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09/2016/0205

Scale: 1:1250

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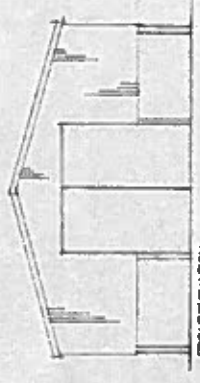
Denbighshire Boundary
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SITE AND ELEVATION PLANS

PROPOSED AGRICULTURAL SHED
 ADJACENT TO
 EARLY WAGEN
 ABERWHEELER
 SCALE 1:100 PRINT A2
 DATE FEB 2016



FRONT ELEVATION



REAR ELEVATION



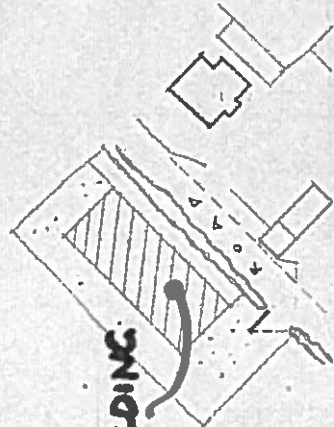
SIDE ELEVATION (TO FIELD)



SIDE ELEVATION (TO ROAD)

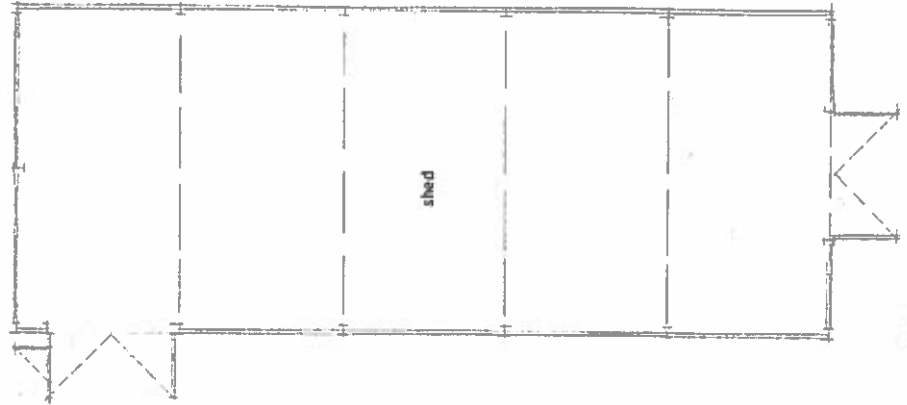
EXIST PROPERTY MARK AREA
 WITH PROPERTY MARK CLIPPING +
 UNDERGROUND
 FRANK SLOTT, PITCHER
 1901/18/19

PROPOSED BUILDING HEIGHT
 SHALL BE 5.00M
 PER THE EXISTING REMAINING USE



BUILDING

SITE PLAN
 SCALE 1:500
 NORTH ▲



shed

PLAN

WARD : Aberwheeler

WARD MEMBER(S): Cllr Mervyn Parry (c)

APPLICATION NO: 09/2016/0205/PF

PROPOSAL: Erection of agricultural building

LOCATION: Land adjacent to Efail Y Waen Bodfari Denbigh

APPLICANT: Mr Emyr Hughes

CONSTRAINTS: None

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

CONSULTATION RESPONSES:

ABERWHEELER COMMUNITY COUNCIL-

“Concern was expressed about an anonymous document distributed to residents in the Community regarding planning application 09/2016/0205 and 09/2016/0146 which contained inaccurate information.

Mr. Emyr Hughes addressed the meeting explaining he was a "Hobby Farmer" who purchased the land at Auction from DCC and would like to install an agricultural shed to house a vintage tractor, trailer, sheep in lambing season, haylage and feed store. He does not own any heavy machinery and his planning application does not include hedgerow removal. Mr. Hughes thanked Members for allowing him to speak.

Members discussed the planning application after Mr. Hughes and other members of the public left the meeting. Members of ACC had a debate about the proposed agricultural shed located on the edge of the ANOB. Members would like DCC planning department to refuse as the length of the shed too long for the size of acreage and not a registered holding.

AONB JAC-

“The site is approximately 25m outside the AONB and the Joint Committee is of the opinion that the development is within the setting of the protected landscape.

The site is very open in character and, in the absence of any robust agricultural justification for a new building of this size in this location, the committee objects to the application. The agricultural holding to be served by the new building is unclear from the application documents, and the committee cannot see any justification for a very large new building in the open countryside which appears disproportionate or unrelated to the agricultural needs of the land. The adjoining farm complex of Efail Y Waen comprises a number of existing but apparently unused agricultural buildings which could have met this need, and the committee is concerned that the piecemeal breaking up of existing agricultural units into a number of smaller compartments gives rise to multiple applications for new agricultural buildings on each plot to the detriment of long established policies to protect the countryside.”

NATURAL RESOURCES WALES

No objection.

RESPONSES TO PUBLICITY:

Representations received:

Mr & Mrs J Cahill, 20 Bro Lleweni Lloyd Hughes, Grove Hall, Bodfari

Pat Foulkes Jones, Geinas Farmyard, Bodfari Mr R Jeffcoate, 2 Pen y Bont, Bodfari Ruth Vintr, Ty

Capel, Waen, Bodfari Mr & Mrs Jones - 16 Bro Lleweni, Aberwheeler, Denbigh

Richard Butler - Bryn Coch, Waen, Bodfari

Robert Clwyd Parry, Bryn Clwyd, Aberwheeler

Summary of representations:

Need- Applicant only owns a small parcel of land, objectors suspect building will be used for machinery business.

Visual impact- shed will appear visually obtrusive.

EXPIRY DATE OF APPLICATION: 27/04/2016

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The proposal is for the erection of an agricultural building for machinery and livestock at Efail y Waen in Aberwheeler.
- 1.1.2 The building is proposed to be sited on the opposite side of the lane, to
- 1.1.3 the complex of buildings at Efail y Waen.
- 1.1.4 The five bay building is proposed to measure 9m by 23m with an overall height of 4.6m. It comprises of a steel structure with a blockwork base and profiled metal sheet roof and sides.

1.2 Description of site and surroundings

- 1.2.1 The site lies on the western side of the road running eastwards out from the village at Aberwheeler to Grove Hall, south of Bodfari.
- 1.2.2 It is a flat site and the fields are bounded by hedgerows (which are not proposed to be altered as part of the development).
- 1.2.3 It is proposed to utilise the existing access for the site.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located outside of any Development Boundary as defined in the Local Development Plan.

1.4 Relevant planning history

- 1.4.1 None.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 Efail Y Waen comprises of land and a farmhouse and outbuildings, formally owned by Denbighshire County Council. The farm has recently been split and subdivided. The Applicant has purchased the parcel of land opposite the farm complex (some 3.5 acres).
- 1.6.2 Information regarding the need for the building have been provided to justify the proposal.
- 1.6.3 The Applicant has advised that as well as the 3.5 acre application site, he rents a further 9 acres (3.5 in the village of Prion, a further 5.5 near Llandyrnog). It is his intention to establish Efail Y Waen as the base for his agricultural enterprise. The building will be used to keep feedstuffs including hay bales, straw bales, barley and sheep 'nuts'. Machinery will also be kept in the building including; 1 Tractor, 1 Conventional Baler, 1 Hay Tedder, 1 Mower, 1 Trailer, 1 3-Furrow Conventional Plough and 1 Grain Mill. He does not intend to use the building as permanent shelter

for his flock of sheep (22 at present), however it may be used for shelter during the lambing period, or as emergency shelter if required in times of severe weather.

- 1.6.4 For the record, the Council have submitted an application for Hedgerow Removal on land also at Efail Y Waen. The hedgerow is to the south west of the farm complex, immediately adjoining the village boundary. The hedgerow removal is not related to the application for this agricultural building.

2. DETAILS OF PLANNING HISTORY:

None.

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)
Policy VOE 2 - Area of Outstanding Natural Beauty and Area of Outstanding Beauty

3.2 Government Policy / Guidance

Planning Policy Wales Edition 8

TAN 6 Planning for Sustainable Rural Communities

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 8 (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).

- 4.1 The main land use planning issues in relation to the application are considered to be:

4.1.1 Principle

4.1.2 Impact on Visual Amenity/AONB

Other matters

- 4.2 In relation to the main planning considerations:

4.2.1 Principle

Paragraph 7.6.5 of PPW advises that 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.

The site is located adjacent to a complex of agricultural buildings less than 300 metres from the village of Aberwheeler. Planning policy no longer requires a need to be established to warrant permission to be granted for agricultural buildings, however in this instance owing to the issues raised in representations information was provided by the applicant in relation to the need. It is the opinion of Officers that the application documents set out reasonable arguments why the building is required.

Having regard to the above it is considered that the proposals are acceptable in principle, the detailed impacts are considered below.

4.2.2 Visual Amenity

PPW paragraph 4.11.9 states that the visual appearance and scale of development and its relationship to its surroundings and context are material planning considerations when assessing planning applications. Paragraph A14 TAN 6 provides

advice to local planning authorities when dealing with Prior Approval submissions for agricultural buildings, including guidance on siting and design in Paragraph 14 which is considered useful and relevant for the subject application as it states that the siting of a new agricultural building can have a considerable impact on the surrounding landscape. It indicates 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.

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.

The building is proposed to be located adjacent to the complex at Efail y Waen. It would be sited to run parallel with the lane. Although not in the AONB, the JAC have commented on the proposal, as they feel it affects the setting of the protected landscape. They go on to say it is not justified and they are concerned about piecemeal agricultural development. The visual impact has also been raised as a concern by objectors.

Within the open countryside it is not unusual to see agricultural buildings. Officers consider that the proposal is not unduly excessive in its 9 metre by 23 metre size, and overall height of less than 5m. There are a range of building types and styles on the complex at Efail Y Waen opposite the application site, therefore the development will not appear isolated. With respect to the opinions of the JAC and the objectors, Officers consider the agricultural building would not appear visually obtrusive or harmful to the setting of the AONB. Having regard to the siting, scale, massing and materials of the building, in relation to the character and appearance of the immediate locality, adjacent to the complex at Efail Y Waen and the wider landscape, it is considered that the proposals would not have an unacceptable landscape and visual impact. A condition can be attached to secure approval of the colour of the profiled sheets as this has not been specified.

Other matters

Representations received refer to the potential for the use of the building for a business. Officers are obliged to point out that the application has to be dealt with as submitted and in this instance the application is proposed for agricultural purposes only. A condition can be attached to ensure it is used for that purpose and should the use cease that the building be demolished.

Many of the representations received refer to the application and the hedgerow removal being linked. This application is not related to this application as explained in point 1.6.4 above.

5. SUMMARY AND CONCLUSIONS:

5.1 It is the opinion of Officer that the proposal complies with planning policies and subject to conditions is therefore recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than the 21 June 2021
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:

- (i) Proposed floor, elevations and site plan received 23 February 2016
- (ii) Location plan received 3 March 2016

3. 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.

4. The building hereby permitted shall be used for agricultural purposes only. 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 levelled, top soiled and seeded with grass no later than 9 months from the cessation of the 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. For the avoidance of doubt and to ensure a satisfactory standard of development.
- 3. In the interests of visual amenity.
- 4. In the interest of landscape and visual amenity

NOTES TO APPLICANT:

None