

Heading:

REFERENCE NO. 15/2014/0888/PF

LAND ADJ CANOL Y CAE

VILLAGE ROAD, ERYRYS

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
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Denbigh  
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 Application Site

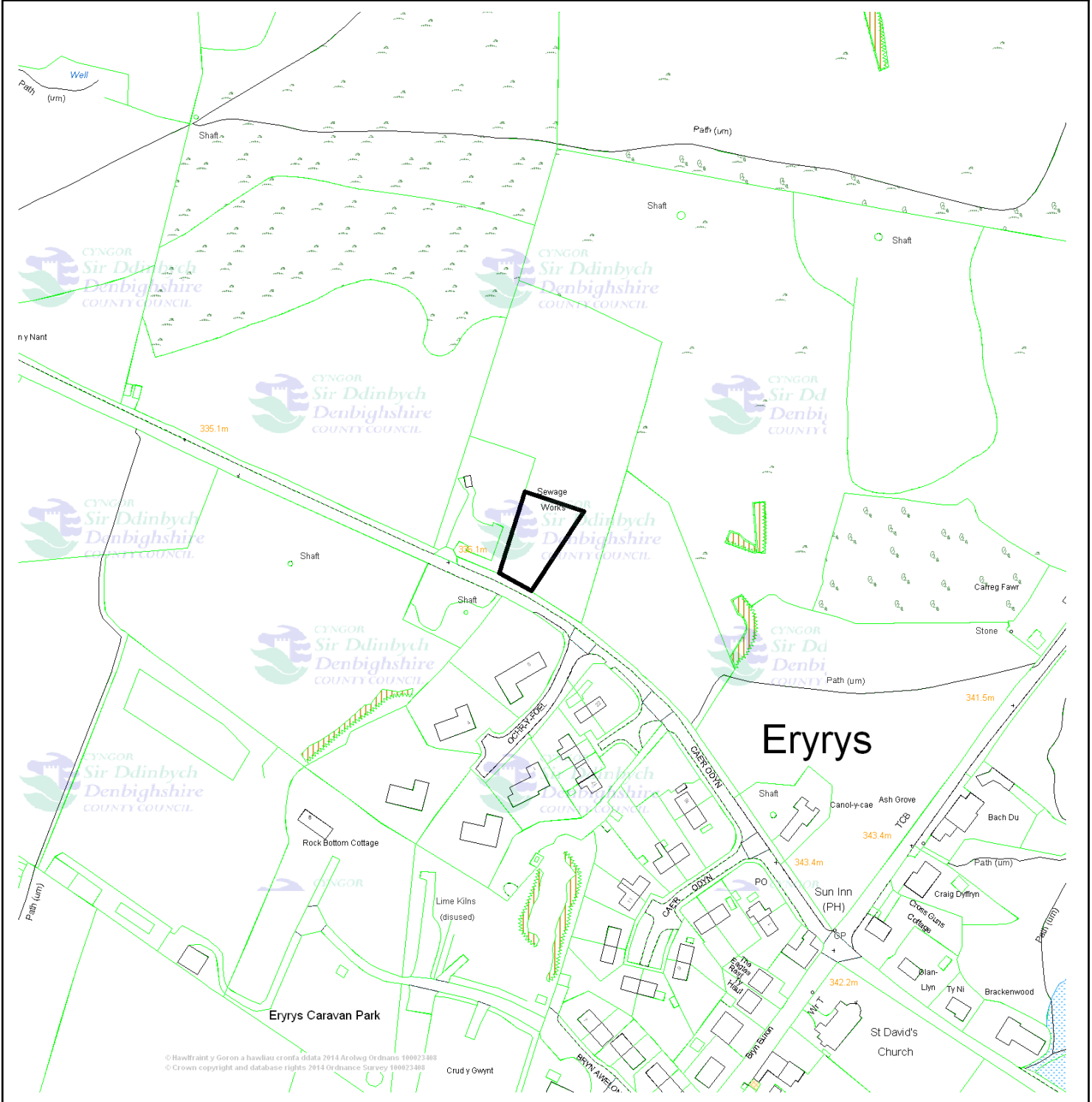


Date 26/9/2014

Scale 1/2500

Centre = 320264 E 358053 N

This plan is intended solely to give an indication of the LOCATION of the application site which forms the subject of the accompanying report. It does not form any part of the application documents, and should not be taken as representative of the proposals to be considered, which are available for inspection prior to the meeting.



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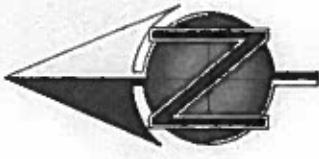
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# SITE PLAN

SCANNER



## Site Plan 1:500

	Project	Proposed Agricultural Shed to Store Feederlay, Machinery & Shelter for Stock	Client	Meat F Farm
	Drawing No.	Proposed Planning Drawings	Drawing No.	15/045/04/149/01
	Location	Canol Y Cae Village Road Enrys CH7 4BT	Date	1 JUL 2014
			Drawn	Chlan Jones
			Checked	
			Scale	A3
			MARS TYDOTT LLANFANGEL OLA CORNWEN LL31 9JF TEL: 01499 430 234 MOBILE: 07733348977 E-MAIL: info@tytdott.co.uk	

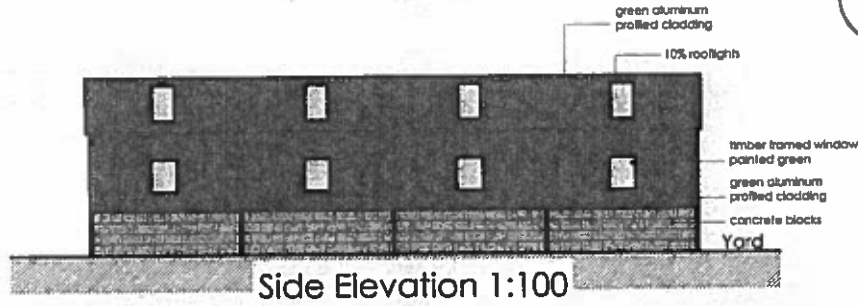
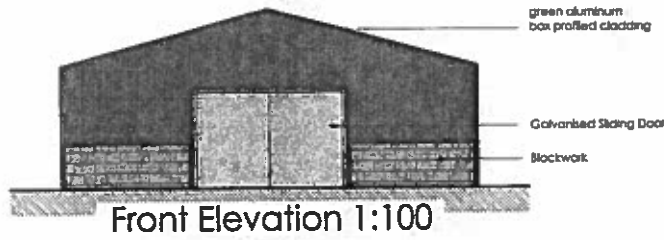
### Canol-Y-Cae





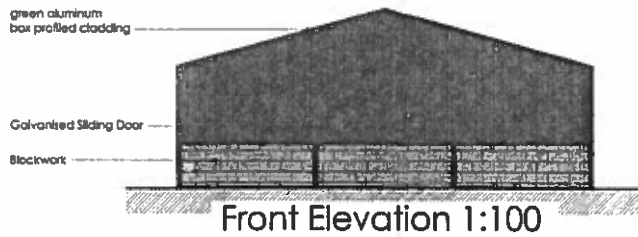
# ELEVATIONS

SCANNED



Project Proposed Agricultural Shed to Store Feed/Hay, Machinery & Trailer for Slacks		Client Miss F Parry	
Drawing No. Proposed Planning Drawings		Drawing No. 15/043/06/14/P/D4	
	Location Cand Y Coe Village Road Gwyn CH7 4BT	Scale 1:100	Sheet A3
	Date July 2014 Author Clash Jones Checker 	Date July 2014 Rev no. Status 	
MADE TYDOTH LLANFANGEL, G.B. CORWEN LL21 9UP TEL: 01499 428 284 MOBILE: 07733 59997		E-MAIL: <a href="mailto:enq37@planning.gov.uk">enq37@planning.gov.uk</a>	

SCANNED



Project Proposed Agricultural Shed to Store Feed/Hay, Machinery & Trailer for Slacks		Client Miss F Parry	
Drawing No. Proposed Planning Drawings		Drawing No. 15/043/06/14/P/D3	
	Location Cand Y Coe Village Road Gwyn CH7 4BT	Scale 1:100	Sheet A3
	Date July 2014 Author Clash Jones Checker 	Date July 2014 Rev no. Status 	
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24 JAN 1951

**ITEM NO:**

**WARD:** Llanarmon Yn Ial / Llandegla

**WARD MEMBER(S):** Cllr Martyn Holland

**APPLICATION NO:** 15/2014/0888/ PF

**PROPOSAL:** Erection of agricultural building for storage and stock shelter

**LOCATION:** Land adjoining Canol Y Cae Village Road Eryrys Mold

**APPLICANT:** Miss F. Parry

**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 – Town / Community Council objection

**CONSULTATION RESPONSES:**

**LLANARMON YN IAL COMMUNITY COUNCIL:**

“The council feel that this agricultural building is far too large for the size of land owned. It was thought there was no need for it to be this big. Also it was felt it was really too big to be so close to the centre of the village. Ruining the character of the village scene. Not supported.”

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

“Providing the planning authority is satisfied that this small agricultural holding can justify a building of this size to meet the farming need, the JAC has no objection in principle to the proposed development. The siting next to the existing sewage works and the use of green box profile cladding for the walls and roof is supported, but the precise colour should be specified to ensure that the building blends into its rural surroundings. The JAC would also recommend that the doors should be green to match the wall/roof cladding in place of galvanised steel. In addition, the committee would emphasise the need to retain the existing hedges/hedgerow trees to the south and east of the building which help screen the site, and would recommend that these hedges should be gapped up and incorporate new tree planting of appropriate native local species to help further screen the proposed building.”

**NATURAL RESOURCES WALES:**

No objections subject to consultation with Council’s Biodiversity Officer

**DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –**

Head of Highways and Infrastructure:

- Highways Officer: No objections

Biodiversity Officer:

- No objections, subject to protection of hedges and trees on the boundary

**RESPONSE TO PUBLICITY:**

None received

**EXPIRY DATE OF APPLICATION:**

**REASONS FOR DELAY IN DECISION (where applicable):**

- awaiting consideration by Committee

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 Permission is sought for the erection of an agricultural building for storage and stock. It would measure 18 metres by 12 metres, with a ridge height of 5 metres. It is proposed to construct it of metal sheeting and concrete blocks.
- 1.1.2 Permission is also sought for an area of hard standing surrounding the proposed building.
- 1.1.3 The building would be used for storage of implements and fodder for animals and would be used for occasional shelter for livestock.

1.2 Description of site and surroundings

- 1.2.1 The site is outside of the development boundary of Eryrys, and adjacent to a sewerage treatment plant. The site is screened by mature planting and hedging along the boundaries, although in places this planting is sparse.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is in open countryside and within the AONB.

1.4 Relevant planning history

- 1.4.1 None

1.5 Developments/changes since the original submission

- 1.5.1 Following receipt of the Community Councils comments, the applicants have submitted further justification for the size of the building, and their intentions to increase their stock numbers.
- 1.5.2 The applicants justification has been based on DEFRA guidelines:  
**"Housing:** During winter months, or extreme weather conditions, certain breeds of sheep may be housed in barns with open fronted pens or in-by fields provided there is good natural shelter such as hedges. The sheep maybe housed for approximately three to four months depending on weather conditions and the state of grassland and soil. Bedding should be of deep-bedded straw or of alternative bedding materials such as wood shavings. For stocking density and access to water and feed spaces, please use the Defra code of practice:-



Type of sheep	Straw-bedded floor (sq.m)
Lowland ewes during pregnancy (60-90kg per head)	1.2-1.4
Lowland ewes with lambs up to six weeks of age	2.0-2.2
Hill ewes (45-65kg per head)	1.0-1.2
Hill ewes with lambs up to six weeks of age	1.8-2.0
Lambs up to 12 weeks of age	0.5-0.6
Lambs up to 12 months of age	0.75-0.9
Rams	1.5-2.0

**Grassland:** When grassland is capable of supporting livestock the sheep will be turned out to pasture. Typical stocking densities on productive grass can be approximately *six to 10 sheep per acre* However, the stocking density will vary according to climate, topography and grass quality (both farm specific and seasonal variations). Grassland management should include rotational grazing alongside faecal egg counting and appropriate worming regimes to avoid parasitic burden and risk of wormer resistance. Strip grazing may be employed on larger fields and where fodder crops are grown.

The applicants wish to increase the stock numbers over the next few years but without shelter/storage this wont be possible. Taking the above information from the Defra guidelines in to account the applicants can have 96 to 150 sheep on their 16 acres. If they were to house 96 of them over the winter months with lambs they would need at least 172.8m<sup>2</sup>. The shed applied for is 223m<sup>2</sup>. This would leave only 50m<sup>2</sup> to house all feed, hay, tractor and implements too.”

- 1.5.3 It is indicated that the applicants currently have 30 sheep and 4 horses and own 16 acres of land.

1.6 Other relevant background information

- 1.6.1 None

**2. DETAILS OF PLANNING HISTORY:**

- 2.1 None

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)

Policy VOE 2 – Area of Outstanding Natural Beauty and Area of Outstanding Beauty

Policy VOE 5 – Conservation of Natural Resources

3.2 Supplementary Planning Guidance

SPG 18 – Nature Conservation and Species Protection

3.3 Government Policy / Guidance

Planning Policy Wales Edition 7 2014

Technical Advice Notes TAN 6 – Planning for Sustainable Rural Communities

TAN 12 – Design

**4. MAIN PLANNING CONSIDERATIONS:**

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 7, 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/AONB
- 4.1.3 Residential amenity
- 4.1.4 Biodiversity

4.2 In relation to the main planning considerations:

4.2.1 Principle

Given the nature of the proposal for an agricultural building outside of the development boundary, the main issue is considered to be whether there is sufficient justification for the size of the building and whether the siting and visual impact are appropriate or if the building should be set within the existing collection of farm buildings.

Taking the information from the Defra guidelines in to account the applicants can have between 96 to 150 sheep on their 16 acres. If they were to house 96 of them over the winter months with lambs they would need a building at least 172.8m<sup>2</sup>. The shed applied for is 223m<sup>2</sup>. This would leave only 50m<sup>2</sup> to house all feed, hay, tractor and implements too.

On the basis of this, plus the existing stock numbers, and case put forward by the applicants, it is considered that there is reasonable justification and need for a building of the size proposed.

Welsh Government guidance on open country side development is contained in paragraph 4.7.8 of PPW 7, which states *“Development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design.”*

Paragraph 7.6.5 of PPW 7, which states *“Local planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices or are necessary to achieve compliance with new environmental, hygiene or welfare legislation. In addition they should adopt a positive approach to the conversion of rural buildings for business re-use.”*

Paragraph A14 of TAN 6 provides advice to local planning authorities when dealing with Prior Approval submissions for agricultural buildings. However, the guidance on siting and design set out in Paragraph 14 is also considered useful and relevant for the subject application as it states that *“The siting of a new agricultural or forestry building, road, excavation or waste deposit, or fish tank can have a considerable*

*impact on the surrounding landscape. Developments should be assimilated into the landscape without compromising the functions they are intended to serve. New buildings should normally form part of a group rather than stand in isolation, and relate to existing buildings in size and colour. However, new buildings of modern design may sometimes best be separated from a group of traditional buildings to avoid visual conflict. Sites on skylines should be avoided. To reduce visual impact, buildings should be blended into the landscape or, on sloping sites, set into the slope if that can be achieved without disproportionate cost."*

With regard to the above national guidance it is considered that the proposal is acceptable in principle subject to an assessment of the localised impacts.

#### 4.2.2 Visual amenity and 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. In addition, Policy VOE 2 requires assessment of the impact of development within or affecting the AONB, 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

The site is located in the open countryside and within the AONB. Immediately to the west is located the Eryrys sewerage treatment plant which has a brick building and ground tanks within the site. To the south are dwellings of mixed designs. The site has a dense hedgerow to the front which includes several mature trees and this is continued along the eastern boundary. The Community Council have objected to the proposal on the basis that building is in the open countryside and would in its opinion have a detrimental impact upon the character of the village. The AONB Committee has not raised an objection and support the proposal provided the boundary planting is strengthened and the colours of the proposed building are controlled.

The proposed building would be located close to existing development (the sewerage plant) and opposite residential dwellings. Whilst acknowledging the proposed building is in the open countryside in planning terms, it is considered that in visual terms the building is unlikely to appear as an isolated structure in the open countryside given other developments nearby. The site benefits from screening which can be also be improved. Neither is it considered that the proposed building would appear overly prominent given the land rises to the rear of the site. With respect to the comments of the Community Council, it is felt the scheme is acceptable in terms of visual impact and therefore complies with the relevant planning policies and guidance, subject to further agreement of the precise materials to be used.

#### 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.

The nearest dwelling is 5 Ochr y Foel, approximately 35 metres from the proposed building. The proposed building would be for storage and some livestock when necessary. The field is already in use for the keeping of animals – sheep and horses.

It is considered that with this separation distance and the existing nature of the site, it is unlikely that the proposal would have a significant impact upon the residential amenity of the occupants of this property. There is unlikely to be an increase in the intensity of use of the field and building as this is governed by the size of the field.

#### 4.2.4 Biodiversity

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests. This reflects policy and guidance in Planning Policy Wales (Section 5.2), current legislation and SPG 18 – Nature Conservation and Species Protection, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

The application site is located approximately 40 metres from the Bryn Alyn Site of Special Scientific Interest (SSSI). Natural Resources for Wales have not raised an objection to the proposal. The County Council Biodiversity Officer has advised that the proposal is unlikely to have an adverse impact upon the SSSI, or protected species.

Given the nature of the nature of the proposal and the comments of both NRW and the County Council Biodiversity officer, it is considered that the proposal complies with the requirements of Policy VOE 5 and would not be likely to result in harm to the biodiversity of the area.

## **5. SUMMARY AND CONCLUSIONS:**

5.1 It is considered that the proposals impacts would not be unacceptable, and it is therefore recommended that permission be granted.

**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. **PRE-COMMENCEMENT CONDITION**  
Prior to the commencement of the development, the written approval of the Local Planning Authority shall be obtained in respect of the walls and roof materials to be used for the development hereby permitted and no materials other than those approved shall be used.
3. Should the use of the building for agriculture cease the structure shall be removed from the land within 6 months of the date of the cessation of the use and the land shall be restored to grassland no later than 3 months from the date of removal of the building unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to the commencement of development, a scheme of planting for the southern and eastern boundaries of the site shall be submitted and approved in writing by the Local Planning Authority, and that scheme shall be implemented in the first planting season following the commencement of development.
5. No trees or hedges within the application site shall be felled, lopped or topped without the prior written consent of the Local Planning Authority. Those removed without consent or which die or are severely damaged or become seriously diseased within five years of the completion of the development shall be replaced with trees or hedgerow plants of such size and species to be agreed in writing by the Local Planning Authority.

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 landscape and visual amenity.
4. In the interest of visual amenity.
5. To safeguard the existing trees and hedges on the site, in the interests of the visual amenities of the locality.

**NOTES TO APPLICANT:**

None