasonable to consider a permission subject to attaching strict conditions.

4.2.5 Ecology

Local Development Plan Policy RD 1 test (iii) requires development to protect and where possible to enhance the local natural and historic environment. Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

There are no objections to the proposals in respect of ecological impacts.

Work has already been carried out within the listed buildings to accommodate the proposed uses. Additional impacts on ecological interests are unlikely from the proposed walkway structure and any other acoustic fencing recommended in the Noise Consultant's report.

4.2.6 Drainage

Drainage issues are a normal consideration on planning applications. Planning Policy Wales Section 13.2 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, provides a detailed framework within which risks arising from different sources of flooding should be assessed, where this is relevant to a development.

There are no representations expressing concerns over potential impact on land drainage or existing foul drainage systems at Pentre Mawr. The site is not in a flood zone.

There are no drainage issues considered likely to arise from the proposals.

4.2.7 Highways (including access and parking)

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations and that these can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment. The acceptability of means of access is therefore a standard test on most planning applications. Policy ASA 3 requires adequate parking spaces in connection with development proposals, and outlines considerations to be

given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

The Highway Officer's response draws attention to previous concerns over the proposals in relation to the local highway network to the site being narrow with limited passing places and the likely traffic generated for a wedding function for 140-200 guests, and to requests to the applicants for provision to be made for passing places along the approach road leading from the south of Llandyrnog, and measures along the B5429 in order to support the application. The concerns reflect previous comments from Llandyrnog Community Council on proposals for additional developments at Pentre Mawr. The Highway Officer recommendation is that if planning permission is to be granted then consideration should be given to including conditions to ensure the concerns are addressed.

Having regard to the above, Officers share the opinion of the Highway Officer in that the approach roads to the site are narrow with few passing places, and the potential scale of the functions use is such that measures are necessary to accommodate the level of traffic which could be involved. As noted, this reflects previously expressed views from the Community Council. It is therefore suggested that if Members are to consider the grant of planning permission, that this should only be on the basis that this includes provision in conditions for the provision of passing places on the main approach road to the B5429, along with suitable signage to discourage use of the narrow public road running east to the B road, and to the proper surfacing of the overspill car park within a specified period.

4.2.8

Impact on listed buildings and the historic environment

Local Development Plan Policy VOE 1 seeks to protect sites of built heritage from development that would adversely affect them, which requires assessment, where relevant, of impacts on archaeological, landscape and listed building interests. The context for assessment of applications involving alterations, extensions, and demolition of listed buildings which require planning permission is set by Welsh Office Circular 61/ 96 and Planning Policy Wales (Section 6), which also stress the importance of protecting the historic environment. PPW 6.1 refers specifically to the need to ensure the character of historic buildings is safeguarded from alterations, extensions, or demolition that would compromise their special architectural and historic interest.; and 6.5.9 indicates 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 or its setting, and any features of special architectural or historic interest which it possesses. These are matters dealt with in detail in the following report on the agenda, in respect of the listed building consent application.

There are no representations on the application which express specific comment on the impact of the proposals on the listed buildings. The Conservation Officer is a key consultee on this aspect of the application and has no objections to the proposals.

Officers would suggest the proposals do not raise any significant issues in relation to the character or appearance of the listed buildings or their setting.

4.2.9 Inclusive design

The requirement to address issues of safe and convenient access for disabled persons is set out in TAN 12 Design, TAN 18 Transport, and Policy RD1 test (vii), which sets out the need for mandatory Access Statements with planning applications.

The details with the submission indicate the Gallery, the part of the building proposed for music and dancing, and the marquee would be fully accessible for persons with disability.

5 SUMMARY AND CONCLUSIONS:

- 5.1 The application relates to the running of functions in connection with the Country House Hotel at Pentre Mawr. It involves the siting of a marquee, the use of two existing buildings, a timber structure to enclose a lawned area, and an additional parking area. This is a development of the existing business at Pentre Mawr.
- 5.2 The case advanced in support of the application is that the proposals are an essential development of an existing high quality business and are in accord with local and national policy encouraging suitable business / tourist related schemes. The submission argues the proposals are sympathetic to the character and appearance or setting of the listed buildings at Pentre Mawr, and that measures have been taken to limit noise and disturbance impacts in relation to Pentre Bach.
- 5.3 There are neighbour concerns over noise and disturbance from the functions, which have been staged more frequently in 2015. The Community Council support the application. The Pollution Control Officer has had regard to the noise study submitted in November 2015, has undertaken noise monitoring, and has listed detailed conditions which should be attached to mitigate impacts, if a permission is granted. The Highway Officer considers it necessary to ensure additional passing bays are created along the approach road, along with new signage to direct vehicles, and surfacing of the proposed overspill parking area.
- 5.4 Officers' conclusions are that the principle of developing an existing business is encouraged in current planning policy and guidance. It is the detailed impacts which are of particular relevance to the acceptability of the proposals.
- 5.5 As will be evident from the report, the issue of noise and disturbance affecting the residential amenities of the occupiers of Pentre Bach has been given detailed consideration. Pollution Control Officers have spent considerable time monitoring the use, assessing the impacts, and deliberating on whether these can be adequately mitigated through measures proposed by the applicants or through additional requirements, and they have concluded by suggesting that there are a range of conditions which may be able to secure adequate controls.
- 5.6 Ultimately it is considered this is a finely balanced case and is one where Officers retain reservations over the amount of controls necessary to mitigate the impacts

of the functions use and the reliance on the management of activities. However, in balancing the considerations, due account has to be taken of the policy support for business / tourist related development and the possibility of imposing suitable conditions on the development to address noise and related concerns. Ultimately, in the absence of formal objections from the 'technical' consultees, it is concluded that it may be reasonable to consider a permission subject to attaching strict conditions as outlined in the recommendation following.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. Unless specified by other conditions attached to this permission, the development hereby permitted shall be carried out strictly in accordance with the following plans and documents:

- (i) Existing elevations and proposed internal window shutter (Drawing No. 6) received 2 September 2015
- (ii) Existing floor plans (Drawing No. 5) received 2 September 2015
- (iii) Proposed floor plans (Drawing No. 7) received 2 September 2015
- (iv) Existing gallery (Drawing No. 1) received 2 September 2015
- (v) Proposed covered walkway (Drawing No. 4) received 2 September 2015
- (vi) Existing site plan (Drawing No. 2 Rev. A) received 8 September 2015
- (vii) Proposed site plan and marquee (Drawing No. 3 Rev. A) received 8 September 2015
- (viii) Location plan received 8 September 2015

2. Notwithstanding the details shown on the submitted plans, no functions shall be permitted to take place until the written approval of the Local Planning Authority has been obtained to all of the following, and the implementation of the approved details:

- a) The treatment of the courtyard area around the marquee and associated covered walkway, including the hard and soft landscaping of the area, the extent of removal of the stone wall and treatment of the retained section of the wall
- b) The signage and management arrangements to organise the circulation of persons attending Pentre Mawr Country House, guests attending functions, users of the tented accommodation units, users of the two additional units of hotel accommodation, and delivery vehicles for the hotel and functions use.
- c) The means of preventing guests attending functions from accessing the courtyard area of Pentre Mawr which lies to the west of the gallery building, the proposed covered walkway, and the marquee.
- d) The means of preventing access for any vehicles associated with the functions use to or from the private track running south past Pentre Bach.
- e) The 2.61m high acoustic timber fence between barn building 2 and the retained section of the stone wall as recommended in the Acoustic Assessment
- f) The 1.84m high acoustic timber fence proposed between the marquee and the Gallery building, as recommended in the Acoustic Assessment
- g) The provision of lobby entrances around all external doorways of the dancing / functions building

The development shall be carried out strictly in accordance with the approved details and the arrangements shall be retained as approved at all times the functions use is in operation.

3. Vehicular access to the property in association with functions staged in the marquee and outbuildings shall be obtained solely from the existing main access serving Pentre Mawr off the public highway, and the private track which runs off the highway to the parking areas to the north west of the main house, and there shall be no vehicular access from the track off the public highway running alongside the eastern boundary with Pentre Bach at any time.

4. The parking of vehicles of guests attending, or vehicles dropping off or picking up guests attending functions at the property shall be limited to the existing parking area and the overspill parking area to the north west of the main house.

5. The overspill parking area as shown on the approved site plan drawing shall be kept available for that purpose at all times, and shall be hard surfaced within 6 months of the date of this permission

in accordance with such details as are approved in writing by the Local Planning Authority.

6. Passing places shall be provided along the approach road leading from Llandyrnog to the site in accordance with a scheme to be agreed in writing by the Local Planning Authority, and shall be completed within 6 months of the date of this permission.

7. No functions shall be permitted to take place until the written approval of the Local Planning Authority has been obtained to a scheme of highway signage to discourage the use of the public highway running from the east of the site to the B5429 by the vehicles of guests attending functions.

The signs shall be retained at all times that the functions use at Pentre Mawr is in operation.

8. No functions shall be permitted to be held outside the hours of 1200 - 0000 (midnight) on any day.

9. No live music, playing of recorded music, or use of sound amplification equipment shall be permitted other than within the dancing / ceremonies building, and shall only be permitted between the hours of 1200 and 0000 (midnight) on any day.

10. At all times when live or recorded music is being played, or sound amplification equipment is being used within the dancing / ceremonies building, the timber shutters within the first floor level window openings, as shown on plans DG6 and DG7, shall remain closed.

11. No functions shall be permitted to take place until the written approval of the Local Planning Authority has been obtained to the detailing of a noise limiter to be fitted to amplification equipment to be used in the dancing / ceremonies building. No functions shall be permitted to run without the agreed equipment being fitted.

12. Deliveries shall not be taken at or dispatched from the site, including the handling and collection of waste and other activity associated with any function, outside the hours of 0800 - 2200 on any day.

13. All external lighting within the site shall conform with the recommendations in the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011, for Environmental Zone E1.

14. Noise levels from functions held at the premises shall not exceed 37dB(A)eq,5min when measured freefield on the boundary adjacent to Pentre Bach Farm House.

15. If complaints of noise nuisance are received by the Local Planning Authority, the applicant shall be notified in writing and the applicant shall employ a suitably qualified acoustic consultant to undertake a noise assessment in accordance with arrangements to be agreed in writing with the Local Planning Authority within 1 month of notification, to ensure that condition 14 is being complied with. A copy of the report shall be submitted to the Local Planning Authority within 14 days of its completion. Where the Applicant fails to undertake a noise assessment within the time period agreed with the Authority, the Local Planning Authority shall undertake an independent noise assessment and the Applicant shall be required to cover the cost incurred by the Local Planning Authority.

16. If the function noise is found to exceed the noise limits specified in condition 14 above, then no further functions shall be permitted to be held until the written approval of the Local Planning Authority has been obtained to mitigation measures that will ensure compliance with condition 14. The mitigation measures as approved shall be implemented prior to the recommencement of the functions use, and shall be retained at all times thereafter.

17. A record of the functions held and numbers attending shall be logged in a format that can be made available for inspection, when requested in writing, by the Local Planning Authority.

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

1. For the avoidance of doubt.
2. In order to mitigate noise and disturbance in the interests of the occupiers of the nearby dwelling.
3. In the interests of highway safety and the users of the approach roads.
4. In the interests of highway safety, the users of the approach roads, and the amenities of occupiers of nearby residential property.
5. To provide for the parking of vehicles clear of the highway.
6. In the interest of traffic safety.
7. In the interest of highway safety.
8. In the interests of the residential amenities of occupiers of nearby property.
9. In order to mitigate noise and disturbance in the interests of the occupiers of the nearby dwelling.
10. In order to mitigate noise and disturbance in the interests of the occupiers of the nearby dwelling.
11. In order to mitigate noise and disturbance in the interests of the occupiers of the nearby dwelling.
12. In the interests of the residential amenities of occupiers of nearby property.
13. In the interests of the residential amenities of occupiers of nearby property.
14. In the interests the amenity of occupiers of residential property in the locality.
15. To ensure adequate measures are in place to monitor and assess noise from the venue in the event of complaints and in the interests of the amenity of occupiers of residential property in the locality
16. To ensure adequate measures are in place to monitor and assess noise from the turbines in the event of complaints, and in the interests the amenity of occupiers of residential property in the locality.
17. To aid noise complaint investigations.

NOTES TO APPLICANT:

You are hereby reminded that the works to which this permission relates also require Listed Building Consent and that it does not necessarily follow that such Consent will be granted. It is a criminal offence to carry out works affecting a listed building without listed building Consent, and you are therefore strongly recommended to ensure that no such works are carried out until the appropriate Consent has also been granted.

The Council's attention has been drawn to the use of land and buildings affected by the application, by an agricultural tenant.

You should be aware that the grant of planning permission does not override any civil law restrictions which may prevent the implementation of the planning consent.

You are advised that the holding of functions is subject to separate licencing regulations which fall outside the remit of the planning function. You should ensure all relevant permists are obtained prior to the staging of events.

You are advised to check with the Council's Built Environment section with regard to the need for Building Regulation consent for works and the use of the buildings for public functions.

You are advised to contact the Development Management Section and Public Protection Section Case Officer to discuss the requirements of the conditions of this permission in advance of the submission of the relevant details.

In relation to the noise limitation conditions on this permission, you are advised that meeting the levels stated does not preclude the possibility of a statutory nuisance arising from functions at the site and you should be aware that strict management arrangements will need to be maintained over activities to ensure impacts are mitigated given the proximity to nearby residential property.

Your attention is drawn to the attached Highway Supplementary Notes Nos. 1, 3, 4, 5 & 10.

Your attention is drawn to the attached Part N form (New Road and Street Works Act 1991).

Your attention is drawn to the attached notes relating to applications for consent to construct a vehicular crossing over a footway / verge under Section 184 of the Highways Act 1980.