

**Application Number:** DM/2020/00968

**Proposal:** Erection of an agricultural hay and machinery building

**Address:** Land at Llanvihangel Court, Devauden, Chepstow

**Applicant:** Mr P Maddocks

**Plans:** Elevations - Proposed 3356-DR-S-050-03 A - , Floor Plans - Proposed 3356-DR-S-050-04 A - , Location Plan 3356-DR-S-050-01 A - , Site Plan 3356-DR-S-050-01 A - , Other Land holding - , Landscaping Plan

## **RECOMMENDATION: APPROVE**

Case Officer: Mrs Helen Hinton

Date Valid: 25.08.2020

**This application is presented to Planning Committee at the request of the Ward Member to allow for consideration of the reasoned justification for the proposal and an assessment with regards to impact of the development on the character and appearance of the area**

### **1.0 APPLICATION DETAILS**

#### **1.1 Site Description**

The application site forms part of a wider 101 hectare (250 acre) agricultural holding located within the Devauden area. The holding as a whole is split between two main parcels of land referred to as Lower House Farm, Wolvesnewton which accommodate the applicant's main yard and the land holding on which the application is based, known as Ty Mawr.

The proposed building would be positioned in the northern corner of a 3.2 hectares (8.1 acre field), adjoining the south-eastern edge of an existing hardstanding approved as part of application DM/2019/01835 on 24th March 2020. Plans submitted in support of the application, detail that the applicant farms the adjoining 30 hectares (74 acres).

The existing hard standing is positioned to the east of the dwelling and barn conversions associated with Ty Mawr Farm and to the south-east of a newly formed agricultural enterprise known as Oak Tree Farm. Access to the buildings would be gained via an existing concrete surfaced lane leading from Quarry Road which currently serves the application site and wider landholding, Oak Tree Farm and Ty Mawr Farm. Public footpath, 357/138/1 follows the route of the track and crosses the existing hardstanding to the west of the proposed development. At the time of inspection the land was being used for the grazing of sheep with a few small pieces of kit/ apparatus stored on the site (i.e. mangers/ feed barriers, gates, hurdles and a trailer). The area as a whole is located on a gradient falling from north-east to south-west. As a result the application site is below the land to the north, is level with the access track and is raised relative to the land holding to the south and the buildings of Ty Mawr and Oak Tree Farm.

The site as a whole is located in an area of open countryside within the community of Devauden.

#### **1.2 Value Added**

Amended plans have been submitted detailing the full extents of the applicant agricultural enterprise and include details with regards to the applicant's flock size and the provision of a double row of staggered native deciduous hedge plants around the southern (rear) and eastern (gable) elevation of the building.

### 1.3 Proposal Description

The application seeks full planning permission for the erection of a four bay agricultural building to be used for the storage of hay, machinery and implements.

The proposed building would measure 18.3m wide, 10.7m deep with a pitched roof with a maximum height of 5.3m falling to and 4.3m at eaves level. Externally the buildings would be finished with dark green coloured, box section corrugated sheets on the southern (rear) eastern and western (side) elevations with a grey fibre cement sheeted roof. The northern elevation would be open fronted with access gained from the existing access track to the north. A double row of hedge plants would be provided to the south and east of the building to act as screening and to provide ecological enhancement.

Details submitted in support of the application indicate the applicant currently has 835 ewes, 80 ewe lambs and 30 rams. Although the main yard at Lower House Farm contains a number of agricultural sheds principally used for lambing and dry storage, there are no other buildings on the Ty Mawr land holding.

### 2.0 RELEVANT PLANNING HISTORY (if any)

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2019/01835	Retention of stone yard area for agricultural storage and turning area.	Approved	24.03.2020
DM/2020/00968	Erection of an agricultural hay and machinery building.	Pending Determination	
DC/2009/01119	Proposed sun lounge, utility, attic conversion with dormer windows, veranda and 3no. en-suites	Approved	15.02.2010

### 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

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  
GI1 LDP Green Infrastructure  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection

## **4.0 NATIONAL PLANNING POLICY**

### **Planning Policy Wales (PPW) Edition 10**

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 as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

## **5.0 REPRESENTATIONS**

### **5.1 Consultation Replies**

**Devauden Community Council** - No response received

**MCC Public Rights of Way** - because of the vagaries of how path 138 is recorded on the Definitive Map and the probable de minimis nature of any possible obstructions Public Rights of Way withdraws its objection to the proposed development.

### **5.2 Neighbour Notification**

The application has been advertised by direct neighbour notification, the erection of site notices and publication of a press notice. No objections or representations have been received.

### **5.3 Local Member Representations**

Cllr R Greenland was notified of the application on 25th August 2020. The Member has requested the application be presented to Planning Committee for review with regards to reasoned justification and impact on the character and appearance of the development on the wider landscape.

## **6.0 EVALUATION**

### **6.1 Strategic & Spatial Choices**

#### **6.1.1 Principle of Development**

The application seeks full planning permission for the development of an agricultural building measuring 18.3m wide and 10.06m deep. Although Schedule 2 Part 6 Class A, of The Town and Country Planning (General Permitted Development) Order 1995 grants permitted development rights for buildings of this size, as the associated hardstanding with an area of 519sq.m was approved in the early part of 2020, the works proposed now require planning permission.

As specified above, the application site is positioned within the northernmost part of a landholding area of 30 hectares (74 acres). This parcel of land in turn forms part of a wider 110 hectare holding.

Policy S13 seeks to protect, maintain and enhance the character and quality of Monmouthshire's landscape with Policy LC1 presumes against new development in the open countryside unless justified under national planning policy and/or subject specific LDP policies. In this instance policies S10 - Rural Enterprise and RE4 - New Agricultural and Forestry Buildings are relevant.

Specifically RE4 states that new agricultural buildings will be permitted where the building or access is reasonable required for agricultural purposes, and adequate provision is made for the disposal of foul and surface water and any animal waste without risk to features.

The proposal complies with Policy LC1

Details submitted in support of the application indicate that the applicant farms a holding of approximately 110 hectares (250 acres) of which 30 hectares (74 acres) adjoins the current application site. A copy of the flock register submitted confirms that the applicant currently has a flock of 945 animals. Although the main yard at Lower House Farm contains a number of buildings used for lambing and storage, the land to which the application relates does not benefit from any buildings. Although the applicant may have previously removed all hay/ silage from the site for storage at Lower House, given the scale of the holding and the number of animals farmed, which could be overwintered on the site, it is considered reasonable and justifiable to provide a building for storage of implements, machinery and fodder in the interests of the efficient operation of the holding and to reduce transportation requirements.

While Officers are aware that the applicant previously secured planning permission for an agricultural building to the north-west of the current application site (Application DC/2014/00858 refers) which was subsequently sold to the current owners who are seeking to establish a new rural enterprise at Oak Tree Farm, previous land transactions do not constitute a material planning consideration.

On the basis of the above and the information submitted in support of the application, it is considered that the development is reasonably necessary for the purposes of agriculture and the principle of development is considered acceptable subject to the application satisfying a number of material planning considerations.

#### 6.1.2 Good Design/ Place making

As specified above the building would be positioned in the northern most part of the land holding, adjacent to an existing hardstanding and to the east of Ty Mawr Farmhouse and barns and the new agricultural enterprise known as Oak Tree Farm. Mature hedges are positioned to the west and north of the development. Externally the development would appear as a functional structure, which is not uncommon within the wider landscape. Although the siting of the building could be considered disjointed relative to the applicant's main yard in Wolvesnewton, the development would be associated with a large and actively farmed land area.

Given the position and proximity of the building relative to the western and northern boundary hedges; the existing built form of Ty Mawr Farm and Oak Tree Farm to the east; the hardstanding of the application site and the access road and when considered in association with the proposed hedgerow planting, the proposal would satisfactorily assimilate into the landscape. It would be of a form, bulk, size, layout and scale that is proportionate to the adjacent landholding and respectful of the character of the surrounding countryside. The application is therefore considered compliant with policies S10, S13, RE4 and LC1 of the LDP.

#### 6.1.3 Impact on Amenity/ Promoting Healthier Places

Public footpath 357/138/1 currently passes in close proximity to the development site. Although the Council's Rights of Way Officer initially raised concerns with regards to the application, following review the objection has been removed, with advisory notes recommended. Given the lack of fingerpost and stiles in the western hedge, it is likely that users of the path use the track to the north of the application site.

Although located to the east of Ty Mawr House and Oak Tree Farm, and immediately adjacent to the access track, given the distance of approximately 90m between the proposal and the nearest dwelling, it is considered that the development would not lead to any increased overshadowing, loss of light, increased overlooking or infringement of privacy. It is also considered that the proposal

would not obstruct or adversely affect a public right of way. The application is therefore considered compliant with policies S13, S16 EP1 and MV3.

## **6.2 Active and Social Places**

### **6.2.1 Transport issues**

Given the location of the site, the nature of the application and the wider use of the land, the applicant is likely to visit the premises by private vehicle but this is the current arrangement. The development would however allow for on-site storage of hay, fodder, machinery and implements which may reduce the number of larger vehicles movements to and from the site.

### **6.2.2 Access / Highway Safety**

Access to the site is currently gained via a single width concrete track leading from Quarry Road to the north-east of the site. Quarry Road has limited width and passing places. Given the existing use of the land, the applicant could visit the site as frequently as they desired with any size vehicle. The development proposed would provide formal storage space on site, which may in turn reduce off site movements of hay/ silage. Relative to the existing arrangement it is considered that the development proposed would not generate an increased number of vehicle movements. Given the position of the proposed building to the east of the existing hardstanding, it is considered that sufficient space would be retained for the parking and manoeuvring of vehicles. It is therefore considered that the application would not generate an increased number of vehicles movements and would not have a detrimental impact on the highway safety and free flow of traffic. The application is therefore considered compliant with LDP policies S16 and MV1.

## **6.3 Productive and Enterprising Places**

### **6.3.1 The Rural Economy**

The development would be used in association with the wider agricultural holding and would support the agricultural activities on site. The potential to use the space to store hay may reduce the need to use wrapped fodder which in turn would reduce costs, to the benefit of the economic viability of the holding.

### **6.3.2 Transportation Infrastructure**

The proposed development will be accessed from a concrete track which in turn adjoins with a publically adopted but unclassified highway (Quarry Road) 260m to the north-east of the site. The development would be sited well away from the public highway and would not have a detrimental impact on local transportation infrastructure.

## **6.4 Distinctive & Natural Places**

### **6.4.1 Landscape/ Visual Impact**

Impacts of the development on the landscape and visual amenity of the area are a concern for the Ward Member.

As specified above, the application site is located in an area of open countryside. Given the gradient of the land, falling from north-east to south-west, the rear elevation of the building would be partially visible from the wider landholding. However, such buildings and structures are not uncommon in the wider rural landscape.

Being mindful of the active agricultural use of the land, the proportionate size and scale of the development relative to the landholding, the external materials proposed, the relatively close position of the proposal to the built form of the dwelling and buildings at Ty Mawr to the west; the screening that would be provided by the hillside and hedges to the north-east which would provide a backdrop to the structure preventing it from breaking the skyline. With the existing hedgerow to the west and

the proposed new planting to the south and east, it is considered that the proposal would satisfactorily assimilate into its surroundings. It would not cause a significant visual intrusion or an adverse change in the character of the natural landscape or lead to an intensification of use incompatible with its location.

It is therefore considered that the proposal would not have such a detrimental impact on the overall character, appearance, landscape or visual amenity of the wider area to warrant refusal of the application and the proposal is considered compliant with LDP policies S13, LC1, LC5 and EP1.

#### 6.4.2 Historic Environment

The application site and wider land holding do not contain any historical features or designations. Although Ty Mawr farmhouse to the west is a grade II listed building the site is outside of the farmhouse curtilage with a distance of approximately 240m maintained between the existing and proposed building. It is therefore considered that the proposal would not have a detrimental impact on the historical designation.

#### 6.4.3 Green Infrastructure and Biodiversity

As specified above, the shed would be developed in the northern part of the landholding adjacent to the existing concrete surface access track and yard. The northern boundary of the field is largely undefined. Whilst at the time of inspection the land was being grazed by sheep the pasture looked to be improved and maintained with aerial images indicating that the land is regularly cut for hay/silage.

In line with recent guidance issued by the Welsh Government, each application for planning permission must now provide ecological mitigation and enhancement. Although this would commonly take the form of bird and bat boxes on or within the development, given the external material proposed, it was considered that this would not be the most appropriate form of mitigation. Given the relatively exposed position of the southern elevation of the building as a result of the land fall, enhanced green infrastructure has been sought around the southern and eastern elevations. Details submitted in support of the application indicate that this will take the form of a double row of staggered native species hedge plants to include hawthorn, bird cherry, dog rose, hazel, blackthorn and holly. The new infrastructure should help to screen the proposal and provide enhanced roosting and foraging opportunities for local wildlife.

Subject to conditions to secure the implementation and maintenance of the infrastructure the application is considered compliant with LDP policies S13, GI1 and NE1.

#### 6.4.4 Water (including foul drainage / SuDS), Air, Soundscape & Light

As of January 2019, all new developments with a constructional area in excess of 100sq.m are required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water, designed and constructed in accordance with the Welsh Government Standards for Sustainable Drainage. The applicant has been made aware of this requirement and will be seeking consent from the SuDS Approving Body (SAB) independently of the planning application.

Although no lighting is indicated as part of the development, a condition could be imposed preventing the installation, in the interests of amenity and the ecological value of the area.

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

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.

## **6.6 Conclusion**

On the basis of the information submitted, it is considered that the development is reasonably necessary for the purposes of agriculture. It is considered that the development is of a size, scale and design proportionate to the landholding and would have a siting and external finish that would not have a significantly detrimental impact on the overall character and appearance of the area, the residential amenity of those living closest to the site or the highway safety and free flow of traffic.

Subject to conditions securing the building to the landholding, to ensure provision of the proposed landscaping and to prevent installation of lighting, the application is considered compliant with the relevant policies of the Local Development Plan and is recommended for approval.

## **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 building hereby approved shall only be used in conjunction with all the land outlined in red on land ownership plan referenced Ty Mawr. The building shall not be separated from the landholding.

REASON: The building is only reasonably necessary relative to the size of the existing holding. Severing the building from the land would result in unjustified development in the open countryside to the detriment of the character and appearance of the area. In compliance with LDP policies S10, S13 RE4, LC1 and EP1.

4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To safeguard the landscape amenities of the area and to ensure compliance with LDP Policy G11.

5 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no lighting or lighting fixtures shall be attached to or be positioned in the curtilage so as to illuminate the elevations of the building.

REASON: To ensure retention of roosting/foraging opportunities for Species of Conservation Concern and to ensure compliance with LDP Policy NE1.