

Public Document Pack



Neuadd y Sir / County Hall, Llandrindod, Powys, LD1 5LG

Os yn galw gofynnwch am - If calling please ask for
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PLANNING, TAXI LICENSING & RIGHTS OF WAY COMMITTEE Wednesday, 5th October, 2022

The use of Welsh by participants is welcomed. If you wish to use Welsh please inform us by noon, two working days before the meeting

SUPPLEMENTARY PACK

1.1. **Updates**

Any Updates will be added to the Agenda, as a Supplementary Pack, wherever possible, prior to the meeting.

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2.	APPEAL DECISION	6
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To receive the Planning Inspector's decision regarding an appeal.

(Pages 15 - 18)

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Planning, Taxi Licensing and Rights of Way Committee Report

Application Number:	20/1122/FUL	Grid Ref:	E: 308109 N: 293941
Community Council:	Aberhafesp Community	Valid Date:	04.09.2020

Applicant: Mr Jeff Hopkins

Location: Bank Farm, Aberhafesp, Newtown, Powys, SY16 3LS.

Proposal: Erection of a livestock building for straw-based pig rearing with associated feed bin, hard standing area, landscaping and drainage attenuation pond.

Application Type: Full Application

REPORT UPDATE

Agent Correspondence

Email correspondence was circulated to Members from the applicant's agent in an email dated the 30th September 2022. In the interests of clarity to all Members I have included this correspondence in full at Appendix A below.

Consideration has been asked to take into consideration the planning balance when determining the planning application.

Planning Policy Wales (2021) confirms that SSSIs are of national importance. The Wildlife and Countryside Act 1981, places a duty on all public bodies, to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features by reason of which a SSSI is of special interest.

Planning Policy Wales continues to state that *“SSSIs can be damaged by developments within or adjacent to their boundaries, and in some cases, by development some distance away. There is a presumption against development likely to damage a SSSI and this presumption should be appropriately reflected in development plans and development management decisions. In particular, before authorising development likely to damage any of the notified features of a SSSI, planning authorities must give notice of the proposed operations to NRW, and must take its advice into account in deciding whether to grant planning permission and in attaching planning conditions. For the purposes of land use planning proposed SSSIs will be treated in the same way as notified SSSIs.”*

There is therefore a presumption against development likely to damage a SSSI. In this instance we have received an objection from Natural Resources Wales who confirm that Gregynog SSSI is already exceeding thresholds and this development, would add further ammonia into that SSSI. It is therefore concluded that this development would further see a decline and negatively impact upon the features of that SSSI and therefore, whilst the agents comments are noted, the reason for refusal remains justified in this instance.

Highway Safety

In Officers previous reports, mention was made to utilising the existing access to the site. This was an error and therefore write to confirm the following updated statement.

Following amended plans, a new access is proposed off C2063 which also includes a number of other highway improvements along the access route and road widening.

As per Officers previous report, the Powys Highway Authority have been consulted and subject to numerous conditions the highway authority has confirmed that they are now in a position to support the proposal subject to the recommended conditions.

Conclusion

In light of the above however, the recommendation remains as per the previous Officers report recommendation.

Case Officer: Gemma Bufton, Principal Planning Officer
Tel: 01597 827505 E-mail: gemma.bufton1@powys.gov.uk

Appendix A- Email correspondence from applicants agent.

Dear Sir or Madam,

20/1122/FUL Bank Farm, Aberhafesp

This planning application is before for the committee for determination at the meeting on 5th October 2022. The application was submitted in September 2020, and during that period, the applicant has worked tirelessly with statutory consultees to address the issues arising.

The application has a recommendation of refusal for a single reason which relates to ammonia emissions to Gregynog SSSI.

The application is accompanied by detailed ammonia modelling which shows that the development has a maximum ammonia process contribution of 0.7% to Gregynog SSSI.

This level of ammonia impact was fully compliant with the NRW guidance on ammonia when the application was submitted in September 2020. At the time of submission, the rules were that the process contribution has to be below 1%.

In May 2021, Natural Resources Wales, changed their guidance, and it now requires the development to be below 1%, unless the SSSI is showing to be above its critical load, and if so, their rule is 1% in combination with other plans and projects.

Gregynog SSSI is showing background ammonia levels on the Air Pollution Information System of 1.5 micro grams per metre cubed. The theoretical critical level is 1 micro gram per metre cubed, therefore Gregynog SSSI is above its theoretical critical level (nearly every SSSI in Wales is above the theoretical critical ammonia level).

Our development is below 1%, but there are other projects in the locality of Gregynog SSSI which are pushing the in-combination process contribution above 1% which is why NRW have objected.

This proposal is for a straw-based pig finishing unit, and there are numerous examples of this kind of development across Powys. The proposal is a low-key farm diversification initiative for the applicant, to create an additional income stream for

the business and will be operated by the applicant's daughter Jemma as the next generation of farmer at Bank Farm.

The rules on ammonia set by NRW are a one size fits all approach and is removing consumer choice. This proposal is a high welfare system of straw-based pig rearing – it is not an intensive livestock unit. The production system proposed holds a Compassion in World Farming Good Pig Award.

The problem with NRW's approach is that the threshold levels are so low, this type of high welfare system cannot comply. Typically, intensive livestock units such as broilers or fully slatted slurry-based pigs have lower ammonia impacts than the more extensive systems, such as straw based pig rearing.

Ammonia mitigation in the form of air scrubbers or heat exchange systems can be fitted to intensive livestock units such as broilers, layers or intensive pig units to reduce ammonia, but not to this type of operation.

This project is not an intensive livestock unit, and air scrubbers etc cannot be applied without completely redesigning the proposal as a slurry based intensive pig unit. If the applicant was to do this, it would change the nature of the project from high welfare to intensive, and would overcome the ammonia issue, but the ultimate supermarket customer would withdraw the contract offer, as the production system would no longer fit with their high welfare premium product.

It needs to be borne in mind that ammonia is an inevitable consequence of the production of food. The only way to have no atmospheric ammonia is to produce no food.

The UK is far from self-sufficient in pork, with AHDB estimating that we produce 60% of what we consume, with 40% imported. There is a clear argument that the UK currently isn't carrying its fair share of agricultural ammonia emissions.

Planning decisions should be made with a balance and planning policies should be subject to consultation. This is not what happens with Natural Resources Wales and their ammonia guidance – it is written behind closed doors and issued as law.

We have got to a situation in Wales now that essentially nothing can comply with the ammonia rules, and this is extremely damaging to food security and the rural economy.

Whilst I agree that there is a need to protect biodiversity, there is also an economic need for jobs and food production. There needs to be a political balance between the needs of agriculture and the need to protect the environment and the current rules offer no balance at all. The environment wins with farmers and food security losing.

We can work with a 1% alone allowance for ammonia, but 1% in combination is unworkable for the entire farming industry of Wales.

I would therefore ask that the planning committee consider applying a planning balance to this application, giving greater weight to the need to produce food and have a vibrant rural economy in approving this application. At 0.7% ammonia process contribution, the ammonia impacts on this application are essentially negligible in any event.

Kind Regards

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Planning, Taxi Licensing and Rights of Way Committee Update Report

Application Number: 22/0415/FUL

Grid Ref: E: 322513
N: 329665

Community Council: Llansilin Community

Valid Date: 05.04.2022

Applicant: Mr D Thomas

Location: Land Near to Lledrod, Llansilin, Oswestry, Powys, SY10 7PU.

Proposal: Change of use of agricultural land and a building to a mixed use of agriculture along with machinery/vehicle repairs and servicing, to include hard standing and all associated works (part retrospective)

Application Type: Full Application

UPDATE REPORT

Hedgerow Translocation Scheme

As noted within the main Committee Report, public representations have raised concerns over the potential adverse impact on landscape amenity and hedgerow removal and highway safety access concerns.

Whilst the Highway Authority have not objected to the development, the recommended conditions to secure appropriate access visibility would involve works to the existing hedgerow.

The applicant's agent has supplied a Hedgerow Translocation Plan and Hedgerow Translocation Method Statement which indicates the translocation of the existing hedgerow to facilitate the required access visibility splays. The plan will be included on the presentation during the Committee meeting.

The translocation of the hedgerow would not result in the loss of a hedgerow and the submitted method statement includes appropriate aftercare measures. It is also noted that the hedgerow has a wider connectivity to the south and therefore the small loss of hedgerow in this location would not negatively impact upon protected or priority species

within this location. As such it is considered that the development does not conflict with LDP Policy DM2 or DM13.

It is noted from the previous committee report that given the retrospective nature of the application, 30 days was recommended to secure the access improvement works. To complete the necessary hedgerow translocation works and to secure appropriate contractors etc to complete the works it is considered that extending this period for compliance to 60 days instead would be more reasonable and in line with the tests for a sound condition.

The conditions will therefore be amended below to reflect this amendment and to ensure they are in line with the recommendations as outline within the hedgerow translocation method statement.

Community Council Comments

Members are aware that concerns have been raised by the public that the Llansilin Community Council comments included within the planning report are incorrect.

The comments from Llansilin Community Council dated 14th May 2022 as outlined within the Committee Report were submitted in respect to application 22/0415/FUL through the online comments facility. These comments have not been formally retracted but additional comments from the Community Council was then submitted by the same process on the 26th September 2022. Both Community Council comments were therefore included within the Committee Report for Members consideration.

RECOMMENDATION – Conditional Consent

In light of the above assessment, it is considered that the proposed development fundamentally complies with relevant planning policy and the recommendation is therefore one of conditional consent.

Conditions

1 This permission being retrospective as prescribed by Section 73(a) of the Town and Country Planning Act 1990 (as amended) shall be deemed to take effect from the date of consent.

2 The development shall be carried out in accordance with the following approved plans and documents:

Application Form (dated: 10/03/2022)

Location Plan (Drawing No.: RJC-MZ745-06)

Block Plan (Drawing No.: RJC-MZ745-07)

Proposed Elevation and Floor Plan (Drawing No.: RJC-MZ745-08)

Justification Statement (Dated: February 2022 and Received: 6th April 2022)
Hedgerow Translocation Plan (Drawing No.: RJC-MZ745-09)
Hedgerow Translocation Method Statement (Received on: 29th September 2022)

3. Within 6 months of the date of this permission hereby approved, at least two bat or bird boxes shall be erected on the exterior of the building and shall be retained thereafter for as long as the development remains in existence.

4. Within 60 days of the date of this permission the access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 43 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

5. Upon formation of the visibility splays as detailed above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

6. Within 60 days of the date of this permission the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 15m from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.

7. Within 60 days of the date of this permission the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course material or (a suitably bound material which is to be approved in writing by the Local Planning Authority) for a distance of 15 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.

8. Within 60 days of the date of this permission a radius of 10 metres shall be provided from the carriageway of the county highway on each side of the access to the development site and shall be maintained for as long as the development remains in existence.

9. The width of the access carriageway shall be not less than 5.5 metres for a minimum distance of 15 metres along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.

10. The gradient of the access shall be constructed so as not to exceed 1 in 20 for the

first 15 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.

11. Any vehicular entrance gates installed within the application site shall be set back at least 15 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.

12. No surface water drainage from the site shall be allowed to discharge onto the county highway.

13. The use of the building for machinery/vehicle repairs and servicing shall not be carried out outside the hours of 0800 to 1800 Monday to Friday, 0800 to 1300 on Saturdays and 0800 to 1300 on Sundays.

14. Within 6 months of this permission hereby approved, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted landscaping scheme shall include a scaled drawing and a written specification clearly describing the species, sizes, densities and planting numbers proposed as well as aftercare measures. Drawings must include accurate details of any existing trees and hedgerows to be retained with their location, species, size and condition.

15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and 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.

16. No external lighting shall be installed unless a detailed external lighting design scheme has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall identify measures to avoid impacts on nocturnal wildlife in accordance with the recommendations outlined in the BCT and ILP Guidance Note 8 Bats and Artificial Lighting (12th September 2018). The development shall be carried out in accordance with the approved details.

17. The Hedgerow Translocation Scheme as shown on Drawing No.: RJC-MZ745-09 shall be implemented in accordance with the Hedgerow Translocation Method Statement (Received on: 29th September 2022) but notwithstanding the approved plans, timing must be completed within 60 days from the date of consent.

Reasons

- 1 Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
- 3 To comply with Policies DM2, DM4 and DM13 of the Powys Local Development Plan in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
4. In the interests of highway safety in accordance with Policies DM13 and T1 of the Powys Local Development Plan (2018) and Technical Advice Note (TAN) 18: Transport (2017).
5. In the interests of highway safety in accordance with Policies DM13 and T1 of the Powys Local Development Plan (2018) and Technical Advice Note (TAN) 18: Transport (2017).
6. In the interests of highway safety in accordance with Policies DM13 and T1 of the Powys Local Development Plan (2018) and Technical Advice Note (TAN) 18: Transport (2017).
7. In the interests of highway safety in accordance with Policies DM13 and T1 of the Powys Local Development Plan (2018) and Technical Advice Note (TAN) 18: Transport (2017).
8. In the interests of highway safety in accordance with Policies DM13 and T1 of the Powys Local Development Plan (2018) and Technical Advice Note (TAN) 18: Transport (2017).
9. In the interests of highway safety in accordance with Policies DM13 and T1 of the Powys Local Development Plan (2018) and Technical Advice Note (TAN) 18: Transport (2017).
10. In the interests of highway safety in accordance with Policies DM13 and T1 of the Powys Local Development Plan (2018) and Technical Advice Note (TAN) 18: Transport (2017).
11. In the interests of highway safety in accordance with Policies DM13 and T1 of the Powys Local Development Plan (2018) and Technical Advice Note (TAN) 18: Transport (2017).
12. In the interests of highway safety in accordance with Policies DM13 and T1 of the Powys Local Development Plan (2018) and Technical Advice Note (TAN) 18: Transport (2017).

13. In the interests of the amenity of the area in accordance with the requirements of Policy DM13 of the Powys Local Development Plan (2018) and Planning Policy Wales (Edition 11).

14. To comply with Policy DM4 of the Powys Local Development Plan (2018) and meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.

15. To comply with Policy DM4 of the Powys Local Development Plan (2018) and meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.

16. To comply with Policies DM2 and DM7 of the Powys Local Development Plan (2018) in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, February 2021), Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009) and Part 1 Section 6 of the Environment (Wales) Act 2016.

17. To comply with Policies DM2, DM4 and DM13 of the Powys Local Development Plan in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 11, 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

Informative Notes

1 County Highways Authority

1. Under Section 184 of the Highways Act 1980, it is a requirement that a licence is obtained from the Highway Authority, in addition to Planning Permission, for vehicular access works.

a. The need to avoid interference with and to make provision for the carrying of existing highway drainage under the access to the satisfaction of the Highway Authority.

b. The requirement of the Highway Authority for the Developer to ensure that no surface water is discharged onto the County Highway or, without prior approval, into the highway drainage system.

2. Under Section 50 of the New Roads & Street Works Act 1991 it is a requirement that a Streetworks licence is obtained from the Highway Authority to place, or to retain, apparatus in the highway and thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it.

3. Under section 171 of the Highways Act 1980 it is a requirement that a licence is obtained from the Highway Authority, in addition to Planning Permission, for the creation of passing bays or highway re-alignment works.
4. The need to inform and obtain the consent of Statuary Undertakers (Electricity, Water, Gas, BT), Land Drainage Authority, etc. to the works.
5. The New Roads & Street Works Act 1991 requires that all works, be properly notified and approved prior to commencement.

Further advice on the above highway matters can be obtained from:-

<http://www.powys.gov.uk/en/roads-transport-parking/>

street.works@powys.gov.uk

Street Works

Powys County Hall

Spa Road East

Llandrindod Wells

Powys

LD1 5LG

0845 6027035

2. Pollution Prevention

Due to the presence of an onsite watercourse, all works at the site must be carried out in accordance with GPP5 and relevant PPGs. The developer should also take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to GPP 5 and relevant PPGs at the following link: [Guidance for Pollution Prevention \(GPPs\)](#)

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Penderfyniad ar yr Apêl

Ymweliad safle a wnaed ar 12/4/22

gan H W Jones, BA (Hons) BTP MRTPI

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 17.08.2022

Appeal Decision

Site visit made on 12/4/22

by H W Jones, BA (Hons) BTP MRTPI

an Inspector appointed by the Welsh
Ministers

Date: 17.08.2022

Appeal Ref: APP/T6850/C/21/3276825

Site address: Land formerly known as Corn Barn, Crickadarn, Erwood, LD2 3PJ

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr J Charlton against the decision of Powys County Council.
 - The Enforcement Notice, numbered E/01/2021, was issued on 12 May 2021.
 - The breach of planning control as alleged in the notice is: Without planning permission, the demolition of a building and erection of a new building (“the Building”) in the approximate position marked with a cross on the Plan.
 - The requirements of the Notice are:
 - (i) Remove the Building marked at approximately ‘X’ on the attached plan.
 - (ii) Remove all associated infrastructure including septic tank installed for the sole use of the building identified at ‘X’ above.
 - (iii) Remove from the land the garage /storage building identified as ‘Y’ on the attached plan.
 - (iv) Remove from the land all building materials and rubble arising from compliance with the requirements (i), (ii) and (iii) above and restore the Land by levelling the ground and re-seeding with grass suitable to be used for agricultural purposes.
 - The period for compliance with the requirements is: Twelve months from the date the Notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2) (c), (e) and (f) of the Town and Country Planning Act 1990, as amended.
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Decision

1. I direct that the enforcement notice be corrected in paragraphs 2 and 5 (i) by the deletion of “the attached plan” and substitution with “the plan appended to this decision”, and by the deletion of “LD2 3PG” and substitution with “LD2 3PJ” in paragraph 2.

2. I direct that the enforcement notice be varied by the deletion of requirement (iii) in paragraph 5, and in requirement (iv) by the deletion of “, (ii) and (iii)” and substitution with “and (ii)”.
3. Subject to those corrections and variations, the enforcement notice is upheld.

Procedural Matter

4. The appeal form identifies the following grounds of appeal: (b), (c), (e) and (f). In an e-mail dated 2 February 2022, the appellant’s agent amended the grounds to those recorded in the banner heading. This was in light of its further assessment of the evidence and the variations to the notice proposed by the Council.

Reasons

The Notice

5. The plan accompanying the enforcement notice (EN) includes land that lies adjacent to the highway which is outside the appellant’s ownership. The appellant points out this inaccuracy and that the postcode used in the site address should read LD2 3PJ rather than LD2 3PG. The Council has acknowledged these errors and has produced a revised plan which excludes the land outside the appellant’s ownership, which is described as unregistered. I agree with it that it is not necessary to include land to the south which, although within the appellant’s ownership, is not directly affected by the EN.
6. In the interests of precision, I shall correct the notice to refer to the revised site plan, as appended to this decision, and the correct post code, satisfied that doing so causes no injustice to any party. As these matters form the basis of the ground (e) appeal, I need not deal with that matter any further.
7. The allegation described in the notice refers to a single building, the Corn Barn, which is identified with an ‘X’ on the accompanying plan. The plan identifies with a ‘Y’ a second building described in the notice as a garage, which is included in the requirements. In response to the appellant’s evidence that the works to this building, known as the Waggon Shed, does not constitute a breach of planning control the Council has suggested that the EN be varied to remove reference to Waggon Shed from the requirements. I am satisfied that the notice can be varied in this respect without causing any injustice to any party. I do not concur with the appellant’s assertion that it is necessary to amend the red line boundary to omit this building, nor do I accept that this correction causes difficulties in relation to the requirement of “levelling” the ground. It is clear to me that this requirement is concerned with the ground that will be directly affected by the demolition works set out in requirement (i) of the EN. My findings in this respect mean that it is not necessary for me to further consider the matters raised in the ground (c) appeal.

The appeal under Ground (f)

8. The buildings identified in the EN are statutorily listed buildings (grade II). The appellant suggests that the Council failed in its statutory duty under that Act to have special regard to the desirability of preserving the buildings and their setting when considering whether to pursue enforcement action. On that basis it avers that, as the EN requires 2 listed buildings to be demolished, it is unlawful.
9. As I intend to vary the notice to exclude the requirement to demolish the Waggon Shed, I shall focus on the Corn Barn in this ground of appeal, noting that the appellant is no longer pursuing the stance that the Corn Building is still standing. Accordingly,

and noting the detailed evidence provided by the Council, I find that it has been demolished and that a new building has been erected in its place. The appellant has chosen not to seek planning permission for the retention of the new building.

10. The Corn Barn formed part of a group of 7 listed buildings at Llawr Llan Farm that are under several separate ownerships. The Council has not yet decided whether to pursue action under the Planning (Listed Buildings and Conservation Areas) Act 1990 in relation to the demolition works. Whilst the Council was mindful of the listed status of the buildings prior to issuing the EN, as evidenced in the officers delegated report, the issue of setting appears not to have been directly addressed. It has subsequently reached the finding that the new building, which lacks the historic detailing and interest of the Barn, does not contribute to the understanding of the group at Llawr Llan. This is explained in the report of its Built Heritage Officer.
11. Drawing parallels with the judgment in R (Save Stonehenge World Heritage Site v Secretary of State for Transport [2021] EWHC 2161 the appellant criticises the Council's failure to consider the specific effect on each of the remaining listed buildings. However, I am satisfied that the reasoning advanced in relation to the effect on the group of buildings, holds true for each of them when considered individually, including the Waggon Shed. Therefore, I find that compliance with the EN would not affect the setting of any listed building such that it would harm its significance.
12. The purpose of the EN is to address the breach of planning control that has resulted in the erection of a new house which is in conflict with development plan policies designed to protect the countryside from inessential development. In this context I find that the requirement to demolish the building is a reasonable one. There are no lesser steps that would provide an effective alternative remedy. Accordingly, the ground (f) appeal fails.

Conclusion

13. For the above reasons I shall correct and vary the notice and, subject to such changes, I shall uphold the notice.

H W Jones

Inspector

Plan

This is the plan referred to in my decision dated:

by H W Jones BA(Hons) BTP MRTPI

Land formerly known as Corn Barn, Crickadarn, Erwood, LD2 3PJ

Reference: APP/T6850/C/21/3276825

