

PLANNING COMMITTEE	DATE: 28/02/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 2

Application Number: C21/0411/46/LL

Date Registered: 20/07/2021

Application Type: Full

Community: Tudweiliog

Ward: Tudweiliog

Proposal: Erection of building to keep agricultural equipment and feed including two stables and a tack store.

Location: Tir Tyddyn Du, Dinas, Pwllheli, LL53 8SU

Summary of the Recommendation: TO APPROVE SUBJECT TO CONDITIONS

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1. Description:

- 1.1 This is a full application for the erection of a multi-purpose (Agricultural / Horses) shed that will include two stables and a tack store, along with a sheep shelter where machinery and feed will be stored on the first-floor store. The building would measure 18.4m in length, 9.2m in width and 7.1m to the ridge of the roof. Externally, the walls would be clad with timber sheets stained in dark brown with dark grey coloured metal sheets on the roof.
- 1.2 The building would be on a plot of agricultural land that is detached from land surrounding the Tyddyn Du house and it is intended to erect the building approximately 160m from the house itself. The applicant explains that the intention of the application is to offer shelter for livestock and room to store machinery and feed on land that was recently purchased but has no convenient building for the purpose of the holding.
- 1.3 The site lies in open countryside approximately 700m to the south-west of the hamlet of Croeslon Dinas. It stands within the Special Landscape Area designated by the Gwynedd and Anglesey Joint Local Development Plan and within the Llŷn and Bardsey Landscape of Outstanding Historic Interest. The site is 180m to the west of the boundary of the Llŷn Area of Outstanding Natural Beauty. An unclassified road links the northern boundary of the site with the class 3 road that leads to the north towards Nefyn.
- 1.4 The application is submitted before the Committee as the applicant is a relative of an elected member of the Council.
- 1.5 It was resolved to defer making a decision on the application at the Committee on 13 December 2021, in order to give officers an opportunity to consider late information received which provided a further explanation of the need for the development, and this included:
- That there are no agricultural buildings located near the house (on Tyddyn Du land) and that some of the original buildings are now owned by Tyddyn Gwyn farm.
 - The access to the field near the house is unsuitable for large vehicles as it crosses a ditch and water pipes and as electricity and telephone cables pass overhead in the entrance, which is an obstruction that prevents machinery from gaining access to the field near the house.
 - Not much work will need to be done to the land in order to create a level site for the development and any soil that is moved will be recycled to create a level area around the building.
 - Indigenous shrubs and trees will be planted around the building.
 - The building will not affect the visual amenities of any of the neighbours, other buildings or any nearby settlement,
 - The site is hidden and in a secluded and desolate site, with the hedges providing a natural screen for the building.
- 1.6 In addition to the above, further discussions were held with the applicant, including a site meeting, and consequently, the proposed location of the building was changed by approximately 20m to the north-east, with a more traditionally shaped pitch roof, on a lower level than the original proposal and located closer to the mature hedge that surrounds the field.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasises that applications should be determined in accordance with the Development Plan, unless material planning considerations note otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

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2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on this Council to undertake reasonable steps when discharging its functions to achieve the 7 well-being objectives within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011 - 2026**

PCYFF 1: Development Boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

AMG 2: Special Landscape Areas

AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

2.4 **National Policies**

Planning Policy Wales (Edition 11, 2021)

Future Wales: The National Plan 2040

Technical Advice Note (TAN) 6: Planning for sustainable rural communities

Technical Advice Note (TAN) 12: Design

3. **Relevant Planning History:**

None.

4. **Consultations:**

In light of receiving the amended plans, a second consultation was undertaken on the application and the results of both consultations are summarised below:

Community/Town Council: First Consultation

Oppose

"The site lies within an open, secluded and high location in the countryside that has been earmarked as a Landscape Conservation Area and should it be approved, the proposal would have a damaging harmful impact on the visual amenities of the area, which is contrary to policy B10.

The proposed location of the shed is secluded and of considerable distance from the existing agricultural unit. Has a reasonable necessary agricultural need been submitted for the proposal that would guarantee its approval in this secluded location, contrary to the criteria of policy D9 of the JLDP?"

Second Consultation

Not received

Transportation Unit: First Consultation

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Not received

Second Consultation

Not received

Public Protection:

First Consultation

Not received

Second Consultation

Not received

Biodiversity Unit:

First Consultation

No ecological concerns

Second Consultation

No further observations

Land Drainage Unit:

First Consultation

Due to the size and nature of the development, an application will need to be provided to the SuDS Approval Body for approval before construction work commences.

Second Consultation

Not received

Natural Resources Wales:

First Consultation

No objection - observations for the applicant

Second Consultation

No observations to submit

Welsh Water:

First Consultation

Observations for the applicant

Second Consultation

Observations for the applicant

AONB Unit

First Consultation

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"The site in question is not too far from the AONB boundary in the rural area of Dinas, Pen Llŷn.

Due to the size and location of the building, it is likely that it would be visible from some areas in the AONB. Siting new agricultural buildings near buildings or physical boundaries reduces their impact on the landscape. Conditions are suggested to ensure a suitable colour to be in keeping with the background and to introduce landscaping."

Second Consultation

Not received

Public Consultation: A notice was posted on the site and neighbours were notified. The consultation period has ended and no correspondence was received regarding the proposal during both consultations.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Policy PCYFF 1 of the LDP encourages the refusal of applications outside development boundaries unless the location in the countryside is essential. The requirements of the Town and Country Planning Order (Permitted General Development) 1995 (as amended) Schedule 2 Section 6 Class B, note that an agricultural building can be constructed where the development is reasonably necessary for agricultural purposes within the unit, and the same principles apply to justify agricultural developments that require planning permission, as a result of receiving further information from the applicant and the subsequent discussions, officers now understand the need for the building and the logic for locating it in the chosen location.
- 5.2 We note the owner's need to erect the building in order to care for the animals in her ownership and we appreciate the logic for choosing to build in the chosen location due to the difficulties in using the land located closer to the other buildings in the holding. It is therefore believed that there is justification for a development of this type in this location and therefore, the application is acceptable in terms of the principle of policy PCYFF 1 of the LDP.

Visual, general and residential amenities

- 5.3 The building is located in a place that is detached from any other buildings on the holding. It would be visible from the public highway that passes the northern boundary of the field and it is likely that it would be visible from further viewpoints within the AONB, including the summit of Garn Fadryn which is 2km from the site.
- 5.4 The site is within a Special Landscape Area (SLA) and policy AMG 2 of the LDP notes, *"Wherever possible, the development should contribute to maintaining, improving or restoring the recognised character of the SLA."* As a result of changing the proposed location of the site, which is on lower ground, near the far corner of the field, in a location that is well-hidden by existing hedges, it is accepted that the building will no longer be visible in the landscape. In addition, changing the shape of the roof, to a traditional pitch roof, will be more characteristic of local agricultural buildings and so the buildings would be better in keeping with the character of the landscape from distant viewpoints.

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5.5 Policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan are considerations for this aspect of the application. It is accepted that the site is concealed from the majority of nearby public viewpoints and although this would be a substantial building would be located in a location that would be unobtrusive in the landscape. It is therefore not believed that the development would harm the visual amenities of the area and therefore the application is acceptable under policies PCYFF 2 and PCYFF 3 of the LDP as well as policies AMG 2 and AT 1, as they relate to protecting the quality of designated landscapes.

6. Conclusions:

6.1 As a result of the changes that have been made to the plan since it was submitted before the last Committee meeting, and the further explanation received from the applicant regarding the need for the building and the justification for the location, officers now accept that an agricultural need has been proven to erect a building on this site, and therefore the proposal is acceptable under the basic rural development principle and policy PCYFF1 of the LDP specifically. Also, as it is hidden from public viewpoints to a vast degree, it is accepted that the building will not create an obtrusive feature in the landscape and so the application is acceptable under policies PCYFF2, PCYFF 3 and AMG 2 of the LDP.

7. Recommendation: To approve with conditions

1. The development must commence no later than five years from the permission date.
2. The development is completed fully in accordance with the submitted plans
3. Agreement must be reached on the materials / external colours before the development commences
4. The building must be used for agricultural purposes only

Note - Land Drainage Unit