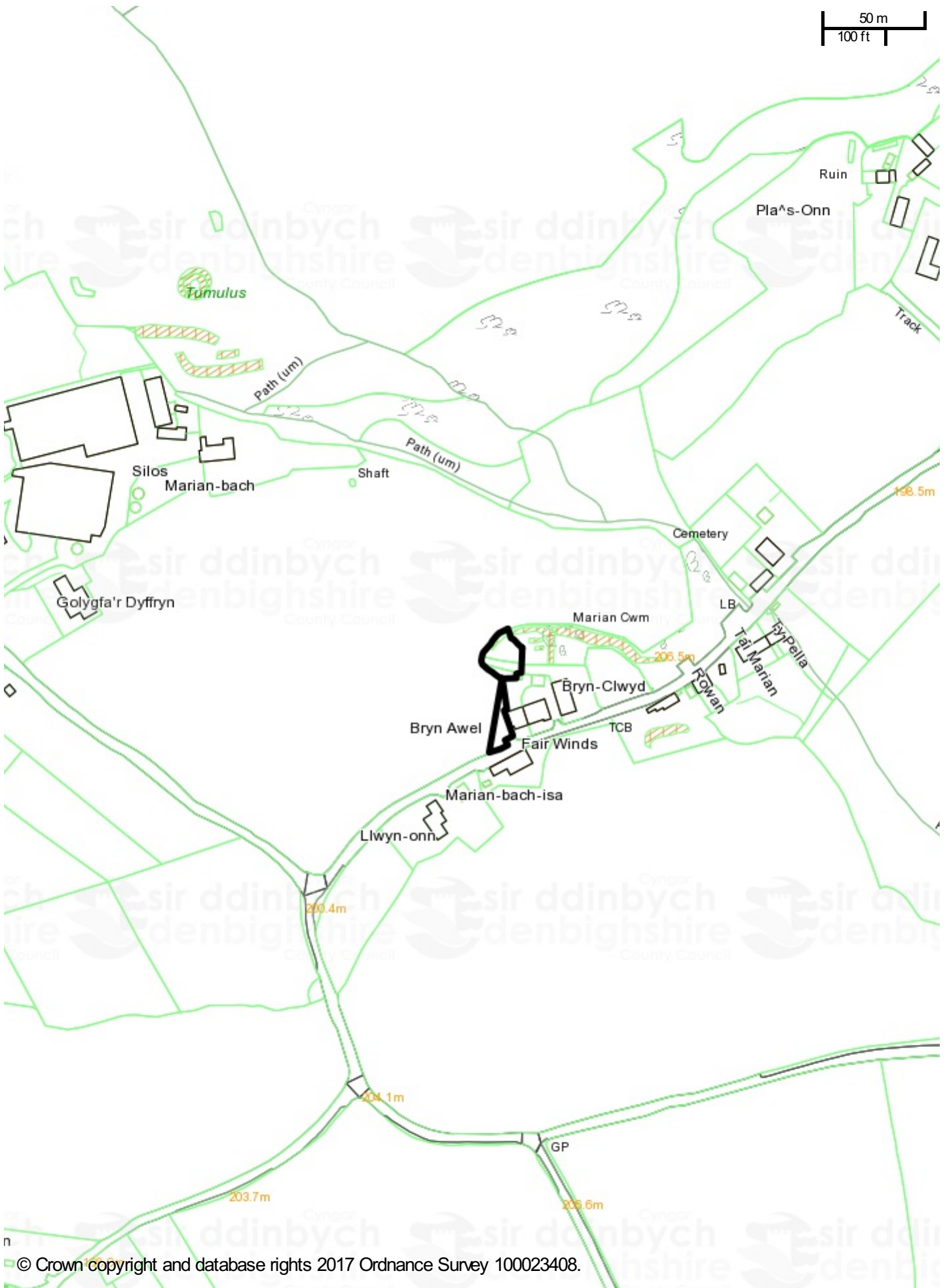


50 m
100 ft



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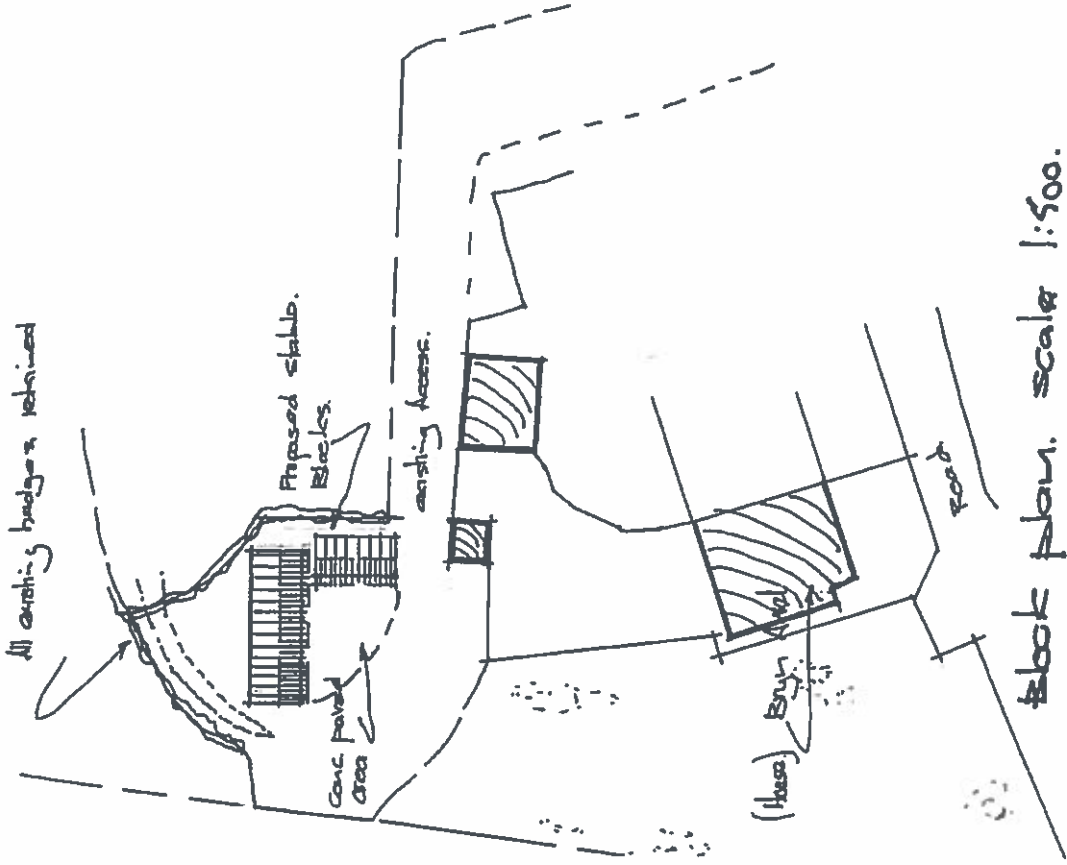
47/2018/0962

Scale: 1:2500

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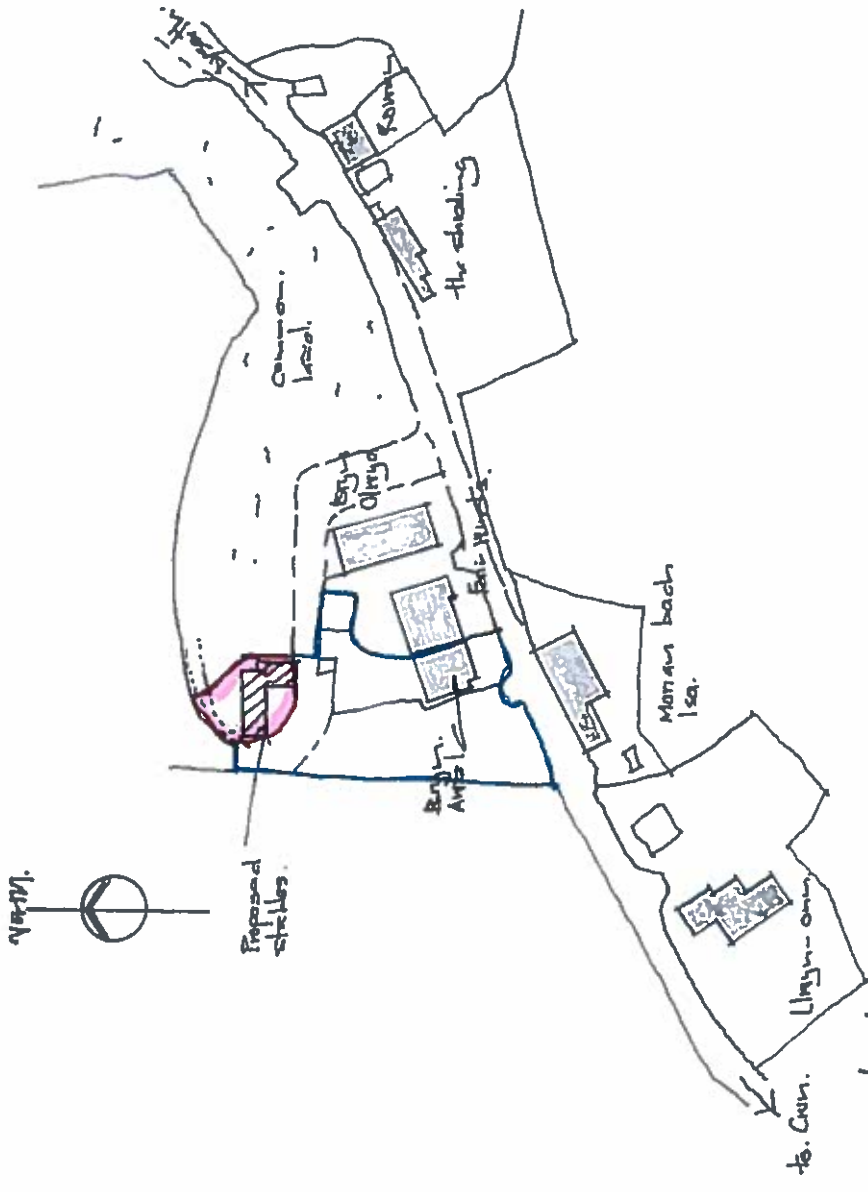
© Denbighshire County Council



block plan. scale 1:500.

Mrs K. English
 Bryn. Avel.
 Morran Cwm.
 Dysarth.

Block plan and
 location plan for
 Proposed stables @
 Bryn Avel

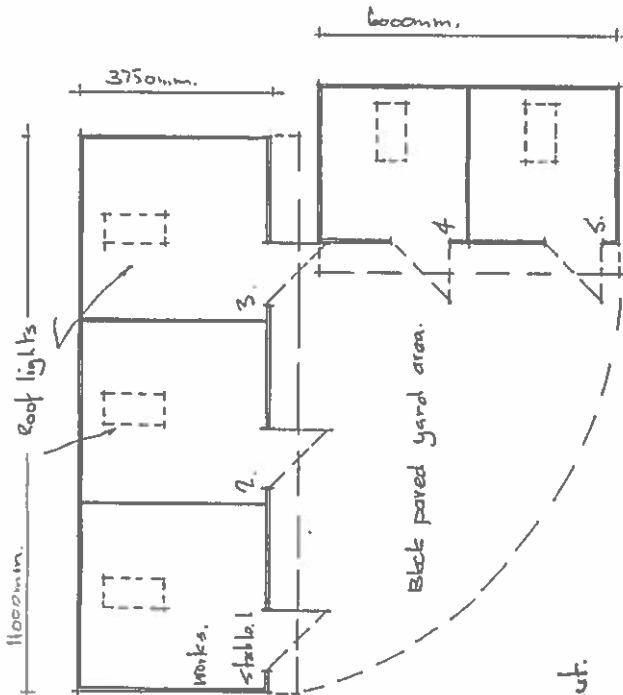


location plan. scale 1:1250.



Scale 1:500 + 1:1250.
 BWS N° 1845. 02.
 Hase. MLD.

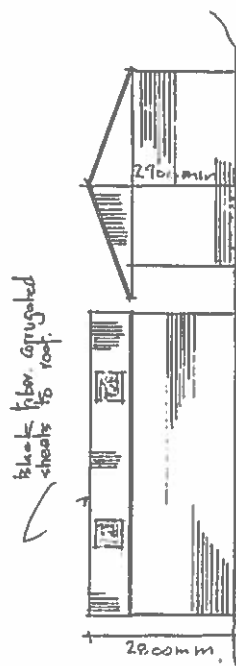
PLANS OF STABLES



Pre formed timber stable bars, fixed to concrete slab. (100mm min) ground removed all sub soil to solid base lay. Hardcore 150mm min and concrete.

Stable layout.

All rain water will be intercepted from roofs into p.v.c. 2.50 lit. bunds.



East elevation.

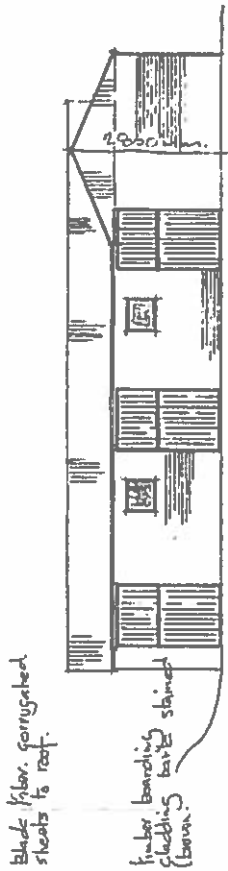
Mr. K. English
Bryn Avel.
Marian Cwm.
Llysoeth.

proposed stable blocks.
at Bryn Avel.
Marian Cwm.

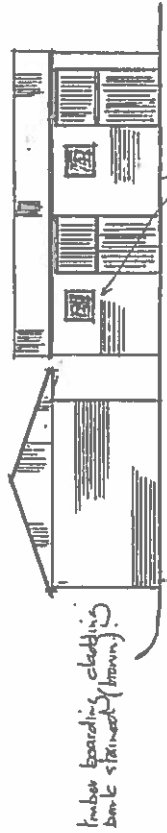
Scale 1:100.

Drawn 18th. 01.

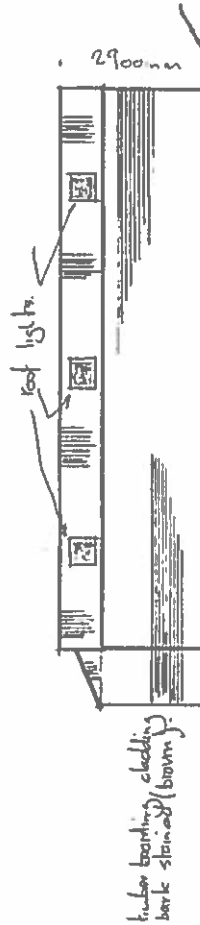
Mr. M. M.



South elevation



West elevation



North elevation



WARD : Tremeirchion

WARD MEMBER: Cllr Christine Marston (c)

APPLICATION NO: 47/2018/0962/PC

PROPOSAL: Erection of stables for private use (retrospective application)

LOCATION: Bryn Awel Cwm Rhyl LL18 6HU

APPLICANT: Mrs Karen English

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:

TREMEIRCHION, CWM AND WAEN COMMUNITY COUNCIL

“Objection as this is considered to be an over-development of the site within a residential area. There is also concern that this is within the Common Land boundary.”

CLWYDIAN RANGE AONB Joint Committee

“No objection”

RESPONSE TO PUBLICITY:

No representations received.

EXPIRY DATE OF APPLICATION: 26/11/2018

EXTENSION OF TIME AGREED? N/A

REASONS FOR DELAY IN DECISION (where applicable): N/A

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Retrospective planning permission is sought for the erection of a stable block at land to the north of Bryn Awel, Cwm.
- 1.1.2 The stable buildings are in an L-shape with the north block measuring 11m x 3.7m and the east block measuring 6m x 3.1m. Collectively they have a floor area of approximately 60 square metres. Both blocks have a ridge height of 2.9m with eaves of 2.1m.
- 1.1.3 The north block has 3 stables and the east block has two stables. The stables open out onto a block-paved yard area in a semi-circle. A roof light and inspection window to the front elevation serves each stable. No external lighting is proposed. The stables are made from timber boarding / cladding which is stained dark brown.

1.1.4 The stables are for personal recreation use only.

1.2 Description of site and surroundings

1.2.1 The site is located in the open countryside in the area of Marian Cwm, to the north of buildings which form a small ribbon of development along the road. The dwelling Bryn Awel is a semi-detached property with residential neighbours opposite and adjoining.

1.2.2 The stable block is located to the north of Bryn Awel on a piece of land which it is understood to be within the ownership of the applicant, purchased off a private individual in the summer of 2018. The stables are set into the hillside and are bounded to the north and east sides by mature trees and hedging.

1.2.3 Access to the stables is to the rear of the row of dwellings with the access to the fields available from within the stable yard area. The applicant also has access via a rear garden gate from their property Bryn Awel.

1.3 Relevant planning constraints/considerations

1.3.1 The site is located outside any development boundary, within the AONB and within an Area of Search (Hamlets) in the Local Development Plan.

1.4 Relevant planning history

1.4.1 There is no relevant planning history at the site relating to equestrian use.

1.5 Developments/changes since the original submission

1.5.1 None.

1.6 Other relevant background information

1.6.1 Additional information was requested to confirm arrangements for the storage / removal of waste and it has been advised that this would not be stored on site but removed to a shared storage location on the adjacent farm via personal quadbike.

2. DETAILS OF PLANNING HISTORY:

2.1 47/2018/0340/ PF Erection of first floor extension, creation of juliette balcony and alterations to dwelling GRANTED on 13/06/2018.

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 of direct relevance.

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Clwydian Range and Dee Valley Area of Outstanding Natural Beauty

Supplementary Planning Guidance Note: Trees & Landscaping

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 9) November 2016

Development Control Manual November 2016

Technical Advice Notes: TAN 6 Planning for Sustainable Rural Communities

Circulars

3.3 Other material considerations

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 including impact on AONB
- 4.1.3 Residential amenity

4.2 In relation to the main planning considerations:

4.2.1 Principle

In Officers' opinion, the principle of erecting small buildings ancillary to agricultural or equine uses in open countryside is acceptable and raises no significant land use planning issues.

Planning Policy Wales (Section 4.10.1) obliges 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. PPW notes this land is considered to be the best and most versatile and justifies conservation as a finite resource for the future. It 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.

In noting the contents of PPW, the buildings are small and used in connection with a common countryside use of land which does not threaten the long term loss of high grade agricultural land .

There is broadly relevant advice in Paragraph A14 TAN 6 for local planning authorities when dealing with Prior Approval submissions for agricultural buildings. In relation to siting and design, Paragraph 14 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."

The following section of the report reviews the visual / landscape impact of the building in relation to the contents of the TAN 6 guidance.

4.2.2 Visual amenity including impact on 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.

Planning Policy Wales section 5.3 refers to considerations to be given to conserving landscape and biodiversity, and in respect of statutory designations such as AONBs, confirms the primary objective for designation is the conservation and enhancement of their natural beauty, whilst noting the need to have regard to the economic and social well-being of these areas.

The AONB Committee have also commented that the development is well related to the existing building complex and is screened from nearby public vantage points. No individual representations have been received raising visual amenity concerns.

The stable block would be opposite 3 properties and visible from the rear of the properties at Fairwinds and Brynclwyd to the south. The Offa's Dyke Path also runs to the north of the site. The visual impact when viewed from the PROW and the neighbouring properties is not considered to be significant as the stables are screened to the north and east by scrub and trees. The structure is situated in a position which limits its impact on visual amenity. The materials allow the structure to blend into the landscape and it would not give rise to any negative impact to the setting and its location within the landscape.

Having regard to the design, siting, scale, massing and materials of the proposed development, in relation to the character and appearance of the locality, landscape and AONB, it is considered the proposals would not have an unacceptable impact on visual amenity and would therefore be in general compliance with the tests in the policies referred to.

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.

Representations have been received raising residential amenity concerns from the Tremeirchion, Cwm and Waen Community Council, who consider the stable block being over-development of a residential area.

Factually, the 2 stable blocks occupy approximately 60 square metres of land which previously had sheds on it to the rear of the properties Bryn Awel, Fairwinds and Bryn Clwyd. The development is within the ownership of the applicants of Bryn Awel and it is Officers' opinion, with respect to the Community Council's comments, that this scale of building does not represent an overdevelopment of a residential area. The stable building is integrated well into the hillside and there is open grazing land to the north and west which does not give rise to a cramped appearance.

No objections have been raised by the occupiers of the other properties in the vicinity of the stable block and it has been confirmed by the applicant that no manure is to be stored on the site which could give rise to unacceptable residential amenity impacts. No external lighting is proposed to the stable block.

The stable block is in connection with private recreational use which would mean that it would not involve a commercial use which may have the potential for noise disturbance to neighbours.

Having regard to the scale, location and design of the proposed development, it is considered that the proposals would not have an unacceptable impact on residential amenity, and would therefore be in general compliance with the tests of the policies referred to.

Other matters

Common Land

With regard to the comments made by the Community Council, the applicant has confirmed that the piece of land was purchased on 14th August 2018 from Mr Cunnah of Marian Bach Farm.

The Denbighshire County Council Register of Common Land shows that the section of land in question is not Registered as Common Land. A Solicitors letter confirming the purchase has been submitted and confirms the property was previously registered at Marian Bach Farm and not previously Common Land.

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 12th December 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) Supporting Information & Design & Access Statement received 2 October 2018
 - (ii) Photographs received 2 October 2018
 - (iii) Elevations & Floor Plan (Drawing No. 1845.01) received 2 October 2018
 - (iv) Block & Location Plan (Drawing No. 1845.02) received 2 October 2018
 - (v) Location Plan (Scale 1:500) received 2 October 2018
3. No external lighting shall be installed other than with the prior written approval of the Local Planning Authority.

4. No sound amplification systems including the playing of music shall be permitted outside the stable block buildings at any time, other than with the prior written approval of the Local Planning Authority.
5. The stable block hereby approved shall be solely used for purposes incidental to the enjoyment of the dwellinghouse known as Bryn Awel, Marian Cwm and shall at no time be used for any commercial or business use.

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 interests of the amenities of occupiers / users of nearby properties and to protect the character and appearance of the AONB.
4. In the interests of the amenities of occupiers / users of nearby properties.
5. To prevent any commercial use of the facility and in the interests of visual and residential amenity.