Report of the Chief Officer Economy and Planning

Application Reference
P/2024/1207

Applicant
Mr Buitelaar

Agent
Mr Richard Corbett

Site Address
OLD LLWYN ONN FARM, CEFN ROAD, ABENBURY, WREXHAM, LL13 0NY

Description of Development
CODI ADEILAD AMAETHYDDOL AR GYFER CADW GWELLT A PHEIRIANWAITH A'R HOLL WAITH CYSYLLTIEDIG / ERECTION OF AGRICULTURAL BUILDING FOR STORAGE OF STRAW AND MACHINERY WITH ALL ASSOCIATED WORKS

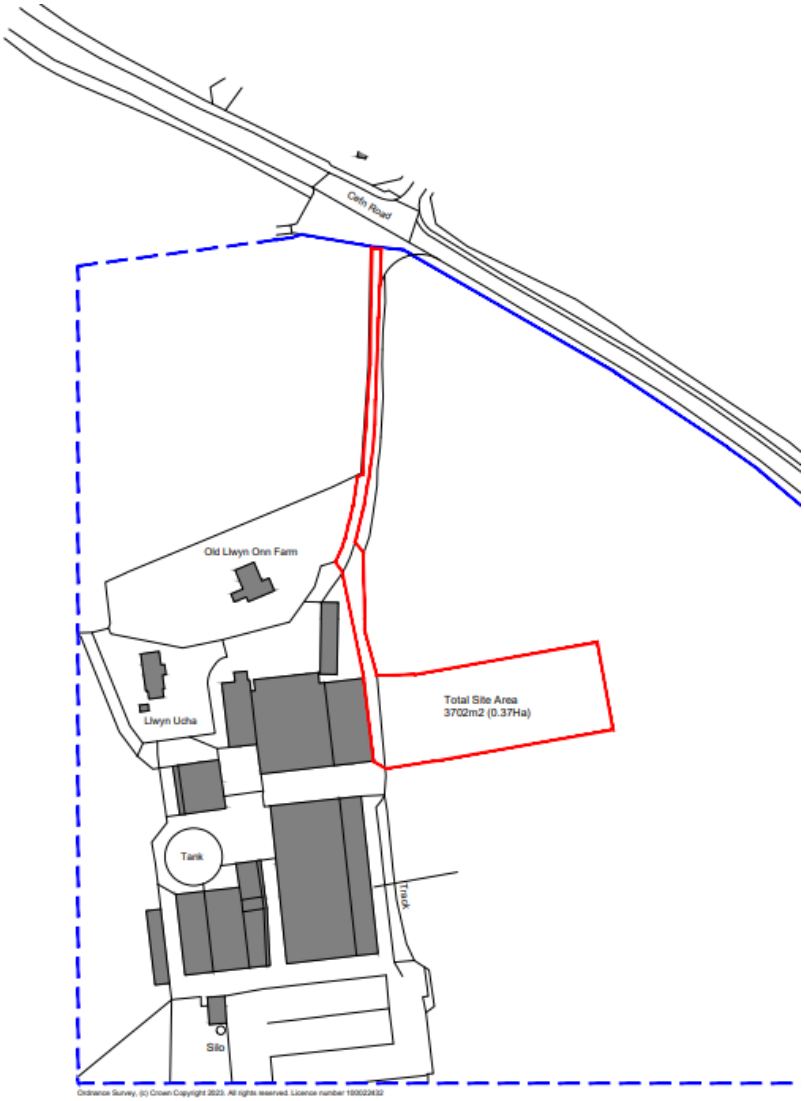
Ward
Holt/Holt

Community
Abenbury/Abenbury

Recommendation
Grant

Officer Report

Site Description
The site comprises part of a piece of flat pastureland located immediately east of the existing farm complex of buildings belonging to Llwyn Onn Farm which is located off Cefn Road, Abenbury, Wrexham.



Proposal

The proposal involves the erection of an agricultural building for the storage of straw and machinery. The building would measure approx. 33.5m x 67m x 8.7m (height to ridge) and be constructed within metal cladded walls with a fibre cement sheeted roof in a Juniper Green colour.

Reason for Committee Determination

This is an application for major development.

Site History

P/2023/0897 Erection of Agricultural Storage Building - Withdrawn 12/3/24

P/2017/0955 Extension to Existing Cattle Housing Shed for Winter Use -Granted 29/12/17.

P/2013/0641 Cattle Shed Extension -Granted 21/10/2013.

P/2010/1093 Erection of Agricultural Workers Dwelling -Granted 15/11/11.

P/2010/0323 Erection of New Feed Store -Granted 7/6/10.

P/2010/0321 Erection of Concrete Silage Store/Clamp Building - Granted 7/6/10.

P/2010/0320 Erection of New Feed Store - Granted 7/6/10.

P/2009/0720 Erection of Agricultural Workers Dwelling - Withdrawn 2/2/11.

P/2009/0669 Two Storey Extension to Existing Farmhouse - Granted 12/11/09.

P/2009/0186 Erection of Agricultural Workers Dwelling - Withdrawn 20/8/09.

P/2009/0091 Extension to Livestock Building -Granted 26/5/09.

P/2008/1084 Slurry Tank and Extension to Existing Livestock Building - Granted 28/11/2008.

P/2008/1003 Extension to Existing Hay/Straw Store- Appeal Part Allowed/Part Refused - 10/10/08.

Development Plan

Wrexham Local Development Plan (2013 - 2028):

Policy SP2 Location of Development
Policy SP14 Natural Environment.
Policy SP19 Green Infrastructure.
Policy EM4 Employment Development Outside of Settlement Limits.
Policy NE6: Waste Water Treatment and River Water Quality.
Policy DM1 Development Management Considerations
Policy T1 Managing Transport Impacts

Local Planning Guidance Notes:
No.07 Landscape and Development.
No.30 Design
No.32 Biodiversity and Development.

Relevant National Policy

Future Wales - The National Plan 2040.
Planning Policy Wales Edition 12 (February2024).
Technical Advice Note (TAN) 5 Nature Conservation and Planning (2009).
Technical Advice Note (TAN) 6 Planning for Sustainable Rural Communities (2010).
Technical Advice Note (TAN) 12 Design (2016).
Technical Advice Note (TAN) 18 Transport (2007).
Technical Advice Note(TAN) 23: Economic Development (2014).

Consultation Responses

Community Council:
Consulted. No response received.

Local Member:
Notified. No response received.

Natural Resources Wales:
Raises no objection.

Dwr Cymru Welsh Water:
Recommends an Advisory Note regarding that approval of a Sustainable Drainage Scheme may be required.

Highway Officer:
No objection.

Contaminated Land Officer:
No comments.

Public Protection Officer:
Requests that a Note be placed upon any planning permission in relation to noise during construction.

Fire Authority:
No observations.

Ecology Officer:
No objection.

Publicity Undertaken:
Press Notice
Site Notice
Notification Letters

Responses to Publicity:
No responses received.

Principle of Development
The site lies outside any recognised settlement and within open countryside as defined by the Wrexham Local Development Plan. The proposed development is considered to form a logical extension to the complex of buildings on the existing rural enterprise of Old Llwyn Onn Farm. The farm complex is just one of the sites within a wider land holding of approximately 150 hectares.

The agricultural enterprise at Old Llwyn Onn Farm is primarily engaged in the farming of beef cattle and therefore requires feedstuff, straw bedding and concentrates. Although some of the enterprise's land is arable, a substantial amount of the straw and feedstuffs that are required are brought in from elsewhere. This means that under-cover storage is required to ensure that is is kept in best condition and to limit waste. Being a modern agricultural enterprise, there is also reliance also on a range of agricultural machinery/equipment on a daily basis which includes tractors, trailers et, mowers etc which require indoor

secure storage when not in use. There is currently insufficient undercover storage on the farm to meet the needs of the enterprise and no existing buildings that can be reused, the majority of which are in use for the housing of livestock.

Having regard to the above, the proposed development complies with policy EM4 and the principle of development is acceptable.

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Design

The design and external materials to be used in the construction of the structure would be that of a typical modern agricultural building. The colour of the external materials would be juniper green. The size, scale and massing of the building is large and would project outwards from the existing farm complex of buildings into the open piece of pastureland by approximately 67m. It would be set back from Cefn Road by approx. 50m whereby it would only be visible from the site entrance and eastwards for a short distance of approximately 5m where the hedgerow has been cut short in height. The remaining hedgerow fronting the road would provide an effective screen.

Given the above and in this semi-rural context, it is considered that the proposal would not have a significant detrimental impact upon the character and appearance of the surrounding landscape.

Impact on Neighbouring Amenity

The building would be used for the storage of straw and machinery, not for livestock. The nearest properties to the proposed building are the farmhouse and Llwyn Ucha which are located approximately 20m and 25m away to the north-west and west respectively which are in the ownership of the farm and are on the other side of the existing farm complex of buildings. Holly Corner is the nearest to the building not within the ownership of the farm and is located approximately 60m away to the north on the opposite side of Cefn Road.

Given the above it is considered that there would be no significant detrimental impact upon the amenities of the adjoining occupiers in terms of odour, noise, loss of light or visual dominance.

Highway Considerations

Vehicular access to the site would be via the existing farm access track which is served by the existing access off Cefn Road. As the proposed building is for the improved facilities for the storage of straw and machinery currently on the site, it is considered unlikely that it would result in any significant vehicle movements at the site. To this end, the Council's Highways Officer raises no objections to the scheme on highway safety grounds.

Natural Environment

Pollution of Controlled Waters and Protected Sites

The site lies within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). The proposal is to construct an agricultural shed for the storage of straw and machinery. The structure would not accommodate an increase in stock numbers on the farm and therefore it is unlikely to increase the amount of nutrients entering the catchment. The proposed development is not likely to have a significant effect on the River Dee and Bala Lake SAC.

Protected Species

The application is accompanied by a Preliminary Ecological Appraisal which assesses the impact of the proposed development on protected species. The Appraisal concludes that there would be no adverse impacts given the location and nature of the development, which the Council's Ecologist confirms.

Net Biodiversity Benefit

The application is accompanied by a plan which shows that bird and bat boxes would being installed on the western and southern elevations of the proposed building together with a fenced off area with 6 new native species trees planted within the field of pasture to the south of the site and adjacent to the area of existing woodland. These measures are considered to be acceptable and these proposed measures would be commensurate to the scale of development proposed. The implementation of the proposed measures could be secured by way of a suitably worded condition.

Conclusion

For the reasons above, it is considered that the proposal is acceptable in principle in planning policy terms, it would not have a significant adverse impact upon the character and appearance of the landscape, the amenities of the adjoining occupiers, highway safety, water quality or protected sites or species. It therefore complies with policies EM4,SP12,DM1, T1, NE6, SP14 and SP19 of Wrexham Local Development Plan.

Conditions

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.

2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s) DWG No's 77643/RJC?003, 77643/RJC/005, 77643/RJC/100, 77643/RJC/001, 77643/RJC/001, 77643/RJC/101, 77643/RJC/004 Rev A, Design and Access Statement and Preliminary Ecological Survey.

3. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) shown on DWG No. 77643/RJC/004 Rev A have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

4. The building hereby permitted shall not be used for the accommodation of livestock, except in the circumstances described in paragraph D.3 of Part 6 of the Town and Country Planning (General Permitted Development) Order 1995 (or any equivalent provision in any order revoking and re-enacting that order with or without modification).

Reasons

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

3. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.

4. To protect integrity of the River Dee and Bala Lake Special Area of Conservation Area in accordance with Policies NE1 and NE6 of the Wrexham Local Development Plan.

Notes

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and those approved under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

Notes

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the

site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60 Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If, however, there are urgent or unavoidable circumstances requiring work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & Housing Standards at healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

Notes

The applicant is advised that the proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore may require approval of Sustainable Drainage Systems (SuDS) features, in accordance with national standards, and is strongly recommended that the developer engage in preapplication consultation with the Local Authority, as the relevant SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

Notes

The applicant is advised that some public sewers and lateral drains may not be recorded on Welsh Water's maps; some sewers were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to the apparatus at all times.

Notes

The Applicant's attention is drawn to the recommendations for protected species mitigation in the Preliminary Ecological Appraisal by Arbor Vitae dated 29/7/24.