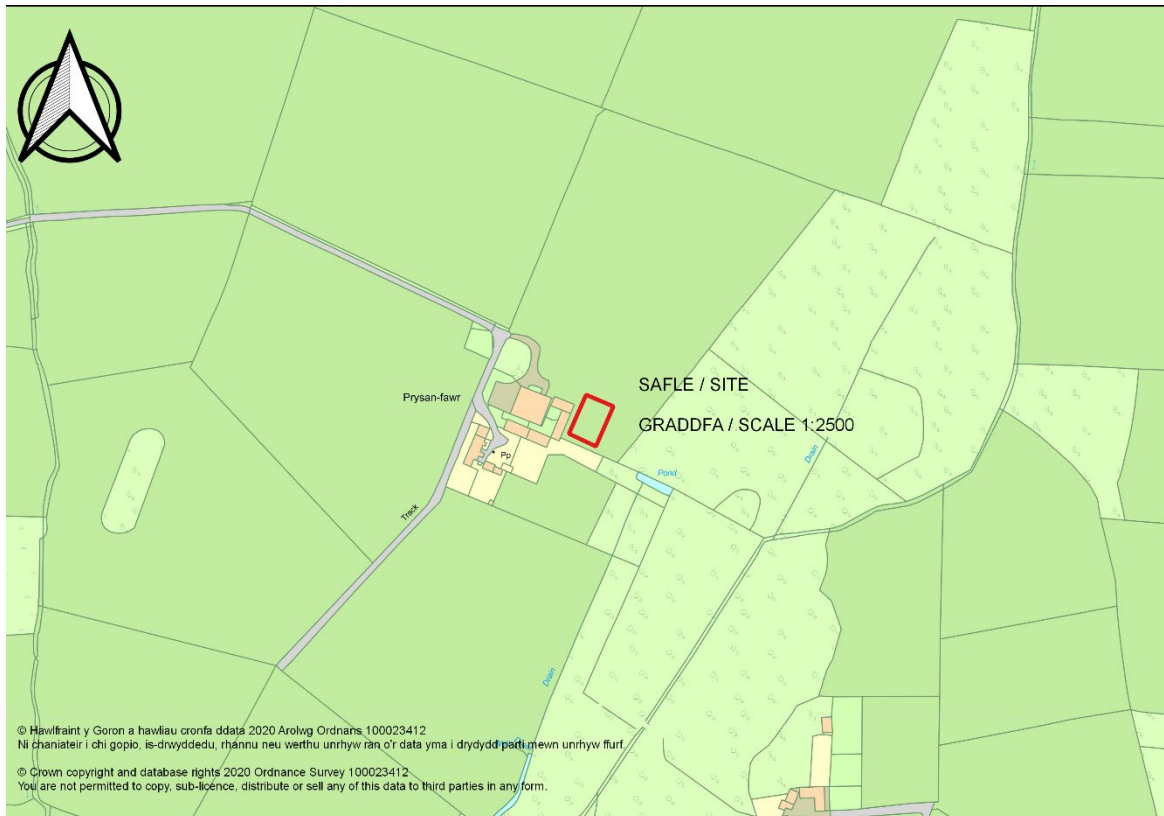


Application Reference: FPL/2021/7

Applicant: C & A Roberts

Description: Full application for the retention and completion of the agricultural shed together with the installation of a soakaway on land at

Site Address: Prysan Fawr, Bodedern



Report of Head of Regulation and Economic Development Service (Colette Redfern)

Recommendation: Permit

Reason for Reporting to Committee

The applicant is related to a 'relevant officer' as defined within paragraph 4.6.10.2 of the Constitution.

The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution

Proposal and Site

The application is a retrospective application to retain and complete the agricultural shed that has been erected on the land together with the installation of a soakaway.

The site is located in an open countryside location approximately 950 metres away from the development boundary of the nearest settlement of Bodedern (as the crow flies). Access to the site is afforded via a private track which leads off the Class III highways which runs from the B5109 towards the A5.

The property is a Grade II and is an agricultural holding and the shed has been erected to the rear of the listed cowshed.

Key Issues

The applications main issues are whether the development has;

- A detrimental impact on the setting of the listed building,
- Whether the building can be assimilated within the landscape without adversely affecting the character of the locality.

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping

Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets

Technical Advice Note 12: Design (2016)

Technical Advice Note 24: The Historic Environment (2017)

Planning Policy Wales (Edition 10, December 2018)

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Tirwedd / Landscape Advisor	No response at the time of writing this report
Ymgynghoriadau Cynllunio YGC	No response at the time of writing this report
Ymgynghorydd Treftadaeth / Heritage Advisor	No impact on setting of the Listed Buildings
Cyngor Cymuned Bodedern Community Council	No response at the time of writing this report
Cynghorydd Llinos Medi Huws	No response at the time of writing this report
Cynghorydd John Griffith	No response at the time of writing this report
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Recommended the planting of a new native hedge
Cynghorydd Kenneth P. Hughes	No response at the time of writing this report

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties together with the publication of a notice in the local press. The latest date for the receipt of any representation is the 3rd March 2021. At the time of writing this report, no letters of representation had been received at the department.

Relevant Planning History

No previous site history

Main Planning Considerations

The application was submitted following an enforcement investigation. All works in relation to the construction of the building ceased following the intervention of the local planning authority.

Paragraph 14.2.2 of the Welsh Government Development Management Manual states that *'Although it is not a criminal offence to carry out development without first obtaining any necessary planning permission, such action is to be discouraged. The fact that enforcement action is discretionary and should be used as a last resort and only when it is expedient, should not be taken as condoning the wilful breach of planning controls. Powers are available to local planning authorities to bring unauthorised development under planning control, and it is for them to decide which power, or combination of powers, to use.'*

Paragraph 14.2.3 states: *'When considering enforcement action, the decisive issue for the local planning authority should be whether the unauthorised development would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest. Enforcement action should be commensurate with the breach of planning control to which it relates; it is usually inappropriate to take formal enforcement action against a trivial or technical breach of planning control which causes no harm to public amenity. The intention should be to remedy the effects of the breach of planning control, not to punish the person(s) carrying out the breach. Nor should enforcement action be taken simply to regularise development for which permission had not been sought, but with is otherwise acceptable.'*

Impact on settling of Listed Building - The building has been partially constructed to the rear of the Grade II Listed Buildings which forms part of a complete farmstead group with the property.

Policy PS 20 of the Anglesey and Gwynedd Joint Local Development Plan stated that in seeking to support the wider economic and social needs of the Plan area, the Local Planning Authorities will preserve and where appropriate, enhance its unique heritage assets.

Legislative and Policy Requirements: Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

(2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Proposals that will preserve and where appropriate enhance the following heritage assets, their setting and significant views into and out of the building / area will be granted.

The shed measures 24.2m x 15.2 m x 6.5 m high and is located 4 metres away from the rear of the listed structures. The local planning authority's Heritage Officer had raised concerns initially regarding the use of 'Juniper Green' box profile sheeting cladding and has recommended that the building be finished in matt grey sheeting to reduce its impact against the listed building. The applicant has confirmed that they are happy to amend the finishing material in accordance with the recommendations of the local planning authority's Heritage Advisor.

Whilst it is acknowledged that the building lies in close proximity to the listed buildings its impact is not considered to be so adverse so as to warrant the refusal of the application. Its setting is mitigated by the scale of its footprint and the use of suitable finishing materials in line with the recommendations of the Authority's Heritage Officer. On balance it is considered that the proposal will result in a form of development which preserves the heritage assets on site in line with current policy and which will also assist to integrate the development to form part of the wider landscape.

Impact on surrounding area – Policy PCYFF3: Design and Place Shaping states that proposals are expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context. The policy goes on to state that proposals must complement and enhance the

character and appearance of the site in terms of siting, appearance, scale, height, massing and elevation treatment. Materials should be appropriate to its surroundings.

This policy plays an important role in addressing design of new development in order to maintain high quality development. Good design helps to provide a sense of place, creates or reinforces local distinctiveness, promotes community cohesiveness and social well-being. New developments should integrate into their surroundings whilst seeking to enhance the overall character of the locality. High quality design will be required for all developments. Policy PCYFF3 sets out a range of issues which must be taken into account.

The building is situated within the farm complex with no immediate neighbouring properties. The site is located in an open countryside location where similar agricultural buildings can be found.

The siting, scale and materials proposed to be utilised in the final construction of the building will ensure a form of development which assimilates well within the landscape whilst also being sympathetic and preserving the listed status of the buildings which lie opposite the application site.

Conclusion

Subject to amendments to the proposed finishing materials in line with the recommendations of the Heritage Officer it is not considered that the development will have a detrimental impact on the Grade II listed buildings or on the surrounding landscape. In addition, it can also be confirmed that a new hedgerow of indigenous native species will be planted in the interests of bio-diversity along the eastern elevation in line with the recommendation of the Ecological Adviser.

Recommendation

Permit

(01) The building hereby approved shall be used solely for the purposes of Agriculture, as defined by Section 336(1) of the Town and Country Planning Act 1990 (as amended) and for no other commercial or business use whatsoever.

Reason: To ensure that the development will always be in the best interest of the agricultural industry.

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.

PRYSAN/01 – Location plan (1:5000)

Location plan (1:2500)

Reason: To ensure that the development is implemented in accord with the approved details.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.