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18/2015/0888

Scale: 1:2500

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Denbighshire Boundary




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trusses over support traditional roof structure.

FLOOR PLANS OF DANCING & CEREMONY BUILDING

18 2015/0887/PF

existing timber windows

fit hinged timber shutters as shown with ledges & braced T&G boarding above woodstain finish.

ceremony

first floor area.

T1

T2

T3

FIRST FLOOR

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

bottles
fridges

marquee dining

Proposed string of detached marquee.

existing external doors to south west 15N°

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

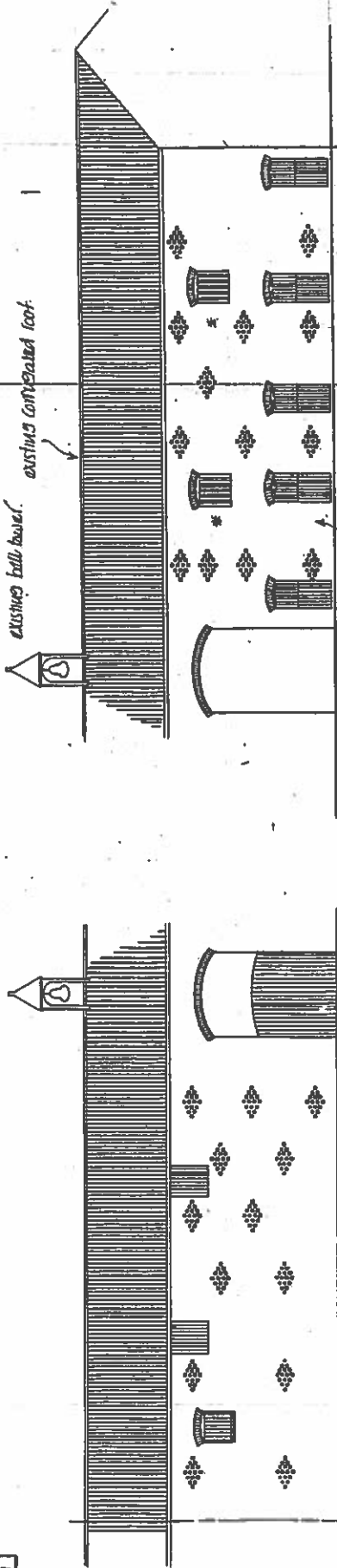
PROPOSED
PENTRE MAWR
DG7 1:50



ELEVATION PLANS OF DANCING & CEREMONY BUILDING

18 2015 / 0807 / P F

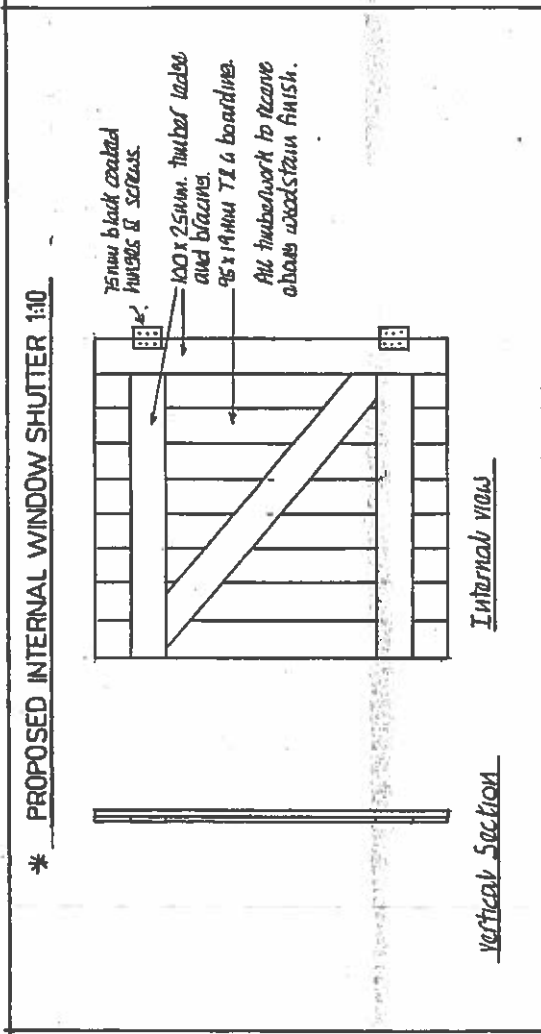
PENTRE MAWR
 DG 6 1:100
 EXISTING



NORTH EAST

SOUTH WEST

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

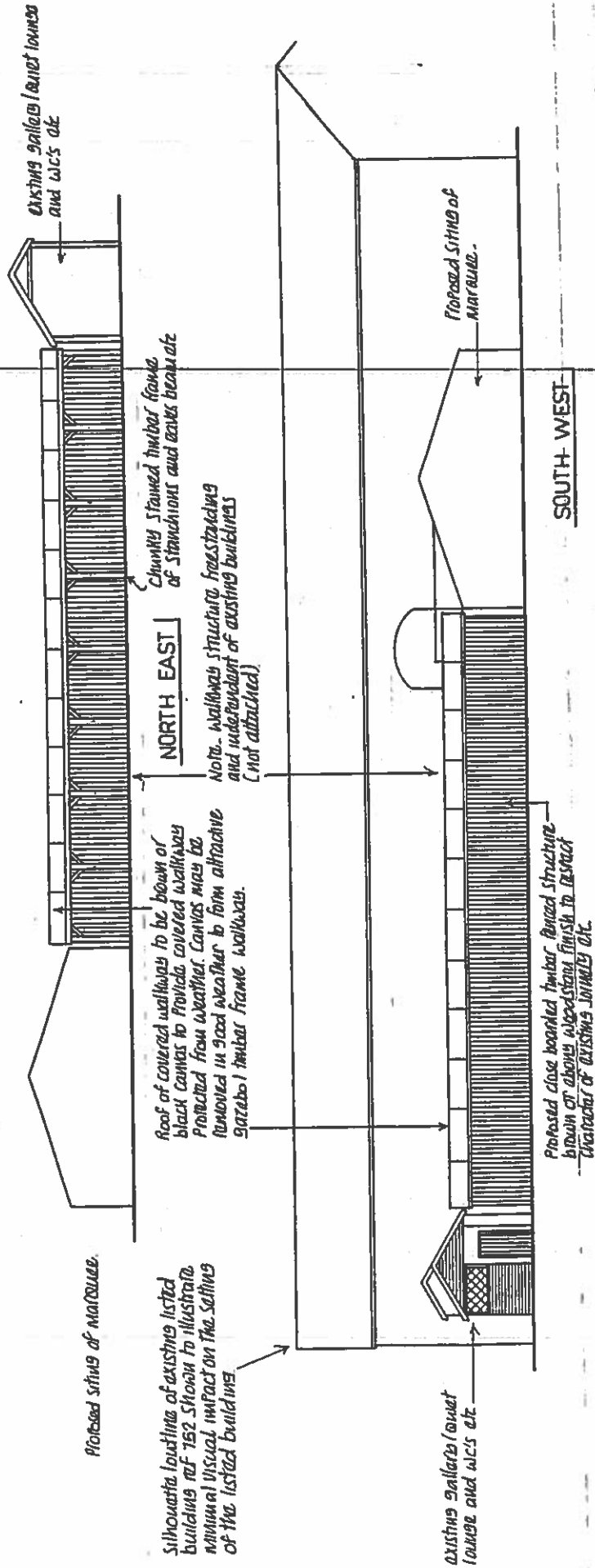


* PROPOSED INTERNAL WINDOW SHUTTER 1:10

Internal view

Vertical Section

PROPOSED COVERED WALKWAY



PROPOSED COVERED WALKWAY

2 SEP 2015

WARD : Llandyrnog

WARD MEMBER: Councillor Merfyn Parry

APPLICATION NO: 18/2015/0888/LB

PROPOSAL: Conversion 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 (Listed Building application)

LOCATION: Pentre Mawr Country House Hotel Llandyrnog Denbigh

APPLICANT: Mr Graham Carrington-Sykes

CONSTRAINTS: Listed Building

PUBLICITY UNDERTAKEN: Site Notice – Yes
Press Notice – Yes
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
No comments received

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –
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

Representations received from:

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: 08/11/2015

REASONS FOR DELAY IN DECISION (where applicable):

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

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

1.1.1 The application seeks listed building consent for 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 listed building application involving different detailing in September 2015.

1.1.2 The application should be read in conjunction with the planning application forming the subject of the previous item on the agenda, code no. 18/2015/0887.

1.1.3 The proposed site layout showing the different elements of the scheme is at the front of the report. The parts relevant to the listed building consent application 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 :
 - o The Gallery Building, for use by wedding guests as a quiet lounge waiting area and WC's
 - o 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 walkway 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

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 for 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, and a property Structural Condition report.

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 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.

1.1.9 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.

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. Planning permission was granted in February 2015 for the conversion of two of the agricultural buildings in the complex into accommodation units for use in connection with Pentre Mawr, and listed building consent for this development was granted in April 2015. The 2015 consents have 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 planning application submitted is being handled under application code no. 18/2015/0887/LB, and forms the subject of the preceding 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 immediately following this one on the listed building consent application.
- 1.5 Developments/changes since the original submission
- 1.5.1 None of specific relevance to this listed building consent application.
- 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:

Government Policy / Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning Policy Wales 8, 2016.

Welsh Office Circular 61/96 - Planning and the Historic Environment: Historic Buildings and Conservation Areas.

4. MAIN PLANNING CONSIDERATIONS:

Section 7 of the 1990 Act sets out the requirement for listed building consent for works for the demolition, alteration or extension of a listed building in any manner which would affect its character as a building of special architectural or historic interest; and it outlines the requirements for the making and processing of applications for consent.

Planning Policy Wales 8, 2016 Section 6.5.7 – 6.5.15 refers to general principles to be applied in considering applications for listed building consent. It confirms that there is no statutory requirement to have regard to the provisions of the Development Plan in making a decision on listed building consent applications. It reaffirms the general presumption in favour of preservation, whilst recognising the need for

flexibility where new uses have to be considered to secure a building's survival. It sets out the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. Applicants are expected to justify their proposals to show why alteration or demolition is desirable or necessary.

Welsh Office Circular 61/96, Paragraphs 93-99 provide specific advice on the considerations to be applied by Local Planning Authorities when dealing with proposals to alter or extend listed buildings.

4.1 The main issues to address in relation to the application are therefore considered to be:

4.1.1 The acceptability of the proposals having regard to the tests of PPW 2014 and Welsh Office Circular 61/96

The report outlines the case advanced in the application documents in support of the grant of listed building consent, setting out arguments that the proposals would assist in securing the future of the buildings, without adversely affecting the character and appearance of the listed buildings or materially harming their setting.

In terms of consultation responses, the Conservation Officer is supportive of the proposals.

The works on the listed buildings themselves are minimal in this instance, involving the installation of new internal timber shutters within the window openings of the 2 storey brick built outbuildings, and mainly renovation / internal decoration and repairs within that building. The Gallery building has been in use for some time in connection with the Country House Hotel, The new timber walkway and acoustic fences, and the marquee are freestanding structures with no attachment to any of the listed buildings.

Having regard to what is actually involved here, the basis of PPW advice and the tests of Welsh Office Circular 61/96, Officers' consider due regard has been given to the viability and impacts of the new use proposed for the buildings in formulating the proposals, in terms of effects on the special interest of the listed buildings, and it is not concluded that accommodating the music and dance area in one building and the use of the Gallery as a quiet room in connection with functions in the adjacent marquee in the courtyard are in any respects potentially damaging uses;

Due regard has been taken of the physical impacts of the proposals on the character and appearance of the listed buildings, and their setting; It is suggested the buildings have a capacity for accommodating change without loss of special interest;

The listing is recognised as a significant consideration but the proposals are considered to show a sensitivity to the special interest of the buildings;

The proposals are considered to show due respect for the character and appearance of the listed buildings and strike a proper balance between the need to respect the special interest of the listed buildings and the need to adapt them to part of a viable 21st century use;

The internal detailing of both buildings is of limited interest and these have been adapted to previous storage / incidental uses to Pentre Mawr. The main interest is the external detailing which is not affected by the proposals.

In relation to the general requirements in Planning Policy Wales, Officers would suggest that the proposals are compliant with the general presumption in favour of preservation, and embrace the need for flexibility where new uses have to be considered to secure the survival of buildings. The proposals are considered to have full regard to the tests for preserving the buildings, their setting, and features of special architectural or historic interest which they possess. It is suggested that the applicants have justified their proposals and show why the proposals are desirable and necessary.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The report provides details of the proposals to adapt two buildings in the complex for use in connection with a marquee staging functions at the Pentre Mawr Country House Hotel.
- 5.2 The applicants argue the proposals are sympathetic to the character and appearance of the buildings and the setting of the listed buildings at Pentre Mawr, and are seen as a further step in the regeneration of the remainder of the historic buildings in the complex.
- 5.3 The Conservation Officer is supportive of the proposals.
- 5.4 Officers' conclusions are that there is a justifiable case to support the proposals, as they present an opportunity to secure the long term future of buildings within the complex, and will have no adverse impact on the character and appearance of the buildings involved, or on the setting of the Pentre Mawr complex.
- 5.5 The recommendation following is subject to referral of the listed building consent application to CADW for consideration, and authorisation from CADW that consent can be issued by Local Planning Authority.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.
2. Unless specified by other conditions attached to this consent, 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

3. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved by, the local planning authority. The resulting digital photographs should be forwarded on a CD or DVD to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR. tel: 01938 553670.

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

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. To ensure a suitable photographic record is made of the buildings.

NOTES TO APPLICANT:

In connection with Condition 3 of the consent, you are referred to the attached CPAT Photographic Guidance Note for Applicants

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 listed building consent does not override any civil law restrictions which may prevent the implementation of the consent.