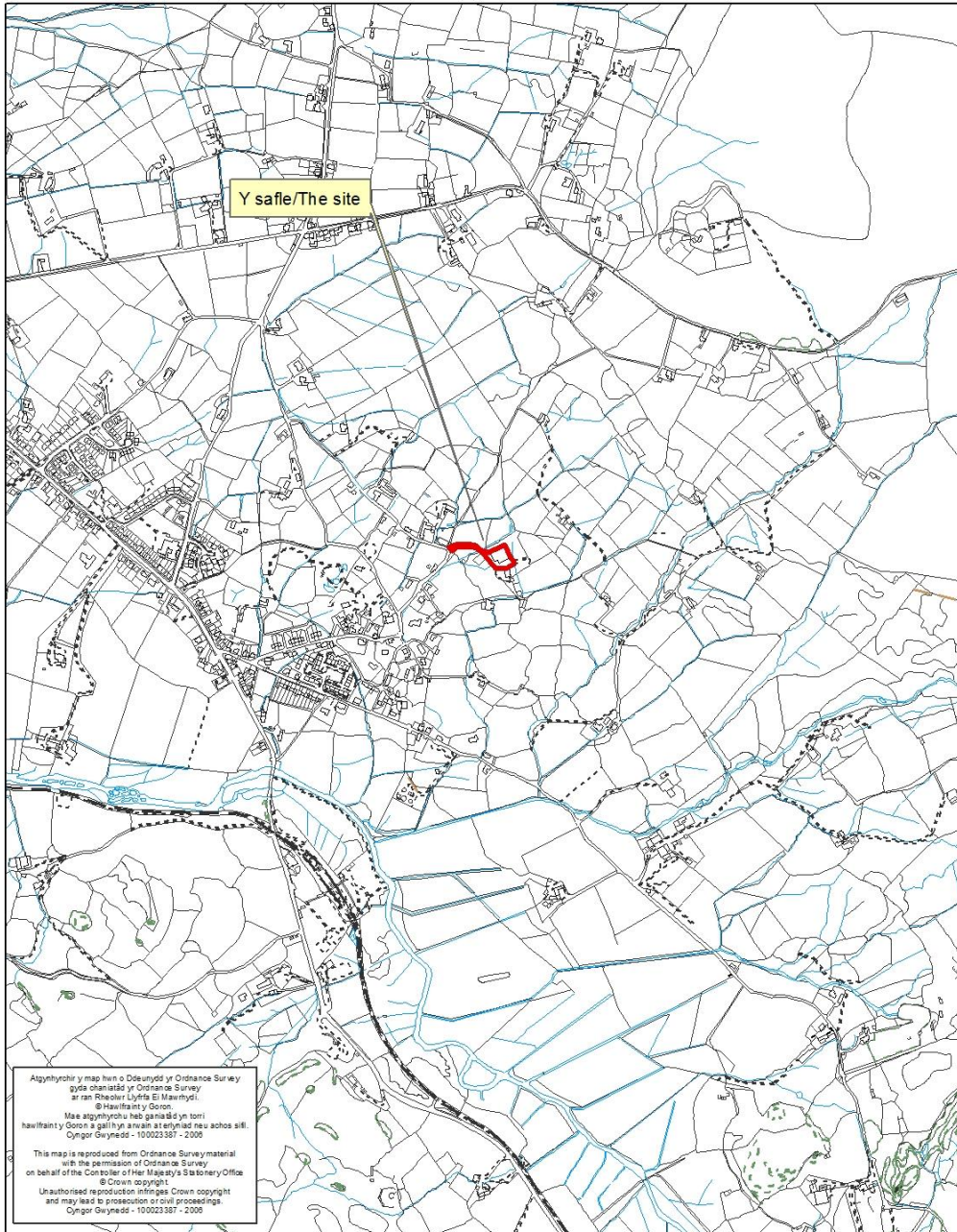


Number: 3



Rhif y Cais / Application Number : C15/0994/26/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



PWYLLGOR CYNLLUNIO	DYDDIAD: 01/02/2016
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO AC AMGYLCHEDD	CAERNARFON

Application Number: C15/0994/26/LL
Date Registered: 10/11/2015
Application Type: Full - Planning
Community: Waunfawr
Ward: Waunfawr

Proposal: RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF AGRICULTURAL BUILDING TO A MIXED USE OF AGRICULTURAL AND AS A HORSE RIDING ESTABLISHMENT (INCLUDING EXERCISE AREA), CONSTRUCTION OF EXTENSION TO INCLUDE LOOSE BOXES AND STORAGE AREA FOR VEGETABLES PREPARATION, TOGETHER WITH PROVISION OF CAR PARKING AND EXTERNAL HARDSTANDING FOR HORSES

Location: TYN CAE NEWYDD, WAUNFAWR, CAERNARFON, LL554BX

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 This application is a retrospective application for the change of use of agricultural building to a mixed use of agricultural and as a horse riding establishment, which includes an internal exercise area, vegetable preparation area, agricultural machinery/tools storage area and horse feed storage area. The application also includes the retention of single storey extension which includes 9 loose boxes and tack room, together with provision of car parking and external hard standing for horses.
- 1.2 The extension measures 24m by 7m and is clad with dark green box profile sheeting to match the original agricultural building externally. Two additional sliding steel doors are provided on the south elevation together with 4 clear sheeting panels for natural lighting to match the existing western elevation of the building. Internally the existing building will be used for the storage of agricultural machinery, horse exercising area, horse feed storage and vegetable preparation area. The extension to the building will be used for 9 loose boxes and tack room.
- 1.3 Externally, a parking area is proposed to provide parking for 5 vehicles on the western side of the building; 4 other parking spaces are located near the property and to the southern side of the building which is currently being used at present. The hard standing ménage is located on the opposite side of the driveway measuring 20m by 30m, and is enclosed with post and timber fencing.
- 1.4 The site is located outside the village's development boundary.
- 1.5 The application is submitted to committee following receipt of three or more letters / correspondence of objection.

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 in accordance with the Development Plan, unless material planning considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

PWYLLGOR CYNLLUNIO	DYDDIAD: 01/02/2016
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO AC AMGYLCHEDD	CAERNARFON

2.2 Gwynedd Unitary Development Plan 2009:

POLICY B22 – BUILDING DESIGN - Promote the design of good buildings by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and character of the local landscape and environment.

POLICY B23 – AMENITIES - Safeguard the amenities of the local area by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

POLICY B25 – BUILDING MATERIALS - Safeguard the visual character by ensuring that the building materials are of high standard and in keeping with the character and appearance of the local area.

POLICY CH33 - SAFETY ON ROADS AND STREETS - Development proposals will be approved if they can conform with specific criteria regarding the vehicular entrance, standard of the existing road network and traffic calming measures.

POLICY CH36 – PRIVATE CAR PARKING FACILITIES - Proposals for new developments, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines, and having given due consideration to accessibility of public transport, the possibility of walking or cycling from the site and the distance from the site to a public car park.

POLICY D10 – CONVERSION OF BUILDINGS FOR INDUSTRY OR BUSINESS USE -Proposals for change of use of buildings for industrial use or business on a small scale will be approved provided the location can be justified, and if it conforms with specific criteria regarding the scale and nature of the development and the relation of the development with adjacent buildings/uses.

2.3 National Policies:

Planning Policy Wales (Version7, 2014)

Technical Advice Notes (TAN)

TAN 12: Design

TAN 18: Transport

3. Hanes Cynllunio Perthnasol:

- 3.1 Application C10A/0265/26/LL – Demolish existing shed and erect a new agricultural shed in its place – Application approved 17.06.2010.

4. Consultations:

Community/Town Council: Not Received

Highways: No Objection

PWYLLGOR CYNLLUNIO	DYDDIAD: 01/02/2016
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO AC AMGYLCHEDD	CAERNARFON

Welsh Water: No Objection

Natural Resources Wales: No Objection

Environmental Health: No Objection

Biodiversity: No Objection

Public Consultation: The proposal was advertised by means of site notices. Three letters of objections have been received objecting on the following grounds:

- The road is a narrow single lane and the development could add to the existing problems encountered along this road especially with further visitor and horseboxes;
- The lane is narrow, has no pavement and is regularly used for recreation by pedestrians, children and dog walkers;
- The lane has been designated unfit for heavy vehicles;
- Planning permission previously granted to nearby company which has resulted in up to ten deliveries and collections a day by large vans using the land and often at speed. Any pedestrians meeting these van is forced into a ditch therefore horses and ponies could not pass;
- These heavy vehicles/lorries break down and damage the edges of the lane which results in blocking the drainage ditches;
- The heavy rainfall is no longer led away by the ditches, it runs down the surface of the lane, eroding the tarmac and causing potholes. Occasional cold tarmac patching does nothing to relieve the cause of the problem;
- Object on the grounds of safety;
- Additional surface water from the site;
- Concern whether the septic tank is sufficient to the additional visitors to the site.

5. Assessment of the material planning consideration:

Additional information

5.1 This is a retrospective application following complaints submitted to the Enforcement Unit that the agricultural building was being used for horse riding, and not for approved agricultural reasons.

The principle of the development

5.2 Policy D10 of the Gwynedd Unitary Development Plan relates to the conversion of buildings for industry or business use. The policy states that proposals for the change

PWYLLGOR CYNLLUNIO	DYDDIAD: 01/02/2016
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO AC AMGYLCHEDD	CAERNARFON

of use of buildings for small scale industry or business uses will be approved provided the chosen location can be justified, and that it complies with the following criteria:

- i. the scale and type of development is acceptable considering its rural/urban location and the size of the building in question; and
- ii. the development would not lead to an unacceptable relationship with nearby buildings or existing uses.

5.3 Policy D10 supports proposals to make use of buildings that are no longer required for their original purpose. As indicated above, this is an amended use together with a newly erected extension to the previously approved agricultural building that was granted in 2010. The previous use of the building was for the storing of agricultural vehicles, storing and sorting of vegetables for the sale in loose boxes and also the sale of horse feed. Due to the change in the applicant's circumstances the use of the building together with the extension now includes the breeding and training of horses; the teaching and training of horses in the art of classical dressage in a one to one tuition; tailor made sessions for children with disabilities that will mainly be operated on site thus reducing any highway disturbance; together with the existing business for the preparation and distribution of vegetables off-site. There is no objection on basis of Policy D10 in relation to 'Adapting Buildings for Business Use' as the scale and type of development is acceptable in view of its location, the size of the buildings concerned, and would not lead to an unacceptable relationship with existing nearby uses.

General and residential amenities

5.4 Policy B23 of the Unitary Development Plan relates to safeguarding the amenities of the local neighbourhood. The site is located outside the development boundary of Waunfawr and the building itself is located approximately 72m from the nearest residential property. As noted above, the use of the business for the process and packing of vegetables is a door to door distribution only, and the teaching and training of horses will be operated mainly within the building itself, with approximately 8 visitors on weekdays at the most, and a maximum of 12 on weekends. It is therefore considered that any antisocial behaviour and highway disturbance will be limited as the business is mainly on site. It is therefore considered that the mixed use of the building will not cause significant harm to the amenities of the local neighbourhood and it is acceptable in terms of Policy B23.

Design and material

5.5 Policy B22 of the Unitary Development Plan relates to building design and is aimed at protecting the recognised features and character of the local landscape and environment and also safeguarding the visual character by ensuring that the building materials are of high standard and in keeping with the character and appearance of the local area. The building is of standard agricultural construction in its type, design and size; the extension to the existing building will match the existing agricultural building externally with forest green box profile sheeting on both walls and roof. Sliding steel doors are provided on the south elevation together with clear sheeting panels for natural lighting to match the existing western elevation of the building. The external finish of the extension matches the original building and complies with Policy B25 of the Unitary Development Plan which seeks to safeguard the visual character by ensuring that the building materials are of high standard and in keeping with the character and appearance of the local area. The development site is accessed via a track from a single lane and is located on the outskirts of the rural village of

PWYLLGOR CYNLLUNIO	DYDDIAD: 01/02/2016
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO AC AMGYLCHEDD	CAERNARFON

Waunfawr and outside its development boundary. It is therefore considered that the design and location is acceptable for a rural area, and complies with Policy B22 and B25 of the Gwynedd Unitary Development Plan.

Transport and access matters

- 5.6 Policy CH33 of the Gwynedd Unitary Development Plan is about ensuring safety on roads and streets. Although there is concern from local residents as to the adequacy of the existing unclassified highway serving the site to accommodate the increased traffic levels, it is considered that the proposal in itself will not worsen the situation to such an extent that it should be refused on highway safety grounds. The vegetable preparation and distribution business is a once a week delivery service from the property, and the horse riding caters for a maximum of 8 persons during a week day, and 12 on weekends. The applicant has also confirmed that the largest vehicle to use the access road is a 4x4 drawn horse trailer, and that this would be relatively infrequent (estimated at 1 horsebox movement a week), and that the vehicular activity is no more than what would be expected from a residential property. No objection has been received from the Council's Transportation Service, and it is considered therefore that the proposal conforms to the requirements of Policy CH33.
- 5.7 The development at present has provision for 4 customers parking which is located near the property and to the side of the agricultural building. The application includes a further provision of 5 parking spaces to the western side of the building. Considering the amount of visitors expected to the property in any one day, it is considered that the total parking area is consistent with the type, location, setting and size of the development. It site is also accessible from nearby public transport routes, and by walking or cycling. Therefore, it is considered that the proposal complies with the requirement of Policy CH36 of the Gwynedd Unitary Development Plan as it complies with current parking guidelines.

Response to the public consultation

- 5.8 The main concern of the objection received is that the road leading up to the site is narrow with no pavement and is regularly used by pedestrians. Although there is concern from local residents as to the adequacy of the existing unclassified highway serving the site it is considered that the proposal, in itself, will not worsen the situation to such an extent that it should be refused on highway safety grounds. It must be borne in mind that this is an existing public highway with no restrictions to it regarding which type of vehicles that is allowed to travel over it. Restricting vehicular activity along this particular stretch of highway is a matter for the Transportation Service to consider. However, no objection was raised by the Transportation Service to the mixed use as they are not considered to likely lead to a significant increase in traffic on the rural roads.
- 5.9 There is also concern regarding surface water and whether the septic tank is sufficient to accommodate the additional customers. The applicant has informed the Planning Service that no surface water can access the road, and that any surface water that runs on to the highway is discharge from a neighbour's land and a public footpath. All surface water run off from the farm is diverted into a number of existing streams and ditches. The septic tank would be serviced as and when needed.

6. Conclusion:

- 6.1 The objections from local residents have received full consideration as noted above. Based on the above assessment, and having considered all the relevant matters,

PWYLLGOR CYNLLUNIO	DYDDIAD: 01/02/2016
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO AC AMGYLCHEDD	CAERNARFON

including the objections, it is not considered that the proposal is contrary to the local planning policies and national planning guidelines noted in the assessment, nor is there any other material planning considerations which would stop the Council from making a decision in accordance with those policies and guidelines. Based on the above, it is considered that the proposal will not significantly harm the visual amenities of the area, the general amenities of neighboring residential properties, or have a detrimental impact on highway safety along the adjoining highway, and is therefore acceptable to be approved subject to relevant conditions.

7. Recommendation:

7.1 To approve – conditions -

1. The building/premises shall be used for agricultural and as a horse riding/training establishment, and for no other purpose (including any other purpose in class D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).
2. The 5 No. additional parking spaces shall be laid out in accordance with the approved plans within 3 months of the date of the planning permission in accordance with details to be agreed with the Local Planning Authority beforehand. The car park spaces to be provided shall be kept available for the parking of motor vehicles at all times.