

APPLICATION NO:
P/2021 /0156

LOCATION:
OVERTON VALE FARM PENTRE
COED OVERTON WREXHAM
LL13 0LF

DATE RECEIVED:
14/01/2021

COMMUNITY:
Overton

CASE OFFICER:
SJG

WARD:
Overton

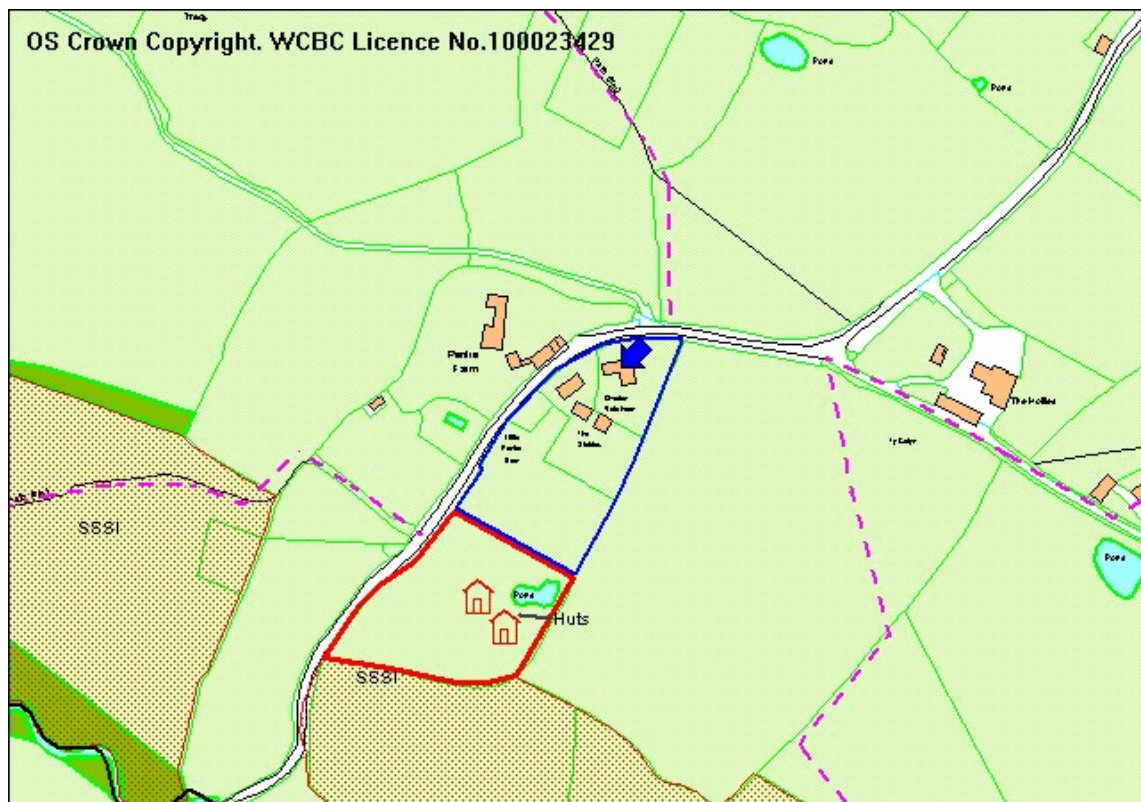
DESCRIPTION:
CODI DAU HUNAU SHEPHERD
BACH (YN OL DREEMIOL) /
ERECTION OF TWO SMALL
SHEPHERD HUTS (IN
RETROSPECT)

AGENT NAME:
MR JOHN BUTTRESS

APPLICANT(S) NAME:
MR JOHN BUTTRESS

THE SITE

The site is 1km south-west of the A528 at Knolton Bryn



PROPOSAL

As above. The application is in retrospect. The two huts are used in connection with the holiday letting business run from the applicant's home at Overton Vale farm.

HISTORY

None on site. Applications for extensions and garage at main house.

DEVELOPMENT PLAN

The site is outside settlement limits. It adjoins a Site of Special Scientific Interest (Shell Brook Pastures). UDP Policies GDP1, PS2, T8, EC6 and CLF9 apply. Local Planning Guidance Notes Nos. 16 - parking and 32 – Biodiversity are also relevant.

CONSULTATIONS

Community Council:	In favour of application subject to: • A limit of only 2 two shepherd huts would be installed on the site; • The shepherd's huts to remain an extension to the holiday lets as one single business
Local member:	Consulted 31/3/2021
Highways:	Request additional details in relation to the condition of the access, for further approval.
Public Protection:	No comments.
Natural Resources Wales:	No objection subject to comments.
Welsh Water:	No objections subject to comments.
Contaminated land:	No comments.
Ecology Officer:	No comments received.
Adjoining occupiers:	2 objections received: • Increased traffic on narrow and unsuitable roads • Development will exacerbate existing drainage problems and cause pollution and health hazards 1 Letter of support received.

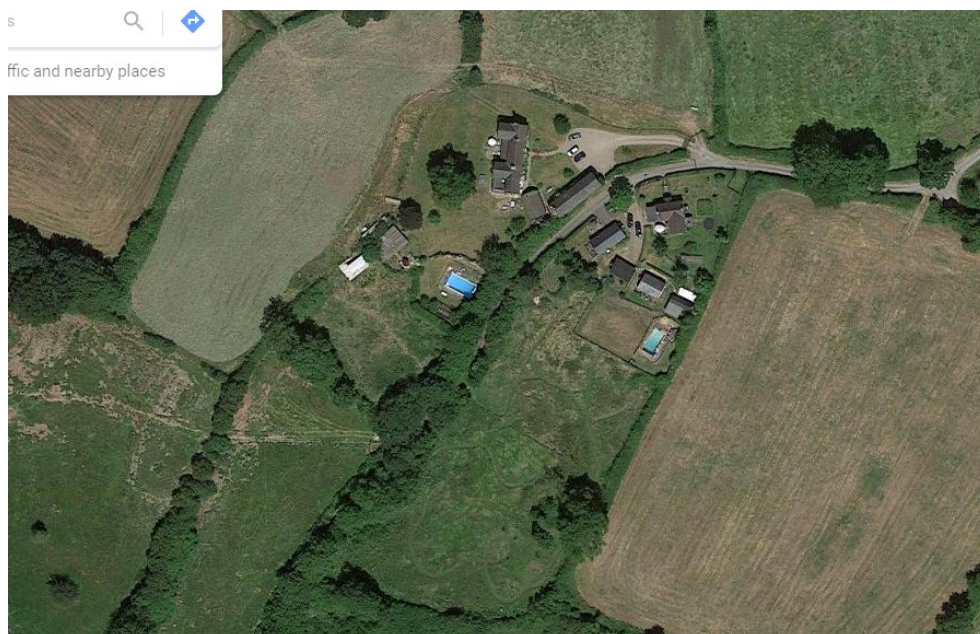
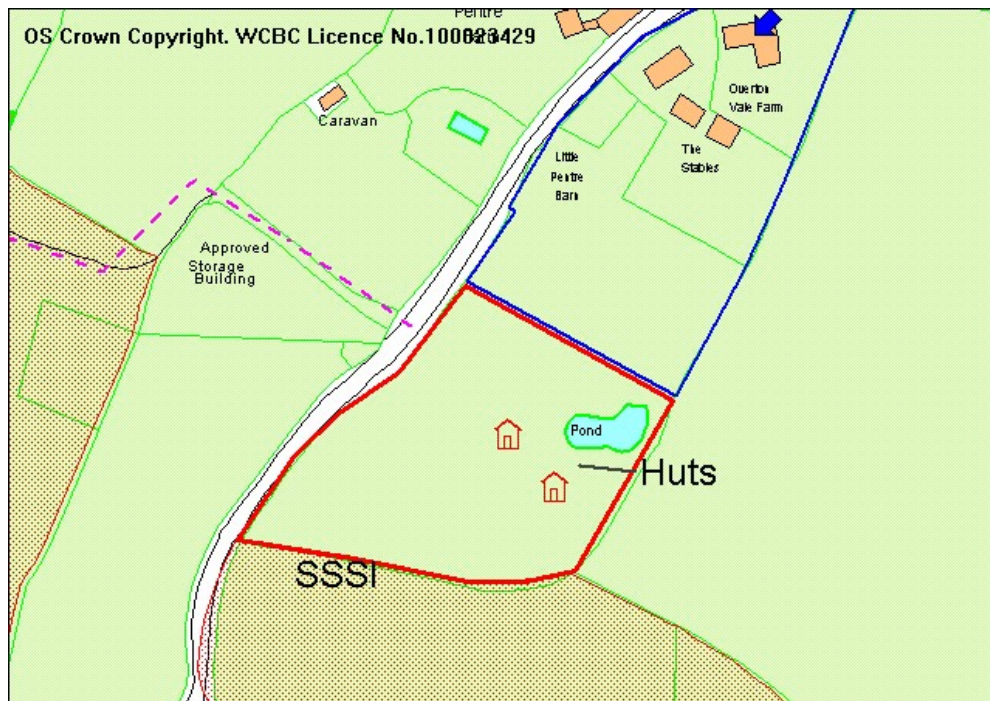
SPECIAL CONSIDERATIONS

Principle of the development: The holiday lettings business has not had specific planning permission but it has been operating for several years (since 1988 according to the applicant). The site was investigated in 2002 and no enforcement action was taken.

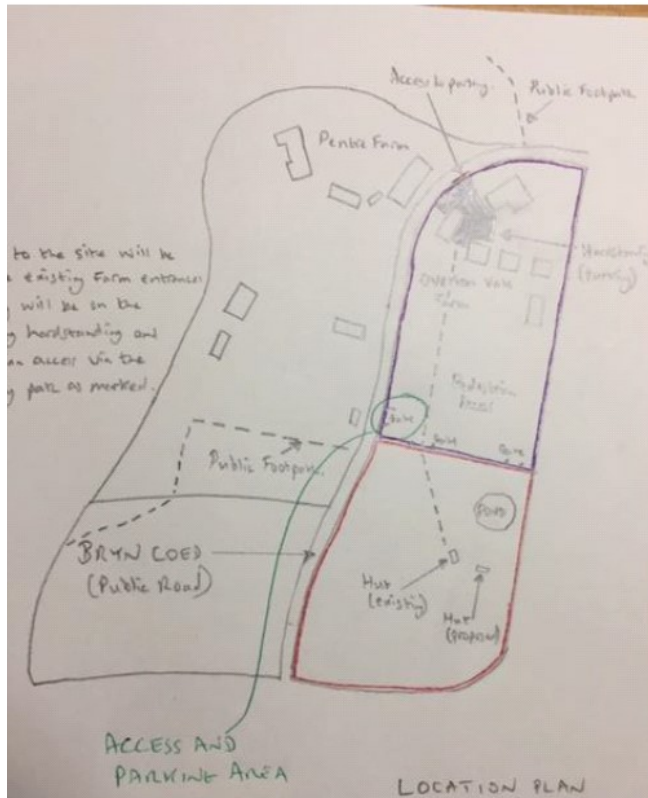
Policy CLF9 Visitor Accommodation outside Settlement Limits states - *Accommodation outside settlement limits will only be permitted through the conversion of existing buildings and by extensions to existing serviced and self-serviced accommodation.*

Whilst this proposal is for a small amount of new development rather than a conversion scheme, it is small in scale, relates well to the existing holiday business at Overton vale Farm, and represents a minor extension to the existing holiday accommodation.

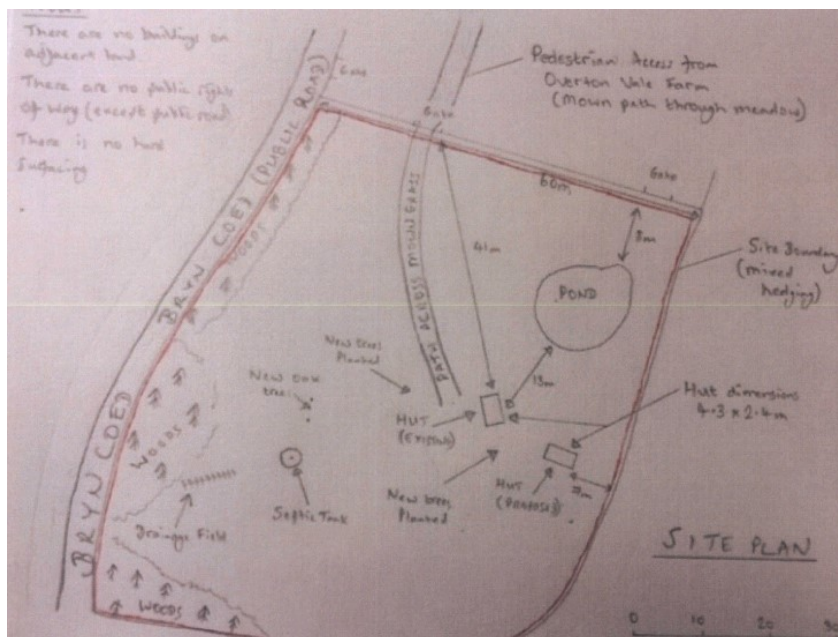
Visual amenity: The structures are mobile and small in scale, and there is good natural screening along the lane. It is considered that they do not harm the character and appearance of the countryside.



Aerial Photo



Location Plan



Site Plan



Highway safety: The proposed development site is located on a narrow, rural, unclassified road subject to a 60mph speed limit. However, typical vehicle speeds are estimated to be around 20mph given the geometry of the road. Based on typical speeds of 20mph, any proposed / existing access in this location would normally be required to provide visibility splays of 2.4 x 25m in both directions.

The main access serving the existing property and holiday lets is the access located immediately west of the main property. Visibility from the main access serving the development site is inadequate in both directions providing splays of approximately 2.4 x 6m in both directions measured to the centre line of the adjoining highway. Visibility is impeded in both directions by the existing hedgerows. The existing access serving the development site is approximately 3.8m wide and cannot accommodate the simultaneous passage of 2 no. vehicles.

The access is surfaced with loose bound materials and is gated approximately 1.6m behind the edge of carriageway.

Further details of improvements to the main access and parking facilities are required to address highways concerns, and a condition is proposed. The southern access is further down the steep and narrow track and is not considered to be suitable for vehicular use given the condition of the land and conflict with pedestrian use. The cabins are reached via paths from the existing dwelling and this should continue to be the main access to the huts. Subject to suitable conditions it is considered that the proposal is acceptable on highway safety grounds.

Biodiversity and Ecology:

Protected Sites and Foul Drainage

The application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). On the 21st January 2021, Natural Resources Wales (NRW) published an evidence package outlining phosphate levels for all river SACs across Wales, and a Planning Position Statement, in which we advised that any proposed development that might increase the amount of phosphate within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC.

Recognising the specific nature of the application submitted (the foul water drainage from the site was installed two years ago with a septic tank and drainage field and that it appears to have capacity to deal with the additional shepherds hut), Natural Resources Wales are satisfied that it is unlikely to increase the amount or concentration of phosphate discharged directly or indirectly into the catchment. Therefore, the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

Protected Sites – Site of Special Scientific Interest

Based on the information submitted, NRW consider that the proposed development is not likely to damage the features for which Shell Brook Pastures Site of Special Scientific Interest (SSSI) is of special interest.

However, as the existing septic tank system is within 50 metres of the boundary of Shell Brook Pastures SSSI, an environmental permit should be applied for and determined by Natural Resources Wales.

Protected Species

The application has been screened and it is concluded that there is not a reasonable likelihood of protected species, bearing in mind that the development has already taken place.

Drainage: Details of the drainage system have been supplied and will require an environmental permit from NRW.

CONCLUSION

Current Welsh Government advice (20/7/2020) is not to use seasonal restrictions for holiday accommodation, and so I have not attached any limiting conditions in this respect. The proposal is acceptable as a modest extension to existing holiday accommodation at the site, and I recommend accordingly.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) received 10 March 2021 and as contained within the application documentation.
2. The shepherd's huts shall only be used for holiday accommodation and at no time shall be used as permanent dwellings.
3. The existing southern vehicular access as shown on approved plan shall be permanently closed up to vehicular traffic prior to first use of any part of the development in accordance with a specification of works which has been submitted to and approved in writing by the Local Planning Authority.
4. Within one month of the date of this permission, further details of the provision of an improved main vehicular access with vehicular parking and turning facilities shall be submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained within one month of the date of their written approval, and shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
5. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.

REASON(S)

1. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
2. To safeguard the amenities of the area and in the interests of highway safety
3. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan.

5. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

Natural Resources Wales Advice to developer:

The developer/applicant should ensure that the existing septic tank has sufficient capacity to accommodate any increase in flows from the proposed development. The Applicant should note, it is a legal requirement to apply for an environmental permit or register an exemption with us. Please note, should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold pre-application discussions with our Permitting Team on 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements.

If the Applicant already holds an exemption / permit, they should check whether the proposed increase in flows would require a further application to be made for a new / varied permit. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

More information, including a step by step guide to registering and the relevant application forms are available on our website. Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to Guidance for Pollution Prevention 4 on the NetRegs website, which provides further information.

Your attention is drawn to Highway Supplementary Notes - Refer to Statement of Applicant's Rights and General Information on our planning web site at:

http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm
