

21 2014/0360/PF

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MATISCHOK & ROSS
architectural services

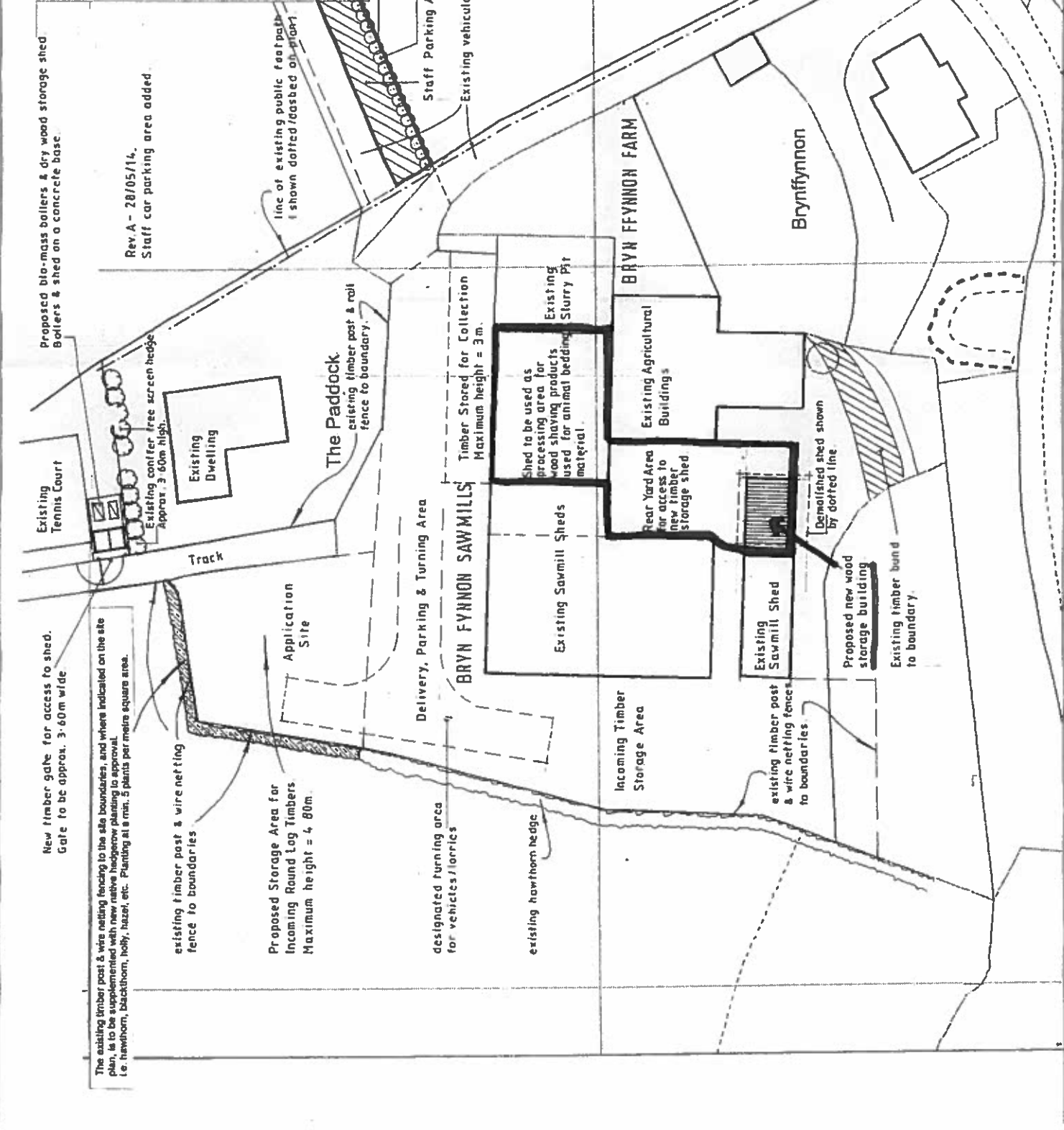
project title
Bryn Ffynnon Sawmills, Llanferres.

drawing title
Proposed Site Layout Plan.

drawing no.	3	revision	A
scale	1:500	drawn by	PM
date	20-03-14		

Blach House, Hen Lon Parcwr, Ruffin, Denbighshire, LL15 1NA
t: 01824 705 223 & 01824 707 171
e: mail@matischokross.co.uk, www.matischokross.co.uk

REVISED PLAN



RECEIVED
30 MAY 2014
CALEDFFYNN
269.2FM

FORESTRY ROAD

Oldfield

Brynffynnon

BRYN FFYNNON FARM

BRYN FFYNNON SAWMILLS

The Paddock

Existing Tennis Court

Track

Application Site

Delivery, Parking & Turning Area

Existing Sawmill Sheds

Incoming Timber Storage Area

Existing Sawmill Shed

Proposed new wood storage building

Existing Agricultural Building

Timber Stored for Collection
Maximum height = 3 m.

Shed to be used as processing area for wood shaving products used for animal bedding material.

Existing Slurry Pit

Rev.A - 28/05/14.
Staff car parking area added.

Proposed bio-mass boilers & dry wood storage shed
Boilers & shed on a concrete base.

Existing conifer free screen hedge
Approx. 3.60m high.

Existing Dwelling

line of existing public footpath shown dotted/dashed on map

existing timber post & rail fence to boundary.

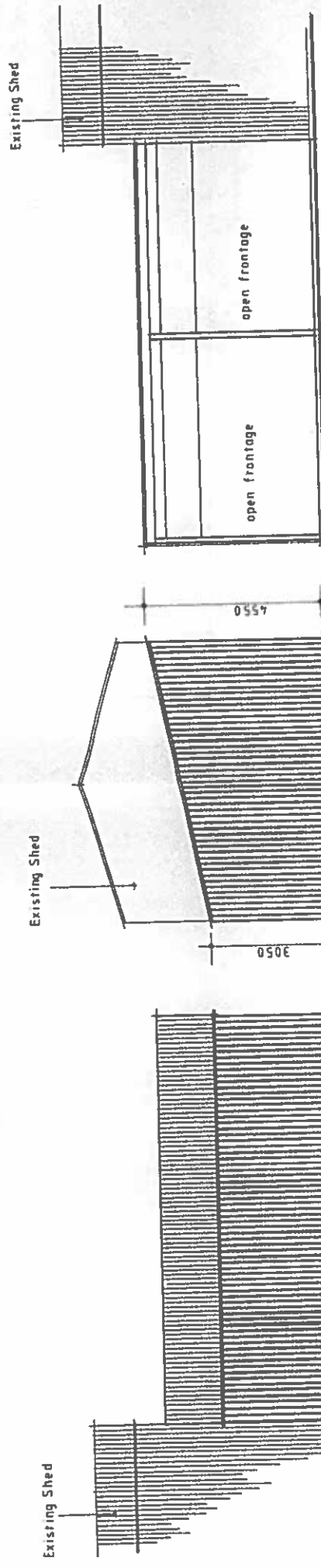
Install timber post & vertical close-boarded timber infill panel fence to boundary
Fence to be min. 1.60m high.
Fence to be supplemented to site side with extension of tree planting

Staff Parking Area

Existing vehicular access driveway



21 / 2014 / 0360 / PF



FRONT ELEVATION
1:100

SIDE ELEVATION
1:100

REAR ELEVATION
1:100

EXTERNAL MATERIALS - DRY WOOD STORAGE BUILDING
 Roof - Polyester powder coated profiled steel sheeting - Juniper Green/Slate Grey.
 Walls - Natural close-butted plan vertical timber boarding.
 Rainwater Goods - Black upvc gutters and down pipes

External Wall Construction
 External walls to be constructed from min. 20mm x 100mm plan vertical but-jointed timber boarding on a min. 25mm x 50mm s.w. treated timber battens on a min. 25mm x 50mm s.w. treated timber vertical counter battens on Tyvek Supra vapour permeable membrane on a min. 50mm x 150mm timber stud framing at max. 600mm vertical centres with horizontal nogging at max. 600mm centres, staggered every alternate stud, and with a min. 20mm x 100mm plan vertical but-jointed timber boarding internally.
 A min. 100mm mineral wool insulation to be installed between the timber stud framing.

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MATISCHOK & ROSS
 architectural services

project title
 Bryn Ffynnon Sawmills, Llanferres.

drawing title
 Dry Wood Storage Building Details.

project no.
 0468

drawing no.
 5

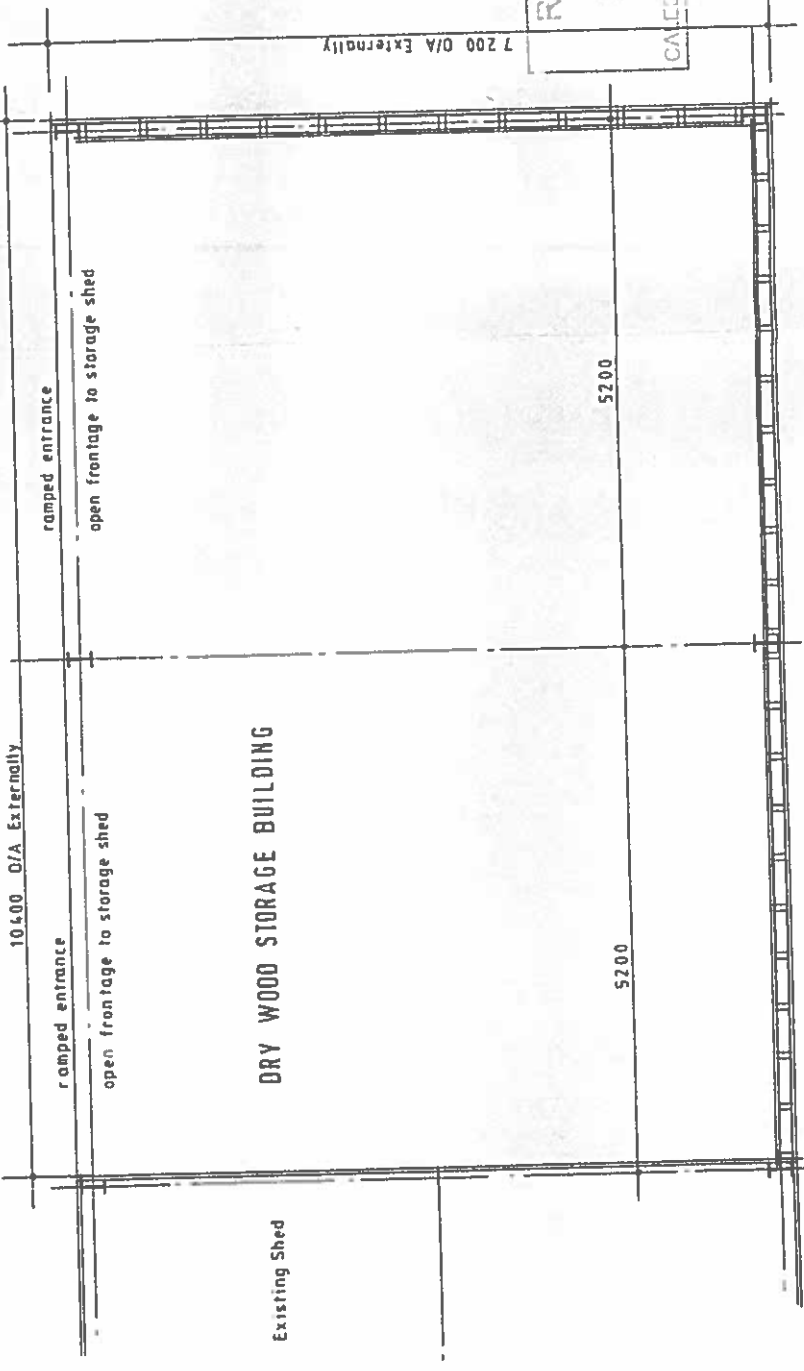
date
 20-03-14

scale
 1:100, 1:50

drawn by
 PM

Birch House, Hen Lan Parcer, Ruchin, Denbighshire, LL15 1MA
 t 01824 765 222 & 01824 707 171
 e mail@matischokross.co.uk w www.matischokross.co.uk

RECEIVED
 27 MAR 2014
 CALDWELL



ITEM NO:

WARD NO: Llanarmon Yn Ial / Llandegla

WARD MEMBER(S): Cllr Martyn Holland

APPLICATION NO: 21/2014/0360/ PF

PROPOSAL: Change of use of part of existing agricultural building and rear yard area to sawmill business use, erection of a dry wood storage building and retention of staff car parking (partly retrospective)

LOCATION: Bryn Ffynnon Sawmills Llanferres Mold

APPLICANT: Mr Gareth Davies

CONSTRAINTS: AONB

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

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

- Recommendation to grant / approve – 4 or more objections received

CONSULTATION RESPONSES:

LLANFERRES COMMUNITY COUNCIL:

"The Community Councillors had made a site visit to acquaint their selves with the location. After a full discussion, they offer no object to these proposals. It would be appreciated, however, if you would take regard of any matters raised by local residents who expressed concerns at the meeting, in respect to any further expansion in the future."

**CLWYDIAN RANGE AND DEE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY
JOINT ADVISORY COMMITTEE:**

"The JAC is concerned about the retrospective nature of the application but has no objection in principle to the development subject to the planning authority being satisfied that noise from operations on the site will not reach a level which detrimentally impacts on the tranquillity of the surrounding countryside or nearby properties. Appropriate arrangements should be put in place to monitor and control noise emissions."

NATURAL RESOURCES WALES:

No objections

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Pollution Control Officer:

No objections subject to conditions being imposed to control hours of operation and noise

RESPONSE TO PUBLICITY:

In objection

Representations received from:

S. Sweeney, Bryn Saeson Ucha, Forestry Road, Llanferres

M. & K. Wilding, Oldfield, Forestry Road, Llanferres

P & G Jelley Bryn Ffynnon Farm, Llanferres

Summary of planning based representations in objection:

Principle: The use has become too big for the site and should be moved elsewhere. It is also alleged that the proposal is a circumvention of planning policy and includes the creation of a retail business.

Residential Amenity: The increase in use will have a detrimental impact upon residential amenity by way of additional noise and disturbance.

Visual Amenity: The proposed new building, car park and additional activity will result in harm to the peaceful and rural character of the area, and wider AONB.

EXPIRY DATE OF APPLICATION:

REASONS FOR DELAY IN DECISION (where applicable):

- additional information required from applicant
- 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 Planning permission is sought for the change of use of part of an existing agricultural building and a yard area in connection with an established sawmill business use, erection of a dry wood storage building and retention of staff car parking areas.
- 1.1.2 The application involves a retrospective element in that the use of the existing building is already in operation as part of the sawmill business, and the car park area has already been constructed.

1.2 Description of site and surroundings

- 1.2.1 Bryn Fynnon Sawmills are located to the west of the hamlet Tafarn Y Gelyn, and north west of the village of Llanferres.
- 1.2.2 Access to the site is via the unclassified road from Tafarn Y Gelyn to Moel Famau.
- 1.2.3 The boilers and store are to be located on a piece of land measuring approximately 40m², and would be north of the existing dwelling and sawmill business.
- 1.2.4 To the south of the sawmill site are located 3 dwellings: Oldfield, Brynfynnon and Bryn Saeson Ucha.
- 1.2.5 The site in relation to the surrounding area can be seen in the plan attached to the front of this report.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is in open countryside, and within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.

1.4 Relevant planning history

- 1.4.1 The sawmill business has evolved and grown over the last 20 years; the original permission being granted in 1993. The original 1993 application is of key importance to this application as this sets the principle for the use at the site.

1.5 Developments/changes since the original submission

- 1.5.1

1.6 Other relevant background information

- 1.6.1

2. DETAILS OF PLANNING HISTORY:

- 2.1 31/13639 – Use of existing agricultural buildings for the processing and treatment of raw timber – GRANTED by committee 24/12/93
- 2.2 21/2007/0915/PC – Continuation of use of land and buildings in connection with sawmills business – GRANTED by committee 7/11/07
- 2.3 21/2012/0956/PC – Continuation of use of agricultural land as extension of curtilage of existing sawmill business for storage of incoming round log timbers and for additional vehicle turning purposes – GRANTED 12/09/12

3. RELEVANT POLICIES AND GUIDANCE:

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

Policy PSE4 – Re-use and adaptation of rural buildings in open countryside

Policy PSE5 – Rural economy

Policy VOE2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

Policy ASA3 – Parking standards

3.1 Government Policy / Guidance

Planning Policy Wales Edition 6 February 2014
Technical Advice Notes

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 6, February 2014 (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 and impact on AONB
- 4.1.3 Residential amenity

4.2 In relation to the main planning considerations:

4.2.1 Principle

The proposal relates to an existing sawmill use in the open countryside and includes the continued reuse of a former agricultural building for the drying of wood shavings, the erection of a replacement building for wood storage and the retention of a staff car parking area.

There is a general presumption in planning policy at national and local level to support rural business enterprises. Policy PSE 4 of the adopted Local Development Plan states that the conversion/reuse of rural buildings will be supported. Policy PSE 5 expands on this and includes criteria which refer to the requirement to assess the impacts of such proposals to ensure they are appropriate to the location. It is therefore considered that the proposal is not unacceptable in principle subject to assessment of the impacts.

4.2.2 Visual amenity and impact on AONB

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 effect of a proposal on the amenity of neighbouring properties. More specifically, Policy VOE 2 requires assessment of the impact of development within or affecting the AONB and AOB, and indicates that this should be resisted where it would cause unacceptable harm to the character and appearance of the landscape and the reasons for designation. This is repeated in Policy PSE 5.

The proposed new building would be located amongst the range of existing buildings and would replace a building that was demolished in 2013. It would measure 7.2m by 10.4m, 3m to the eaves and 4.5m to the front ridge line. It would fill a gap between an existing sawmill building and a remaining 'agricultural' building along the southern boundary of the site. Behind the proposed shed is an existing 'wooden bund' that has been put there to act as an acoustic barrier. The staff car parking area is located adjacent to the recently constructed access track, and is constructed of compacted crushed hardcore. It measures 29m by 10 m and accommodates approximately 8 staff cars. Additional planting and a fence is proposed along the southern boundary with the rear garden of the dwelling Oldfield. The change of use element of the proposal does not include any alterations to the appearance of the building. Concerns have been raised locally that the car park element represents an unacceptable visual encroachment into the open countryside. The Community Council and AONB committee have not raised any objections in relation to the visual and landscape impact of the development.

The design of the proposed new building is similar in form and height to the surrounding buildings. It would be constructed of similar materials to the existing buildings. In Officers' opinion, with additional woodland to the south, and within the context of the site, it is not considered that the proposed building would be overly prominent or result in injury to the character of the AONB. With respect to comments of the objectors, it is also considered that the staff car parking area does not unacceptably affect the character of the area given that it is located between a garden boundary and an existing access track. The proposed additional planting will help to further integrate the car parking area into the landscape, but it is considered that further details of this should be requested through a suitably worded planning condition. Overall, it is not considered that the proposals would not have an unacceptable impact on the visual amenity of the area, or the character of the AONB.

4.2.3 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 effect of a proposal on the amenity of neighbouring properties.

The proposed storage building would be located 45 metres from the dwelling Brynffynnon. It would be used for the storage of dry timber and would be loaded using a fork lift truck. Access to the building is via an open yard. The shed which is being used to dry timber products (wood shavings for animal bedding) is located north of this yard. Within that building are 4 large fan units which are used to blow air through

the wood shavings to dry them. The staff car parking area is located to the north west of this part of the site, and is some 37 metres from the nearest dwelling, Oldfield. It can accommodate approximately 8 cars and is used, according to the applicant, only by staff. Concern has been raised that the new building would result in additional mechanical activity close to the boundary with a residential property, that the drying process generates additional noise, and that the car park results disturbance and an intrusion of privacy. The Councils Public Protection Pollution Control Officer has raised no objections to the proposals provided conditions controlling noise and hours of operation are imposed.

With regard to the proposed storage shed and the use of the existing shed for wood shaving drying, noise and additional activity are the main potential impacts upon residential amenity. The site has been operating since 1993 with a planning condition limiting noise levels to 45dba at any noise sensitive premises. Officers understand, from on site monitoring, that at present the site is operating within this tolerance. It is to be noted that the 'wood shaving drying' process is already operating at the site, and the most recent noise monitoring was undertaken with this process ongoing. Practically, it is considered that the proposed new shed would act as an additional acoustic barrier, which should further reduce the noise levels experienced at noise sensitive premises. It is therefore suggested that in terms of noise, the proposal is not unacceptable, subject to the imposition of a planning condition that continues to limit the noise levels at noise sensitive premises to 45dba.

In terms of additional activity it is noted that the 1993 planning permission limits operations at the site to between the hours 0800 - 1700 hrs Monday to Friday, and 0800 – 1300hrs Saturdays. It is considered that this restriction has proved reasonable, for both neighbouring properties and the business, and therefore it is suggested that a similar condition be applied to the new building and uses. This should be applied to the car parking area too as this is approximately 35 metres from the rear elevation of Oldfield, and is separated from Oldfield's garden area by mature planting. Whilst there is some potential impact upon privacy and disturbance from workers arriving, it is considered the suggested close boarding fencing, additional planting and the proposed condition that limits the hours the car park can be used restricting its use by employees only, would mitigate these impacts. Overall, whilst respecting the concerns of the neighbours, it is considered that the impacts of the proposal on residential amenity are not unacceptable.

4.3 Other matters

It is considered that question of whether the use has now outgrown the site or, has to be addressed through assessment of the impacts of the site upon the surrounding area, as detailed above. If the assessment had shown that the impacts were having an unacceptable impact upon the amenity of the area, and that those impacts could not be mitigated, then the conclusion would be that the use had outgrown the site. However, as the preceding paragraphs suggest, the impacts of the use, with mitigation, are not considered to be unacceptable. Therefore it is considered difficult to construct an argument that the use has outgrown the site.

Other concerns raised relate to the alleged establishment of a secondary business at the site. On the basis of the evidence submitted, it is officers opinion that this secondary retail business is incidental to the main sawmill business. At the current scale it is not considered that planning permission is required for this use, although it is considered prudent to recommend the situation be monitored.

5. SUMMARY AND CONCLUSIONS:

5.1 With respect to the comments of the objectors, it is considered that the impacts of the proposal would not be unacceptable, subject to conditions.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The materials and finishes of the external surfaces of the walls and roof of the building hereby permitted shall be of the same texture, type and colour as those on external walls and the roof of the existing building.
3. Maximum noise levels, arising from the operation of the business, when measured at any position on the site boundary, shall not be permitted to exceed 47 dB LAeq(1hr) freefield shall be adhered to at all times. This equates to 45 dB LAeq (1hr) freefield at the nearest noise sensitive premises during site working hours as set out in conditions 4 and 6 of this permission.
4. The hours of operation of the business (including the movement of vehicles within the site and the loading/unloading of storage buildings) shall be limited to between 08:00 - 17:00 hrs Monday - Friday and 08:00 - 13:00 on Saturdays. There shall be no working on Sundays or Public Holidays.
5. No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the buildings or storage areas that have been approved in writing by the Local Planning Authority for this purpose.
6. The car park area shall only be used by members of staff of the business and shall be restricted to between the hours 07:30 and 17:30 Monday to Friday and 07:30 - 13:30 on Saturdays. The car park shall not be used at any time outside of these hours/days
7. Within one month of the date of this permission full details of the boundary fencing and planting (including precise location, and species of plants) adjacent to the car park shall be submitted to and approved in writing by the Local Planning Authority and those details as approved shall be implemented in full in the autumn 2014 planting season, and any plants that die in the first 5 years following shall be replaced with the same species.
8. The storage building hereby approved shall only be used for the storage of wood/shavings used in connection with the business and not for any industrial process.

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. In the interests of visual amenity.
3. In the interest of residential amenity
4. In the interest of residential amenity.
5. In the interests of visual amenity.
6. In the interest of residential amenity.
7. In the interest of visual and residential amenity.
8. In the interest of residential amenity.

NOTES TO APPLICANT:

None