PLANNING COMMITTEE	DATE: 13/12/2021
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 9

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 REFUSE**

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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 cladded 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 180m 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 at the request of the Local Member.

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 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:

Community/Town Council:	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 reasonably 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?"*
Transportation Unit:	Not received
Public Protection:	Not received
Biodiversity Unit:	No ecological concerns
Land Drainage Unit:	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.
Natural Resources Wales:	No objection - observations for the applicant
Welsh Water:	Observations for the applicant
AONB Unit	*"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*."
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. 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. In this case, it is questioned whether the land in the ownership of the applicant, which measures 3.9ha, is a sufficient agricultural holding to justify a building of this size, which is two-storey with a surface area of 232.2m2. Indeed, the separate land where it is intended to erect the building is 2.4ha in size.

5.2 The applicant explains that 70.2m2 of the building will be used for horses and the rest, 162m2, will be for agricultural purposes, which include storing machinery, livestock (Llŷn and Llawenog sheep), feed and hay. In addition, the support statement that was received with the application notes the applicant's wish to keep other livestock such as lamas and hens and also to nurture habitats to attract and support natural wildlife and to grow crops as feed for the livestock.

5.3 While accepting the owner's wish to erect the building to look after the animals in her ownership, no details were received regarding stock levels and nature of the control system that would justify the agricultural need for a building such as this in the location in question. Based on the information submitted with the application, and given the size of the proposed building shown, officers are not convinced that such a shed in this location is essential for agricultural purposes / to keep horses, and therefore, the application is not acceptable in terms of the principle of policy PCYFF 1 of the LDP.

Visual, general and residential amenities

5.4 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.

5.5 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."* It is not believed that approving a plan to erect a building in a greenfield location, in open countryside, detached from any other development, would not do anything to maintain the landscape; indeed, it would destroy the quality of the open landscape in that part of the SLA.

5.6 Policy AMG 2 also recommends addressing the relevant Statement of Value and Significance when determining applications in the SLA. In this case, the site is within SLA 01: West Llŷn and the Statement of Value and Significance notes the special features of the area, which include:

- *The tranquil and rural character of the landscape;*
- *Its high and open site - creating a strong inter-visibility across the landscape throughout the peninsula, including substantial views towards the AONB;*
- *The complex patterns in the landscape; including areas on a small scale, irregular fields and smallholdings from the 19th century;*
- *Dispersed pattern of the settlement of nucleated villages, hamlets and scattered farms; and*
- *Important role of the landscape as a setting for the Llŷn AONB nearby*

5.7 By adding a substantial building in a site that has no physical link with any other development, this application would break up the development pattern of the SLA in a manner that would be harmful to the above features. Although the plans show the proposed elevations and location of the building, it is also noted, at the time of writing this report, that no information had been received regarding any land work that would be necessary to create a level site for the building, or about any necessary

hard standing around the building. When considering the slope of the land, it is likely that considerable engineering work would need to be undertaken that is likely to increase the visual impact of the development. The applicant was asked for more information regarding any such work that would be required to erect the building but no further information has been received thus far.

5.8 Policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan are considerations for this aspect of the application. While recognising that the site is fairly concealed from most public viewpoints nearby, this would be a substantial building of alien design, that would be out of character with other agricultural buildings in the area. It would be located in the middle of an agricultural field in a visible location from a public highway and from viewpoints within the AONB. It is also within a distinctive historic landscape, which is earmarked as a Landscape of Outstanding Historic Interest. It is not believed that approving such a development in this location would respect the context of the site and its place in the local landscape and, as a result, the development would be harmful to the visual amenities of the area and, therefore, it would be contrary to 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 Officers are not convinced that an agricultural need has been proven to erect a building on this site and, therefore, the proposal is contrary to the fundamental rural development principle and policy PCYFF 1 of the LDP in particular. In addition, due to its size, appearance and rural location within designated landscapes, the building would form an incompatible feature in the landscape by harming visual amenities contrary to the requirements of policies PCYFF2, PCYFF 3 and AMG 2 of the LDP.

7. Recommendation: To refuse

1. Based on the information submitted, the Local Planning Authority is not convinced that there is a real need to erect a building in this location. Therefore, the application is contrary to the requirements of policy PCYFF 1 of the Anglesey and Gwynedd Joint Local Development Plan that encourages the refusal of proposals outside development boundaries unless there is justification to show that the location in the countryside is essential.

2. The development would create a substantial feature of alien design that would be located in a place that is visible from public spaces within an attractive historic landscape that has been designated due to its distinctive quality. The development would not respect the context of the site and its place in the local landscape and, as a result, the development would be harmful to the visual amenities of the area. Therefore, the application is contrary to the requirements of policies PCYFF 2, PCYFF 3 and AMG 2 of the Anglesey and Gwynedd Joint Local Development Plan in relation to safeguarding visual amenities in this part of the Special Landscape Area.