

Huw Evans Planning

**Proposed agricultural building
on land at Bronwylfa Road,
Aberoer, Wrexham, LL14 4ND**

Planning Statement

Proposed agricultural building for storage of farm machinery and winter feed

Land at Bronwylfa Road, Aberoer, Wrexham, LL14 4ND

Planning Statement

1.0 Background

- 1.1 A planning application reference P/2019/0392 for an agricultural building on this site was submitted on 23rd May 2019 and subsequently refused in December 2019 for the following reason:

The siting of an isolated farm building at this site represents a harmful intrusion into the rural landscape and Special Landscape Area. It therefore conflicts with policies GDP1, EC3 and EC5 of the Wrexham Unitary Development Plan.

- 1.2 This application is submitted with this supporting planning policy statement justifying approval.

2.0 Current Proposal

- 2.1 The details of the current proposal is the same as previously submitted save for access works and hardstanding which have been carried out with the benefit of development permitted under Class B d) and e) of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 1995.

3.0 Planning Policy

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. Conversely, applications that are not in accordance with relevant policies in the plan should not be allowed unless material considerations justify the grant of planning permission.
- 3.2 The development plan is the Wrexham UDP 1996 – 2011 which time expired more than 8 years ago. Whilst some of its policies will still carry a degree of weight account will need to be taken of other material planning considerations in the decision making process. These include Planning Policy Wales (10) and the supporting technical advice in TANs 6 and 23.

- 3.3 The planning authority based its earlier reason for refusal on policies GDP1, EC3 and EC5 of its UDP which are;

Policy GDP1

All new development should:

- a) Ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.
- b) Take account of personal and community safety and security in the design and layout of development and public / private spaces.
- c) Make the best use of design techniques, siting and orientation in order to conserve energy and water resources.
- d) Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality.
- e) Ensure that built development is located where it has convenient access to public transport facilities, and is well related to pedestrian and cycle routes wherever possible.
- f) Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying, and associated noise, odour or vibration arising from development.
- g) Secure public services (e.g. gas, water, electricity) to development at minimum public cost.
- h) Safeguard sites and areas of nature conservation and wildlife interest, and to provide new habitats where there is an unavoidable loss of existing habitats and areas of wildlife interest.
- i) Ensure that development does not result in, or is subject to, flooding, soil erosion, landslides or contamination, either on or off the site.
- j) Have regard to the need to safeguard those areas that possess a strong Welsh cultural and/or linguistic identity from development that could harm this identity.
- k) Secure the development of sustainable communities, through the promotion of the economic, social and environmental well-being of the area.

Policy EC3

The construction of new agricultural buildings will be permitted unless the development is materially detrimental in terms of its impact on the environment or surrounding landscape. The development should form part of an existing farm complex and take advantage of topography and other landscape features for screening. Isolated buildings will only be permitted in exceptional circumstances

where there is an essential agricultural need, and no reasonable alternative location for the development.

Policy EC5

Within Special Landscape Areas, priority will be given to the conservation and enhancement of the landscape. Development, other than for agriculture, small-scale farm-based and other rural enterprises, and essential operational development by utility service providers, will be strictly controlled. Development will be required to conform to a high standard of design and landscaping, and special attention will be paid to minimising its visual impact both from nearby and distant viewpoints.

- 3.4 Planning Policy Wales - PPW Edition 10 was published in December 2018. It emphasises that a strong rural economy is essential to support sustainable and vibrant rural communities. The establishment of new enterprises and the expansion of existing business is crucial to the growth and stability of rural areas. Whilst the protection of the open countryside should be maintained wherever possible, the expansion of existing businesses located in the open countryside should be supported provided there are no unacceptable impacts.
- 3.5 It clearly states in paragraph 5.6.6 that planning authorities should adopt a constructive approach towards agricultural development proposals.
- 3.6 TAN6 (Planning for Sustainable Rural Communities) reiterates the importance of strong rural economies which are essential to support sustainable and vibrant rural communities. A strong rural economy can also help to promote social inclusion and provide the financial resources necessary to support local services and maintain attractive and diverse natural environments and landscapes. Agriculture continues to play a significant part in both the rural economy and in shaping and managing the countryside.
- 3.7 TAN23 (Economic Development) published in February 2014 further emphasises the importance of strong rural economies echoing similar intentions of TAN6

4.0 Justification for proposal

- 4.1 The applicant currently has a very small agricultural enterprise with the intention of expanding. The holding reference is CPA 56/024/0145. He currently has no buildings in which to house machinery or winter feed. Feed is currently stored in the field wrapped in black plastic. Visually and practically it is far more preferable if it were stored in a traditional modern farm building.
- 4.2 The area is clearly a typical rural landscape shaped by agricultural use and development. A large steel open barn is located on adjacent land 150m to the west of the site with traditional farm buildings and dwelling adjacent to it on the other side of the highway. These are well established and more prominent than the proposed site which sits much lower in the landscape. It also forms a cluster with the dwelling and its built form on the

opposite side of the B5426. A larger farm and associated complex of buildings is located only 70m to the north. The proposed development cannot therefore be considered as an isolated farm building. Given its siting it can neither be considered as a 'harmful intrusion into the rural landscape'.

- 4.3 Given its location and setting it cannot be considered as materially detrimental in terms of its impact on the environment or surrounding landscape. Visually it forms part of an existing group of buildings farm and has taken advantage of the topography by its siting on the lower part of the holding. An existing hedgerow acts as a partial screen.
- 4.4 As it is an existing holding where the applicant wishes to expand by taking on additional land when it becomes available it is not for the planning authority to question any exceptional need or circumstances. The policy framework is substantially out of date and does not reflect the more relevant national policy and advice and neither does it take into account the severe difficulties facing agricultural enterprises. It is a matter of fact that many holdings are being spilt due to financial difficulty and uncertainty regarding future changes to global trading.
- 4.5 With regard to the Special Landscape Area the policy explicitly allows for agriculture and small scale farm based activity. The design is that of typical current agricultural requirements and there is no materially detrimental visual or landscape impact.

6.0 Conclusion

- 6.1 Despite the fact that the UDP and its policies are significantly out of date the proposed development does not prejudice its implementation. There is no material harm and the social and economic health of rural areas depend to a significant extent on rural enterprises and traditional farming practice.
- 6.2 The development is in compliance with the more up to date national planning policy framework.
- 6.3 There is no reasonable planning justification to withhold the grant of planning permission.

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