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47/2020/0272

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WARD : Tremeirchion

WARD MEMBER(S): Cllr Christine Marston (c)

APPLICATION NO: 47/2020/0272/ LB

PROPOSAL: Removal of part of wall to form access (Listed Building Application)

LOCATION: Land at (part garden of) Glanrafon Rhualt St Asaph

APPLICANT: Dr Ffion & Professor Mari Lloyd-Williams

CONSTRAINTS: NONE

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

REASON(S) APPLICATION REPORTED TO COMMITTEE:

Scheme of Delegation Part 2

- Recommendation to grant / approve – material objection from City / Town / Community Council or body consulted under the provisions of the Town and Country Planning (General Development) Procedure Order

CONSULTATION RESPONSES:

RHUALLT COMMUNITY COUNCIL:

Original response:

Object. Higher elevation than listed building next door, a large property that will have an overbearing impact on the listed building and will be too close
Concern re: proposed building materials and for requirement to continuously control vegetative growth on proximity of a complex junction and foot of a hill.

Re-consultation response:

The overall height of the proposed building in the amended plan still exceeds the height of the listed building next door and therefore the same objection stands from the Community Council as previous as it appears to crowd and dwarfs the existing listed building.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

Conservation Officer – No objections to the removal of the section of wall.

RESPONSE TO PUBLICITY: No representations received.

EXPIRY DATE OF APPLICATION: 28/05/2020

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- 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 proposal is for the removal of a section of the stone boundary wall which encloses residential garden of Glanrafon, a Grade II Listed Building.

1.1.2 The section of the wall is proposed to be removed to provide a vehicular access to serve a proposed dwelling within the garden area, which is subject of a corresponding planning application.

1.2 Description of site and surroundings

1.2.1 Glanrafon is situated in a central position in Rhualt, and occupies a corner plot at the junction between the B5429 Holywell Road and the Rhualt to Cwm Road.

1.2.2 The garden boundary with the highway is formed by a low stone wall with mature hedgerow set behind.

1.3 Relevant planning constraints/considerations

1.3.1 Within Rhualt development boundary.

1.3.2 Glanrafon is a Grade II Listed Building enclosed by a low stone wall.

1.4 Relevant planning history

1.4.1 Corresponding planning application for a detached dwelling within the garden of Glanrafon pending determination.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 None.

2. DETAILS OF PLANNING HISTORY:

2.1 47/2020/0271. Erection of one dwelling, formation of a new vehicular access, installation of a septic tank and associated works. Corresponding planning application pending determination.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be

3.1 Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy RD1 – Sustainable development and good standard design

Policy VOE1 - Key areas of importance

Supplementary Planning Guidance

Listed Buildings SPG

Conservation Areas SPG

3.2 Government Policy / Guidance

Planning Policy Wales Edition 10 – December 2018

Technical Advice Note (TAN) 24: The Historic Environment (2017)

3.3 National legislation

Planning (Listed Buildings and Conservation Areas) Act 1990

Historic Environment (Wales) Act 2016

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

Local Development Plan Policy VOE1 seeks to protect sites of built heritage from development which would adversely affect them, and requires that development proposals should maintain and wherever possible enhance them for their characteristics, local distinctiveness and value to local communities.

Policy VOE 1 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 10, Section 6 'Distinctive and Natural Places' provides basic guidance on the considerations to be applied to listed buildings.

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.

Policy VOE 1 and the guidance in Planning Policy Wales and TAN 24 establishes that the principle of alterations and extensions to listed buildings may be acceptable, but that most careful consideration is given to the case made for the works and the particular detailing in reaching a decision.

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.

The proposal involves the removal of a small section of wall which encloses a listed building which is proposed to create a vehicular access to a proposed dwelling.

The Conservation Officer has raised no objection to the removal of the section of the stone wall.

Whilst the removal of the wall is required in connection with an associated development, the impact of the proposed dwelling on the setting of the listed building will be assessed in the corresponding planning application.

Having regard to the detailing of the proposal, subject to the imposition of conditions, it is considered that the proposal would preserve the setting, features of special architectural merit and historic interest of the building. The revised plans submitted also address the points raised by the Conservation Officer who is satisfied with the scheme in all other respects. The proposals are not therefore considered to have an unacceptable impact in relation to the Listed Building and are recommended for Grant.

4.2.3 Other Matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable

steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

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

RECOMMENDATION: GRANT- for the following reasons:-

1. The development to which this permission relates shall be begun no later than 10th February 2026
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) Proposed Arrangements (Drawing No. 19.5973/1 Rev D) - Received 14 January 2021
 - (ii) Additional Elevations (Drawing No. 19.5973/2 Rev C) - Received 14 January 2021
 - (iii) Topographical Survey and Location Plan (Drawing No. 19.5973/3) - Received 3 April 2020
 - (iv) Site Layout Plan (Drawing No. 19.5973/4 Rev B) - Received 18 August 2020
 - (v) Heritage Impact Assessment (Drawing No. 19.5973/5) - Received 3 April 2020
 - (vi) Covering Email - Received 22 July 2020
 - (vii) Typical Detail (Drawing No. 19.5973/6 Rev B) - Received 15 January 2021

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.