

Heading:

REFERENCE NO. 40/2015/0319/PF
PENGWERN FARM, NANT Y FAENOL ROAD
BODELWYDDAN

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

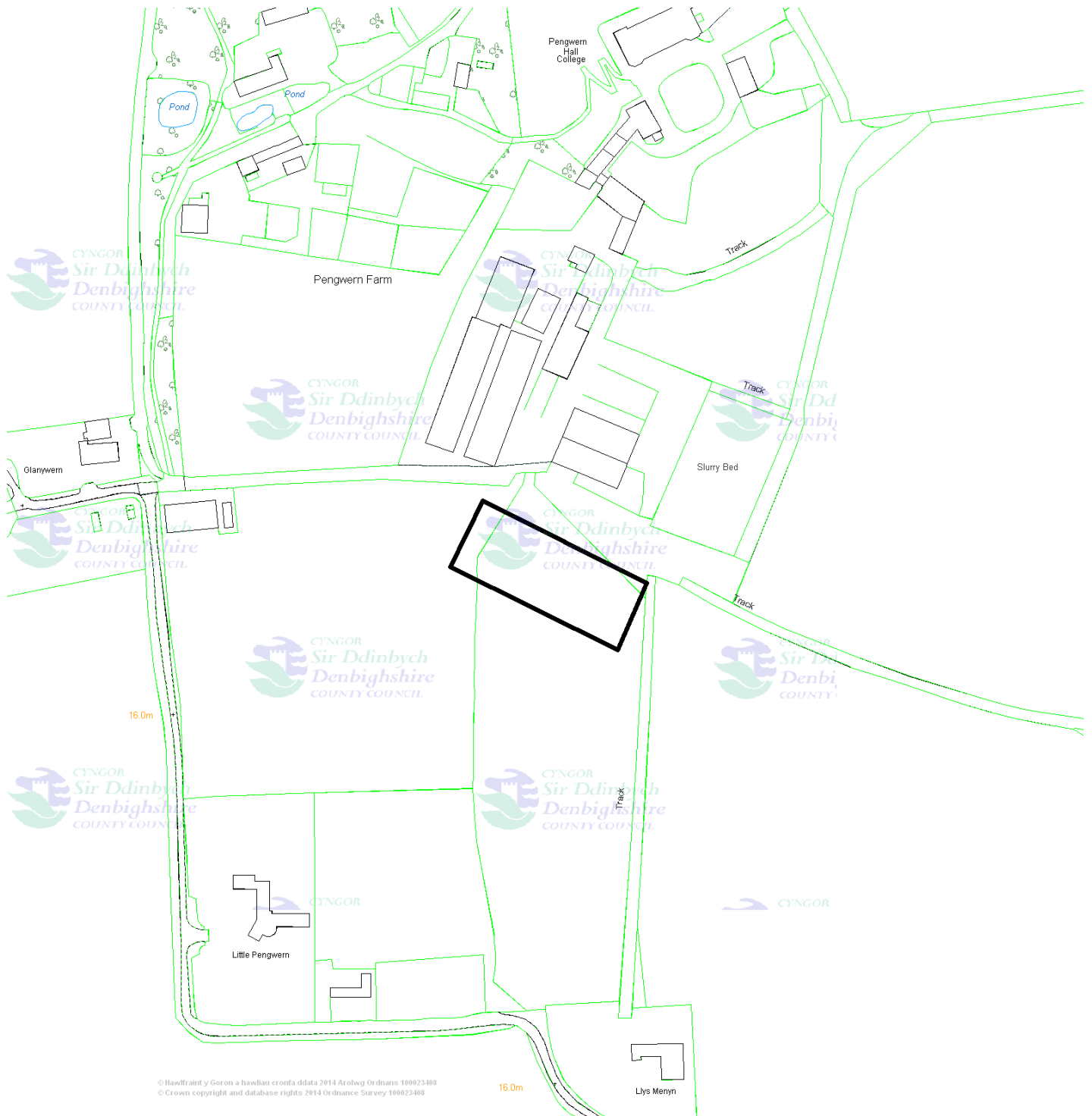


Date 28/5/2015

Scale 1/2500

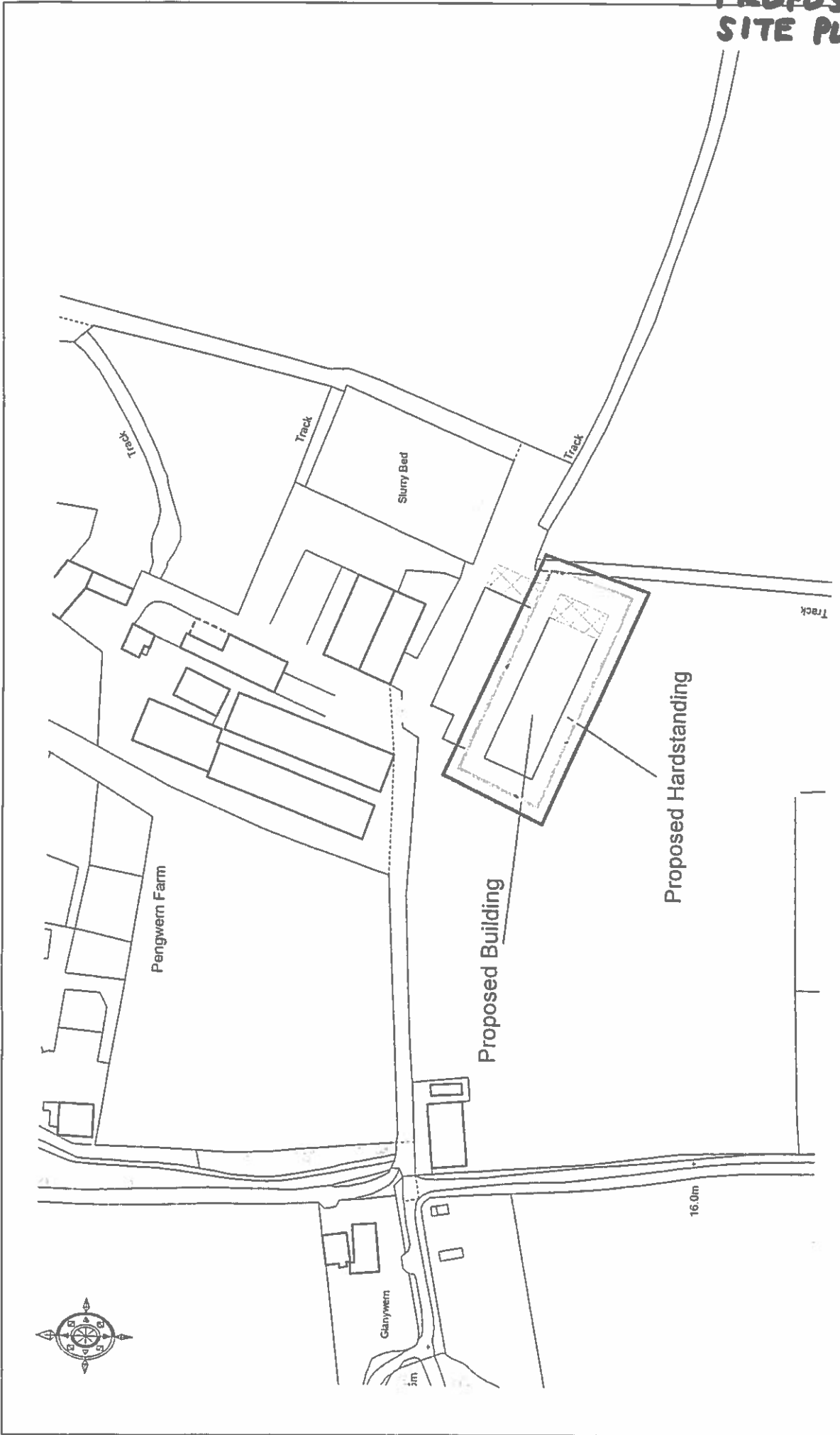
Centre = 301867 E 376383 N

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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PROPOSED SITE PLAN



JOB:	Erection of an Agricultural Building and all associated works
CLIENT:	E R Jones & Partners
TITLE:	Site Plan
LOCATION:	Pengwern Farm, Near Y Fawcett Road, Rhyl, Chyr. LL18 5UL
SCALE:	1:1250
DATE:	Mar-15
DRAWING NO.:	RJCREFR102
DRAWN BY:	REE

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Roger Parry & Partners LLP
 The Property Experts



PROPOSED FLOOR & ELEVATION PLANS

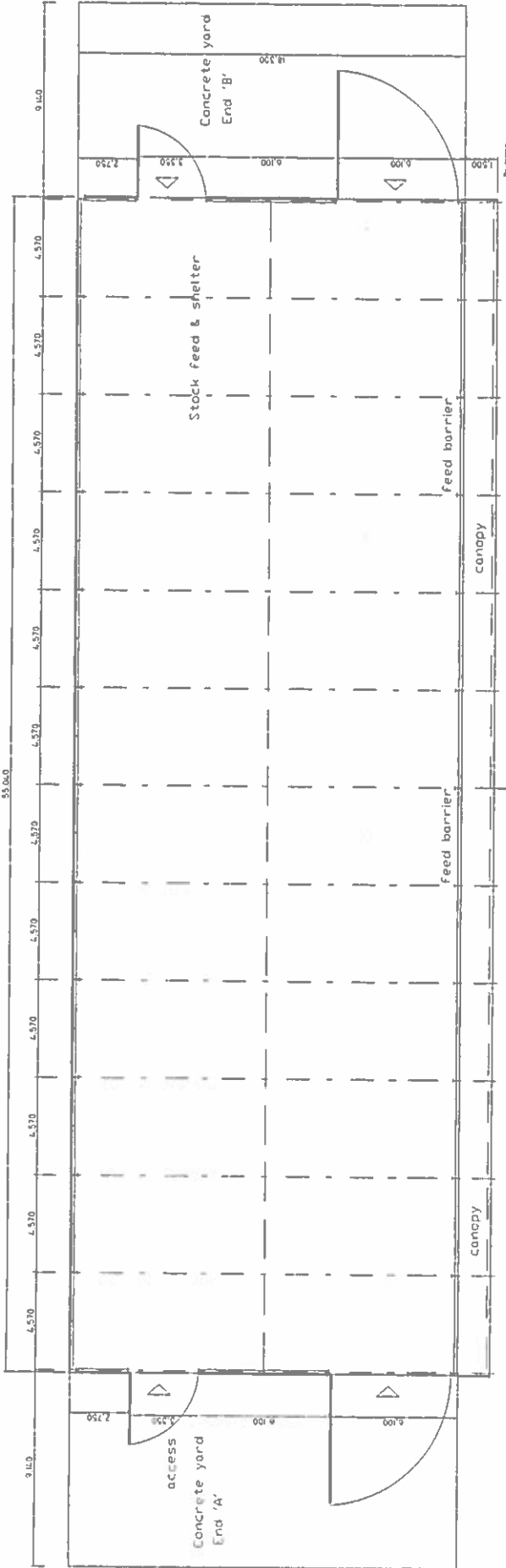


Roger Parry & Partners LLP
The Exchange, The Old Mill Road
Basseterre, St. Christopher Road
St. John, Barbados
St. John 2004 Tel: 01691 695334

Residential - Agricultural - Commercial

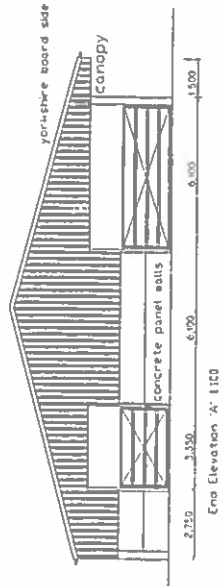
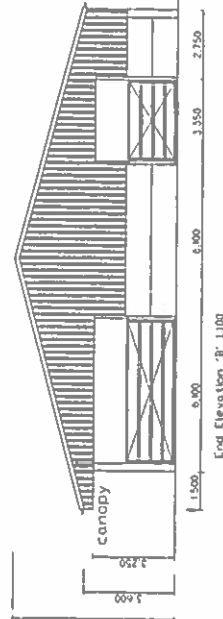
Job	Site	Location	Client	Scale & All marked	Drawing No	Rev.	Date	Drawn by	Checked by
Lee Stock Building	Plan & Elevations	Pengsarn Farm, Mont Y Faend Rd Rhyf, Gwyd LL18 5UL	ER Jones & Partners		6039/14/05				

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Registered Architect, No. 2000

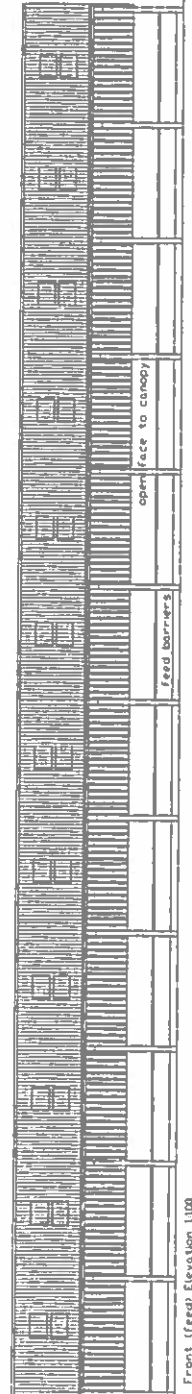


NOTES:

- 1. All elements profile sheet to roof with 4 nos. transoms.
- 2. 2 nos. high cast concrete sill panels to GL.
- 3. Open Yorkshire boarding above concrete eaving.
- 4. Open Yorkshire boarding above concrete eaving.
- 5. 2 nos. gates in each gate.



profile sheet roof cladding with rooflights



WARD : Bodelwyddan

WARD MEMBER(S): Cllr Alice Jones (c)

APPLICATION NO: 40/2015/0319/ PF

PROPOSAL: Erection of agricultural building with hardstanding areas

LOCATION: Pengwern Farm Nant Y Faenol Road Bodelwyddan Rhyl

APPLICANT: Mr H Jones ER Jones & Partners

CONSTRAINTS: None

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

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

- Application submitted by relative of County Councillor

CONSULTATION RESPONSES:

BODELWYDDAN COMMUNITY COUNCIL:
Awaiting response

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES
HEAD OF TRANSPORT AND INFRASTRUCTURE
Highways Officer
No objection

Biodiversity Officer
No objection subject to Note to Applicant regarding proper measures for dealing with animal waste and surface water

RESPONSE TO PUBLICITY:

Representations received from:

“The residents of Nant Y Faenol Road, signed by Mr & Mrs N Williams, Little Pengwern, Nant y Faenol Road & Mrs L Roberts, 2 Glan y Wern, Nant y Faenol Road.

Summary of representations: Concerns regarding details referred to in the Design and Access Statement, accuracy of plans and statements made. Intensification of use. Building may lead to more activity on farm. Highways: Access is via a single lane road, additional traffic potential, question over impact on right of way. Residential amenity. Potential additional smell and flies, lighting.

EXPIRY DATE OF APPLICATION: 18/05/2015

REASONS FOR DELAY IN DECISION (where applicable):

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Permission is sought for the erection of an agricultural building to house cattle at Pengwern Farm in Bodelwyddan. It would be sited on the southern side of the existing farm complex.
 - 1.1.2 The proposed building would measure 18 metres by 55 metres with an overall height of 6.4 metres. Permission is also sought for a 9 metre area of concrete hard standing on both ends of the building, which would span the width of the building.
 - 1.1.3 The building would be open to the north to allow cattle to feed, the east and west sides would also be open for access and it would have a solid wall to the south. It would be constructed of steel stanchions supporting concrete walls with Yorkshire boarding above and a roof of fibre cement panels.
 - 1.1.4 It is indicated that clean surface water from the roof of the building will be collected in the farm's existing underground storage tank and used for washing down purposes. Surplus clean water from the roof will be run by pipe to existing watercourses. Livestock housed within the building will be kept on a straw bedding base, resulting in solid manure being produced. The manure will be applied directly to the land at Pengwern Farm from the building maximising the nutrients within the manure and value to the farm land. Construction of the floor will incorporate gulleys allowing any dirty water to be collected into the existing gulleys and into the existing dirty water system. This dirty water will then be spread by vacuum tanker over the farm's 500 acres (or thereabouts) of grassland and arable land as per the farm manure management plan. Waste muck would be stored in a short term holding area then carried to a field heap.
 - 1.1.5 The proposed cattle shed would be accessed from the existing farm track.
 - 1.1.6 The basic details are shown on the plans at the front of the report.
- 1.2 Description of site and surroundings
- 1.2.1 The existing yard at Pengwern Farm features a wide range of buildings including cow accommodation, silage storage, a milking parlour, and a slurry lagoon.
 - 1.2.2 Further north of the farm yard are the buildings which comprise Pengwern Hall, west are the dwellings 1 and 2 Glan y Wern and to the south lies Little Pengwern and Llys Menyn. The rest of the surrounding area is characterised by open fields in agricultural use.
 - 1.2.3 Pengwern Farm is approached by a public highway then a private road.
- 1.3 Relevant planning constraints/considerations
- 1.3.1 The site is in open countryside outside of any development boundary.
- 1.4 Relevant planning history
- 1.4.1 There have been applications for various agricultural developments on the farm over the years, however the most recent planning permission was granted in 2012 for the erection of a loose housing building for cattle, which has been constructed and is located adjacent to the proposed site.
- 1.5 Developments/changes since the original submission
- 1.5.1 An updated Design and Access Statement has been provided to address concerns expressed by neighbours over some of the original statements in the document.
- 1.6 Other relevant background information
- 1.6.1 Pengwern Farm is a well-established livestock farm of some 400 acres with about 300 dairy cows and dairy heifers reared as replacements.

2. DETAILS OF PLANNING HISTORY:

2.1 40/2012/0456 Erection of a loose housing building for cattle (partly in retrospective). Granted 18/12/2012.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

None

3.2 Government Policy / Guidance

Planning Policy Wales Edition 7 2014

Technical Advice Notes TAN5 – Nature conservation and planning

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

4.1.3 Residential amenity

4.1.4 Highways impacts

4.1.5 Ecology

4.2 In relation to the main planning considerations:

4.2.1 Principle

Given the nature of the proposal for an agricultural building in open countryside, the main issues are 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.

Given the existing nature of the site, the stocking levels and the amount of land farmed, it is considered that the size of the building is justified.

Paragraph 7.6.5 of PPW 7 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. The guidance on siting and design set out in Paragraph 14 is 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 for an additional building close to an established farm complex is acceptable in principle, subject to an assessment of the localised impacts.

4.2.2 Visual amenity

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.

The site is located in the open countryside. The building would be located immediately to the south of the main agricultural complex at Pengwern Farm. The site is visible from a nearby public right of way.

The proposed building would be located close to the existing farm complex, which is in line with national guidance. It would be of a similar scale and design to the existing farm buildings. For this reason it is not considered that the building would appear as an isolated structure in the open countryside, neither is it considered that the proposed building would appear overly prominent given the topography of the land. It is considered therefore that the proposal is acceptable in terms of visual amenity.

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 that is unrelated to this site is over 150 metres from the proposed building. The applicant has advised that the building is required for animal welfare purposes and will not intensify the use of the site.

It is considered that with this separation distance and the existing nature of the site, it is unlikely that a livestock building would have a significant impact upon the residential amenity of the occupants of this property. The proposal is not therefore considered likely to be unacceptable in terms of residential amenity impacts, having regard to concerns over potential noise/smells/flies.

4.2.4 Highways impact

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

The access arrangements to the site would remain as existing and the use will not intensify. Having regard to the specific proposals, the Highways Officers raise no objections to the application.

In respecting representations, it is not considered that that the proposal would result in highway safety problems or raise new questions over the acceptability of the principle of the development. There would be no interference with the public footpath running west to east, immediately to the north of the proposed building and hard standing.

4.2.5 Ecology

The general requirement to consider the impact of development on biodiversity interests is set out in PPW Chapter 5 and TAN 5.

The Design and Access Statement outlines the methods by which waste water and surface water will be disposed of. There is also NRW legislation which controls this issue. The Council's Biodiversity Officer considers the proposal acceptable subject to a note to applicant reminding them of their responsibilities under relevant legislation.

It is considered that the proposal would raise no significant issues relating to ecology or biodiversity.

5. SUMMARY AND CONCLUSIONS:

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

RECOMMENDATION: GRANT- subject to the following condition:-

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.

The reason for the condition is :-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

NOTES TO APPLICANT:

You are reminded of to take into account your responsibilities under the The Water Resources (Control of Pollution) (Silage, Slurry and Agriculture Fuel Oil) (Wales) Regulations 2010 which control surface water and drainage from the building.