

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 5 JUNE 2023

APPLICATION NO:
P/2022 /0791

LOCATION:
LAND OFF CHURCH HILL GLYN
CEIRIOG LLANGOLLEN WREXHAM
LL20 7LY

DATE RECEIVED:
20/05/2022

COMMUNITY:
Llansantffraid Glyn
Ceiriog

DESCRIPTION:
CODI ADEILAD STORIO, CUT GEIFR
A THOILED COMPOSTIO /
ERECTION OF STORAGE BUILDING,
GOAT HUT AND COMPOSTING
TOILET

CASE OFFICER:
RC

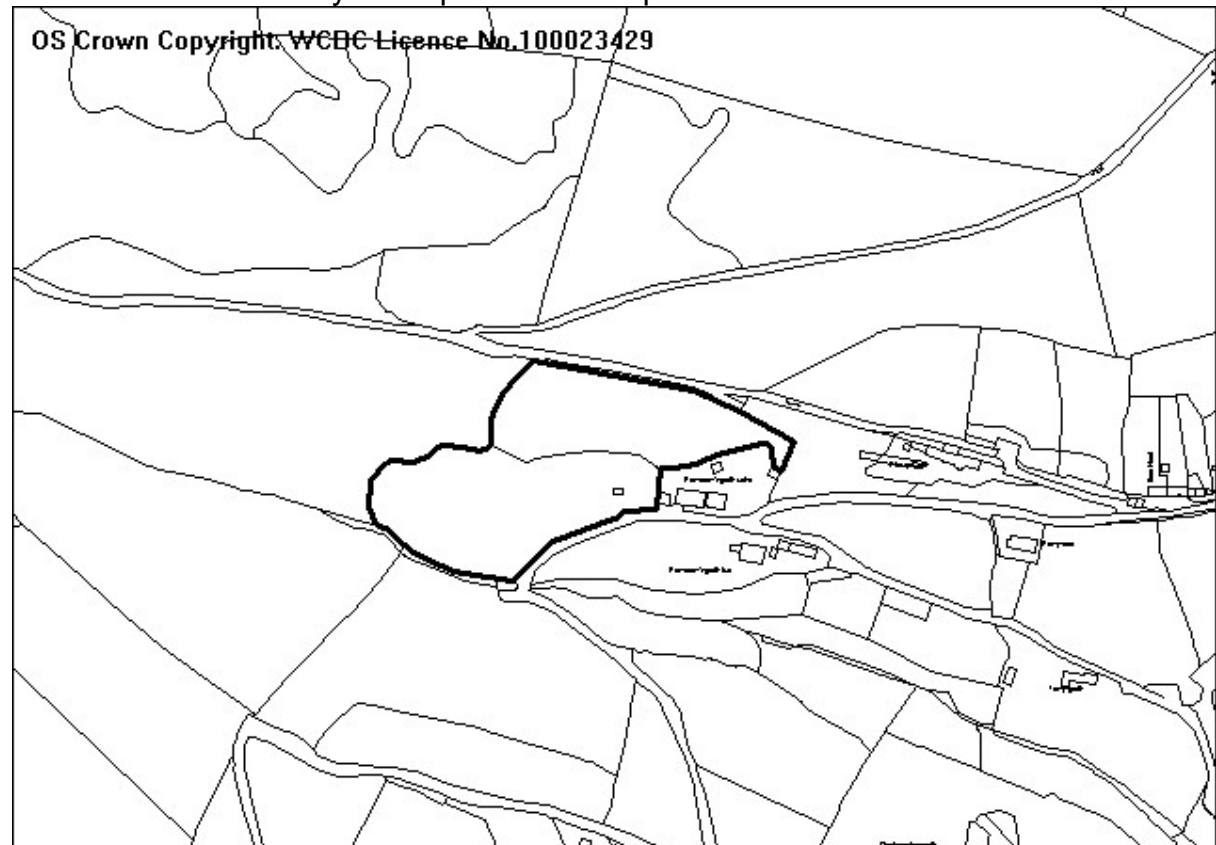
WARD:
Dyffryn Ceiriog/Ceiriog
Valley

AGENT NAME:
D2 ARCHITECTS
MR ROBERT ADAM
LLOYD

APPLICANT(S) NAME:
MR & MRS S MITCHELL

THE SITE

The application site is a parcel of land to the south-west of Pen-draw'r-garth Ucha, Church Hill and to the north-west of the settlement, Glyn Ceiriog. The site is bordered to the South by a narrow access lane, open countryside to the North West and a residential property to the East. The application site also lies within the boundary of a Special landscape Area.



PROPOSAL

Planning permission is sought for a storage building, goat hut/shelter and a wooden structure composting toilet. All three buildings are already on site, therefore the application is in retrospect.

The application initially also proposed the erection of a greenhouse, however amended plans removed this from the application.

HISTORY

No history.

DEVELOPMENT PLAN

The application site is outside the settlement and lies within the Special Landscape Area in UPD. Policies GDP1, PS2, EC1, EC3, EC4, EC5 and PS8 are relevant.

The site lies outside of the settlement limit in the draft Wrexham Local Development Plan and within a Special landscape Area. Policies SP12, SP6, DM1, NE3, NE5, T1 are relevant.

CONSULTATIONS

Community Council

Expresses concerns regarding the size of the greenhouse the access to the site and the possible increase in traffic on a lane that is very narrow and steep.

Local Member

Has commented on the application regarding a number of local complaints which were received regarding run off water, visual impact of the track and increased traffic.

Highways Officer

The Highways Officer has confirmed they have no comments to make.

Tree Officer

No objection subject to a condition being imposed to require an Arboriculture Method Statement.

Ecology Officer

Agrees to the measures outlined within the Ecology Report. These can be secured by condition.

Natural Resources Wales

No objections.

Welsh Water

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No comments to make on the basis of the development does not propose to connect to the public sewer.

Neighbours

The owners/occupiers of 2 nearby properties notified.

9 objections received expressing the following concerns:

- The applicant has offered no explanation for the development;
- Extensive and unsympathetic groundworks;
- Development completed without planning permission;
- Disregard of Enforcement by doing as much work as possibly before submitting a retrospective application;
- Impact to the character and appearance of the field;
- Impact to the rural character;
- Does not comply with planning policy;
- Surface water run off;
- Ecology matters;
- Increased traffic;
- Subsidence impacts;
- Destroyed ecosystem;
- Leak of compost toilet;
- Field prone to flooding; and
- No clarification of how the owners intend to use the site.

SPECIAL CONSIDERATIONS

Principle of development: The land is located outside of the settlement boundary for Glyn Ceiriog in the adopted Unitary Development Plan (UDP) and the draft Local Development Plan (LDP).

The application proposes a storage building to be used in conjunction with the maintenance of an agricultural field, a goat hut partly set into the hillside and a composting toilet. UDP Policy EC3 is therefore relevant.

EC3 of the Wrexham UDP states the construction of new agricultural buildings should form part of an existing farm complex with isolated buildings only being permitted in exceptional circumstances where there is an essential agricultural need.

The applicant has not provided a supporting statement to identify a need. However the site is isolated from any established farm complex and therefore is not unreasonable to conclude a need for a modest amount of development for use in conjunction with the management of the land.

Given the overall scale of the development and the proposed agricultural use, the principle of the development is acceptable.

Visual Impact: The storage building is timber built. It is 6.9m wide and 5.6m long, with a 1.85m overhand to the front and a 2.0m overhang to the rear.

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The building is 2.3m high at the lowest point of its roof and approximately 2.6m at the highest. The building occupies the site of a previous building that measured 4.5m x 3m and was 2.7m high. Whilst slightly larger than the previous structure, its limited scale does not materially increase the impact on the rural landscape nor detract from the rural character of the site.

Photos of the previous building and the one subject to the application are shown below:





The proposed goat shelter has been built into the hillside and is approximately 3m x 2m in area and around 1m overall in height. Its scale and location minimising its visual impact. Its appearance is appropriate for its rural location and intended use. A photograph of the shelter is shown below:



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Finally, with regards to the proposed compost toilet, given its modest size (approximately 1.5m x 1.8, 2m high to the eaves and around 3m high to the ridge) and discreet location, it would have minimal impact to the appearance of the site and wider rural landscape. A photograph of the structure is shown below:



In addition to the erection of the buildings, the applicants have formed a track running to the north-west of the storage building which is surfaced with hard core. The access from the highway up to the storage building has also been similarly surfaced. The latter works have re-established short trackway that previously existed. The remainder of the works are disproportionate to current use of the site and detract from its rural character. The applicant has submitted plans proposing to seed the track. A more detailed landscaping scheme is required, however and this could be secured by a suitably worded condition.

Subject to the condition referred above, proposed the development does not detract from affect the rural landscape or Special Landscape Area and therefore would comply with policies GDP1 (a), PS2, EC1, EC3 and EC5 of the UDP and policies DM1, SP12 and SP14.

Residential amenity: The development is location a generous distance away from surrounding residential properties and does not cause harm to the living conditions of their occupiers.

Additionally, no external lighting is proposed and the scheme has minimal visual impact on the rural landscape and nearby properties. Any lighting would require consent from the Local Planning Authority.

Highway Safety: The Council's Highway Officer raises no objection and makes no recommendations. The development does not result in a material change of use. Furthermore, there could be visitors to the site in connection with its agricultural use irrespective of the buildings. On this basis it is considered that the development does not materially alter the levels of vehicular traffic using the site access adjoining highway and therefore does not give rise to a highway concern. In such terms, the development accords with policy GDP1 (d) of the UDP and policies DM1 and T1 of the LDP.

Ecology: The application is accompanied by Ecology surveys. These set out biodiversity net gain measures and measures to minimise/ address any damage to habitats from works on site. The Council's Ecologist has confirmed the suggested measures are acceptable. They can be secured by a suitability worked condition.

Trees: The Council's Tree Officer has raised no objections to the development subject to a detailed Arboriculture Method Statement being submitted. Given that the development is now complete and condition is no longer necessary. In such terms the development accords with policy EC4 of the UDP and policy NE5 of the LDP.

Phosphorus: Recognising the specific nature of the application submitted for a compost toilet NRW has advised that the development is unlikely to increase the amount of phosphorus entering the catchment. The development is therefore unlikely to have a significant effect on the River Dee and Bala Lake SAC.

Surface water run off: Whilst noting concerns regarding surface water run off and flooding, the scale and nature of the development results in only a modest increase in impermeable surface within the site, mostly as a result of the roofs of the buildings. It is considered that these do not materially increase surface water run-off from the site. Accordingly, there is no conflict with policy EC13 of the UDP.

CONCLUSION

Due to the appearance of the buildings and their modest scale, the development does not detract from the rural landscape or Special Landscape Area. The development also does not give rise to highway safety, residential amenity, ecology or surface water concerns. It therefore accords with the relevant UDP and LDP policies, subject to the conditions below.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The storage building, goat shelter and composting toilet shall be permanently removed from the site within 28 days of a failure to meet any one of the requirements set out in i) to iv) below:

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- i) Within 12 weeks of the date of this decision details of a soft landscaping scheme shall have been submitted for the written approval of the local planning authority. The scheme shall include for the soft landscaping of the track to the north-west of the storage building;
- ii) If within 20 weeks of the date of this decision the local planning authority refuse to approve the details or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Welsh Ministers
- iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted details shall have been approved by the Welsh Ministers
- iv) Landscaping has been carried out in accordance with the approved details during the first planting season and/or seeding season following the date of approval in writing by the Local Planning Authority or, in the event of ii) and iii) above, by the Welsh Ministers.

Following the implementation of the landscaping scheme, any soft landscaping removed or being severely damaged or becoming diseased shall be replaced by soft landscaping of the same species within the next available planting or seeding season.

2. The storage building, goat shelter and composting toilet shall be permanently removed from the site within 28 days of a failure to meet any one of the requirements set out in i) to iv) below:

- i) Within 12 weeks of the date of this decision a detailed timescale for the implementation of the biodiversity net gain and other measures set out in the Marches Ecology: Ecology Walkover Survey dated 14 February 2023 is submitted for the written approval of the Local Planning Authority;
- ii) If within 20 weeks of the date of this decision the local planning authority refuse to approve the details or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Welsh Ministers
- iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted details shall have been approved by the Welsh Ministers
- iv) The biodiversity net gain and other measures set out in the Marches Ecology: Ecology Walkover Survey dated 14 February 2023 have been undertaken in accordance with the approved timescales as approved in writing by the Local Planning Authority or, in the event of ii) and iii) above, by the Welsh Ministers.

All biodiversity net gain measures shall thereafter be permanently retained. Any tree or hedge planting undertaken as part of the biodiversity net gain measures that are removed or being severely damaged or becoming diseased shall be replaced by trees or hedgerows of the same species within the next available planting season.

REASON(S)

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1. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
 2. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 11
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