

Heading:

REFERENCE NO. 08/2014/1110/PF  
LAND ADJ TO GWERCLAS  
CORWEN

Graham Boase  
Head of Planning & Public Protection  
Denbighshire County Council  
Caledfryn  
Smithfield Road  
Denbigh  
Denbighshire LL16 3RJ

Tel: 01824 706800 Fax: 01824 706709

 Application Site

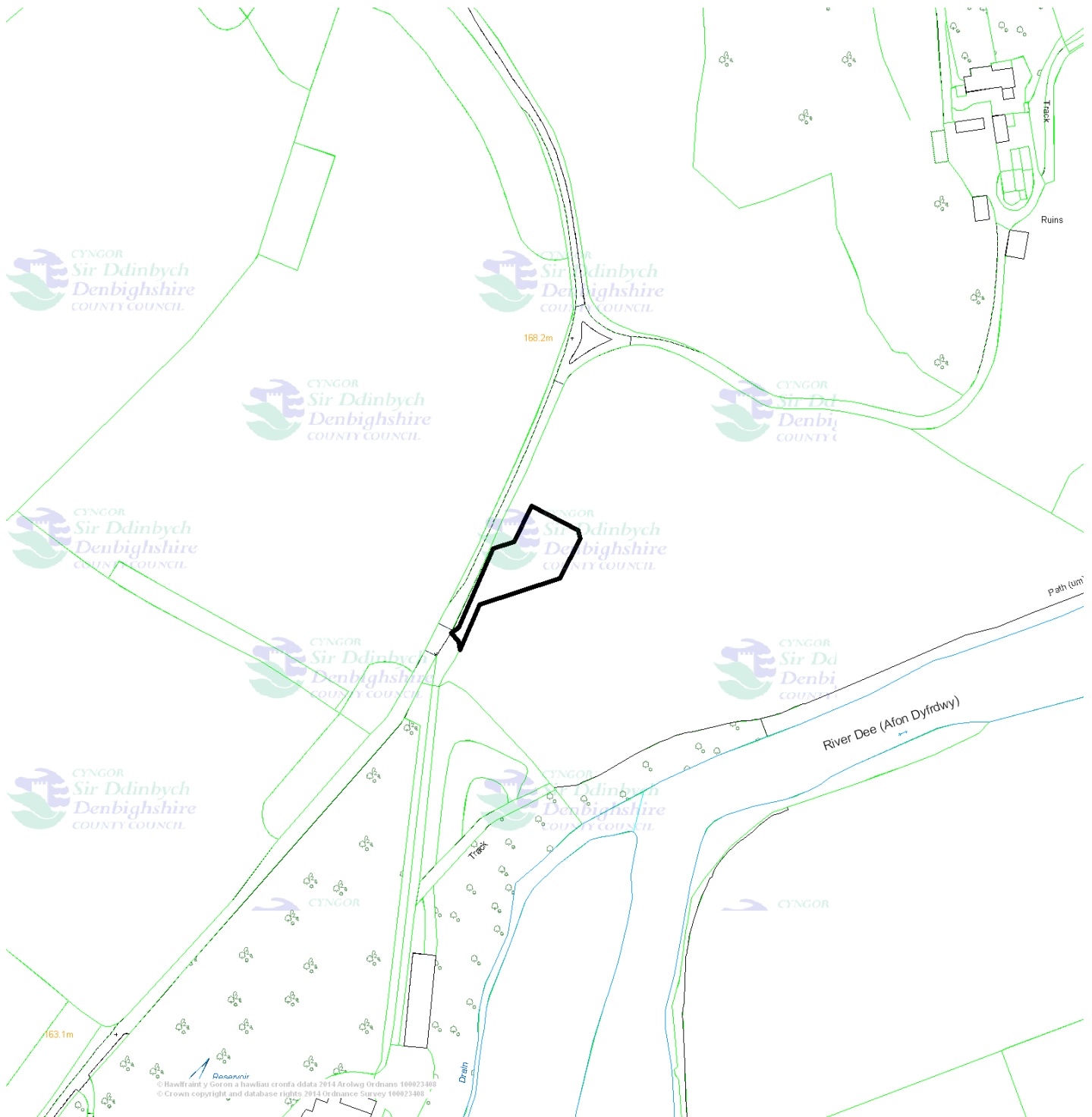


Date 28/5/2015

Scale 1/2500

Centre = 305452 E 342454 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.

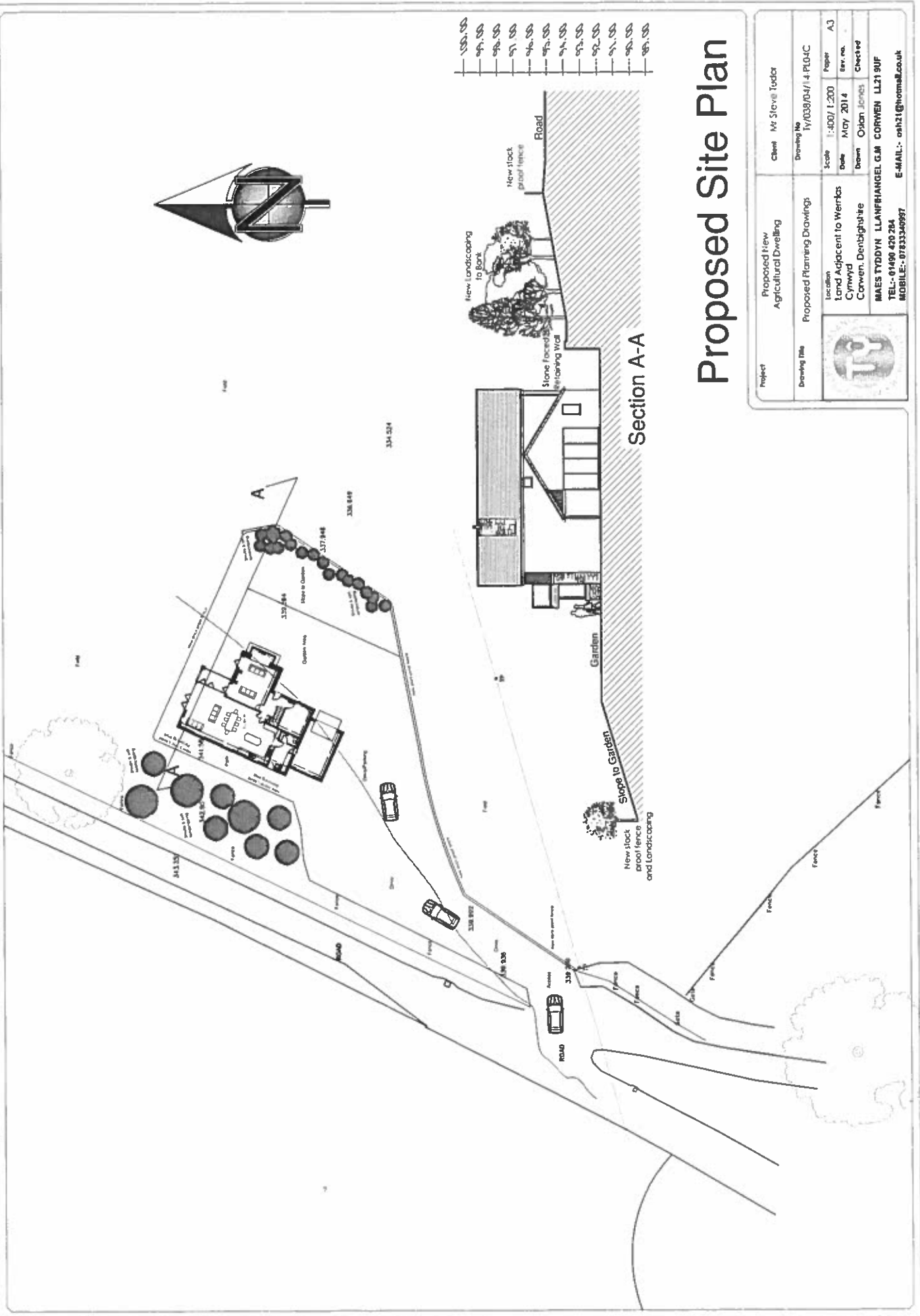


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# SITE PLAN



## Proposed Site Plan

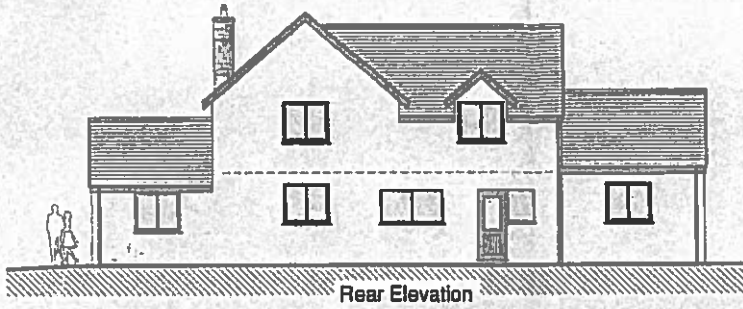
Project	Proposed New Agricultural Dwelling	Client	Mr Steve Tudor
Drawing Title	Proposed Planning Drawings	Drawing No	1y/038/04/14 PLO4C
	Location	Scale	1:400/1:200
	Land Adjacent to Wernlas Cymwyd	Date	May 2014
	Corwen, Denbighshire	Drawn	Orian Jones
	Checked		
	MAES TYDDYN LLANFANGEL G.M. CORWEN LL21 9UF	TEL:- 01490 420 284	E-MAIL:- osh21@hotmail.co.uk
	MOBILE:- 07833340997		



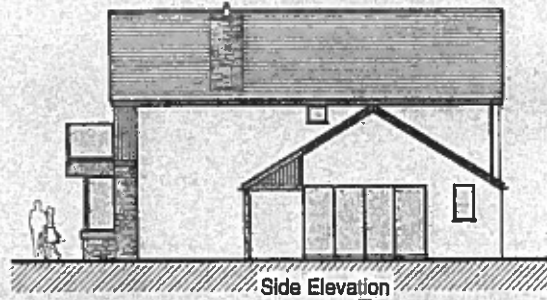
# PROPOSED ELEVATIONS

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29 SEP 2014



Rear Elevation



Side Elevation

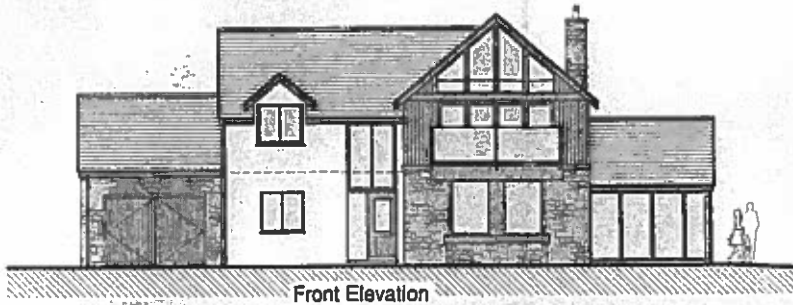
**EXTERNAL FINISHES:**

**WALLS** - PART STONE & TRIMER CLADDING TO GABLE GARAGE AND CHIMNEY, ALL OTHER WALLS TO BE SMOOTH RENDER PAINTED CREAM/OFF-WHITE.  
**WINDOWS** - WHITE/GREY UPVC  
**FRONT DOOR** - WHITE/GREY UPVC  
**FASCIAE** - WHITE/GREY UPVC. AGREED WITH THE PLANNING DEPARTMENT.  
**MAIN ROOF** - NATURAL SLATE

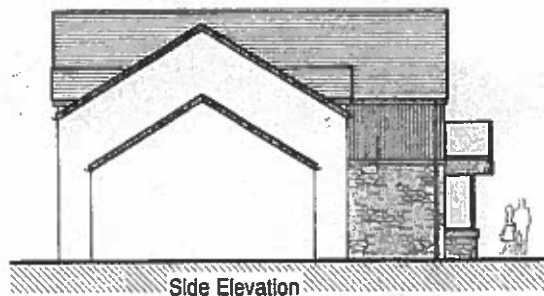
Project: Proposed New Agricultural Dwelling		Client: Mr Steve Tudor	
Drawing Title: Proposed Planning Drawings		Building No: Ty/038/04/14-PL03	
	Location: Land Adjacent to Werrilas Cynwyl Convent, Denbighshire	Scale: 1:100	Page: A3
	Drawn: Orlan Jones	Date: May 2014	App No:
	Checked: Orlan Jones	Drawn: Orlan Jones	Checked:
	MAES TYDYRH LLANFANGEL GLN CORWEN LL27 9UP TEL: 01498 439384 MOBILE: 07811149697	E-MAIL: oeh31@btinternet.co.uk	

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Front Elevation



Side Elevation

**EXTERNAL FINISHES:**

**WALLS** - PART STONE & TIMBER CLADDING TO GABLE GARAGE AND CHIMNEY, ALL OTHER WALLS TO BE SMOOTH RENDER PAINTED CREAM/OFF-WHITE.  
**WINDOWS** - WHITE/GREY UPVC  
**FRONT DOOR** - WHITE/GREY UPVC  
**FASCIAE** - WHITE/GREY UPVC. AGREED WITH THE PLANNING DEPARTMENT.  
**MAIN ROOF** - NATURAL SLATE

Project: Proposed New Agricultural Dwelling		Client: Mr Steve Tudor	
Drawing Title: Proposed Planning Drawings		Building No: Ty/038/04/14-PL02	
	Location: Land Adjacent to Werrilas Cynwyl Convent, Denbighshire	Scale: 1:100	Page: A3
	Drawn: Orlan Jones	Date: May 2014	App No:
	Checked: Orlan Jones	Drawn: Orlan Jones	Checked:
	MAES TYDYRH LLANFANGEL GLN CORWEN LL27 9UP TEL: 01498 439384 MOBILE: 07811149697	E-MAIL: oeh31@btinternet.co.uk	



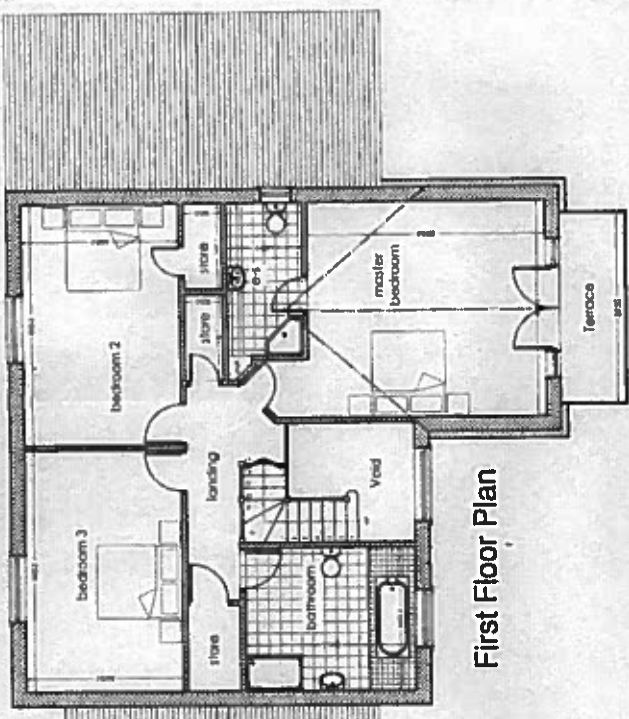
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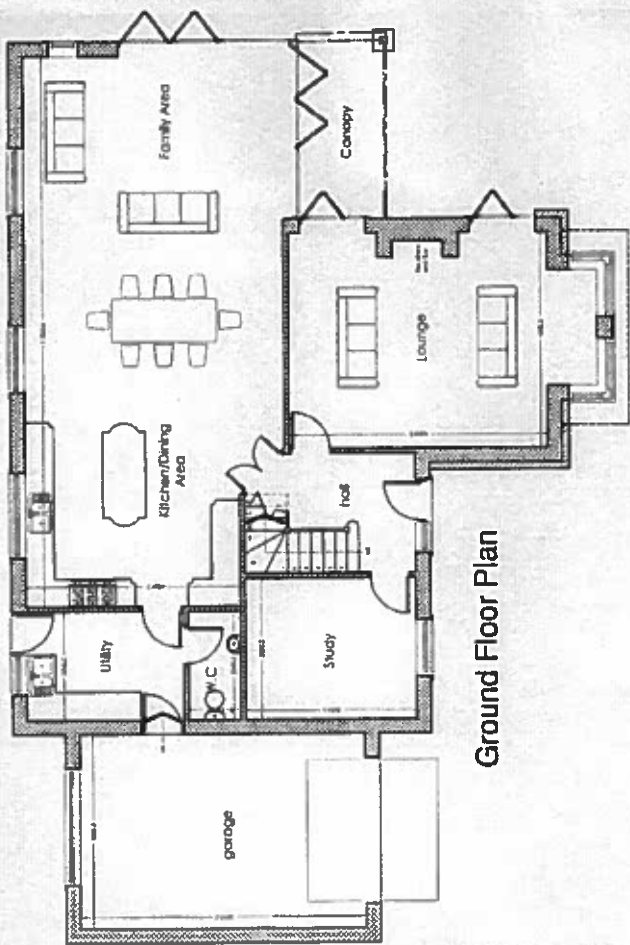
29 SEP 2014

PROPOSED FLOOR PLAN


200msq



First Floor Plan



Ground Floor Plan

Project	Proposed New Agricultural Dwelling	Client	Mr Steve Tudor
Drawing Title	Proposed Planning Drawings	Drawing No	TY000004/14-PD1
		Scale	1:100
Location Land Adjacent to Wernick Cymwyd Carwen, Denbighshire		Date	May 2014
SALES TYDDYD LLANFANGEL G.M. CORWEN LL21 8UF TEL:- 01499 428 254 MOBILE:- 07555555987		Drawn	Colin Jones
		Checked	Colin Jones
		Page	A3





**WARD :** Llandrillo

**WARD MEMBER(S):** Cllr Cefyn Williams (c)

**APPLICATION NO:** 08/2014/1110/ PF

**PROPOSAL:** Erection of dwelling creation of new access & parking area, installation of treatment plant & soakaway & associated works

**LOCATION:** Land adj. Gwerclas Corwen

**APPLICANT:** Mr Stephen Tudor

**CONSTRAINTS:** None

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

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

**CONSULTATION RESPONSES:**

LLANDRILLO CC – no comments received

NATURAL RESOURCES WALES – no objections, subject to conditions to protect otters/bats etc.

DWR CYMRU / WELSH WATER – no objections.

AONB PARTNERSHIP – “Although outside the AONB the application site comprises an open field on a prominent hillside clearly visible from the AONB to the east. Providing the planning authority is satisfied of the need for a new agricultural workers dwelling to meet the needs of the holding the IJAC has no objection in principle to a sensitively sited and designed new dwelling. However, the site in question appears unrelated to the existing farm complex and is prominently sited in open countryside. In addition, the scale and design of the dwelling will accentuate its prominence. The IJAC do not support development of this site and would prefer alternative options such as conversion of a suitable existing building on the farm or failing this a site for a new dwelling which is better related to the existing farm complex.”

READING AGRICULTURAL CONSULTANTS – In relation to the relevant TAN 6 tests, conclude that the proposal is acceptable, although the site for the proposed dwelling would generally be considered too distant from the site of need during lambing and calving. However, if there are no alternatives, then the siting would be considered acceptable.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –  
Head of Highways and Infrastructure  
- Highways Officer: no objections

**RESPONSE TO PUBLICITY:**

In objection

Representations received from:

Bruce & Susan Wallace, Gwerglas, Cynwyd  
Jenny Lees, Hafod y Calch, Corwen,

Summary of planning based representations in objection:

- proposed dwelling is too far from the farm complex
- the proposed dwelling would be too prominent within the landscape
- design not appropriate for location
- over sized for agricultural workers dwelling
- detrimental impact on setting of listed buildings in the area

**EXPIRY DATE OF APPLICATION: 23/11/14**

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

- protracted negotiations relating to siting

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The application proposes the erection of a rural enterprise dwelling, creation of new access & parking area, installation of treatment plant & soakaway & associated works on land at Gwerclas, Cynwyd.
- 1.1.2 The proposed dwelling would feature 3 bedrooms, a kitchen dining area, lounge and study. It would be two story and orientated so as to face south, overlooking the Dee Valley. The rear elevation would face the minor road to the west of the site.
- 1.1.3

1.2 Description of site and surroundings

- 1.2.1 The site is located approximately 1.3km south of the A5, 1.2km north of Cynwyd and 2.2km south west of Corwen. It is approximately 150 metres north of the existing farm complex at Gwerclas.
- 1.2.2 South of the site is a large wooded area. Open fields are to the north, west and east. The river Dee flows to the east.
- 1.2.3 The land proposed for development is triangular in shape and slopes down from north to south. The site falls approximately 2 metres across its width. approximately 150 metres from the existing farm complex.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is in open countryside.
- 1.3.2 The River Dee and Bala Lake Special Area of Conservation (SAC) runs approximately 85 metres to the east of the site, as does the River Dee Site of Special Scientific Interest (SSSI).
- 1.3.3 The boundary of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty is located approximately 780 metres to the east of the site, across the Dee Valley.

1.4 Relevant planning history

- 1.4.1 In 2014 an application was submitted for a rural enterprise dwelling to support the farm. The site was to the south of Gwerclas Hall and adjacent to a principle access to Gwerclas Hall (a grade II\* listed building). Owing to the impact upon the essential setting of the listed building the applicants agreed to withdraw the application and look for an alternative site. The site now being considered is the result of that search.

1.5 Developments/changes since the original submission

- 1.5.1 The application has been subject to much discussion in relation to the siting of the dwelling. Much of this has focussed on the distance from the working farm yard, and the impact upon the character of the countryside.
- 1.5.2 Objectors have suggested that the dwelling be sited lower down the slope, nearer the farm yard. This has been considered by the applicants and the majority land owner (Rhug Estate) and dismissed.

1.5.3 A summary of the applicants case is that the suggestion for the dwelling being part of the operational yard, and to locate the dwelling near the yard would prejudice any possible future use as an affordable dwelling. The alternative site (as suggested by neighbours) is lower down the hillside, and albeit nearer the farm yard and less prominent, is significantly closer to the SSSI and SAC. In addition it is suggested that the land owner is reluctant to release other land for development owing to it impacting negatively on the Rhug Estate asset.

#### 1.6 Other relevant background information

1.6.1 The background to the proposed development is described in the Kite Consultancy Statement and the following points are extracted for ease of reference. Gwerclas extends to some 810 hectares (2,010 acres) of agricultural land, of which 6.6ha (16 acres) are owned by the applicants, JM and SE Tudor. The remaining land is all rented on long-term tenancies from the Rhug Estate.

The business runs 1,550 ewes, plus 390 ewe lambs, and 77 suckler cows with progeny mostly sold as strong store cattle at 24 months of age. The land is all laid to grass apart from 6.9ha (17 acres) of forage root crops.

There is a range of modern and traditional farm buildings on the site. Mr and Mrs Tudor (Snr) live in a farm dwelling to the south of the farm buildings, whilst their son Stephen and his wife, live in the village of Cynwyd, some two miles distant.

There are two full-time farm workers, namely Stephen Tudor and his father John Tudor. Stephen took over as head of holding under the YESS scheme in early 2012. (*For members information, YESS is a Welsh Government initiative to encourage young people to manage farm businesses – Young Entrant Support Scheme.*)

It is concluded that the case is for a second dwelling to assist with the management /running of the agricultural enterprise.

## 2. **DETAILS OF PLANNING HISTORY:**

08/2013/0685 – Erection of an agricultural workers dwelling and installation of a new septic tank – WITHDRAWN 3/3/2014

## 3. **RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:  
Denbighshire Local Development Plan (adopted 4<sup>th</sup> June 2013)  
Policy VOE 2 – Area of Outstanding Natural Beauty  
Policy VOE 5 – Conservation of natural resources

SPG Nature Conservation and Species Protection (2003)  
SPG Agricultural Workers Dwellings (2003)  
SPG Residential Space Standards (2011)

#### Government Policy / Guidance

Planning Policy Wales 7 July 2014

Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)

TAN 6 Rural Enterprise Dwellings Practice Guide (2011)

## 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 (including impact on landscape and the AONB)
- 4.1.3 Residential amenity
- 4.1.4 Highways (including access and parking)
- 4.1.5 Biodiversity considerations

4.2 In relation to the main planning considerations:

4.2.1 Principle

Planning Policy Wales Para 9.3 refers to controlling new housing development in the open countryside and states that new residential development away from established settlements should be strictly controlled. However TAN 6 should be read in conjunction with Planning Policy Wales (PPW). In addition consideration should be given to the TAN 6 Practice Guide as it sets out the circumstances in which new residential development is permitted in the open countryside. The TAN has the underlying objective of limiting sporadic development in the open countryside but sets out exceptions to policy to enable individual dwellings to be located in the countryside where there is an essential need. The exception applies to land related businesses which directly or indirectly, need to be located in the countryside rather than in existing settlements. Land related tourism and leisure is included as an exception.

Paragraph 4.4.1 of TAN 6 considers new dwellings on established enterprises and states: "*New permanent dwellings should only be allowed to support established rural enterprises providing:*

- a. there is a clearly established existing functional need;*
- b. the need relates to a full-time worker, and does not relate to a part-time requirement;*
- c. the enterprise concerned has been established for at least three years, profitable for at least one of them and both the enterprise and the business need for the job, is currently financially sound, and has a clear prospect of remaining so;*
- d. the functional need could not be fulfilled by another dwelling or by converting an existing suitable building already on the land holding comprising the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the worker concerned; and*
- e. other normal planning requirements, for example siting and access, are satisfied.*

The TAN advises that an appraisal is required to demonstrate compliance with the tests.

*Functional test:* It is necessary to establish whether it is essential, for the proper functioning of the enterprise for one or more workers to be readily available at most times. ('All based on an assessment of risk').

*Time test:* If a functional requirement is established, it will then be necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant.

*Financial test:* The rural enterprise and the activity concerned should be financially sound and should have good prospects of remaining sustainable for a reasonable period of time, usually at least 5 years.

*Alternative Accommodation test:* This requires assessment whether the functional need could not be fulfilled by another dwelling or by converting an existing suitable building already on the land holding comprising the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the worker concerned.

With regard to the detail of these tests, the main conclusions of Reading Consultants who are engaged by the Council to assess the case for an additional dwelling are:

### Functional Need

The functional test examines whether it is necessary for a worker to live on the site to meet any out-of-hours emergency requirements which could be anticipated and which, if there were no presence, the viability of the business could be jeopardised. This need would have to be sustained throughout the year, rather than for a discreet period within the year.

JM & SE Tudor is a substantial livestock business with a significant number of ewes lambing over an extended period in the spring and cows calving in both the spring and autumn. This creates a functional need over a large part of the year. Due to the scale and nature of the livestock enterprises it is accepted that there will be periods throughout the year when emergency livestock welfare issues could occur which warrant the immediate, on-site, presence of two workers.

This might either be with more than one event happening simultaneously or with events that require the work input of two workers.

It is accepted that there is a functional need for two workers to live on the holding.

### Labour Requirement

Based on standard data there is a theoretical labour requirement for 4.4 full-time workers. This is currently met by Stephen Tudor and his father working long hours with some assistance from contractors.

The proposed dwelling would thus be occupied by a worker engaged in full-time agriculture.

### The Financial Test

The farm business has been operational since the 1930s when it was started by Stephen Tudor's great-grandfather.

The accounts that have been submitted with the application show significant profits in each and every year from 2008 to 2012.

There are no long term borrowings and current assets far exceed current liabilities.

The Balance Sheet shows a business that is in a very strong financial position and it has a clear prospect of remaining so.

It is noted that the proposed dwelling provides 200m<sup>2</sup> of floor area and this is at the upper limit of what is generally considered to be acceptable. It is, though, affordable to the business.

### Other Suitable and Available Accommodation/Siting

The traditional agricultural buildings on the holding are unavailable for conversion to a dwelling as they are in current use and do not therefore provide a suitable opportunity for conversion.

An assessment of other available dwellings in the locality has been undertaken and there are two dwellings for sale within 1 mile of the site in Tyn y Cefn, Corwen at £240,000 and £245,000. Although these could be considered affordable for this business, they are considered too distant to provide the close attention required for the livestock.

However, it is also noted that the site for the proposed dwelling is outside the farmyard 'envelope' and is some 150m from the farm buildings and 90m from the nearest 'working area' of the yard. This could be considered too distant to properly provide for the functional needs of the holding. However, consideration should be given as to whether there is a suitable site nearer to the farmyard. In this respect it is noted that:

- a previous application was withdrawn due to adverse impact on the setting of a listed building;
- the farm buildings are surrounded by woodland and are set on sloping land;
- the alternative site (as suggested by neighbouring properties) is part of the operational area of the farm yard; and
- TAN 6 Practice Guide advises that proposed rural enterprise dwellings should be sited so as not to prejudice its potential future use as a unit of generally available affordable housing. Regard should, therefore, be had to residential amenity and health and safety considerations in the siting of dwellings.

In terms of siting it is considered that the proposed site is acceptable from a functional aspect, and there are reasons which make sites nearer to the complex less preferable. Officers acknowledge that the Council's own SPG on Agricultural Workers Dwellings suggests such dwellings should be located as near as possible to the farm complex, but this advice was written in 2003 and has been superseded by national guidance (the Rural Enterprise Dwelling Practice Guidance 2011). Whilst the Rural Enterprise Dwelling Practice Guidance encourages sites to be close to the farm complex, it also acknowledges there may be instances when some separation is necessary. In Officers' opinion, more weight should be afforded to the national guidance than the Council's adopted SPG given the SPG was written in the context of superseded national guidance and policy.

In the apparent absence of alternative sites at this time it is accepted that the proposed siting may be suitable for the needs of the holding.

With respect to the objectors' comments on the size of the dwelling, Reading Consultants suggest it is at the upper level of size acceptability for a second dwelling - but indicate it is affordable, and can be properly sustained by the business.

#### 4.2.2 Visual amenity (including impact on landscape and the 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. Policy VOE 2 seeks to resist development that would cause unacceptable harm to the character and appearance of the landscape and the reasons for its designations.

The application is submitted for a modern two storey, 3 bedroom dwelling, with parking and patio. It would be two storey and orientated so as to face south, overlooking the Dee Valley. Materials proposed are slate and render. The rear elevation would face the minor road to the west of the site. The site is visible at distance from the AONB (located on the opposite side of the Dee Valley), and would be visible from the adjacent highway. The AONB Partnership and neighbouring properties have objected to the proposal on the basis that its siting would be overly prominent and harmful to the landscape and character of the open countryside. Reference has been made by objectors to the Council's adopted SPG on Agricultural Workers Dwellings (2003) and 3D simulations provided to indicate the possible appearance of the dwelling.

It is acknowledged that the building would be clearly visible within the immediate locality, and indeed would, to an extent also be visible from within the AONB some 780 metres away, appearing to a degree, detached from the main complex. It is also noted that the submitted plans offer some indication of engineering works to the land levels in order to construct the dwelling. An indicative landscaping plan has also been submitted to suggest how the dwellings appearance may be softened.

With regard to the impact upon the landscape and AONB, the AONB Partnership have not concluded that the proposal would harm the character of the AONB, but have commented that in their opinion the dwelling would be too far away from the farm complex and should be better sited. However, as discussed previously, the siting is considered reasonable and the main impact on visual amenity is considered to be the design of the dwelling in relation to the surrounding landscape.

In Officers' opinion, the proposed design of the dwelling would not have an unacceptable impact on the character of the surrounding landscape, and whilst visible from the AONB, it would appear in the distance with a large back drop of rising open fields to the north and woodland to the west. The dwellings impact would be further softened by suitable landscaping/planting. From within the AONB other isolated properties are visible, and this proposal represents a single addition to an area of fragmented development. It is not considered that the proposal would have an unacceptable impact upon the AONB or surrounding landscape.

The neighbours concerns regarding the proposed floor and site levels are to be noted. The submitted plans do not make it precisely clear how the site levels are to be managed, although they do indicate the dwelling would be set at a lower level than the road. Neither do the plans indicate precisely how the site is to be landscaped. It is considered that in this instance an appropriate landscaping scheme could make a significant contribution to the proposals impact on visual amenity. However, in line with normal practice it is considered that such details can be adequately managed through the imposition of suitably worded planning condition to require details of levels and landscaping to be approved prior to the commencement of development.

With respect to the comments of the objectors, it is not considered that the proposal would result in a significantly detrimental impact on the character and appearance of the landscape or AONB. The proposal is therefore considered acceptable in this respect.

#### 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. Supplementary Planning Guidance Note on residential space standards advises on minimum room sizes and garden areas. 3 bed dwellings should have a minimum floor space of 80 square metres, with living rooms being a minimum of 9 square metres, and double bedrooms being 11 square metres. Garden areas should exceed 40 square metres.

The proposed development would provide in excess of 100 square metres of garden space. The overall floor space of the dwelling is 200 square metres, with the living room being 25 square metres, and the bedrooms all exceeding 15 square metres. The nearest neighbours are Gwerclas Hall, 300 metres south west of the site, and Hafod Y Calch, 300 metres north east of the site.

Given the distances to neighbouring properties, it is not considered that the proposed dwelling would result in a loss of residential amenity for surrounding properties. With in excess of 100 square metres of garden space, the proposed dwelling would have sufficient amenity space for occupants, and room sizes exceed the minimum requirements outlined in supplementary planning guidance. In terms of residential amenity the proposed dwelling is considered acceptable and in accordance with the relevant planning policies and guidance.

#### 4.2.4 Highways (including access and parking)

Planning Policy Wales 3.1.4 refers to what may be regarded as material considerations 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. The acceptability of means of access is therefore a standard test on most planning applications.

An existing access is proposed to serve the development. Highways Officers have considered the proposal and raise no objection.

In Officers' opinion, the proposal is unlikely to result in a detrimental highways impact, and therefore is considered acceptable in this respect.

#### 4.2.5 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 River Dee and Bala Lake Special Area of Conservation (SAC) runs approximately 85 metres to the east of the site, as does the River Dee Site of Special Scientific Interest (SSSI). The County Council Biodiversity Officer has undertaken a Test of Likely Significance for the proposal to assess its impacts upon the SAC. The test concludes that no significant adverse effects are anticipated, provided the Reasonable Avoidance Measures for otters are other required measures are implemented as a condition of any planning permission granted. Natural Resources Wales have not raised an objection to the proposal.

It is considered that the proposal is unlikely to have a detrimental upon the adjacent SSSI or SAC and therefore the proposal is compliant with Policy VOE 5.

#### Other Matters:

Concern has been raised by neighbours regarding the impact upon the setting of adjacent Listed Buildings, Gwerclas Hall, and Hafod Y Calch. These buildings are both in the region of 300m from the site and due to the topography of the area and existing trees, there is no direct line of site between the site and the properties. The issue has been discussed with the County Council's Conservation Architect, who considers that owing to the considerable separation distances and lack of visibility between the sites that the impact upon the setting of listed buildings is not in this instance a matter of concern.

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

- 5.1 The proposal has been assessed against the tests of TAN 6 and has found to be justified in terms of a functional and financial need. In terms of the siting of the building, guidance is clear that the dwelling should not be located so far from the site as to undermine its functionality, but at the same time should not be located so close to the working farm as to prejudice its potential use as an affordable dwelling unrelated to the enterprise.
- 5.2 With regard to the main tests and the other considerations outlined in the report, Officers consider there is a basis for supporting the application subject to appropriate conditions

**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. The occupancy of the dwelling shall be restricted to:
  - a) a person solely or mainly working, or last working on a rural enterprise in the locality, or a widow, widower or surviving civil partner of such a person, and to any resident dependants; or, if it can be demonstrated that there are no such eligible occupiers,



b) a person or persons who would be eligible for consideration for affordable housing under the local authority's housing policies, or a widow, widower or surviving civil partner of such a person, and to any resident dependants.

3. Prior to the application of any external materials on the dwellings, details shall be submitted to and approved in writing by the Local Planning Authority

4. PRE-COMMENCEMENT CONDITION

No development shall take place until the finished floor levels of the dwelling and surrounding land have been submitted to and approved in writing by the Local Planning Authority, and the development shall proceed only in accordance with those details as approved.

5. PRE-COMMENCEMENT CONDITION

No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority, a detailed scheme of hard and soft landscaping for the site, and such scheme shall include details of:

- (a) all existing trees, hedgerows and other vegetation on the land, details of any to be retained, and measures for their protection in the course of development.
- (b) proposed new trees, hedgerows, shrubs or vegetation, including confirmation of species, numbers, and location and the proposed timing of the planting;
- (c) proposed materials to be used on the driveway(s), paths and other hard surfaced areas;
- (d) proposed earthworks, grading and mounding of land and changes in levels, final contours and the relationship of proposed mounding to existing vegetation and surrounding landform;
- (e) proposed positions, design, materials and type of boundary treatment.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the first occupation of the dwelling. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation

7. Facilities shall be provided and retained within the site for the parking and turning of vehicles in accordance with the details hereby approved and shall be completed prior to the development being brought into use.

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. To ensure compliance with National Planning Policy on Rural Enterprise Dwellings.
3. In the interest of visual amenity.
4. In the interest of visual amenity.
5. In the Interest of visual amenity.
6. In the interests of visual and residential amenity.
7. In the interest of highway safety.

**NOTES TO APPLICANT:**

None