

Bronllwyn,
Talwrn Road,
Legacy,
Rhostyllen,
Wrexham
LL14 4ER

Tuesday 16th February 2015

Re: Planning Appeal, Talwrn Farm, Talwrn Road, Legacy Ref: H6955/A/14/2228984

Dear Sir/Madam,

As a resident living close to the proposed Egg Barn I would like to submit the following additional comments in support of the upholding of the LPA decision to refuse this application.

The application was refused on the following grounds:-

1. The proposed development by virtue of its siting and scale will have an adverse visual impact upon the Special Landscape Area, where priority is given to conservation and enhancement of the landscape. To allow the development would therefore be contrary to Policy EC5 of the adopted Wrexham Unitary Development Plan.
2. The proposed development is located in an isolated location some distance from the existing farm complex. The proposed building by virtue of its scale and its sensitive location would represent a further unnecessary visual intrusive into the landscape, contrary to Policy EC3 of the Adopted Wrexham Unitary Development Plan.
3. The surrounding highway network and approach roads to the site are substandard and unsuitable to accommodate the anticipated increase in HGV traffic movement generated by the proposed use. To allow the proposed development would therefore have an adverse affect upon highway safety in the area and would be contrary to requirements of Policy GDP1(d) of the adopted Wrexham Unitary Development Plan.
4. The proposed development would result in an unacceptable increase in noise, odour and HGV traffic movements within close proximity of residential properties, adversely affecting the existing residential amenity of the area. To allow the development would therefore be contrary to Policy GDP1(f) of the adopted Wrexham Unitary Development Plan.

With regards to the above the agent commissioned to submit the appeal, Mr Ian Pick filed the following documentation:-

Landscape and Visual Impact Assessment, prepared and filed by Ian Pick Associates, this document includes a number of photographs that support the position that the proposed development does not present any significant visual impact on the landscape and the views from the key receptors apart from that of receptor 2. However with reference to the photographs it must be noted that all have obviously been taken during summer months where the majority if not all the mature and semi mature deciduous trees and hedgerow are in full leaf, during winter months these will have shed their foliage and will offer considerably less screening and the same judgements could not be considered to be valid. Also due to the fact that the appellants commissioned agent, Mr Ian Pick and Associates, have compiled this report it can not be considered to be unbiased and independent.

With regards to the second refusal point concerning the distance from the farm complex of the egg barn, Policy EC3 of the Adopted Wrexham Unitary Development Plan clearly states that "Isolated buildings will only be permitted in exceptional circumstances where there is an essential agricultural need, and no reasonable alternative location for the development". The appellant in his appeal has not provided any evidence that there is any essential agricultural need for this development. By their own admission the existing farm business is low key and provides no significant income. As a resident living in close proximity to the existing farm I am not aware of any farming activity taking place at the farm. There is therefore no essential agricultural need for this development and the planning committee's decision to refuse on this grounds should be upheld.

Regarding the third point concerning additional HGV traffic on the roads approaching the site, there are a number of contentious points within the Highways Assessment. paragraph 3.34 speculates that tractor and trailer are likely to be used to move the manure during clean-out when up to 40 additional vehicle movements would be made in 1 day. Considering the fact the existing farm business is low key it is therefore almost certain that the manure will not be used by the farm and therefore will need to be transported greater distances which will require HGV transport.

In addition the same report indicated that the approach roads narrow to 5.0m and 5.1m in two separate locations, this report references the fact that MfS, referenced in the document, states that 5.5m is required for HGV's to pass with a safe clearance of 0.5m, . With the increase in HGV traffic there will certainly be occasions where HGV's meet in these locations and will not be able to pass one another especially during periods where the barn is being cleaned out. There are no footpaths on any of the approach roads and increased HGV traffic will put pedestrians, cyclists and horse and riders that frequently use these roads at significant risk of harm especially in the areas where the roads narrow. There is already significant damage to roadside verges and kerbs from existing HGV traffic riding up on to the verges.

The northerly approach road to the entrance of Talwrn Farm from LLwyneinnion on the B5097 is uphill and bears left, the entrance to the farm is obscured until very close. Whilst the planning report states that visibility splays of 2.4 x 43m will need to be created in both directions, Development Control Advice Note¹⁵, Vehicle Access Standards, clearly states that visibility splays of 6.0m x 60m are required where >1000 vpd at 30mph. considering the location of the entrance this will be very difficult and will require significant earthworks to create. The location is already hazardous, on the 30th August 2014 I whilst travelling south on the B5097 past the entrance to Talwrn Farm I came across a black Seat Ibiza overturned in the road, the driver of the vehicle was still inside the vehicle and I stopped to assist him out of the vehicle. In a separate incident slightly further down the same road a vehicle crashed through our perimeter hedge and left the scene without reporting the accident.

With regards to the fourth point of planning refusal the appellant has submitted a number of mitigating documentation, this included a habitat survey, which whilst extensive was compiled on data collected from two site visits totaling 4.5hours, considering the size of the proposed site and the amount of information included I would question the validity of the report. However the report did clearly indicate that Greater Crested Newt populations within the proposed development could not be ruled out, these are a protected species. Also the fact that the report indicated that hedgerow on the site was overgrown and unmanaged indicate that the site owner has little inclination towards land management and their ability to manage a large and complex livestock operation should therefore be questioned.

The appellant has indicated that noise and odour should be minimised by design of the building however this does not make any allowance for periods where the building is being cleaned down, noise and odour will obviously significantly increase. Increases in vehicle movements for feed delivery, egg and livestock transport will all have a negative impact on the local amenity.

For all of the above reasons I believe that the LPA, WCBC Planning Committee's decision to refuse permission for this proposed development should be upheld.

Yours faithfully

Tim Green