Report of the Chief Officer Economy and Planning

Application Reference
P/2024/1153

Applicant
MR A GRAHAM - PALMER

Agent
CHARLENE SUSSUMS-LEWIS

Site Address
LLWYN KNOTTIA FARM, CEFN ROAD, WREXHAM, LL13 9TT

Description of Development
NEWID DEFNYDD TIR O AMAETH I DDEFNYDD DOSBARTH B8 (STORIO) / CHANGE OF USE OF LAND FROM AGRICULTURAL TO CLASS B8 (STORAGE)

Ward
Holt/Holt

Community
Abenbury/Abenbury

Recommendation
Grant

Officer Report

Site Description
The site is located within the Llwyn Knottia farm complex which is situated on the edge of the Wrexham Town Centre settlement limit and comprises of an agricultural portal frame building and farm yard. The farm yard is bounded by fields to the eastern and western boundaries, with stable buildings and farmhouse to the south and container storage facility to the north.



Proposal
It is proposed to remove the now redundant portal frame building and further the diversification of the farm by increasing the number of storage containers in its place.

Reason for Committee Determination
Objection received from the Community Council

Site History
P/2016/0673 Change of use of land for storage (Use Class B Storage only) and agriculture. Granted on 08/09/2016

Development Plan
DM1 - Development Management Considerations
EM4 - Employment Development Outside of Settlement Limits
NE1 - International and National Nature Conservation Designations
NE2 - Local Designations for Nature Conservation and Geological Importance
NE6 - Waste Water Treatment and River Water Quality
SP6 - Green Wedge
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP19 - Green Infrastructure
T1 - Managing Transport Impacts

Consultation Responses

Community Council:
Objects. Expresses concern that developments like this can grow disproportionally and have a detrimental visual impact. Comments that the site should only be used for agricultural storage to accord with the character of the area.

Local Member:
No response received.

Natural Resources Wales:
No objection. Recognising the nature of the development, any impact upon the River Dee and Bala Lake SAC can be screened out.

Dwr Cymru Welsh Water:
Standard surface water condition requested.

Highway Officer:
Raises no objections. Comments that visibility at the site access is adequate in both directions and width of access allows for the vehicle to pass side by side. Advises that parking and turning facilities on the site are adequate. Information on traffic movements is required in term of daily trip rates and how the containers will be delivered to site. Recommends passing places along the driveway are provided.

Contaminated Land Officer:
No comments to make.

Public Protection Officer:
Recommends standard Advisory Notes for minor development (noise, dust etc.).

Ecology Officer:
Raises no concerns in relation to the proposal or removal of the redundant agricultural building. Recommends that a detailed landscaping plan is required which includes information on ground preparation and design of the bunds, together with planting species and long-term a management plan.

PRoW:
No comments to make.

Ramblers:
Comments that the site is near PRoW Footpaths Abenbury 12 and 9, and Bridleways Abenbury 11 and 10 and advises this should not be diverted or blocked by the development, nor during its construction.

Publicity Undertaken:
4 neighbour notification letters we sent on 16/08/2024.

Responses to Publicity:
No responses to publicity have been received.

Principle of Development

Policy EM4 permits farm diversification where the proposed development is located within or forms a logical extension to the complex of buildings on an existing rural enterprise. The proposed storage container units would be located on the footprint of the building to be removed and also within the existing farm yard. The proposed development is therefore acceptable in principle when considered under this policy

The site lies within a designated green wedge. Policy SP6 states that the purpose of Green wedge designations are to ensure protection of the openness of the land contained within, manage built form and settlement edges, assist in safeguarding the countryside from encroachment, protect the setting for the urban area and assist in urban regeneration by encouraging the reuse of derelict and other urban land.

In replacing a large outbuilding and being entirely within the existing farm yard, the proposed use maintains the openness of the green wedge, safeguards against encroachment into the countryside, has little or no impact upon the setting of the urban area and assists in the regeneration of a semi redundant site.

PPW 12 emphasises the importance of maintaining the openness of the land and provides a presumption against inappropriate development and outlines the very exceptional circumstances when other considerations outweigh the importance of protecting the openness of the land.

The proposed development is a small scale diversification within a farm complex which is run as part of the farm business and is therefore not considered to be inappropriate development, as set out in PPW. The proposed development would therefore accord with Policy SP6 and PPW.

Design

The proposal would allow for 41 containers within the footprint of the removed farm building and 31 containers within the farm yard. This is in addition to the 40 storage units on the land immediately to the north of the site which was formerly part of the farm yard. The development would be on existing hard standing and would not result in any intrusion onto greenfield land.

The containers would be coloured dark green to match the existing ones and be in keeping the appearance of the existing storage use. The additional containers would not be readily visible from public viewpoints and would be screened by existing bunds. It is proposed to enhance these bunds with additional planting which will be carried out within the first planting season following implementation of the development. A landscaping condition can be attached to any permission to secure the submission of a comprehensive planting scheme for further approval.

The proposal would not have any adverse impact upon the character and appearance of the site or the surrounding landscape and therefore accords with LDP policies SP12, DM1 and SP6

Impact on Neighbouring Amenity

The Llwyn Knottia Farmhouse has been converted into 4 flats which are approximately 50 metres away. Given that the proposed development would be used for storage and taking account of the noise that could be generated by the use of the farm building and yard, it is unlikely that there would be an increase in noise generation. It is considered therefore that the proposal accords with LDP policies SP12, DM1 and SP6.

Highway Considerations

The Council's Highway Officer has requested details of the likely number of vehicular movements. However, the Officer has confirmed the vehicular access is safe in terms of visibility and width. Bearing in mind the proposal and the fact that it is unlikely to result in a significant increase in traffic to and from the site, it is not considered necessary for traffic generation information to be submitted.

The Highway Officer has advised that passing places along the access road would be beneficial. There are already passing places at either end of the driveway, from which oncoming vehicles can be seen, allowing drivers to wait before driving further into the site. Given that there are well established, mature hedgerows on either side of the driveway, removal in parts to make way for additional passing places is, on balance, not justifiable in this case. However, the existing passing places could be widened to make them more accessible for larger vehicles and hard surfaced so they are more useable in inclement weather. This could be secured by a suitably worded condition.

A Construction Traffic Management Plan (CTMP) could be required by a suitably worded planning condition that would provide details of how the delivery or removal of containers from the site would be managed.

Adequate on-site parking and turning facilities are proposed within the site.

Having regard to the above, the development would not give rise to highway safety concerns and therefor accord with policies DM1 and T1.

Natural Environment

Planning Policy Wales (PPW12) requires that a Green Infrastructure Statement (GIS) and Net Biodiversity Benefit (NBB) is required on all developments. The submitted NBB and GIS fully describe how green infrastructure has been incorporated into the development proposal and not only mitigates any negative impacts of the development, but will also have a positive benefit for biodiversity which will be in place for the lifetime of the development.

Having regard to the above, the proposed development accords with policy SP14 of the LDP.

Recognising the specific nature of the development, the proposal is unlikely to impact upon the River Dee and Bala Lake SAC, and accords therefore with policies NE1, NE2 and NE6 of the LDP.

Conclusion

It is considered that the proposed development would have no unacceptable impact in respect of visual amenity or highway safety. It is considered that the proposal would not have a significant adverse impact on health or quality of life, having particular regard to residential amenity. Subject to the conditions set out below and taking into account the provisions of the development plan and all other material planning considerations, it is recommended that planning permission be granted.

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):

- Llwyn Knottia Farm - Proposed Site Plan,
- Llwyn Knottia Farm - Landscaping Plan,
- Green Infrastructure Statement Sept 2024 on behalf of Cefn Park Farms,
- 10 ft container - floor and elevations,
- 20 ft container - floor and elevations,
- 40 ft container - floor and elevations.

3. The storage containers shall only be coloured and recoloured in the same dark green to match the existing storage containers adjacent to the site

4. Within three months of commencement of the development hereby permitted, a scheme of landscaping including details of the bunds and planting, together with a long term landscape management plan, shall be submitted for the written approval of the Local Planning Authority.

5. Landscaping shall be undertaking in accordance with the scheme submitted and approved in connection with condition 4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting (November to March) and seeding seasons following the first use of the development (April to September). Any trees, hedgerows or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

6. Prior to first beneficial use of the development, hard surfaced passing places shall be implemented at either end of the driveway (linking the site to Cefn Road) in strict accordance with details which have first been submitted to the local planning authority for written approval. The passing places shall thereafter be retained free of all obstruction and made available for the passing of vehicles at all times.

7. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) contained within the Green Infrastructure Statement, Sept 2024 on behalf of Cefn Park Farms, have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

8. The maximum height of the storage containers shall not exceed 3 metres from ground level.

9. No storage shall take place in the open on any part of the site.

10. The containers shall only be used for storage purposes within Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without amendment) and for no other purpose.

11. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or

indirectly, and foul and surface water shall be drained separately from the site.

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 a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.

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6. To ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.

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

8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with

Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.

9. In the interests of protecting the visual amenities of the area in accordance with policy DM1 of the Wrexham Local Development Plan.

10. In the interests of protecting the visual amenities of the area and highway safety in accordance with policies DM1 and T1 of the Wrexham Local Development Plan.

11. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policy DM1 of the Wrexham Local Development Plan.

Notes

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;

- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;

- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

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.