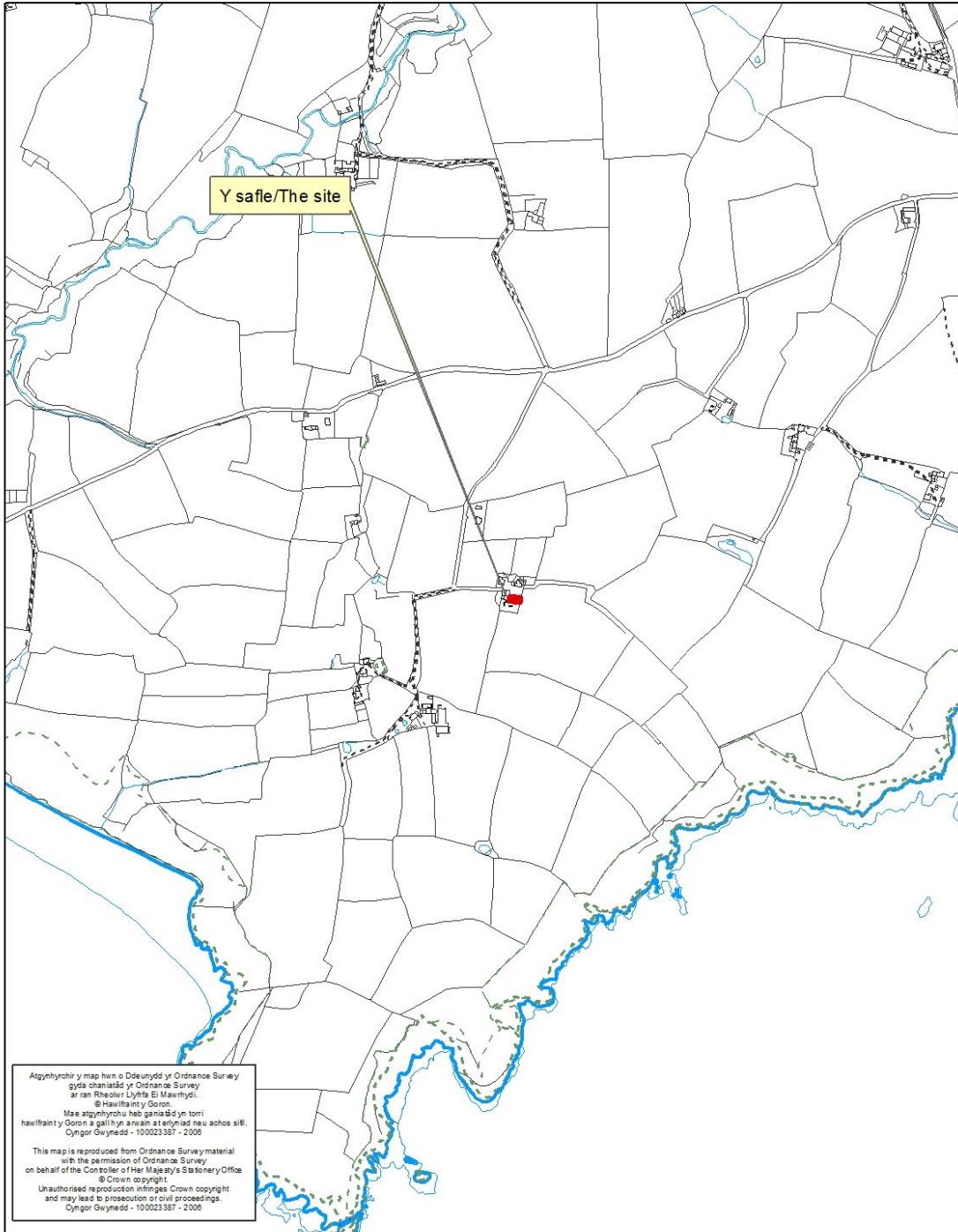


Number: 6



Rhif y Cais / Application Number : C15/0301/30/LL

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



PLANNING COMMITTEE	DATE: 06/07/2015
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	PWLLHELI

Application Number: C15/0301/30/LL
Date Registered: 30/03/2015
Application Type: Full - Planning
Community: Aberdaron
Ward: Aberdaron

Proposal: TO DEMOLISH EXISTING AGRICULTURAL BUILDING AND CONSTRUCT A NEW AGRICULTURAL SHED TO KEEP LIVESTOCK DURING THE WINTER.
Location: BRYN FARM, ABERDARON, PWLLHELI, LL538AP

Summary of the Recommendation:

TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 The proposal involves demolishing an existing agricultural building and constructing a new agricultural shed to keep livestock during the winter. The part of the building which is to be demolished is a traditional stone building. The proposed building would be partially located on the site of the building which is to be demolished and near an existing modern agricultural shed of a green colour. The new shed would measure 10.5 metres by 13.5 metres and measure 4.8 metres to the ridge of the roof. It is intended for the external walls to be made of concrete panels in the lowest part and then either Yorkshire boards or profile sheets on the outside. It is intended for the roof to be made of fibre cement. It is noted on the application form that the shed would be of green colour and that this would be in keeping with the other shed near the site.
- 1.2 The site is situated in the countryside and lies within the Area of Outstanding Natural Beauty and Landscape of Outstanding Historical Interest. Access is gained to the site along an unclassified track and road. There are some scattered dwellings in the vicinity.
- 1.3 The application is submitted to the Committee as the applicant is related to an employee of the Planning Service.

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.

2.2 Gwynedd Unitary Development Plan 2009:

B7 – SITES OF ARCHAEOLOGICAL IMPORTANCE - Refuse proposals which will damage or destroy archaeological remains which are of national importance (whether they are registered or not) or their setting. Also refuse any development which will affect other archaeological remains unless the need for the development overrides the significance of the archaeological remains.

B8 – THE LLŶN AND ANGLESEY AREAS OF OUTSTANDING NATURAL BEAUTY (AONB) - Safeguard, maintain and enhance the character of the Areas of Outstanding Natural Beauty by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features of the site.

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B12 – PROTECTING HISTORIC LANDSCAPES, PARKS AND GARDENS - Safeguard landscapes, parks and gardens of special historical interest in Wales from developments which would cause significant damage to their character, their appearance or their setting.

B20 – SPECIES AND THEIR HABITATS THAT ARE INTERNATIONALLY AND NATIONALLY IMPORTANT - Refuse proposals that are likely to cause disturbance or unacceptable harm to protected species and their habitats unless they can conform to a series of criteria aimed at safeguarding the recognised features of the site.

B22 – BUILDING DESIGN – Promote good building design by ensuring that proposals conform to a series of criteria relating to safeguarding the recognised features and character of the local landscape and environment.

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

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

CH33 – SAFETY ON ROADS AND STREETS – Development proposals will be approved if they comply with specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

D9 – FARM BUILDINGS AND STRUCTURES – The erection of buildings and structures for agricultural purposes will be approved if they are reasonably necessary for agricultural purposes and if they can comply with specific criteria involving the location of the development, damage to a protected building, biodiversity and environmental mitigation measures.

2.3 National Policies:

Planning Policy Wales (Edition 7, July 2014)
 Technical Advice Note 6: Planning for Sustainable Rural Communities
 Technical Advice Note 12: Design

3. Relevant Planning History:

3.1 C04D/0143/30/YA – Construction of a shed to keep livestock – Approved 30 April 2004.

4. Consultations:

Community/Town Council: Support.

AONB Unit: Bryn farm is located in a coastal area near Aberdaron and within the AONB. In terms of the AONB, there is no objection to the principle of constructing a new shed, of suitable design and colour for agricultural purposes. The stone agricultural buildings and slate roof contribute to the historical environment of the AONB and there is concern regarding the proposal to demolish it.

Natural Resources Wales: States that bats and bat roosts are protected under the Protection of Habitats and Species Regulations 2010 (as amended) and the

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Wildlife and Countryside Act 1981 (as amended). It is recommended that the Council's Ecologist is contacted in terms of the potential impact of the proposed development on the conservation status of the bat population. If the Council's ecologist recommends that additional information is required to assess the potential impact on bat species, Natural Resources Wales would wish to be re-consulted on the species assessment.

Observations also remind us of our duty under the Countryside and Rights of Way Act 2000 to protect the Area of Outstanding Natural Beauty.

Submit general information about the guidelines to developers.

Biodiversity Unit:

Original observations (20 April 2015)

The building which is to be demolished is a stone building with a slate roof. The building is suitable for bats and also for nesting birds such as swallows, house sparrows or barn or small owls. For this reason, a survey of protected species in the building will need to be conducted before a decision is made.

Further observations (12 May 2015)

Further to the above observations on the above application, I have now visited the site following a request from the developer. The developer has removed all slates from the roof sometime in the period between 31 March 2015 and 7 May 2015. The building in its existing condition is unsuitable for bats and nesting birds.

It is possible that birds' nests have been destroyed during this work but there is no evidence, therefore I will not be forwarding the information to the police's wildlife crime officer.

It is also possible that a bat roost has been destroyed. After visiting the site I am of the view that this is unlikely. The location is very open, close to the sea and very windy. Before the slates were removed, the photographs show that there were large holes in the roof already along with small windows which would mean that there were high levels of light in the building. The above factors as well as the poor ecological link around the site mean that there was a very low likelihood of bats being present.

The structure of the new building will provide opportunities for swallows to nest. As we did not know if there were other nesting birds in the building, I would like to include a condition that a minimum of six special nesting boxes for house sparrows are installed in the building. A nesting box with six holes e.g. Shwegler 1SP Sparrow Terrace, would be ideal. It should be installed high up on the northern or eastern elevation of the building or on any high spot inside the building.

Gwynedd Archaeological Planning Service:

After checking the application details against the regional Register of Historical Environment it was established that the proposal could affect a building of historic interest. The range of agricultural

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buildings have been registered in the 1st edition of the 1889 Ordnance Survey maps and therefore dates back to the 19th century at least. The application does not provide much information about the existing structure but the buildings possess the Victorian footprint that has been mapped and from the observation in the Design and Access Statement regarding its unsuitability for modern farming methods it can be concluded that this is an original structure.

It is proposed to demolish most of the range of buildings and build a new shed in their place which will inevitably result in a substantial loss of the historic fabric. It is not known to what degree the buildings would retain their original appearance, internal layout or any original fixtures and therefore how substantial the loss would be. Typically however, even when the condition of such structures is poor they contribute to the local historical environment as examples of regional indigenous heritage. Consequently, it is considered to be appropriate that a record of the building is made before its demolition in order to mitigate the loss of physical evidence and to act as an archive record. Therefore, it is recommended to include a condition to create a photographic record of the building.

Public Consultation: A notice was posted on the site and nearby residents were notified. The consultation period ended and no objection had been received.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Policy D9 of the GUDP supports proposals to erect buildings and structures for agricultural purposes if they are reasonably necessary for agricultural purposes and if they comply with all of the criteria within the policy. The first criterion involves locating the building close to other agricultural buildings. In the case of the current application, the shed would be located on part of the site of an existing traditional agricultural building and also located immediately adjacent to an existing agricultural shed. Therefore, in principle it is considered that locating an agricultural shed in this area is acceptable in terms of Policy D9. The second and third criterion which involve safeguarding a protected building and biodiversity will receive further consideration later on in the report.

Visual amenities

- 5.2 The shed design is one that can be seen generally in the area with concrete panels on the lowest walls and then the external walls will be finished either with Yorkshire boards or profile sheets. It is intended for the roof to be made of fibre cement. The shed would be of green colour and this would be in keeping with the shed located near the application site. It is considered that a building of these materials and colour would be acceptable for the location. With this in mind, it is considered that the proposal would be acceptable in terms of its design and also in terms of the materials which are intended to be used.
- 5.3 The site is also located within the AONB. The observations of the AONB Unit on the application were received and whilst they have no objection to the principle of constructing a new shed of suitable design and colour for agricultural purposes they have a concern regarding the proposal to demolish part of the stone agricultural buildings and slate roof which contribute to the historical environment of the AONB. When noting the observations of the AONB Unit about the contribution of the traditional buildings this needs to be weighed up against the needs of modern farming and the suitability of the building for that purpose.

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The buildings have not been listed and it is considered that it would be difficult to refuse the demolition of the building. As the proposed shed is located near other agricultural buildings it is considered that this location is acceptable for the construction of the new agricultural shed and it would not stand out as a stand-alone building in the countryside and within the protected landscape of the AONB and the Landscape of Outstanding Historical Interest.

- 5.4 Consequently, it is not considered that it would have a substantial impact on the area's visual amenities and that it is acceptable in terms of policies B8, B12, B22 and B25 of the GUDP.

General and residential amenities

- 5.5 There are some scattered houses in the vicinity of the site. However, bearing in mind the existing use of the site and adjoining land it is not considered that the proposal would cause significant harm to the amenities of the local neighbourhood and that the situation would be very similar to the current situation following construction of the shed. It is therefore considered that the proposal is acceptable in terms of criterion 2 of policy D9 which involves a protected building and is also acceptable in terms of Policy B23 of the GUDP.

Transport and access matters

- 5.6 There will be no adaptations to any access or means of access to and from the site. It is not considered that there are road safety concerns deriving from the proposal. It is therefore considered that the proposal is acceptable in relation to Policy CH33 of the GUDP.

Biodiversity matters

- 5.7 When planning officers visited the site on 30 March 2015 most of the roof slates were still on part of the building which is to be demolished. As a result of seeing these photographs, the original observations of the Biodiversity Unit on the application were received requesting that a protected species survey was undertaken for the building that was to be demolished. The applicant was informed of the need to undertake a species survey and in light of this an officer from the Biodiversity Unit visited the site. During the visit, it was found that all slates had been removed from the roof and therefore the building in that condition was unsuitable for bats and birds to nest. As no survey had been undertaken, there was no evidence that birds' nests had been destroyed and therefore due to a lack of such evidence it was decided not to forward the information to the police's wildlife crime officer. It could not be certain either whether or not a bat roost had been destroyed. However, in the Biodiversity Unit's opinion following a site visit they considered that it was unlikely there was a roost in the building as the location was very open, close to the sea and very windy. Also, there were large holes in the roof already and small windows which would mean that there were high levels of light in the building. The above factors as well as the poor ecological link around the site mean that there was a very low likelihood of bats being present.
- 5.8 The observations of the Biodiversity Unit also state that the structure of the new building would provide opportunities for swallows to nest. Therefore, as it was not known if there were other nesting birds in the building, the Biodiversity Unit is eager to include a condition that a minimum of six special nesting boxes for house sparrows are installed in the building. It is considered that one box with six holes would be the most ideal such as the Shwegler 1SP Sparrow Terrace. It should be installed high up on the northern or eastern elevation of the building or on any high spot inside the building.
- 5.9 Disappointment must be expressed that the slates had been removed from the roof before bat and bird surveys had been undertaken in order to know for certain if there were nesting birds in the building which is to be demolished or whether or not the building included bat roosts. Having assessed the site, and due to a lack of evidence, it was concluded not to take the matter any further. Therefore, as there was no evidence that a bat roost had been affected and

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as the location of the building appeared to suggest a very low likelihood of bats being present it can be considered that the proposal is acceptable in terms of Policy B20 of the GUDP and also in terms of criterion 3 of Policy D9 which relate to the impact on biodiversity. It is considered reasonable to impose a condition to ensure the installation of a suitable nesting box for birds as recommended in the observations of the Biodiversity Unit.

Archaeological Matters

- 5.10 The building which is to be demolished is a traditional one and in the opinion of the Gwynedd Archaeological Planning Service the building can be seen in the 1st edition of the 1889 Ordnance Survey maps and therefore dates back to the 19th century at least. As it is proposed to demolish part of the traditional buildings this will inevitably result in a substantial loss of the historic fabric. Consequently, it is considered to be appropriate that a record of the building is made before its demolition in order to mitigate the loss of physical evidence and to act as an archive record. Therefore, it is recommended to include a condition to create a photographic record of the building. In light of the above, it is considered that the proposal is acceptable in terms of Policy B7 of the GUDP.

6. Conclusions:

- 6.1 Taking into consideration the above assessment, it is considered that the proposal is acceptable in terms of its location, layout, design, scale, materials and use. There will be a need to ensure that a photographic record is created of the building which is to be demolished and that a nesting box for house sparrows is installed in the building.

7. Recommendation:

- 7.1 To approve – conditions

1. Commence within five years.
2. In accordance with the plans.
3. External walls and roof to be dark green in colour BS 12 C 39.
4. Agricultural use of the building only.
5. Within a month of the building completion date, a nesting box(es) for house sparrows should be installed high up on the northern or eastern elevation of the building or on a high spot inside the building and the box(es) should include a minimum of six holes.
6. Before commencing the development (including any demolition work, site clearance or stripping out) a photographic record of the building should be created and an agreement should be reached on the record with the Local Planning Authority.