

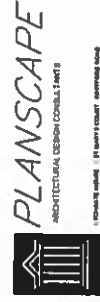
© Crown copyright and database rights 2017 Ordnance Survey 100023408.

47/2017/0839

Scale: 1:2500

Printed on: 27/2/2018 at 9:40 AM

SITE PLAN



Working Model - All rights reserved - electronic use prohibited without written consent

Mr Mike Walsh

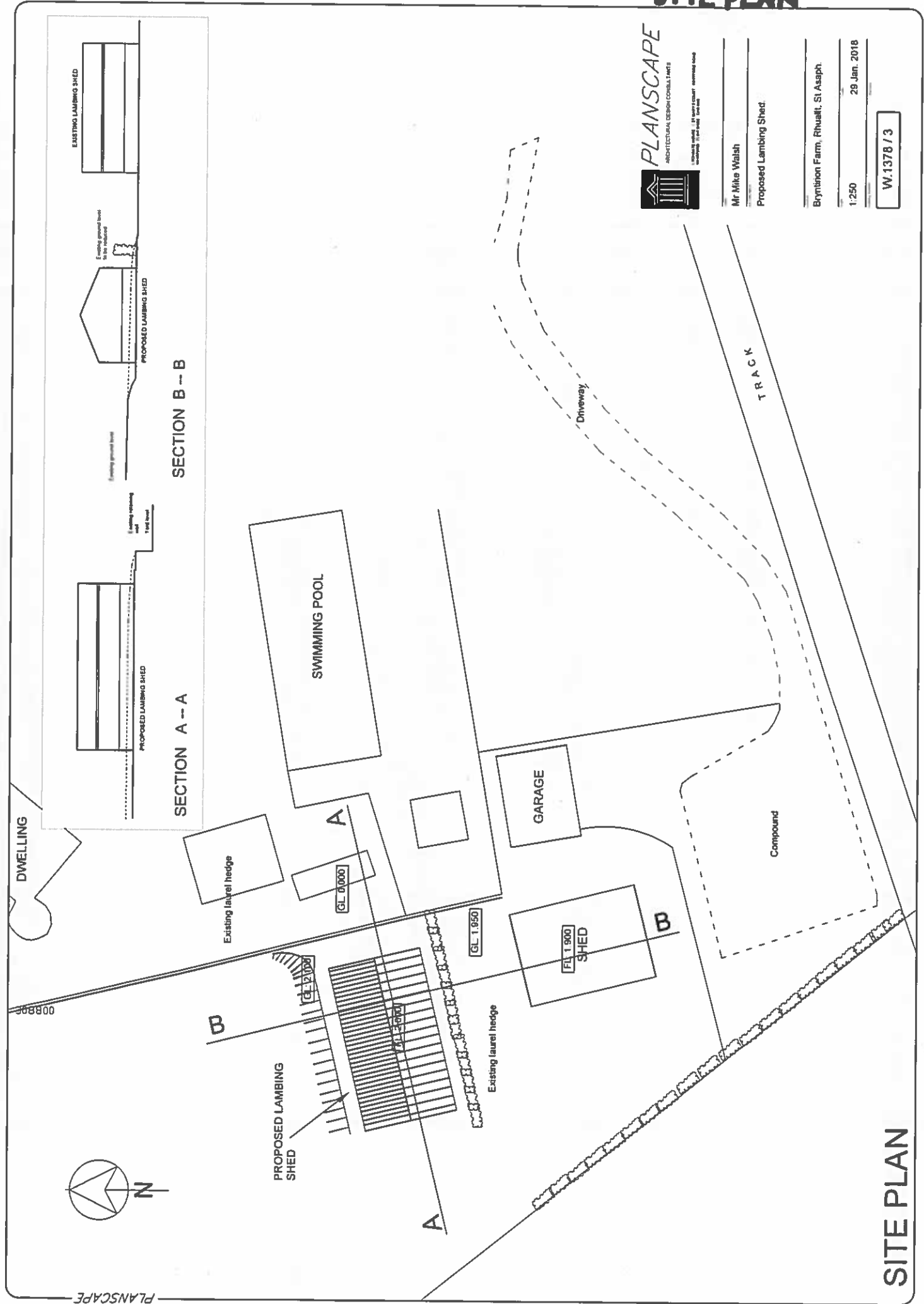
Proposed Lambing Shed

Brynthon Farm, Rhuallt, St Asaph.

1:250

29 Jan. 2018

W.1378 / 3



SITE PLAN

FLOOR & ELEVATION PLANS

PLANSCAPE
PROFESSIONAL LANDSCAPE ARCHITECTS



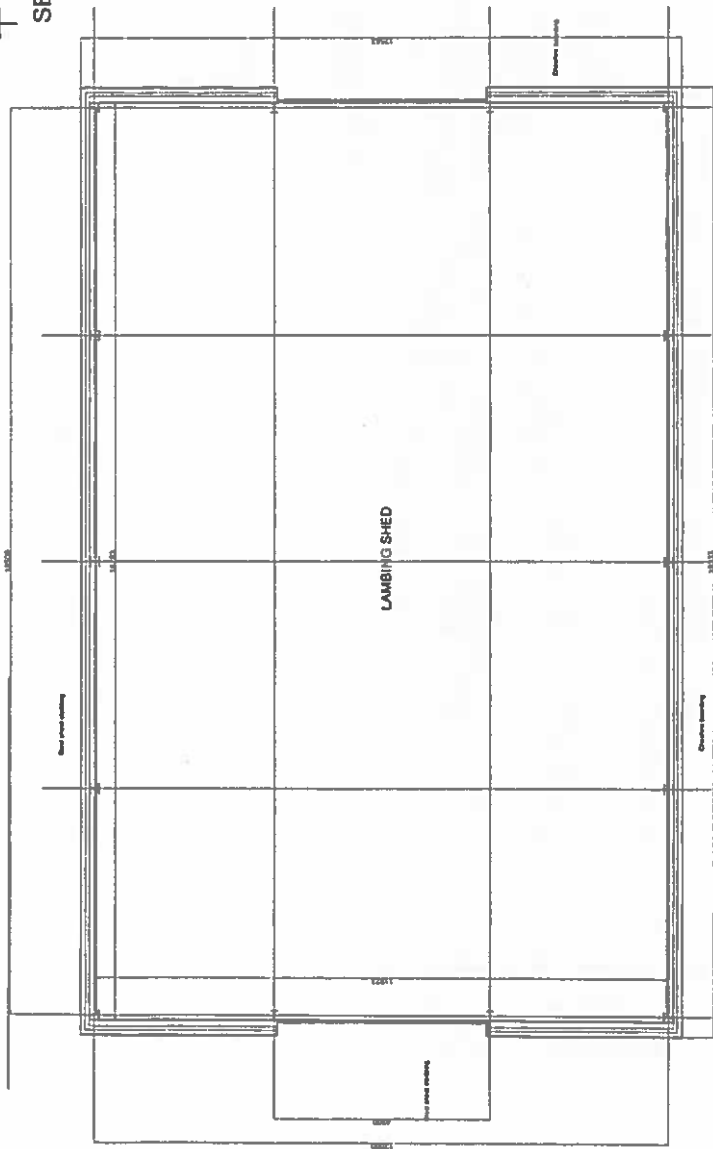
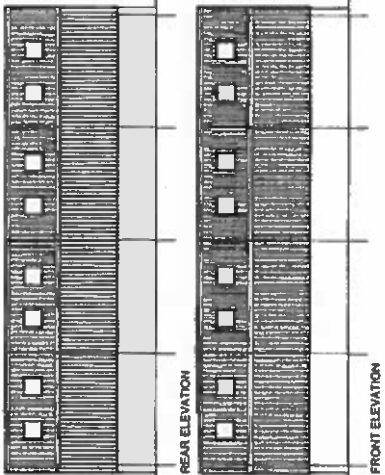
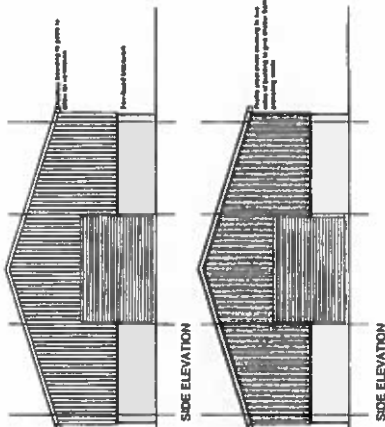
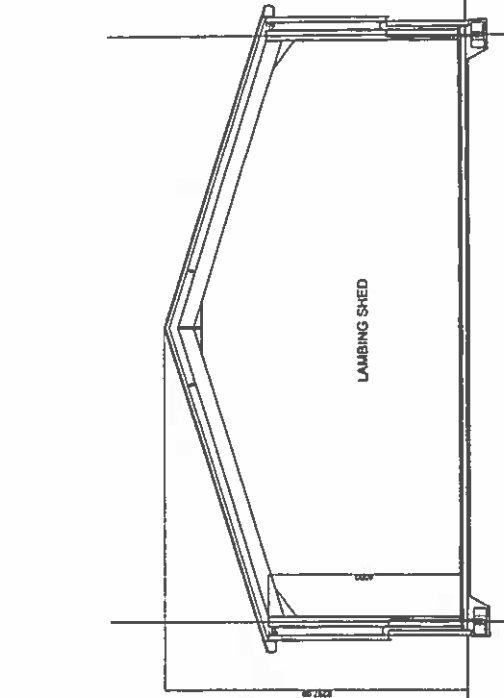
1000 WEST 11TH AVENUE SUITE 100
DENVER, CO 80202

Mr. Mike Walsh
Project: Proposed Lambing Shed
Project No. 15-001
Scale: 1/8" = 1'-0"

150 1 100 12 Aug 2016

W137B/1 **B**

EXTERNAL MATERIALS
WALLS: 1/2" OSB SHEATHING
OVER 2x4 STUDS
ROOF: 1/2" OSB SHEATHING
OVER 2x6 RAFTERS
FLOOR: 1/2" OSB SHEATHING
OVER 2x6 JOISTS



PLANSCAPE

WARD: Tremeirchion

WARD MEMBER: Cllr Christine Marston (c)

APPLICATION NO: 47/2017/0839/PF

PROPOSAL: Erection of an agricultural building for lambing

LOCATION: Bryntirion Farm Rhualt St Asaph

APPLICANT: Mr Mike Walsh

CONSTRAINTS: AONB

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

CONSULTATION RESPONSES:

TREMEIRCHION, CWM AND WAEN COMMUNITY COUNCIL –

Comments on the originally submitted plans:

“Objection as the proposal was too large and overdevelopment of the site. The building would be twice as large as the Agriculture Ministry’s guidelines, the lambing shed would be outside the curtilage of the stock work and it wasn’t clear if the 17 acres mentioned for other sheep had any permanence.”

Comments on revised plans:

“Objection as the proposal was too large and constitutes an overdevelopment on the site. The building would be twice as large as the Agriculture Ministry’s guidelines.”

AONB Joint Committee –

Raised initial concerns at the original plans, but submitted further comments on 14 February 2018 raising no objection as follows:

“The Joint Committee notes the amended siting of the building which is better related to the existing complex of buildings on the site. Providing the planning authority is satisfied that there is a genuine agricultural need for an additional building to serve the needs of this modest holding, the committee has no objection to the application. However, it is recommended that a landscaping scheme is required to break up views of the new structure. This should comprise small groups of standard sized native local trees planted in the vicinity of the building and fenced off to protect them from stock.”

NRW –

No objection. Building is better related to the building complex. Suggest inclusion of a condition on any permission requiring the submission of a landscaping scheme.

RESPONSE TO PUBLICITY: None.

ORIGINAL EXPIRY DATE OF APPLICATION: 18/10/2017

AGREED EXTENSION OF TIME DATE: 28/02/2018

REASONS FOR DELAY IN DECISION (where applicable):

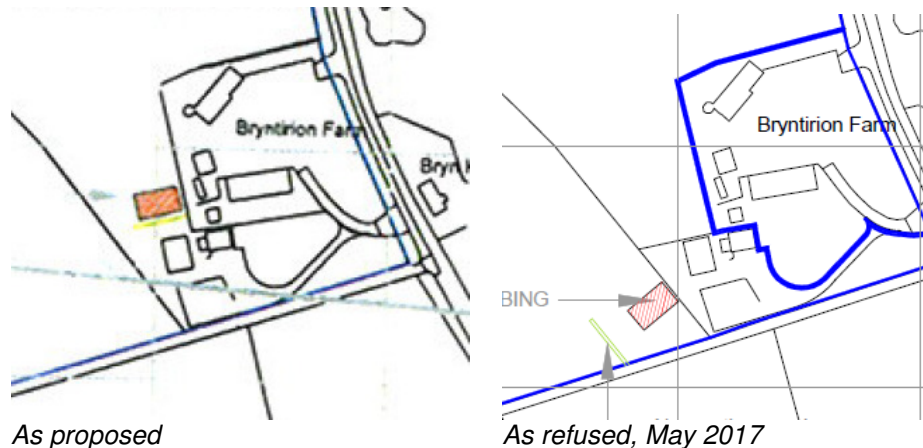
Revision of scheme to re-site the building to a more appropriate position.

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 The application follows a previous refusal at the site for a lambing building (ref 47/2017/0255/PF) on 8 May 2017 and proposes the erection of a new lambing building to be sited in an open field immediately adjacent to the western boundary of the applicant's curtilage.
- 1.1.2 The proposed building has a footprint of 19.3 metres by 12.6 metres with a pitched roof up to a ridge height of 6.3 metres and eaves of 4.0 metres. The structure would be constructed with a portal frame with dark green steel profile cladding and vertical Cheshire boarding above concrete block base walls, with a dark grey corrugated sheet roof.
- 1.1.3 An extract from the proposed site plan is shown below to illustrate the development, alongside the proposed siting of the building which was refused permission in May 2017.



1.2 Description of site and surroundings

- 1.2.1 The building would be on land standing adjacent to the curtilage and buildings of Bryntirion Farm which lies to the east. A track runs to the south, with the northern and western boundaries being to further open fields and sloping land.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site stands outside of any development boundary in an area without any specific designation in the Local Development Plan, and is within the AONB.

1.4 Relevant planning history

- 1.4.1 Along with the May 2017 refusal, the site and the adjacent complex of the applicant's property have an extensive planning history for buildings and changes of use.

1.5 Developments/changes since the original submission

- 1.5.1 None.

1.6 Other relevant background information

- 1.6.1 The submission is accompanied by a Design and Access Statement which puts forward the following information in support of the scheme:
- The farm is a registered smallholding.
 - The holding extends to around 25 acres with the dwelling, outbuildings and yard to the south east.
 - The site is well screened
 - The additional lambing shed is to provide lambing and winter accommodation for a total of an additional 100 ewes
 - As a result, the agricultural unit will be able to accommodate a total of 160 sheep.
 - The additional shed will be sited close to the existing lambing shed at the head of the existing yard area, giving livestock ready access to the existing paddock

- Siting and design have been carefully considered in order to minimise impact on the character and appearance of the countryside whilst at the same time providing functional livestock accommodation.

2. DETAILS OF PLANNING HISTORY:

2.1 The site has an extensive planning history as set out below:

appref	uprn	ate	type	proposal	decision
47/2004/1013	47	2005-03-2	DC-GPC	Retention of triple garage, attached kennel block, entrance gates, pillars and CCTV column	Granted
47/2011/0768	10002252	2011-10-1	DC-GPF	Erection of Agricultural Building (Lambing Shed)	Caniautau
47/2003/0069	47	2005-08-1	DC-WDN	Demolition of buildings and erection of swimming pool enclosure and use of land to form	Withdraw
47/2001/0877	47	2001-11-0	DC-GPF	Demolition of dwellings and erection of new dwelling and detached garage	Caniautau
47/2003/0178	47	2003-04-2	DC-GEL	Rebuilding of existing 11kV overhead line supported by wood poles	No object
47/2005/0431	47	2005-08-3	DC-GPF	Demolition of building and erection of swimming pool enclosure	Caniautau
47/2002/0676	47	2002-07-0	DC-GAC	Details of Condition No. 3 (landscaping) on planning permission Ref. No. 47/2001/0877/PF	Granted
47/2006/1278	47	2006-12-2	DC-RPF	Erection of agricultural equipment shed	Refused
47/2007/0834	47	2007-10-2	DC-RPF	Erection of detached equipment store	Refused
47/2011/0647	0	2011-06-1	DC-RFA	Erection of an agricultural building for sheep	Refused
47/2010/1272	47	2011-02-1	DC-GPF	Erection of detached garden equipment store	Caniautau
47/2008/0813	47	2008-09-2	DC-RPF	Erection of detached equipment store	Refused
47/2010/0962	47	2010-12-0	DC-RPF	Erection of a 10 kw wind turbine on a 12m tower with a 9.6m rotor diameter (approximat	Refused
47/2010/0332	47	2010-05-1	DC-GPF	Erection of single storey and two storey pitched roof extensions to rear	Caniautau
47/2012/0368	0	2012-05-3	DC-GPC	Erection of building to house water storage tank (retrospective application)	Granted
47/2012/0333	10002252	2012-05-3	DC-RPC	Continuation of use of land as ancillary play area to main dwelling and retention of tree h	Refused
47/2012/1325	0	2015-07-0	DC-XXX	Continuation of use of land for recreational purposes and retention of tree house above e	GENERAL
47/2015/0216	0	2015-04-2	DC-GPF	Erection of a sun lounge extension	Caniautau

2.2 In addition to the above, 47/2017/0255/PF "Erection of an agricultural building for lambing" was refused on 08/05/2017 for the following reason:

1. *It is the opinion of the Local Planning Authority that the application has failed to justify why the proposed building is appropriate in scale and nature for its location, and the application has not provided the necessary business case to demonstrate that the development will support the local economy. It is further adjudged that in the absence of the necessary justification the proposed building would adversely affect the character and quality of the Vale of Clwyd and Dee Valley AONB and the reasons for its designation. The development is therefore contrary to criteria i), iii) and iv) of Policy PSE 5 along with the requirements of Policy VOE 2 of the Denbighshire Local Development Plan and the advice of Planning Policy Wales and the Development Control Manual November 2016.*

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 PSE5 – Rural Economy

Policy VOE2 – AONB/AOB

3.2 Supplementary Planning Guidance

None

3.3 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual

3.4 Other material considerations

None

4 MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Planning Policy Wales Edition 9, 2016 (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' (PPW section 3.1.3). 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 (PPW section 3.1.4).

Development Management Manual 2016 states that material considerations 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 (DMM section 9.4).

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 the AONB
- 4.1.3 Residential amenity
- 4.1.1 Highways (including access and parking)
- 4.1.2 Impact on best and most versatile agricultural land

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.

TAN6 Appendix 1 sets out the general considerations for planning authorities when dealing with agricultural prior notification applications. TAN6 2.1.1 states the planning system must also protect and enhance the natural and historic environment and safeguard the countryside and open spaces.

Policy PSE5 states that development, including agricultural diversification, will be supported throughout the County subject to detailed criteria, which include making a significant contribution to sustainable development and recognising any special status of the Area of Outstanding Natural Beauty/Area of Outstanding Beauty.

The principle of constructing new agricultural buildings is acceptable in relation to current planning policy and guidance. With respect to the Community Council's concerns over the size of the building, the applicant's agent has outlined stocking figures which set out the need for the additional building in the submission, which officers consider addresses previous concerns.

In this instance, it is suggested the key issues are the local impacts of the development, which are reviewed in the following sections of the report.

- 4.2.2 Visual amenity and impact on 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. 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.

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 requirements of Policy PSE 5 are very clear for new buildings in regard to such development only being acceptable where the proposal is appropriate in regard to its scale and nature. The policy also requires such development to take full account of the AONB and seek to enhance the nature and distinctive qualities of the local landscape, with proposals that are considered detrimental to the quality of the AONB being refused.

The Community Council have concerns over the size of the building and consider it would be an overdevelopment of the site. The AONB Joint Committee have no objection subject to additional landscaping. NRW request a condition be attached to secure a landscaping scheme.

The current scheme proposes a revised location of the building which in Officers' opinion addresses previous concerns over its visual / landscape impact. In respecting comments over the impact of the building, it is considered that the proposal is now acceptable. The removal of the previous objection from the AONB Joint Committee is a relevant matter and lends weight to the argument that no visual harm would arise from the development. Conditions are suggested requiring submission, approval and implementation of landscaping proposals.

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 new building is set adjacent to the existing property of the applicant and it is not considered that the additional building proposed will result in any substantive harm to the amenity of any other residents.

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. Policy ASA 3 requires adequate parking spaces for cars and bicycles in connection with development proposals, and outlines considerations to be given to factors relevant to the application of standards. These policies reflect general principles set out in Planning Policy Wales (Section 8) and TAN 18 – Transport, in support of sustainable development.

As the proposal will utilise the existing access the scheme does not raise any issues in regard to highways safety.

4.2.5 Impact on best and most versatile agricultural land

Planning Policy Wales (Section 4.10) obliges considerable weight to be given to protecting land of grades 1, 2, and 3a quality in the Agricultural land Classification system of the Department for Environment, Food and Rural Affairs. This land is considered to be the best and most versatile and justifies conservation as a finite resource for the future. PPW indicates that land of this quality should only be developed if there is an overriding need for the development, and either previously developed land or land of a lower grade is available, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.

Whilst the proposed building would be located on an existing area of agricultural land its intended use for livestock is not considered to represent any significant loss of the best and most versatile agricultural land.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has been drafted with regard to the Council's duty and the "sustainable development principle", as set out in the 2015 Act. The recommendation takes account of the requirement to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5 SUMMARY AND CONCLUSIONS:

- 5.1 Having regard to the detailing of the proposals, the potential impacts on the locality, and the particular tests of the relevant policies, the application is considered to be acceptable and is recommended for grant.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 14th March 2023.
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) Covering Letter (Drawing No. K/DNS/12603) - Received 24 August 2017
 - (ii) Design and Access - Received 24 August 2017
 - (iii) Proposed Floor Plans and Elevations (Drawing No. W.1378/1B) - Received 24 August 2017
 - (iv) Site Plan and Section (Drawing No. W.1378/3) - Received 30 January 2018
 - (v) Location Plan (K/12603-1) - Received 1 February 2018
3. Prior to the development hereby permitted being brought into use a full landscaping scheme shall be submitted and approved in writing by the Local Planning Authority.
4. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement of development. 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 otherwise agreed in writing.

The reasons for the conditions 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 interest of landscape and visual amenity.
4. In the interests of visual amenity.