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40/2017/0813

Scale: 1:1250

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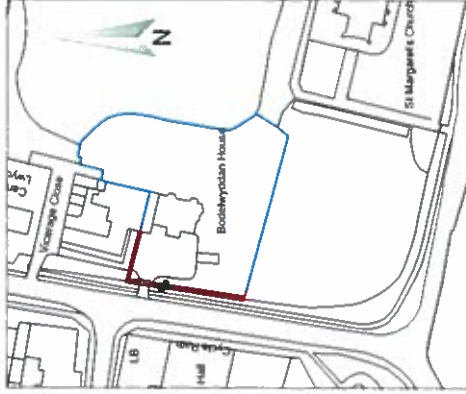
SITE PLAN



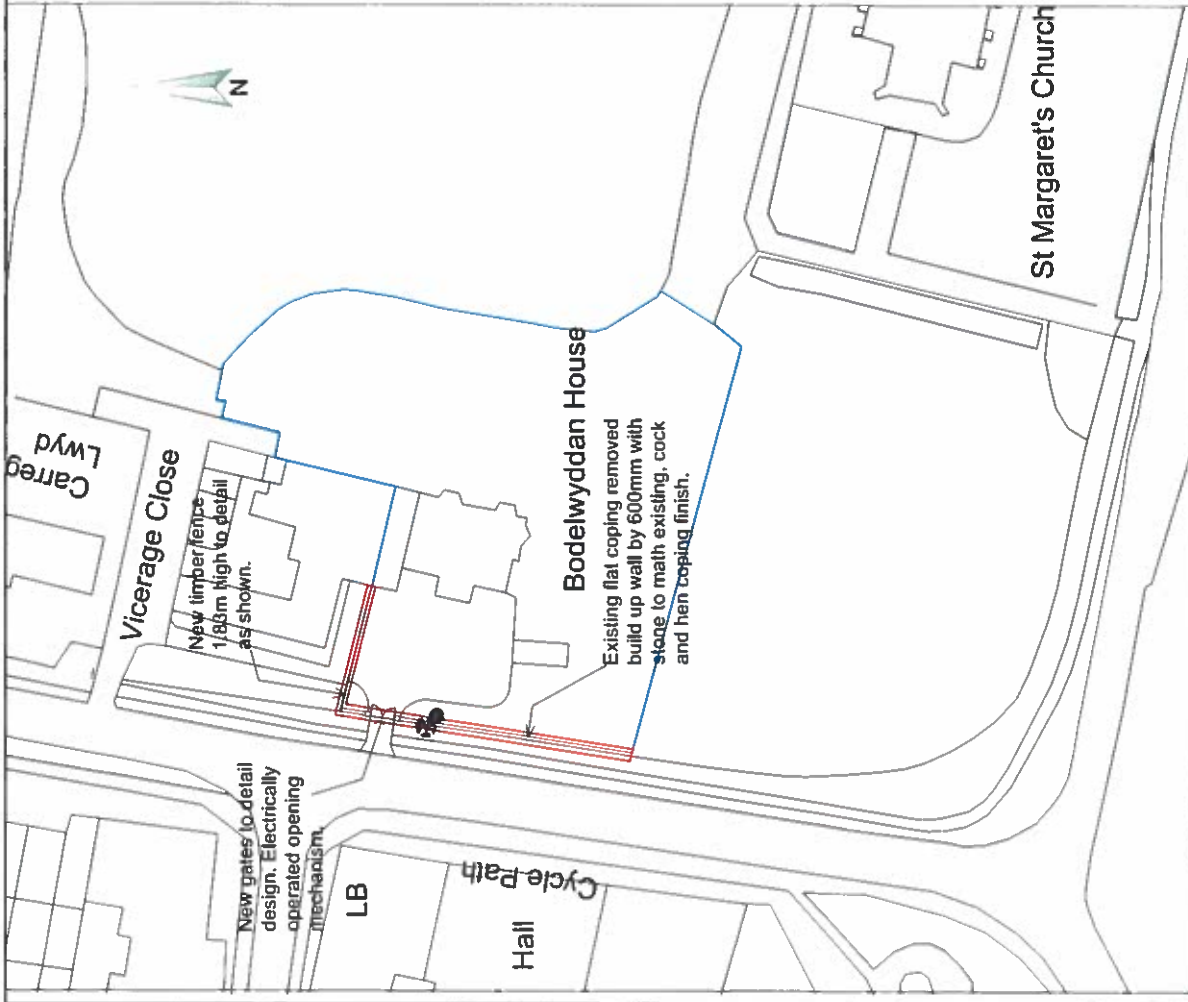
WYNN ROGERS
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Project No.	311407
Client	Mr
Date	11/03/17
Scale	August 13
Sheet No.	23

Proposed alterations to front
 entrance of The Old Rectory,
 Bodelwyddan, LL30 2JL.
 Location and site plan
 Leo Hudson

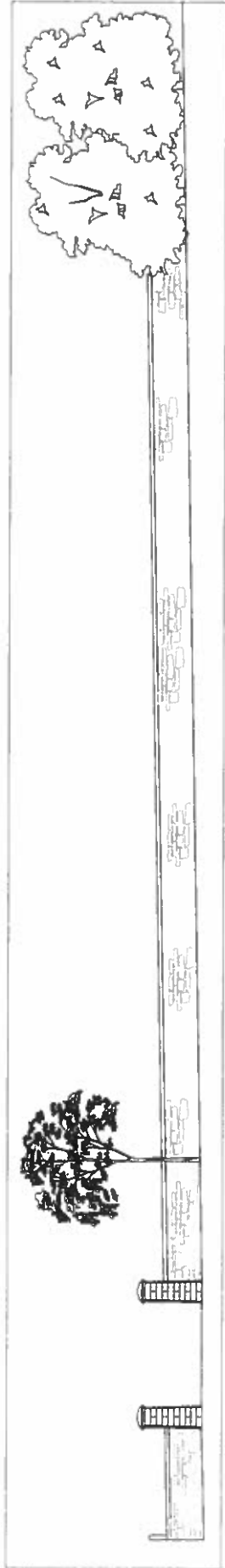


Location Plan 1:1250

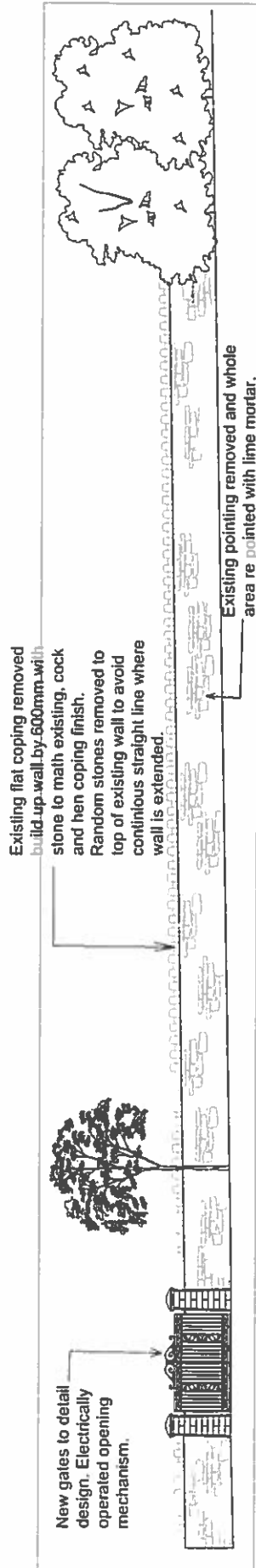


Site Plan 1:500

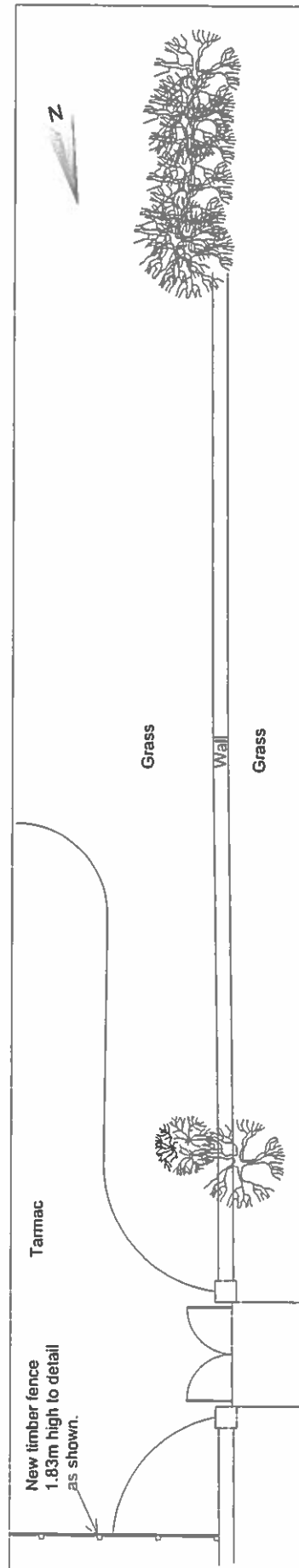
WALL AND GATE DETAIL



Western elevation of wall and gates as existing 1:100



Western elevation of wall and gates as proposed 1:100



Plan 1:100

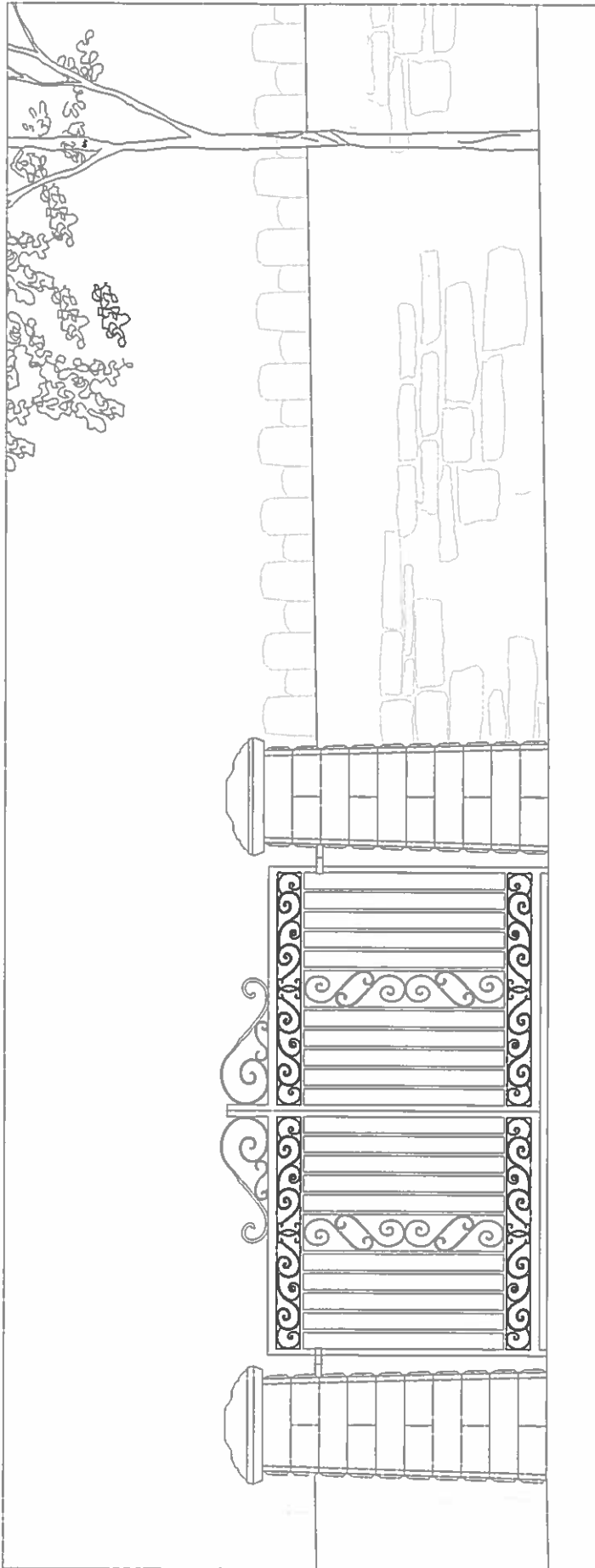
By order
A. Hoppered wall and gate height reduced



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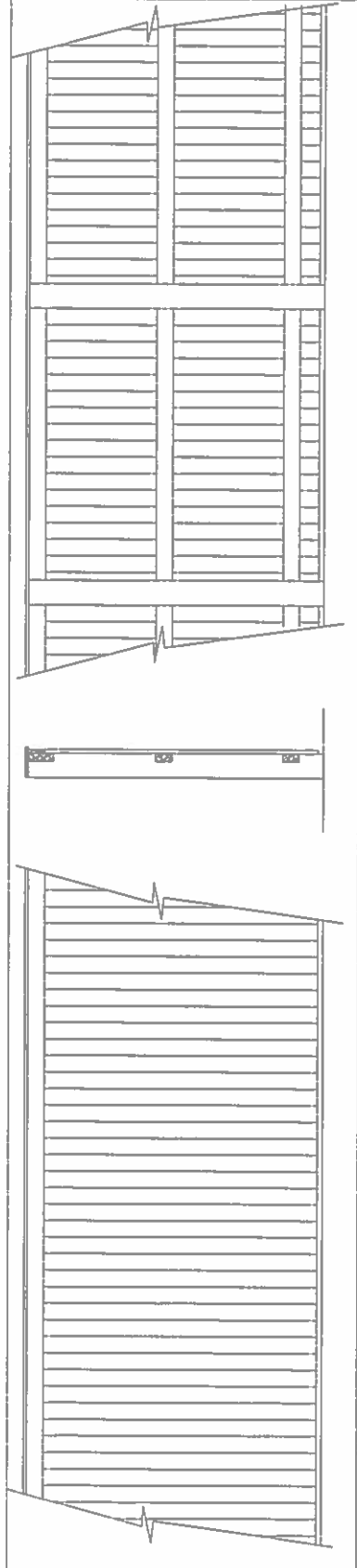
Proposed alterations to level
of ground to be shown
by
1:100
August 13
A2

GATE DETAIL



Detail of gates as proposed 1:20

FENCE DETAIL



Detail of fence as proposed 1:20

NOTES

Gates design subject to approval. Height 1.87m.

New timber fence 1.83m high to detail as shown. Timber allowed to weather naturally.

Revisions

A. Field and gate height reduced



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Proposed alterations to front fence of The Old Rectory, Llanfair-ym-muallt, LL57 2AB
Gates and fence details
Lee Hudson

3
1:20
August 17
18/08/17

WARD : Bodelwyddan

WARD MEMBER(S): Cllr Richard Mainon

APPLICATION NO: 40/2017/0813/ LB

PROPOSAL: Raising of boundary wall, new automated gates and fencing (partly retrospective) (Listed Building application)

LOCATION: Bodelwyddan House The Village Bodelwyddan Rhyl

APPLICANT: Mr & Mrs Haddon

CONSTRAINTS: Conservation Area

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 – material objection from Community Council

CONSULTATION RESPONSES:

BODELWYDDAN TOWN COUNCIL

Comments on original submission

“The Town Council are objecting to this part of this application. They are objecting to the boundary fencing between the neighbouring property.

The property is in the Conservation Area and a listed building. The proposed boundary fence is not in keeping with the visual amenity of the area and detracts from the overall character of the conservation area. It is too high and not of an appropriate material.

It should be replaced with a more aesthetically pleasing fence that is in keeping with the conservation area such a lower height picket fence.”

Comments are awaited on revised submission.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

- Conservation Officer.
Requested alterations to the proposed wall and gate detailing.

Re-consultation response on revised plans:

No objection to the revised proposals subject to the following conditions being met:

1. Sample panel of new stonework to include coping detail and re-pointing to existing wall to be approved prior to commencement
2. Please confirm finish of the proposed boundary fence

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Robert Jones, 4 Vicarage Close, Bodelwyddan LL18 5UQ

Main points in objection

Unacceptable visual impact

Bodelwyddan House is a magnificent building, objects to proposed height and detailing of wall and fence. High perimeter walls and electric gates not in keeping with Bodelwyddan House or the local area, Cock and Hen coping stones would look crude and out of proportion.

The small picket fence that was removed and replaced by the existing standard 6 foot timber fence panels, served purely as a boundary line between the main house and it's service ranges while retaining the impression that the buildings have remained as one.

The new fence is ugly, out of character and just sets out to divide the building in two. Picket fencing is used extensively throughout the village and gives the village a uniformity of style.

EXPIRY DATE OF APPLICATION: 16/10/2017

EXTENSION OF TIME AGREED? 15/11/2017

REASONS FOR DELAY IN DECISION (where applicable):

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

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 This report is in relation to the listed building consent application which accompanies the planning application (40/2017/0812/PF) which is the subject of the previous report on the agenda. It concerns the raising the height of the existing front boundary stone wall, new automated front gates and the erection of fencing between the boundary with the neighbouring property, at Bodelwyddan House.
- 1.1.2 The details are shown on the plans at the front of this report.
- 1.1.3 Bodelwyddan House is a Grade II Listed Building. The proposals require planning permission and also separate listed building consent.
- 1.1.4 The application is partially retrospective as the boundary fence has already been erected.
- 1.1.5 The wall would be finished with Cock and Hen coping and would extend up to a height of 1.9m to the highest point. The gates proposed would be wrought iron construction of a similar design to the existing gates, with a height of some 2.2m above ground level, including ornate scrollwork on top of the main frame.
- 1.1.6 The boundary fence has already been erected. It is a standard timber fence 1.83m in height attached to timber posts. The plans indicate the fencing would not be stained or painted, and would be allowed to weather naturally.

1.2 Description of site and surroundings

- 1.2.1 Bodelwyddan House forms part of the Grade II Listed Bodelwyddan Vicarage building which is situated in a prominent position within the Bodelwyddan Conservation Area along the highway leading to Glan Clwyd Hospital, as shown on the location plan at the front of this report.
- 1.2.2 The dwelling is formed by the subdivision of the former Bodelwyddan Vicarage building, with Bodelwyddan Court being the adjoining property.
- 1.2.3 The site is closely related to the Grade II* Listed Church of St Margaret (the marble church) and the Listing description describes the site as being situated to the east of Bodelwyddan village, on a site corner to corner with St. Margaret's churchyard.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is within Bodelwyddan development boundary and within a Conservation Area.
- 1.3.2 Bodelwyddan House is a Grade II Listed Building (Listed as Bodelwyddan Vicarage).

1.4 Relevant planning history

- 1.4.1 The section's records confirm previous consents for the erection of a garage.

1.5 Developments/changes since the original submission

- 1.5.1 Revised plans have been submitted showing a reduction in the height of the proposed boundary wall and gates to ensure they do not exceed the height of the existing gate

posts, to accord with advice from the Conservation Officer.

1.6 Other relevant background information

1.6.1 The existing fence along the boundary with the neighbouring property and a section of fencing above the stone wall along the boundary with the highway have been erected without planning permission, and are the subject of an enforcement notice requiring removal.

2. DETAILS OF PLANNING HISTORY:

2.1 2/BOD/135/76. Erection of garage. Granted 20/05/1976

2.2 2/BOD/291/76. Erection of garage. Granted 13/08/1976

2.3 2/BOD/344/76. Erection of garage. Granted 19/07/1977

2.4 40/2001/0113. Alterations to existing garage to convert flat roof to pitched roof. Granted 09/04/2001

2.5 40/2017/0813. Raising of boundary wall, new automated gates and fencing (partly retrospective) (listed building consent). Pending determination.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Note 24: The Historic Environment (2017)

Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by The Historic Environment (Wales) Act 2016

Denbighshire Supplementary Planning Guidance

Listed Buildings SPG

4. MAIN PLANNING CONSIDERATIONS:

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

4.1.1 Principle

4.1.2 Impact on Listed Building

4.2 In relation to the main planning considerations:

4.2.1 Principle

The policies of the Denbighshire Local Development Plan are not relevant to the consideration of listed building consent applications. The abovementioned Welsh Government legislation, and planning guidance accept the general principle of altering / extending/ listed buildings, including structures within their curtilages may be acceptable subject to suitable detailing and consideration of impacts on the character and appearance of the listed building(s).

Policy VOE2 of the Development Plan reflects advice contained in Section 16(2) of the 1990 Act which states that "When considering any applications for listed building consent, the local planning authority or the Welsh Ministers must 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".

Planning Policy Wales 9, Chapter 6 provides basic guidance on the considerations to be applied to listed buildings. It states:

“There should be a general presumption in favour of the preservation of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting 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. The aim should be to find the best way to protect and enhance the special qualities of listed buildings, retaining them in sustainable use. The continuation or reinstatement of the original use should generally be the first option, but not all original uses will now be viable or appropriate. The application of development and listed building controls should recognise the need for flexibility where new uses have to be considered in order to secure a building’s survival or provide it with a sound economic future.”

In terms of general guidance on matters relevant to the consideration of a Listed Building Consent, Planning Policy Wales confirms that there is no statutory requirement to have regard to the Local Development Plan when considering applications for listed building consent (6.5.10).

TAN 24 sets out the considerations to be given by the local planning authority to the determination of a listed building consent application:

- The importance and grade of the building and its intrinsic architectural or historic interest.
- The physical features of the building which justify its listing and contribute to its significance, (for example its form and layout, materials, construction and detail) including any features of importance such as the interior, which may have come to light after the building’s inclusion on the list.
- The contribution of curtilage and setting to the significance of the building, as well as its contribution to its local scene.
- The impact of the proposed works on the significance of the building.
- The extent to which the proposed works would bring substantial community benefits for example, by contributing to the area’s economy or the enhancement of its local environment.

4.2.2 Impact on Listed Building

Section 4.2.2 provides comment on the detailed considerations outlined above which need to be applied to this listed building consent application.

In terms of representations on the application, there are specific concerns expressed by the Community Council and a private individual over the acceptability of the proposals on the listed building, in particular the wood panel fence erected along the boundary with the neighbouring property.

Having regard to the TAN 24 checklist above, Officers comments are as follows:

The property is a Grade II Listed Building and the proposal is to raise the height of the existing stone wall along the boundary with the highway, with new gates and for a 1.8m high wooden fence along the boundary with the neighbouring property.

The dwelling forms part of the former Bodelwyddan Vicarage listed building, which, together with its range buildings has been subdivided into separate dwellings.

Whilst concerns have been raised by the objector regarding the appropriateness of Cock and Hen coping, following receipt of revised plans, the Conservation Officer has no objection to the proposed wall and gate detailing, however conditions are

suggested requiring the samples of the proposed new stonework including coping details and pointing to be submitted and approved prior to commencement.

The main objections are with regards to the height, design and detailing of the fence between the site and the neighbouring property due to the adverse impact it would have on the Listed Building.

Of relevance to the listed building status, the neighbour objection notes the previous picket fencing, served as a boundary line between the main house and its service ranges while retaining the impression that the buildings have remained as one, whereas the fence proposed is out of character and seeks to divide the property.

In Officers' opinion, the boundary fence detailing is not considered to be sympathetic to the character of the listed building. It appears wholly out of place and dominates views of the front of the range of buildings when viewed from the front.

It is suggested this is an instance where the boundary fence issue can be dealt with by condition rather than by refusing the proposals in their entirety. A condition is therefore proposed which requires the removal of the fencing as erected and for the fence detailing, including height, design and finish, to be submitted and agreed in writing by the Local Planning Authority prior to its erection.

Having regard to criteria in the TAN24 checklist and the views of consultees and subject to the application of necessary planning conditions, Officers are satisfied that sufficient controls can be applied to ensure the proposals are appropriate for a listed building.

5. SUMMARY AND CONCLUSIONS:

5.1 Having regard to the above considerations, subject to the imposition of necessary planning conditions, it is considered that the proposals would not have an unacceptable impact in relation to the Listed Building. It is recommended that the application is granted subject to conditions, and referral to CADW to determine whether to authorise the County Council to grant consent.

RECOMMENDATION: GRANT LISTED BUILDING CONSENT - subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 15th November 2022.
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Heritage Impact Statement received 18th August 2017
 - (ii) Existing and proposed elevations and floor plan, drawing no. 2 Rev A received 16th October 2017
 - (iii) Gates and fence details, drawing no. 3 Rev A received 16th October 2017
 - (iv) Location and site plan, drawing no. 1 received 18th August 2017
3. **PRE-COMMENCEMENT CONDITION**
Prior to the commencement of work on the front boundary wall, sample panels for the new stonework proposed to be used for the raising of the wall hereby approved to include details of coping and re-pointing of the existing wall shall be erected for the consideration and approval of the local planning authority.
The development shall only be implemented in accordance with such details as are approved in writing by the Local Planning Authority.
4. The boundary fence erected between Bodelwyddan House and Bodelwyddan Court shall be removed no later than 3 months from the date of this permission. No alternative means of defining the boundary shall be erected other than with the formal written approval of the Local Planning Authority to the height, design, colour and finish. The development shall then be implemented strictly in accordance with the approved detail.

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. To ensure the detailing is suitable in order to protect the character and appearance of the listed building.
4. To ensure the detailing is suitable in order to protect the character and appearance of the listed building.

NOTES TO APPLICANT:

Condition 4 - fence detailing note:

The proposal to introduce a means of defining the side boundary with the neighbouring property is considered acceptable in principle, however the height, design and finish of the fence proposed is not considered to be appropriate for a listed building or the conservation area setting.

Preference would be for a lower level fence or open railings of not more than 1.2m in height to be installed. You are encouraged to contact the Development Management Case Officer and the Conservation Officer to discuss the approach to the detailing prior to any formal submission.