

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **8TH NOVEMBER 2017**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **FULL APPLICATION – ERECTION OF EXTENSION TO EXISTING AGRICULTURAL SHED AT WAEN Y LLOC, LLOC**

APPLICATION NUMBER: **057430**

APPLICANT: **MR. IEUAN HUGHES**

SITE: **WAEN Y LLOC, LLOC**

APPLICATION VALID DATE: **16TH AUGUST 2017**

LOCAL MEMBERS: **COUNCILLOR C.J. DOLPHIN**

TOWN/COMMUNITY COUNCIL: **WHITFORD COMMUNITY COUNCIL**

REASON FOR COMMITTEE: **FAMILY MEMBER OF APPLICANT WORKS IN THE PLANNING & ENVIRONMENT DIRECTORATE**

SITE VISIT: **NO**

1.00 SUMMARY

- 1.01 This full application seeks planning permission for a side extension to the existing agricultural building at Waen y Lloc, Lloc, Holywell. It is considered that the proposal is acceptable in principle in planning policy terms, does not have a significant detrimental impact upon the character and appearance of the existing building or landscape in which it is situated, does not detrimentally affect the amenities of any adjoining occupiers and is acceptable in environmental management terms.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01
1. Time commencement.
 2. In accordance with approved plans.
 3. Materials to match the existing.
 4. Use restricted to storage of fodder only.

3.00 CONSULTATIONS

3.01 Local Member
Councillor C.J. Dolphin
No response received to date.

Whitford Community Council
Providing the application complies with planning policy, then no objections.

Natural Resources Wales
No objection to the scheme. Have the following comments to make:-

Environment Management
Controlled Waters

The site is located on a Principle (karstic limestone) Aquifer and within a Source Protection Zone 1 for a public water supply. We consider the site setting to be sensitive with respect to controlled waters; in particular groundwater.

It is understood from the application form that the shed will be used for storage of fodder. If this use changes to housing of livestock, we would wish to be re-consulted as additional pollution prevention measures will be needed to protect controlled waters in the local area.

Waste

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily in accordance with duty of care requirements under Section 34 of the Environmental Protection Act 1990. The waste shall be transported using registered waste carriers to suitably permitted or exempt sites. Transfer notes shall be kept for each load for a minimum of 2 years.

Head of Public Protection

No adverse comments to make regarding the proposal.

Welsh Water/Dwr Cymru

Some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to

assist us in dealing with the proposal we request the applicant contacts us on 0800 917 2652 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

4.00 PUBLICITY

- 4.01 Site Notice, Neighbour Notification
No responses received.

5.00 SITE HISTORY

- 5.01 **047162**
Demolition of existing dwelling and erection of a new dwelling –
Refused 25th May 2010.

6.00 PLANNING POLICIES

- 6.01 Flintshire Unitary Development Plan
STR1 – New Development.
STR7 – Natural Environment.
GEN1 – General Requirements for Development.
GEN3 – Development in the Open Countryside.
D1 – Design Quality, Location & Layout.
D2 – Design.
L1 – Landscape Character.
EWP12 – Pollution.
EWP13 – Nuisance.
RE2 – New Agricultural & Forestry Buildings.

National Planning Policy

Planning Policy Wales (PPW) Edition 9 November 2016

Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010).

Technical Advice Note (TAN) 12: Design 2016.

7.00 PLANNING APPRAISAL

- 7.01 Site Description & Proposals
The site comprises a small piece of grassed area adjoining an existing large single storey, green, portal framed agricultural building used for the storage of agricultural equipment upon the existing yard area of the farm holding of Waen y Lloc, Lloc, Holywell.
- 7.02 The proposal is for an extension to the existing single storey agricultural building upon its western side and will measure approximately 11 m (length) x 14 m (width) x 6 m (height) and be constructed in box profile cladding (juniper green) walls with a fibre cement roof (natural grey) to match the existing. It will be used for the storage of fodder.

- 7.03 Issues
The main issues for consideration within the determination of this planning application are the principle of the development in planning policy terms, the effects upon the character and appearance of the area the effects upon the amenities of the adjoining residents and environmental management.
- 7.04 Principle of Development
The site is located outside of any recognised settlement limits and within open countryside as defined by the adopted Flintshire Unitary Development Plan. Due to this location and the nature of the development policies GEN3 and RE2.
- 7.05 Policy GEN3 under Criteria J allows 'other development which is appropriate to the open countryside and where it is essential to have an open countryside location rather than being sited elsewhere'.
- 7.06 Policy RE2 allows extensions to existing agricultural buildings provided that they are reasonably required for agricultural purposes within the farm unit, located close to and will related to an existing group of buildings within the farm unit and the siting, design, materials and external finish harmonise with neighbouring buildings and the rural character of the local area.
- 7.07 The proposal is an extension to an existing agricultural building on an existing farm holding and therefore it is essential for it to be located in this location.
- 7.08 Therefore, given the above, it is considered that the proposal complies with both policies GEN3 and RE2 of the Adopted Flintshire Unitary Development Plan and therefore the principle of the development is acceptable in planning policy terms.
- 7.09 Character & Appearance
In size and scale, the proposal is subservient to the existing single storey agricultural building and is also of a similar design and utilises external materials to match. It is also situated adjacent to this existing building within the existing complex of other agricultural buildings.
- 7.10 Given the above, it is considered that the proposal will not have a significant detrimental impact upon the character and appearance of the countryside.
- 7.11 Amenities of Adjoining Residents
The site is located 125m to the north west of Plas yn Gerddi and 100m to the north east of Elm Tree Cottage which are the nearest properties to the site.
- 7.12 Given these distances away from the proposal it is considered that the proposal would not have a significant detrimental impact upon the

amenities of these adjoining residents in terms of noise nuisance, smell and loss of light. The Head of Public Protection has been consulted and has no adverse comments to make regarding the proposal.

7.13 Environmental Management

Natural Resources Wales advise that the site is located on a principal (karstic limestone) aquifer and within a Source Protection Zone 1 for a public water supply. It is considered the site setting to be sensitive with respect to controlled waters, in particular groundwater.

7.14 It is understood that the building will be used for storage of fodder. If this use changes to housing of livestock, they would wish to be re-consulted as additional pollution prevention measures will be needed to protect controlled waters in the local area.

7.15 Given the above, a condition restricting the use solely for the use as storage of fodder has been placed upon the recommendation of approval.

7.16 In terms of waste, Natural Resources Wales further advise that any excavation material or building waste generated in the course of the development must be disposed of satisfactorily in accordance with duty of care requirements under Section 34 of the Environmental Protection Act 1990. The waste shall be transported using registered waste carriers to suitably permitted or exempt sites. Transfer notes shall be kept for each load for a minimum of 2 years.

7.17 A note to the applicant will be placed upon the decision notice to advise of the above issues.

8.00 CONCLUSION

8.01 It is considered that the proposal for the above reasons and subject to conditions is acceptable in planning terms.

8.02 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents

National & Local Planning Policy

Responses to Consultation

Responses to Publicity

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