

**Application Number:** DM/2022/00969

**Proposal:** Erection of a steel framed portal building to be used for the production and canning of spring water

**Address:** Tump Farm, Usk Road, Llantrisant, NP15 1LU

**Applicant:** Mr Mark Williams

**Plans:** Site Plan Version 2 - , Elevations - Proposed [BD] 01 2

## **RECOMMENDATION: APPROVE**

Case Officer: Ms Kate Young  
Date Valid: 14.07.2022

**This application is presented to Planning Committee having been referred by the Delegation Panel. The application was presented to the Delegation Panel as unresolved objections have been received from three addresses**

### **1.0 APPLICATION DETAILS**

#### 1.1 Site Description

This application relates to an existing farm in the open countryside approximately one mile to the west of the village of Llantrisant. The farm is predominantly a sheep enterprise and employs family members and a full-time paid member of staff. The main farmhouse is grade II Listed. There are several modern agricultural buildings to the south of the main farmhouse as well as a second dwelling. The site occupies an elevated position and there is a long driveway from the road.

The site is not within a flood plain or other designated area but is within the Phosphorous Sensitive Catchment Area of the River Usk SAC.

#### 1.2 Proposal Description

The application seeks the erection of a steel framed portal building to the south of the existing farm buildings. The new shed would measure approximately 12 metres by 18 metres and would be clad in profiled metal sheeting, 'Juniper Green' in colour. It is proposed that spring water will be abstracted at the farm and that the new shed will be used as a canning plant for the spring water. The water is already extracted at the farm in a 10,000 litre holding tank travelling 800m to the farm buildings through a 25ml pipe, a situation that has been in place for 60 years. The canning system to be installed will allow 1000 cans to be filled per hour. As a result of this proposal there will be additional deliveries to the site. The applicants estimate that this will involve one additional delivery per week for a HGV with the product being removed by vans of which they would assume an additional 3 movements per week.

## 2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2020/00621	A fodder and muck store.	Acceptable	08.07.2020
DC/2006/00648	Conversion of traditional barn to dwelling (House B) and installation of septic tank	Withdrawn	25.09.2007
DC/2006/00646	Conversion of traditional barn to dwelling (house A) and installation of septic tank	Withdrawn	25.09.2007
DC/2006/00633	Conversion of traditional barn to dwelling (house A)	Withdrawn	18.09.2008
DC/2006/00644	Conversion of traditional barn to dwelling (House B)	Withdrawn	18.09.2008
DC/2014/00715	Discharge of conditions 4 (slate sample), 6 (rooflights), 12 (details of windows and doors), 13 (paint schedule for external timber) & 17 (programme of recording and analysis) of Listed Building Consent DC/2009/00420	Withdrawn	16.07.2014
DC/2014/00716	Discharge of conditions 4, 9, 10, 11 and 14 of planning permission DC/2009/00418	Withdrawn	16.07.2014
DC/2009/00417	Conversion of traditional barn to dwelling - Barn A	Approved	16.06.2009
DC/2009/00418	Conversion of redundant agricultural building to residential use - Barn B	Approved	16.06.2009

DC/2011/00627	Agricultural Building for storage and livestock	Approved	08.08.2011
DC/2009/00416	Conversion of traditional barn to dwelling - barn A	Approved	01.07.2009
DC/2009/00420	Conversion of redundant agricultural building to residential use - barn B	Approved	01.07.2009

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### **Strategic Policies**

S10 LDP Rural Enterprise  
 S12 LDP Efficient Resource Use and Flood Risk  
 S13 LDP Landscape, Green Infrastructure and the Natural Environment  
 S16 LDP Transport  
 S17 LDP Place Making and Design

#### **Development Management Policies**

RE3 LDP Agricultural Diversification  
 RE4 LDP New Agricultural and Forestry Buildings  
 SD4 LDP Sustainable Drainage  
 LC1 LDP New Built Development in the Open Countryside  
 LC5 LDP Protection and Enhancement of Landscape Character  
 EP1 LDP Amenity and Environmental Protection  
 MV1 LDP Proposed Developments and Highway Considerations  
 DES1 LDP General Design Considerations

#### National Planning Policies

Technical Advice Note 6 - Planning for Sustainable Rural Communities (2010):  
<http://gov.wales/docs/desh/policy/100722tan6en.pdf>

### **4.0 NATIONAL PLANNING POLICY**

#### **Future Wales - the national plan 2040**

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

#### **Planning Policy Wales (PPW) Edition 11**

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and

cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

## **5.0 REPRESENTATIONS**

### 5.1 Consultation Replies

**Llantrisant Fawr Community Council** - No comments received.

**MCC Heritage** - No objection

#### **MCC Highways**

Although the highway authority has no objections to the application as submitted, the highway authority has concerns that any significant increase in future production, distribution and diversification associated with the proposal, such as retail sales and visitors etc would significantly increase the traffic generation and may well lead to an adverse impact on the safety and capacity of the immediate local network, this is particularly the case where retail use cannot be adequately quantified or managed.

The highway authority would recommend deferral of the application pending the submission of a detailed business / management plan clearly outlining any future expansion and increase in production, distribution and diversification associated with the proposal.

**NRW** - No objection.

Recognising the specific nature of the application submitted, we are satisfied that it is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Usk SAC.

We note the proposal is to connect the foul drainage to existing septic tank. We do not have a record of this septic tank being registered with us. The applicant should note, it is a legal requirement to apply for an environmental permit or register an exemption with us.

### 5.2 Neighbour Notification

Responses in favour and objection have been received, these are available in full on the website, however have been summarised as:

Letters of objection have been received from three addresses:

Disruption to existing water supply

Increase in traffic

Increase in noise now and in the future, and what protection is in place for future noise disturbance

How sustainable is this as a business model in a time of changing climate?

Letters support from three addresses have been received:

An ideal opportunity for diversification on the local farm

I understand that it will bring no added traffic/congestion to the area

It will enhance the local business community sympathetically

It will provide employment opportunities, and will improve the local community

It will support the local environment, creating an eco-hub and development of the orchard including tree planting.

We believe inspiring initiatives such as these should be encouraged by the local council.

### 5.3 Other Representations

None Received

## 5.4 Local Member Representations

None Received

Please note all representations can be read in full on the Council's website:

<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

## **6.0 EVALUATION**

### **6.1 Principle of Development**

The proposed building falls to be considered under Policies S10 and RE4 of the Local Development Plan (LDP). Policy S10 generally supports rural enterprise and states that:

Development to enable the diversification of the rural economy will be permitted outside settlement development boundaries where it is of a scale and type compatible with the surrounding area and will cause no unacceptable harm to the surrounding landscape, historic and cultural heritage, biodiversity or local amenity value. Development must re-use or adapt existing buildings where possible. There are exceptional circumstances in which new buildings may be permitted outside settlement boundaries to assist in the diversification of the rural economy. In this case the exceptions are Policy RE1 Employment within villages or adjoining village development boundaries.

RE3 Agricultural Diversification

RE4 New Agricultural buildings.

In this case it is Policy RE3 that is most relevant.

Policy RE3 - Agricultural Diversification

Development proposals which make a positive contribution to agriculture or its diversification will be permitted where the new use or building meets the following criteria:

- a) the proposed non-agricultural development is run in conjunction with, and is complementary to, the agricultural activities of the enterprise;
- b) the proposal is supported by an appropriate business case which demonstrates the link to existing business activity and the benefits of the scheme in terms of sustaining employment / the rural economy;
- c) in relation to new build, the applicant must demonstrate that there are no existing buildings suitable for conversion / re-use in preference to new build;
- d) with regard to diversification proposals for visitor accommodation, new build will only be permitted where it consists of the substantial rebuild of a building within the curtilage of an existing and occupied farm property, as specified in Policy T2;
- e) where rebuild is permitted under criteria c) and d) any rebuilding work should respect or be in sympathy with the local and traditional characteristics of the building;
- f) proposals for new built development meet the detailed criteria set out in Policy LC1;
- g) proposals for renewable energy schemes meet the criteria set out in Policy SD1.

In this case the proposed water canning production will be run in conjunction with the main farming activities in the site, predominantly sheep farming. As with all family farms, input costs are increasing and profits are being squeezed. As such WG policy advice is to look at all possible diversification options. With the presence of natural springs rising on the farm there is the possibility to utilise this water. It is proposed for the works to be part of the existing farm business. A Strategic Plan has been submitted by the applicant which demonstrates the link of the new Spring Water production and canning with the existing farm enterprise as a way of farm diversification. The applicant has demonstrated that there are no existing buildings on the farm that could be used for the production and canning of the product.

More specifically, Policy RE4 relates to new agricultural buildings and allows new buildings as well as any means of access provided that they meet the following requirements:

- a) the building or access is reasonably required for agricultural or forestry purposes;

- b) adequate provision is made for the disposal of foul and surface water and any animal waste without risk to features;
- c) the proposal complies with Policy LC1.

In this case, the building is required for farm diversification and there will be no additional animal waste as a result of this proposal. The details of the surface and foul water will be discussed in greater detail later in this report.

Policy LC1 relates to new build development in the open countryside;

There is a presumption against new built development in the open countryside, unless justified under national planning policy and/or LDP policies S10, RE3, RE4, RE5, RE6, T2 and T3 for the purposes of agriculture, forestry, 'one planet development', rural enterprise, rural / agricultural diversification schemes or recreation, leisure or tourism. In such exceptional circumstances, new built development will only be permitted where all the following criteria are met:

- a) the proposal is satisfactorily assimilated into the landscape and complies with Policy LC5;
- b) new buildings are wherever possible located within or close to existing groups of buildings;
- c) the development design is of a form, bulk, size, layout and scale that respects the character of the surrounding countryside; and
- d) the development will have no unacceptable adverse impact on landscape, historic / cultural or geological heritage, biodiversity or local amenity value.

In this case the proposed building is relatively small when compared to the adjoining agricultural buildings. The new building will be seen on the context of the other farm buildings and will be finished in similar materials. The new building will have very little visual impact on the wider landscape.

Policy LC5 requires that;

Development will be permitted provided it would not have an unacceptable adverse effect on the special character or quality of Monmouthshire's landscape in terms of its visual, historic, geological, ecological or cultural aspects by:

- a) Causing significant visual intrusion;
- b) Causing significant adverse change in the character of the built or natural landscape;
- c) Being insensitively and unsympathetically sited within the landscape;
- d) Introducing or intensifying a use which is incompatible with its location;
- e) Failing to harmonise with, or enhance the landform and landscape; and /or
- f) Losing or failing to incorporate important traditional features, patterns, structures and layout of settlements and landscapes of both the built and natural environment

In this case a small agricultural style building will be located within the existing farm complex and it will be used for farm diversification purposes. Its scale and type is compatible with the surrounding area and will cause no unacceptable harm to the surrounding landscape. The application does seek the erection of a new building as there are on other suitable buildings on the farm that could be used, however the scale of the new building is relatively small especially when compared with the existing modern agricultural buildings that are on the site.

In this case the principle of a new building within the existing farm complex for the purposes of farm diversification is considered acceptable in policy terms.

## **6.2 Sustainability**

### **6.2.1 Good Design**

The proposed building would measure 18m by 12m with a ridge height of 6m. It would be finished in insulated profile metal sheeting coloured dark green and would have roller shutter doors. The building would have the same type of appearance to the adjacent farm building but be smaller in scale. The design of the building is considered to be appropriate for its setting and function. It is considered to be in keeping with the local vernacular and the materials will help the building blend

in with the rural surroundings. The proposed building is therefore considered to meet the requirements of LDP Policy DES1.

### 6.2.2 Energy

The applicants have submitted a statement which states "We are looking to construct the building and the associated works to be as sustainable as possible. We will be looking to can the water in a Carbon Neutral way whilst utilising local sustainable resources."

### **6.3 Landscape**

The building would be sited to the south west of the existing farm buildings and would utilise the existing farm access. The building would be viewed against the backdrop of existing farm buildings and would be smaller in scale. The use of juniper green cladding would also help the building to assimilate into its surroundings. The building would be sited next to the existing yard and the proposal would not require the removal of any significant vegetation. On this basis it is considered that the proposed building meets the requirements of LDP policies LC1 and LC5.

### **6.4 Biodiversity**

It is necessary to secure an ecological net gain. Planning Policy Wales (PPW) 11 sets out that planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 11 respond to the Section 6 Duty of the Environment (Wales) Act 2016. This proposal includes measures in the form of additional planting to improve the existing orchard to enhance biodiversity. Native fruit trees would be planted which would offer feed shelter and habitat to local wildlife. These enhancements are shown on the site plan. These are considered acceptable biodiversity net benefit measures for an application of this size. The proposal therefore accords with the objectives of Policy NE1 of the LDP.

### **6.5 Impact on Amenity**

The nearest residential property to this site is Derwyn Meylen which is almost 500 metres to the south of the site and would not be adversely affected by the proposal because of this intervening distance and vegetation. Both Tump Farm and Dwr Gul are in the applicant's ownership. The proposal would not affect the occupiers of any other residential properties and therefore meets the requirements of LDP policies DES1 (d) and EP1.

### **6.6 Highways**

#### 6.7.2 Access / Highway Safety

The new building would utilise the existing access that is shared by the farm and the two residential properties associated with it. The farm is accessed via a substantial hard surfaced access drive accessed directly from the adjacent public highway, route R113 a classified un-numbered road. Route R113 is considered a primary distribution route providing access from the outlying rural communities in between Usk, Llangybi, Chepstow and Caldicot. The highway authority considers that the site is reasonably well sited in terms of transport accessibility and the immediate local network is considered capable of accommodating the increased vehicle movements associated with such a low key manufacturing and distribution business that generates only one HGV delivery and three small van distributions per week.

Although the highway authority has no objections to the application as submitted, highway officers have concerns that any significant increase in future production, distribution and diversification associated with the proposal, such as retail sales and visitors etc would significantly increase the traffic generation and may well lead to an adverse impact on the safety and capacity of the immediate local network; this is particularly the case where retail use cannot be adequately

quantified or managed. Planning officers however can only consider the application that is before them. If the business was to expand in the future – for instance by moving production to a different (larger) building on the farm or by building an extension to the currently proposed unit, a planning application would be required and that would be determined on its merits.

## **6.7 Flooding**

Based on the Development Advice Maps associated with Technical Advice Note (TAN) 15: Development and Flood Risk, the site is outside of any allocated flood zone and is therefore unlikely to flood.

## **6.8 Drainage**

### 6.8.1 Foul Drainage

There would be no toilet facility provided in the new building and the proposal would not result in any additional people visiting the site. The application site is within the catchment of the River Usk Special Area of Conservation (SAC). In line with NRW Planning Advice (July 2022), under the Habitats Regulations, planning authorities must consider the phosphorus impact of proposed developments on water quality within SAC river catchments. NRW state that recognising the specific nature of the application submitted, they are satisfied that it is unlikely to increase the amount of phosphorus entering the catchment. They are therefore satisfied that the proposal is not likely to have a significant effect on the River Usk SAC.

As a result the application has been screened out.

Any Liquor waste produced from the process would be collected in a new tank situated beneath the building footprint which would be emptied when required. It is not envisaged that there would be large quantities of liquor left over for removal, as such the tank would be monitored and emptied when it reaches 75% capacity. It is envisaged that the tank would be 7500l in capacity. This may require an environmental permit or exemption from NRW under The Environmental Permitting (England and Wales) Regulations 2016.

### 6.8.2 Surface Water Drainage

If the application is approved, the scheme would require a sustainable drainage system designed in accordance with the Welsh Government Standards for sustainable drainage. The scheme would require approval by the SuDS Approving Body (SAB) prior to any construction work commencing.

## **6.9 Response to the Representations of Third Parties and/or Community/Town Council**

Local residents are concerned that the proposal would disrupt local water supplies. At present the spring water is piped into the existing yard and used to water the livestock, which has been the situation for considerable time. The increase in demand from the water extraction due to the canning process would be minimal especially as it is expected that the number of livestock on the farm would be reduced over the coming years. At present abstraction is less than the prescribed threshold from NRW. If the applicant intends to abstract more than 20m<sup>3</sup>/day of water, an abstraction licence would be required from NRW. However, the applicant confirms, "We will not be abstracting more than this, indeed it will be substantially lower - with a maximum capacity likely to be around just a tenth of the limit needed for a license. We have consulted with NRW over the requirements."

The abstraction of water from the water course is managed and protected through separate legislation administered by NRW.

A 50m service trench is proposed to provide services from the existing connections at the farm to the new building, including power/water and drainage. This will be underground and will not cause any visual intrusion or changes in ground levels.

The increase in traffic resulting from this proposal is very low compared to the traffic generated by the operating farm. There would only be one additional delivery per week and three small vans carrying out deliveries. The Highway Authority has offered no objection to the application as submitted.

There would be no detrimental increase in noise resulting from the canning operation, the machine will only be used to put the lids on the cans and this will be relatively quiet compared to the general background of the existing livestock farm.

## **6.10 Well-Being of Future Generations (Wales) Act 2015**

6.10.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **7.0 RECOMMENDATION: APPROVE**

### **Conditions :**

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 The Biodiversity net benefit measures as illustrated the Site Plan 2 shall be implemented in full and shall be retained as such in perpetuity. Evidence of compliance with the plan in the form of georeferenced photographs must be provided to the LPA no more than three months later than the first beneficial use of the building.

Reason: To ensure appropriate mitigation for protected and priority species and provide biodiversity net benefit ensuring compliance with PPW 11, the Environment (Wales) Act 2016 and LDP policy NE1

4. The proposed canning process, including storage and ancillary processes shall take place within the approved building only.

Reason: to limit the scope of this permission having regards to local amenity and highway safety.