

PLANNING COMMITTEE	DATE: 10/01/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE SENIOR MANAGER	

Number: 5

Application Number: C21/0820/30/LL

Date Registered: 13/09/2021

Application Type: Full

Community: Aberdaron

Ward: Aberdaron

Proposal: Erection of extension to existing cattle shed and alterations to create a manure store and covered feeding yard.

Location: Cwrt, Uwchmynydd, Pwllheli, Gwynedd, LL53 8DA

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1. The purpose of this application is to erect an extension to an existing cattle shed to create a manure store and covered feeding yard. The extension would measure 36.3m in length, 10.9m in width and 4.7m in height to the ridge of the roof. The walls would be made from grey coloured cladding boards on a low concrete wall, and grey profiled roof materials.
- 1.2. The site is located in a within a detached rural location, outside any development boundary as identified by the Anglesey and Gwynedd Joint Local Development Plan. It is within a designated Area of Outstanding Natural Beauty and the Aberdaron Coast SSSI and the Seacliffs of Llŷn Special Area of Conservation lie approximately 650m to the west. The site is part of Cwrt farm buildings, and the farmhouse itself is a Grade II listed building. The site also lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest.
- 1.3. The application is submitted to Committee as it is an application by an Elected Member of the Council.

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 emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2. The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals 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. (July 2017)

PS 5: Sustainable development

PCYFF 1: Development Boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

AMG 1: Areas of Outstanding Natural Beauty Management Plans

PS 19: Conserving and/or enhancing the natural environment

PS 20: Safeguarding and/or enhancing heritage assets

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2.4 National Policies:

Planning Policy Wales

TAN6 – Planning for Sustainable Rural Communities (2010)

3. Relevant Planning History:

C11/1044/30/LL : Install photovoltaic panels on roof of agricultural shed - Approved 11/01/12

C07D/0586/20/LL : New vehicular access – Approved 14/01/08

C07D/0003/30/LL : Convert unoccupied outbuildings to offices/workshops for wardens and fishermen – Approved 01/03/07

C03D/0556/30/YA : Sheep shed and cattle pen - Approved 13/11/03

4. Consultations

Community/Town Council: Not received

Welsh Water: No observations to offer

Biodiversity Unit: Request a condition to ensure that no work is undertaken on the land during the bird nesting season without confirmation from an ecologist that there are no birds nesting on the site.

A Test of Likely Significant Effect under Regulation 63 of the Conservation of Habitats Regulations must be undertaken.

Natural Resources Wales: No objection following the receipt of additional information – Guidance for the developer

Land Drainage Unit: Due to the size and nature of the development, it is likely that an application will need to be provided to the SuDS Approval Body for approval before construction work commences.

Transportation Unit: No observations to offer

Footpaths Unit: Public footpath no. 19 Aberdaron must be protected during and after this development.

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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.

5. Material Planning Considerations:

Policy Context and the Principle of the Development

- 5.1 The adopted Development Plan includes the Anglesey and Gwynedd Joint Local Development Plan (July 2017). National planning policy is included in Planning Policy Wales, Edition 11, February 2021 and its associated documents, namely, the Technical Advice Notes.
- 5.2 Policy PCYFF 1 of the LDP encourages the refusal of applications outside development boundaries unless the location in the countryside is essential. Cwrt is a farm with a 150-acre tenancy that forms part of a traditional beef and sheep farm business, with a total of 1,100 acres across a number of land holdings. The purpose of the shed is to keep stock inside for a longer period as the land surrounding the farm is heavy soil, and the presence of stock can cause contaminated soil to leak from the site during the winter months. Keeping the stock inside for longer will help to alleviate this problem. Additionally, creating an indoor manure store will also allow the storing of slurry and manure in a manner that conforms to the existing regulations and allows the spreading of manure and slurry during suitable dry periods, thereby reducing the risk of effluent run-off water. It is believed, in the context of the location, that the development is reasonable in relation to the intended use, and that the proposal is in keeping with the requirements of Policy PCYFF 1 of the LDP.

Location and Impact on Amenities

- 5.3 Policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan are considerations when assessing the visual impact of the application. It is considered, by setting appropriate conditions regarding the external finish, that the structure will complement its rural location, and will not detract from the character or the appearance of the site or the location. It is not considered either that there will be any detrimental impact on the amenities of any other property as a result of the development. It is therefore considered that the application conforms to policies PCYFF 2 and PCYFF 3 of the LDP as they relate to the protection of amenities.
- 5.4 The site lies within an Area of Outstanding Natural Beauty, but for the reasons noted above, it is not considered that the proposal in question would affect the character of the AONB. It is therefore considered that the proposal is acceptable under Policy AMG1 of the LDP.

Biodiversity Matters

- 5.5 Observations were received from the Biodiversity Unit, noting that work on the land should not be undertaken during the bird nesting season to avoid harming protected species, unless a qualified ecologist has undertaken a site survey beforehand and has confirmed that there are no nests. It is therefore considered that it is reasonable to impose a condition on the planning permission in order to ensure the above.
- 5.6 There is potential that the development could create pollution, and policies PCYFF 2 and PS 5 encourage the refusal of proposals that will have a significant detrimental impact due to pollution.

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As a result of the receipt of further information regarding the steps to prevent pollution, Natural Resources Wales found the proposal to be acceptable. In addition, there are regulations outside the planning system, under legislation to control environmental pollution, that would be in place to protect the local environment from the harm created by potential emissions from the facility.

- 5.7 In addition, in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), due to the proximity of the SSSI / SLA, Gwynedd Council as the Eligible Authority must undertake a Test of Likely Significant Effect on the protected habitats before determining the application. At the time of writing this report, the results of this Test had not yet been received by the Biodiversity Unit - this will be reported upon further at the Committee.
- 5.8 If an appropriate condition is imposed to avoid harm to nesting birds, and the receipt of a positive result of the Test of Likely Significant Effect, it is considered that the proposal would therefore be acceptable under policy PS 19 of the LDP as it relates to the area's biodiversity and policies PCYFF 2 and PS 5 specifically to pollution control.

Heritage Matters

- 5.9 The development site is within the same group of buildings as Cwrt farmhouse, which is a Grade II listed building, and the entire site is within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. Given the developed nature of the site and the proposed design of the new building that will be in keeping with other nearby buildings, it is not considered that the development will have a detrimental impact on any heritage assets, and it is therefore considered that the application is acceptable under policy PS20 of the LDP.

6. Conclusions:

- 6.1 As a result of the above assessment, it is not considered that the proposal is contrary to any material planning policy within the LDP and the proposed development is appropriate for the site. Consideration was given to all material issues raised during the consultation process and it is not believed that the proposal is likely to cause any unacceptable detrimental impact to local amenities, biodiversity or heritage assets, and it is thereby recommended that the planning application is approved.

7. Recommendation:

To delegate powers to the Senior Planning Manager to approve the application, subject to receiving a favourable result from the Test of Likely Significant effect on the nearby designated sites.

Conditions

1. Five years,
2. Development to comply with the approved plans
3. No site clearance work during the bird nesting season without prior agreement.

Notes : Natural Resources Wales
 Land Drainage Unit
 Protect the public footpath