



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 21 Hydref 2021

gan Siân Worden BA DipLH MCD MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 19/01/2022

Appeal Decision

Site visit made on 21 October 2021

by Siân Worden BA DipLH MCD MRTPI

an Inspector appointed by the Welsh Ministers

Date: 19/01/2022

The Welsh Ministers have transferred the authority to decide these appeals to me as the appointed Inspector.

Appeal A: APP/R6830/A/21/3280903

Site address: Part of garden of Glanrafon, B5429 Waen Gate Roundabout to Pistyll, Rhualt, St Asaph, LL17 0TD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Dr Ffion and Professor Mari Lloyd-Williams against the decision of Denbighshire County Council.
- The development proposed is the erection of a detached self-contained dwelling within the curtilage of a listed building.

Appeal B: APP/R6830/E/21/3280900

Site address: Part of garden of Glanrafon, B5429 Waen Gate Roundabout to Pistyll, Rhualt, St Asaph, LL17 0TD

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Dr Ffion and Professor Mari Lloyd-Williams against the decision of Denbighshire County Council.
- The works proposed are described as the erection of a detached self-contained dwelling within the curtilage of a listed building.

Decisions

1. Appeal A is dismissed.
2. Appeal B is not allowed and listed building consent is not permitted.

Procedural matter

3. The application was made on a single form covering both planning permission and listed building consent for alterations, extension or demolition of a listed building. The great majority of the proposed development requires planning permission only and is the subject of Appeal A. The only part requiring listed building consent is the removal of a part of the boundary wall which would enable access to the proposed dwelling. This is the subject of Appeal B.
4. In the headings above I have amended the address of the site from that on the planning application form for clarity.

Main Issues

5. I consider that the main issues in these cases are:

Appeal A:

- The effect of the proposed development on the setting of the adjacent listed building, Glanrafon; and on
- Highway safety in respect of visibility at the proposed access point.

Appeal B:

- Whether the proposed works would preserve the listed building or any features of special architectural or historic interest which it possesses.

Reasons

Appeal A: Effect on listed building

6. The appeal site is the side garden of Glanrafon. It sits at the crossroads at the centre of Rhualt, a small village in a rural setting with extensive tracts of agricultural land around. The proposed development is a detached dwelling with a new vehicular access point off the lane to the side.
7. Glanrafon is a grade II listed building. Cadw's listing describes it as an eighteenth century farmhouse which, notwithstanding minor alterations, has retained its historic character. Built of stone it has three storeys, a pitched, slate roof, and an elegant, symmetrical façade. It faces the main route through the village and, set behind a small front garden bounded by a waist-high stone wall, it is an imposing and attractive presence at the heart of the village.
8. To one side of the listed dwelling is a wide gateway with substantial stone posts which bear evidence of the other gates which have preceded the existing modern structure. The entrance leads to an open area and a conglomeration of outbuildings including a low, gabled building with its long, side elevation immediately adjacent to the road. These buildings look as if they have been much repaired and altered; they may well not be contemporary with the farmhouse and are not referred to in the listing description. Nonetheless, they are of a similar scale to, and have the simple appearance and form as, many agricultural and farmstead buildings.
9. The front garden wall is described as modern in the listing description but its stonework is similar in appearance to that of the main house. In extending beyond the front garden and enclosing the side garden, it ties the appeal site, visually, to the listed house. The tall hedge behind the wall blocks views into the appeal site. There are a few gaps in this through which it is possible to see that the land is undeveloped and appears to be used as the garden for Glanrafon. It is well vegetated with tall mature trees as well as the enclosing hedge. The absence of built development on the appeal site, however, draws attention to the architectural and historic quality of the listed building and emphasises its elevated status within the former farm setting and the village.
10. In my view, the significance of Glanrafon is as a surviving example of a farmhouse and as a building of importance and prominence at the centre of Rhualt. The existing buildings adjacent to the house; other structures such as the gateposts; and the garden areas including the appeal site are in keeping with the listed farmhouse and enhance its character and historic attributes. In contributing to the surroundings in which the listed building is understood, experienced, and appreciated they are part of its setting; its setting thus makes a considerable contribution to the significance of the asset¹.
11. The proposed dwelling would have two storeys and be roughly L shaped. With four bedrooms, two of which would be en-suite; a study as well as two reception rooms; and an integral, double garage, it would be a sizeable building. The long western side elevation proposed would be close to the boundary with Glanrafon and no more than approximately 5 metres from the main

¹ TAN 24 paras 1.25 and 1.26

part of the listed dwelling itself. The existing garden wall would be retained, as would the hedge although at a reduced height of about 1.8m. The new boundary across the existing garden, and separating the proposed dwelling from Glanrafon, would be a 1.8 m high timber boarded fence.

12. Much of the proposed dwelling would therefore be clearly visible above the hedge and in views from Holywell Road, the junction, and the lane at the side. Although the proposed house would be set behind the frontage of Glanrafon, it is possible that part of the western side elevation would be glimpsed behind Glanrafon in views from slightly further west along Holyhead Road.
13. The ridge heights of Glanrafon and the proposed dwelling would be at a similar level, and their elevations fronting Holyhead Road would be of similar widths. Although the proposed dwelling would not be over-dominant, its presence alone would be sufficient to compete with the listed building and deplete its historic and functional prominence. The modest setback of its frontage from that of Glanrafon would not be enough to make the proposed dwelling appear subservient to the listed house to any but the most limited extent.
14. The proposed dwelling has been carefully designed and would have pleasing proportions and details. It would be constructed with materials and details which would be complementary to existing buildings. Nevertheless, its siting; its proximity to the listed building; the density of the development proposed on the appeal site; and its scale and mass, would combine to make the proposed dwelling noticeably visible in the surrounding area. It would be a large, modern structure on land that currently contains little or no development and is a main garden area for the listed house. As such it would be conspicuous and would detract and distract considerably from Glanrafon's prominence and position in the village. In this case, the proposed development in the setting of the listed building would make a negative contribution to the significance of that asset and would greatly reduce the ability to appreciate its significance².
15. The proposed development would not, therefore, meet the statutory requirement of preserving the listed building or its setting. The proposal would fail to protect Glanrafon and its setting from development that would adversely affect them, contrary to Policy VOE 1 of the Denbighshire Local Development Plan (LDP) which was adopted in 2013. In not respecting the site and surroundings, particularly in terms of its siting, layout, scale and form, the proposed development would also be contrary to LDP Policy RD 1.

Appeal A: Highway safety

16. The new access point proposed would be from the lane to the east of the site which is a narrow, rural highway. The highways officer has established that the speed of traffic around this is within 20 mph and has advised, therefore, that the proposed visibility splays would be adequate. At the time of my visit on a weekday morning there was little traffic using the lane; the vehicles I saw did not appear to be exceeding 20 mph in either direction and I am thus content with this assessment. The highways officer also considers that the parking and turning facilities within the site would serve the development satisfactorily. I have no reason to disagree with this position. The proposed development would not have an unacceptable effect on the local highway network as a result of congestion, danger and nuisance arising from traffic generated and, in this respect, would comply with LDP Policy RD 1.

Appeal B: Preservation of the listed building

17. Part of the boundary wall would be removed to create the access point to the proposed development. Whilst the wall adjacent to Holywell Road and behind the seating area at the junction is clearly visible, that along the lane is not. It is shrouded in extensive hedgerow vegetation to the extent that I found it impossible to see whether a wall still existed in the location of the proposed access point.
18. The garden wall has listed status by reason of being within the curtilage of Glanrafon. As the part of it blocking the proposed access point is not currently visible and is only a small part of the wall as a whole, its removal would be barely discernible. Nonetheless, it would constitute a loss

² TAN 24, paras 1.25 and 1.26

of historic fabric such that there would be a modest negative impact on the listed building. The proposed removal of part of the wall would not, therefore, preserve the listed structure as a whole. In addition, and in accordance with LDP Policy VOE 1, it would adversely affect the historic character and setting of the listed building.

19. Had Appeal A been allowed, the removal of part of the listed wall would enable access to the scheme. That would be a benefit which would justify the granting of listed building consent. Without a current need for the access point that benefit does not exist and, consequently, does not outweigh the harm, albeit modest, to the listed structure.

Other Matters

20. I am aware of the conservation officer's comments and that, subject to minor amendments, they had no objections to the scheme. As is clear from this document that is not a view I share.
21. With regard to a contribution towards the provision of open space, the open space audit refers to a deficiency in the area across several of the typologies. I have noted the comment in the audit that deficiencies in this rural nature may not be felt as strongly but do not consider that this is adequate to justify no contribution being made. In any event, LDP Policy BSC 3, supported by Policy BSC 11, expects development to contribute to the provision of infrastructure, including for recreation and open space, to meet the additional requirements arising from the development. Had I found the scheme acceptable in relation to the main issues, the absence of a contribution towards such would have been a barrier to granting permission.
22. The contribution the proposed development would make to the supply of housing in the county is a minor benefit but is insufficient to outweigh the harm caused to the listed building. That the existing garden is high maintenance and under used carries little weight. I have taken all the matters raised into consideration but not found any sufficient to outweigh the harm which would be caused by the proposed development.

Conclusion

23. For the reasons given above I conclude that Appeal A should be dismissed and Appeal B should not succeed.
24. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of making our cities, towns and villages even better places in which to live and work.

Síân Worden

Inspector