

# Public Document Pack

## **PLANNING AND ORDERS COMMITTEE**

**Wednesday, 7 January 2015 (1.00 pm)**

Please find the attached report as an additional application on the Planning and Orders Committee agenda.

**13**

**OTHER MATTERS** (Pages 1 - 8)

13.2 16C48H – Ger y Bryn, Bryngwran

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Other Matters

Rhif y Cais: 12LPA1003B/CC/MIN Application Number

Ymgeisydd Applicant

Head of Service Environment & Technical

Mân newidiadau i gynllun sydd wedi ei ganiatáu yn flaenorol o dan caniatád cynllunio 12LPA1003/FR/CC yn / Minor amendments to scheme previously approved under planning permission 12LPA1003/FR/CC at

Townsend Bridge-Gallows Point, Beaumaris



**Planning Committee: 07/01/2015**

**Report of Head of Planning Service (GJ)**

A minor amendment application was received for the flood alleviation works which was approved by the Planning Committee on the 1<sup>st</sup> September, 2014. The proposed amendments were taking down and removal of the top section of the existing sea wall to approx. 400mm below the existing footpath level. Replace existing wall with a reinforced concrete section approx. 1400mm in height to the previously specified crest level of 6.0m AOD. Landward face of wall to be clad with stone blockwork to match remaining sections. Stone removed from the existing wall to be re-used in reconstructing/increasing elevation of other sections, as original application.

It was considered that the proposed alterations were deemed to be non-material and therefore be approved under Section 96A of the Town and Country Planning Act 1990.

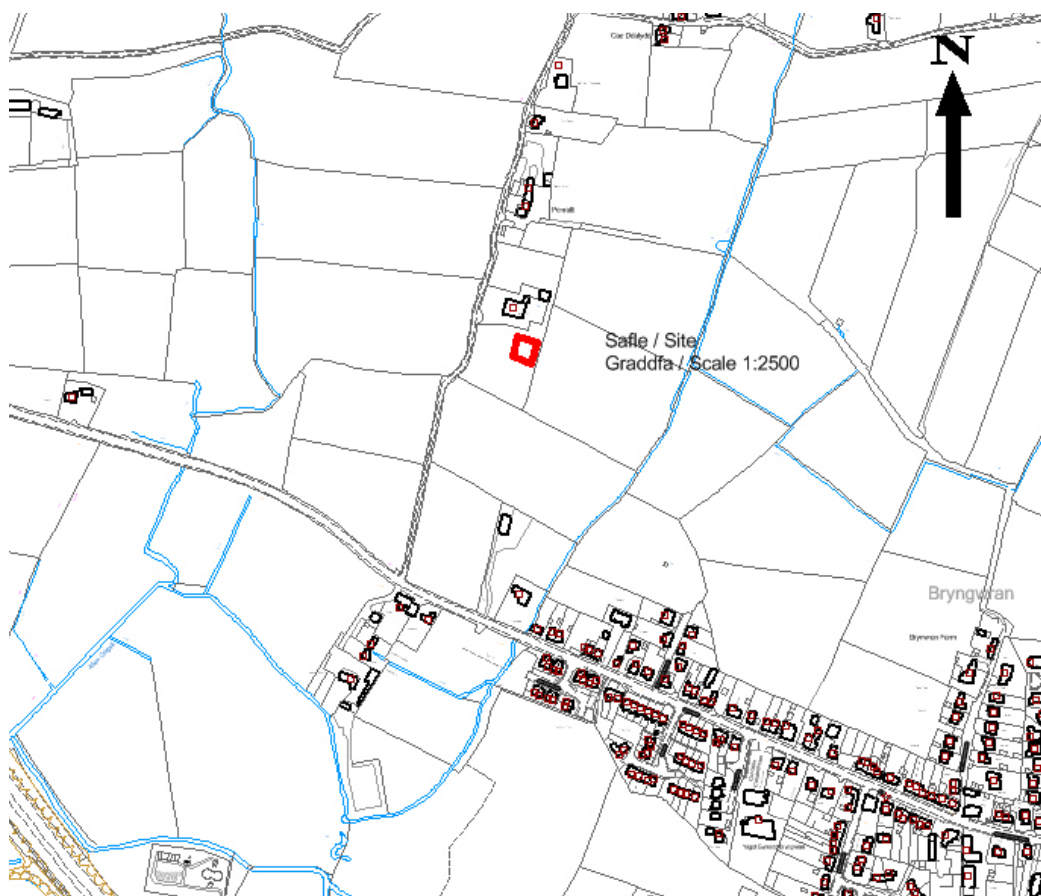
The matter is therefore reported for information purposes only.

Rhif y Cais: **16C48H** Application Number

Ymgeisydd Applicant

**David Morris**

**Cais llawn i gadw slab concriid ynghyd a chodi sied amaethyddol i'w defnyddio fel storfa ac i gadw anifeiliaid ar dir yn / Full application for the retention of a concrete slab together with the erection of an agricultural shed to house livestock and for storage purposes on land at**

**Ger y Bryn, Bryngwran**

**Planning Committee: 07/01/2015**

**Report of Head of Planning Service (IWJ)**

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

At the request of the Local Member – Councillor Bob Parry

At its meeting held on 3<sup>rd</sup> December, 2014 the Planning and Orders Committee resolved to visit the site prior to making its determination. The site was visited on 17<sup>th</sup> December, 2014 and Members will now be familiar with the site and its setting.

### **1. Proposal and Site**

The application is made to retain a concrete slab together with the erection of an agricultural shed to house livestock and for storage purposes.

The site lies within the parish of Bryngwran and is located adjacent to the property known as 'Ger Y Bryn' which is about 200m north of Bryngwran. Access is via the road which serves Ger Y Bryn, which junctions with the A5 highway leading towards Holyhead.

### **2. Key Issue(s)**

The key issues to consider are whether there is sufficient justification for the proposed shed for agricultural purposes and visual impact.

### **3. Main Policies**

#### **Ynys Mon Local Plan**

Policy 1 - General Policy

Policy 42 - Design

#### **Gwynedd Structure Plan**

Policy D4 – Siting

Policy D29 – Design

#### **Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance

Policy GP2 - Design

**Technical Advice Note 6: Planning for Sustainable Rural Communities**

**Technical Advice Note (Wales) 9: Enforcement of Planning Control**

### **4. Response to Consultation and Publicity**

**Local Member** – Application called into planning committee. His reasons being that the applicant

needs a structure of this size for the keeping of animals and the storage of agricultural machinery.

**Community Council** – No observations.

**Environmental Health** – Comments

The application was afforded two means of publicity. These were the posting of a site notice near the site and the serving of personal notifications on the occupants of the neighbouring properties. The latest date for the receipt of representations was the 25<sup>th</sup> September, 2014.

At the time of writing this report one letter of representations was received at the department. The issues raised can be summarised as follows:

- The applicant has 4 acres of land (excluding the 1 acre of land within the residential curtilage of Ger Y Bryn) rather than 6 acres as claimed within the application.
- The applicant is selling the property with 4 acres of land split into two separate plots.
- Applicant does not have enough land for the stock the applicant claims to have.
- Second septic tank also installed at the property.
- Independent electric and water supply (separate from the ones for Ger y Bryn) installed at the shed.
- The claim that this is the applicant's first venture into farming is incorrect.
- Ger Y Bryn was approved on the basis that the applicant would be farming sheep on the land.
- No parking is available at the site. Only parking available is at the residential property Ger Y Bryn.
- Hedgerow has been removed at the application site.
- Several aspects of the information presented as part of the application is incorrect.

## **5. Relevant Planning History**

16C48 – Erection of a dwelling on land at Penrallt, Bryngwran – Approved 13/07/1989

16C48A – Erection of a bungalow on land at OS 6600, Penrallt, Bryngwran – Approved 17/07/1989

16C48B – Deletion of condition (1) (local person condition) from planning permission 16C18 on land at Penrallt, Bryngwran – Approved 16/12/1997

16C48C – Amended detailed plans for the erection of a bungalow and double garage on plot adjacent to Penrallt, Bryngwran – Approved 15/10/1999

16C48D – Outline application for the erection of a new dwelling together with the construction of a new vehicular access and installation of a new septic tank on land adjacent to Ger Y Bryn, Bryngwran – Refused 08/12/2005

16C48E – Outline application for the erection of a dwelling together with the construction of a new vehicular access and installation of a septic tank on land adjacent to Ger Y Bryn, Bryngwran – Refused 02/02/2006

16C48F – Full application for the erection of an agricultural building on land at Ger Y Bryn, Bryngwran – Refused 10/05/2012

16C48G – Full application for the erection of an agricultural shed at Ger Y Bryn, Bryngwran – Approved 09/11/2012

## 6. Main Planning Considerations

**Justification for the proposal** – The general principle of development for agricultural purposes is accepted within local and national planning policies provided the development can be justified. The acceptability of the proposed development thus depends on detailed development control criteria.

The proposal entails the erection of an agricultural building (measuring 11.7m (length) x 12.1m (width) x 4m (ridge height)). The holding amounts to approximately 2.3 hectares (5.6 acres) and is located on the outskirts of Bryngwran.

The stated purpose of the shed is to keep sheep, lambs and an area for feed / hay. The applicant also intends on purchasing six calves which will also be kept within the agricultural building.

However, it is my opinion that the total number of stock and acreage of land within the applicant's ownership does not justify an agricultural building of this size.

Furthermore, although the location of the proposed building is relatively near the applicants dwelling known as 'Ger Y Bryn', it is considered that this would cause an unjustified intrusion into the landscape.

An application for the erection of an agricultural shed (16C48G) was approved at the same location contrary to officer's recommendation in 2012.

The case officer concluded that *the applicant had not demonstrated that the building as proposed is reasonable necessary in terms of its size, location and use in association with any agricultural use of the unit together with the fact that the proposal would constitute development which would result in an unjustified feature in the landscape to the detriment of the character of the area.*

The floorspace for the agricultural shed previously approved under 16C48G was 100 square meters. The floorspace for the proposed agricultural shed considered under this application is 142 square meters, which is an increase of 42%.

## 7. Conclusion

Since the foundation of the proposed shed was completed not in accordance with the approved planning permission, the development was deemed a breach of planning control. The matter was passed onto the enforcement team and subsequently a planning enforcement investigation was opened. The owner was advised to stop work until the matter was resolved and to submit a retrospective planning application. In accordance with the advice contained within Technical Advice Note (Wales) 9 (TAN9).

In this instance I have considered the substance of representations received from the public, the applicant and agent together with the statutory consultees alike and have balanced these against the advice contained within the relevant policy documents.

There are no other significant material considerations which are of relevance in the determination of the application presently under consideration which have not already been given due consideration.

Having considered the above and all other material considerations my recommendation is one of refusal.



## **8. Recommendation**

### **Refuse**

(01) The applicant had not demonstrated that the building as proposed is reasonably necessary in terms of its size, location and use in association with any agricultural use of the unit. The proposal is therefore contrary to Policy 1 of the Ynys Mon Local Plan and the advice contained within Planning Policy Wales (Edition 7).

(02) The Local Planning Authority considers that the proposal would constitute development which would result in an unjustified feature in the landscape to the detriment of the character of the area.

## **9. Other Relevant Policies**

**Planning Policy Wales (Edition 7)**

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