

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 18/0815/FUL

Grid Ref: E: 289652
N: 246234

Community Council: Llanwrtyd Wells

Valid Date: 26.11.2018

Applicant: Col Timothy Van Rees

Location: Glanirfon Farm, Station Road, Llanwrtyd Wells, LD5 4AF.

Proposal: Erection of two agricultural buildings (Retrospective)

Application Type: Full Application

The reason for Committee determination

The applicant is a Councillor for Powys County Council.

Consultee Responses

Consultee

Received

Community Council

No comments received at the time of writing this report.

PCC-Building Control

No comments received at the time of writing this report.

Wales & West Utilities - Plant Protection Team

3rd Dec 2018

Wales & West Utilities acknowledge receipt of your notice received on 28.11.2018, advising us of the proposals for:

Glanirfon Farm, LLANWRTYD WELLS, Powys, LD5 4AF

According to our mains records Wales & West Utilities has no apparatus in the area of

your enquiry. However Gas pipes owned by other GT's and also privately owned may be present in this area. Information with regard to such pipes should be obtained from the owners.

Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus.

Please note that the plans are only valid for 28 days from the date of issue and updated plans must be requested before any work commences on site if this period has expired.

Ward Councillor

30th November 2018

Thank you for correspondence regarding the above Planning Application.

I declared an interest in this matter as I am the applicant, and clearly it will have to go before the Planning Committee. Please let me have sight of your recommendation in due course.

PCC-(S) Highways

14th Dec 2018

Does not wish to comment on the application

Welsh Water

3rd Dec 2018

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

SEWERAGE

We can confirm we have no objections to this application.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are

re-consulted and reserve the right to make new representation.

Natural Resources Wales

Thank you for consulting Natural Resources Wales (letter dated 03/01/2019) regarding the above.

NRW does not object to the proposal. In our opinion, as explained below, the proposal is not likely to adversely affect any of the interests listed.

Designated sites

From the information provided, we consider that the proposal is not likely to have a significant effect on the River Wye Special Area of Conservation (SAC).

The outbuildings are located outside the flood C2 zone there are no potential pathways into the SAC.

Our advice may change should modifications be made to the proposed development prior to the determination of the application. If there are any changes to the proposed development which may affect the consideration of potential environmental impacts, please consult us again before you determine the application.

Please do not hesitate to contact us if you require further information or clarification of any of the above.

Our comments above only relate specifically to matters that are listed in our 'Consultation Topics' document (September 2018) which is published on our website: (<https://cdn.naturalresources.wales/media/686847/dpas-consultation-topics-august-2018-eng.pdf?mode=pad&rnd=131819256840000000>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

Advice for the developer:

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Agriculture

The facilities must comply with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater.

Likewise, if agricultural oil is going to be stored on site then storage facilities must be compliant with the Control of Pollution (Oil Storage) (Wales) Regulations 2016 in March 2016.)

Please refer to the link below for further information:
<http://naturalresources.wales/guidance-and-advice/business-sectors/farming/goodfarming-practice/?lang=en>

Pollution Prevention

All works at the site must be carried out in accordance with PPG6 'Working at construction and demolition sites' which is available at:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-andreplacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 10, December 2018)		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN6	Planning for Sustainable Rural Community		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN 15	Development and Flood Risk		National Policy
TAN18	Transport		National Policy
DM2	The Natural Environment		Local Development Plan 2011-2026
DM4	Landscape		Local Development Plan 2011-2026
DM5	Development and Flood Risk		Local Development Plan 2011-2026

DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
E2	Employment Proposals on Non-Allocated Employment Sites	Local Development Plan 2011-2026

Other Legislative Considerations

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Officer Appraisal

Site Location and Description

The application site is in the Community Council area of Llanwrtyd Wells and is located within the open countryside as defined by the Powys Local Development Plan (2018). To the south, east and west of the application site lies agricultural land, with a private track located to the north.

This proposal seeks retrospective consent for the erection of two agricultural buildings. Shed 1 shown on the Block Plan measures approximately 18.3 metres in length by 12.2 metres in width, with a height to the eaves of approximately 3.6 metres and a height to the ridge of approximately 5.6 metres. Shed 1 is finished using a concrete panel and perforated sheet wall, under a grey corrugated sheet roof. Shed 2 shown on the Block Plan measures approximately 14 metres in length by 5 metres in width, with a height to the eaves of approximately 3.9 metres and a height to the ridge of approximately 4.9 metres. Shed 2 will be finished using corrugated sheeting walls under a box profile sheeting roof.

Principle of Development

Technical Advice Note 6 sets out the general requirements applied to all agricultural developments such as this proposal. The main planning consideration relating to this type of proposal is whether it would cause any unacceptable adverse effects on Powys'

landscape. LDP Policy DM4 sets out the main considerations in terms of the impact of proposals upon the landscape, which will be looked at below.

It is considered that the principle of development at this location fundamentally complies with relevant planning policy subject to the following:

Design

With respect to design specific reference is made to LDP policies DM4 and DM13. Policy DM4 of the Powys LDP states that proposals will need to be appropriately and sensitively designed in terms of their integration, siting, scale and design to the characteristics and qualities of the landscape, and also have regard for the visual amenity enjoyed by users of both Powys Landscapes and adjoining areas. Policy DM13 of the Powys Local Development Plan states that proposals will only be permitted where the development has been designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing and design detailing.

Retrospective consent is sought for the erection of two agricultural buildings. Both sheds are considered to be of a moderate scale that are not considered to be over bearing upon the surrounding area. It is noted that the buildings have been grouped with an existing agricultural building present on site and the design of both sheds are typical of an agricultural building and use materials that are consistent with similar buildings of this type and as existing at the application site.

Reference is made to LDP policy DM4 – Landscape. A visual and sensory evaluation of the site using LANDMAP classifies this area of land as being moderate value. LANDMAP describes the area as being gentle undulating pastoral landscape characterised by areas of low lying marshy pasture and some wetland. However, it is stated that the A483 Trunk Road which runs through the area reduces the tranquillity of the corridor of land adjacent, which includes the area of the two agricultural buildings.

In light of this it is not considered that the erection of two agricultural buildings at this location has had a significant adverse impact upon the surrounding landscape and it is therefore considered that the proposed development fundamentally complies with relevant planning policy.

Highways

A safe access, parking and visibility splays are a fundamental requirement of any development. (DM13: Part 10).

There is an existing access that serves both of the agricultural buildings and the proposal does not seek consent for any alterations to this. The Local Highway Authority have been consulted on the proposed development and do not wish to comment upon the application.

In light of the above it is considered that the proposed development fundamentally complies with relevant planning policy.

Amenities enjoyed by occupiers of neighbouring properties

In considering the amenities enjoyed by the occupiers of neighbouring properties consideration has been given to the Powys Residential Design Guide (October 2004) and LDP policy DM13 (Part 11) on agricultural development. For developments of this nature considerations of impact on neighbour amenities should include odour, flies, dust and noise.

The two buildings are not considered to offer any adverse impacts to any neighbour amenities in terms of loss of daylight or loss of privacy due to a distance of approximately 170 metres from the application site to the nearest neighbouring properties. Both the sheds are used for the storage of agricultural machinery and fodder and therefore it is not considered there will be any impact upon neighbour amenities or the surrounding area in terms of odour, flies, dust and noise pollution.

In light of the above it is considered that the proposed development fundamentally complies with relevant planning policy.

Flood Zone

As per the Development Advice Map (Technical Advice Note 15 – Development and Flood Risk, 2004) the application site is located near a C2 Flood Zone. Natural Resources Wales have confirmed that both the outbuildings are located outside of the C2 Flood Zone and there is no potential for the development to have any significant impact upon the River Wye Special Area of Conservation. In light of this it is considered that the proposed development fundamentally complies with relevant planning policy.

RECOMMENDATION – CONDITIONAL CONSENT

Having carefully considered the proposed development, officers consider that the proposal fundamentally complies with relevant planning policy. The recommendation is therefore conditional approval.

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 strictly in accordance with the amended plans stamped as received on 26/11/2018 (drawing no's: 18/4362/1, 18/4362/2 & 18/4362/3).

Reasons

1. To comply with Section 63 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans approved by the Local Planning Authority in the interests of clarity and a satisfactory development.

Case Officer: Rhys Evans, Planning Officer
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