

# 1. Gohiriwyd/Deferred

#	Cyfeirnod y Cais / Application Reference	Dyddiad y derbyniwyd / Received Date	Ymgeisydd / Applicant	Bwriad / Proposal	Lleoliad / Location	Argymhelliad / Recommendation
1	A210363	12-04-2021	Messrs A Jones & Sons	Erection of agricultural building for housing of young stock (straw bed loose housing).	Alltgoch, Silian, SA48 8LU	Refuse

## 1.1. A210363



<b>Rhif y Cais / Application Reference</b>	A210363
<b>Derbyniwyd / Received</b>	12-04-2021
<b>Y Bwriad / Proposal</b>	Erection of agricultural building for housing of young stock (straw bed loose housing).
<b>Lleoliad Safle / Site Location</b>	Alltgoch, Silian, SA48 8LU
<b>Math o Gais / Application Type</b>	Full Planning
<b>Ymgeisydd / Applicant</b>	Messrs A Jones & Sons, Llwyn, Lampeter, Ceredigion, SA48 8JY
<b>Asiant / Agent</b>	Llyr Evans (Llyr Evans Planning Ltd), Llantood Farm, Cardigan, SA43 3NU

## THE SITE AND RELEVANT PLANNING HISTORY

The application site refers to an agricultural field located to the west of the farm complex at Alltgoch, and to the north east of grade II listed building at Olwen farm, on the east side of the A485 Lampeter to Silian road. The field lies within close proximity to the woodlands known as 'Coed Gwarallt' and 'Olwen Wood'. The application site lies to the south of an existing cattle handling facility and yard. A slurry lagoon lies to the west of the application site which was constructed under permitted development rights. The site is accessed from the A485 through Olwen Farm along the disused railway line and from the A486 through Dyffryn to the west of the site via a right of way agreement.

The land is run in association with Olwen to the south and Llwyn which is located approximately 3 miles to the east and is a mixed dairy and sheep farm, with approximately 690 acres, of which 400 acres are owned by the applicants and the remainder is rented. The enterprise milks approximately 420 cows with followers.

A previous application for the same development was submitted to the LPA in October 2020 but was subsequently withdrawn in December 2020 following concerns by the LPA (A200850).

## DETAILS OF DEVELOPMENT

The application is a resubmission of the previously withdrawn application for the erection of an agricultural building. The proposed building measures approximately 13.7 metres wide with a 2 metre overhang by 60.96 metres long, with an eaves height to the rear (south) of approximately 4.88 metres and a slightly lower eaves height to the north due to the overhang, and a ridge height of just under 7 metres. The proposed building is steel framed construction, with concrete panels on the lower walls to a height of approximately 1 metre with Yorkshire boarding to the upper walls and a grey fibre cement profiled sheet roof. Clear skylights would also be incorporated into the roof in each bay. The north facing elevation of the building will be open. There will be a slight raising of the ground level on one side in order to create a level ground for the building.

The application states that the building would provide a flexible, multi-purpose housing for young stock to be reared on farm. The housing would be in the form of straw loose housing with a feeding barrier allowing feeding under the overhang along the northern elevation. Manure would be in the form of Farm Yard Manure, temporarily stored on the land in accordance with the relevant regulations until used as fertiliser on the land.

## RELEVANT PLANNING POLICIES AND GUIDANCE

### Relevant national planning policies:

- Future Wales: The National Plan 2040
- Planning Policy Wales (edition 11, February 2021)
- TAN5 Nature Conservation and Planning (2009)
- TAN6 Planning for Sustainable Rural Communities (2010)
- TAN12 Design (2016)

### Relevant local planning policies:

These Local Development Plan policies are applicable in the determination of this application:

- S04 Development in Linked Settlements and Other Locations
- LU30 Safeguarding
- DM06 High Quality Design and Placemaking
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation

- DM17 General Landscape
- DM18 Special Landscape Areas (SLAs)
- DM22 General Environmental Protection and Enhancement

Relevant adopted Supplementary Planning Guidances (SPG):

- Special Landscape Areas SPG
- Built Environment and Design SPG 2015
- Nature Conservation SPG 2015

## **OTHER MATERIAL CONSIDERATIONS**

### **CRIME AND DISORDER ACT 1998**

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

### **EQUALITY ACT 2010**

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The above duty has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic, over and above any other person.

### **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

The Well-Being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

## **CONSULTATION RESPONSES**

- **Cyngor Tref Llambod Town Council** - No response received.
- **Highways** - No objection
- **Land Drainage** - Standard Advice. SuDS approval required.
- **Ecology** - No objection, recommended conditions.
- **Natural Resources Wales** - NRW initially raised significantly concerns with the application, however following the submission of additional information (Pollution Prevention Plan, Nutrient and Manure Management Plan and drainage details), they have subsequently advised that they have no objection, subject to conditions.

An objection has been received from the nearby Dyffryn Farm for the following reasons in summary:

- **Need for the building in this location:** Not justified and not essential. Set away from the main farm at Llwyn and the buildings at Alltgoch. Other locations available, closer to existing buildings and settlement. Contrary to planning guidance which states that any new buildings should form part of a group rather than stand in isolation.
- **Access and Traffic Impact.** Results in increased traffic through Dyffryn Farm. Will have an adverse impact on the existing lane surface. The applicant has right of access only through Dyffryn Farm. Increased traffic on the local highway network.
- **Adverse impact on the landscape:** Building within open countryside, away from the existing farm complex and the buildings at Alltgoch. Within a designated as a Special Landscape Area, and impact on the historic environment. Concerns that it would set precedent for similar development and also future development in this location.

- Impact on Amenity: Increased traffic through Dyffryn Farm will have a detrimental impact on the amenity of the occupiers of Dyffryn Farm.
- Environmental Impact: Risk of pollution from heavily agricultural vehicles passing through Dyffryn Farm.
- Biodiversity and ecological risks
- Impact of increase traffic on the disused railway line

## CONCLUSION

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that: “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise”.

### Principle of Development

The application site lies approximately 1km to the north of the settlement of Lampeter and falls within 'other locations' as identified within the LDP. The site is surrounded by agricultural fields, with Gwarallt Woodland to the north-east and Olwen Woodland to the south. There are isolated farmsteads within proximity, including Alltgoch to the north-east, Dyffryn to the north-west and Olwen to the south-west.

Both national and local planning policies adopt a stringent policy approach to development within the open countryside in order to achieve development that is sustainable and to protect the landscape of the open countryside. Paragraph 3.38 of Planning Policy Wales (edition 11) states that in line with sustainable development and the national planning principles and in contributing towards placemaking outcomes, the countryside must be conserved and, where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological, cultural and agricultural value and for its landscape and natural resources. It goes on to state that the need to conserve these attributes should be balanced against the economic, social and recreational needs of local communities and visitors. Paragraph 3.60 states that development in the countryside should be located within and adjoining those settlements where it can be best accommodated and that new building in the open countryside away from existing settlements must be strictly controlled, and that all new development should be of a scale and design that respects the character of the surrounding area.

Policy S04 states that all development within 'other locations' will need to accord with TAN 6. TAN 6 refers to agricultural related development, and therefore the principle of an agricultural building within 'other locations' accords with TAN 6. However, and in view the policy requirement to conserve the countryside, it is considered necessary to consider whether there is reasonable justification for the need for the building for the purpose of agriculture and whether this represents the most suitable location.

The application is accompanied by a Planning Statement which states that the building would allow housing for approximately 100 heifer replacements for the dairy herd at Llwyn and a building in the proposed location would allow land unsuitable for silaging on the holding to be grazed, whilst also be convenient for the partner to tend to the animals in emergencies and for their daily feeding and welfare. The partner referred to lives at Olwen, which is approximately 800 metres away. It states that currently heifers are reared by a combination of out-wintering and buildings that aren't built for purpose and lack ventilation. The building would limit out-wintering associated with the holding, limiting poaching, soil compaction, ground damage and soil run-off. A built for purpose, well ventilated building would increase the heifer calves performance and therefore have a positive impact on lifetime production and efficiency. It states that the dairy herd at Llwyn is currently out-performing the average figures on CO2 emissions equivalent as seen by their latest Carbon footprint results in comparison to 2300 UK Arla dairy farmers.

The Planning Statement includes a site selection assessment, which considers this location to be the most appropriate for the following reasons, in summary:

- **Alltgoch:**
  - The topography immediately adjoining the dwelling and outbuildings would make the siting of the building difficult and costly.
- **Olwen:**
  - Significant portion of the land is within the C2 floodzone associated with the Afon Dulas
  - Majority of land is within 250 m of the Afon Dulas, and therefore raises issues with regards to potential impact on the watercourse
  - Olwen farmhouse is a grade II listed building
  - Castell Olwen, a Scheduled Ancient Monument (SAM), is located a short distance to the south of Olwen farmhouse, and development in proximity of the SAM would likely adversely affect its setting and also raise archaeological implications
  - The traditional outbuildings provides an opportunity for future conversion and farm diversification
  - Require the need to include bale or fodder storage and handling facilities which are existing at the proposed site
  - The proposed site is more central to the land holding

- **Llwyn, Llanfair Road**

- Significant element of the farm enterprise is located at this site, however the complex is located closer to the Afon Teifi and does not provide the managerial accommodation options that Alltgoch offers.

The information states that currently the heifers are reared by a combination of out-wintering and buildings that aren't built for purpose and lack ventilation, however no information has been provided to explain why the existing buildings cannot be upgraded / replaced, or whether there are any other suitable existing buildings that could provide accommodation for the heifers. Furthermore, the reason given as to why the building cannot be provided at the main farm complex at Llwyn is not considered to be a sufficient reason. The main farm complex is provided at Llwyn which includes significant agricultural buildings. Whilst it is acknowledged that Llwyn is close to the Afon Teifi, it has not been sufficiently proven that a replacement building, or a new building at Llwyn for this purpose would have a significant adverse impact on the river Teifi SAC resulting in any such application being refused. It is also important to note that the information submitted as part of the application states that the proposed development will not lead to an increase in stocking levels at the farm, but will provide improved facilities for current stock number.

In terms of Alltgoch farmhouse, it is accepted that the topography would be challenging, and also the buildings at Alltgoch are redundant/vacant and there is no active farming taking place. In terms of Olwen farmhouse, the constraints in this location are noted and represent a challenge, but it is also noted Olwen farmhouse is not an active farm, but instead is being occupied for residential purposes by one of the farm partners. Therefore it is considered that these locations do not provide a suitable alternative as it is considered that there is no justification / need for the building to be located close to Olwen farm nor Alltgoch farm. The justification put forward in terms of management of the livestock is not considered to be sufficient, because there is an existing farmhouse located at Llwyn which would provide the necessary management for the animals. The fact that there is an existing handling facility near the application site does also not provide a sufficient reason to allow for a new building, particularly one of a significant scale.

In view of the above, it is considered that it has not been sufficiently demonstrated that there is a need for the building, particularly of such a significant scale, to be located in this particular location - away from the main farmstead of Llwyn. The LPA considers that the building should be located on/adjacent to the main farmstead at Llwyn, and not be segregated away from the farm and in an isolated location, where there are group of farm buildings.

### **Impact on the Landscape**

The application site lies within the 'open countryside', pre-dominantly surrounded by open fields with isolated farmsteads and woodlands. The site falls within the Teifi Valley Special Landscape Area (SLA). LDP Policy DM06 seeks to ensure that development is of a high quality and contributes positively to the context of its surroundings. Policy DM17 seeks to protect the general landscape from significant harm caused by new development, and does not permit development that causes significant visual intrusion and is insensitively and unsympathetically sited within its location. Policy DM18 seeks to protect the special qualities of the SLA.

Planning Policy Wales states that local authorities should protect and enhance the special characteristics of the landscape, whilst paying due regard to the social, economic and environmental and cultural benefits they provide and to their role in creating valued places. Furthermore it states that where adverse effects on the landscape character cannot be avoided, it will be necessary to refuse planning permission. TAN 6 states that the planning system must protect and enhance the natural and historic environment and safeguard the countryside and open spaces. It states that the siting of a new agricultural building can have a considerable impact on the surrounding landscape, and that new buildings should normally form part of a group rather than stand in isolation.

The proposed development would introduce an agricultural building, of a significant large scale (13.7 metres wide with a 2 metre overhang by 60.96 metres long (approx. 835 square metres) and a ridge height of just under 7 metres), within an isolated location away from the main farm complex of the enterprise. The building would also be prominent within the landscape. The proposed development is therefore considered to have a significant adverse impact on the surrounding landscape and the Special Landscape Area, and is contrary to LDP policies DM06, DM17 and DM18.

The proposed building is considered to be at a sufficient distance away from the historical assets at Olwen Farm and Olwen Castell and is not therefore considered to have an adverse impact on their setting. The building is also set away from the disused railway track.

### **Residential Amenity**

The owner/occupier of the nearby Dyffryn Farm has objected to the proposed development, noting that increase traffic to and from the site would have an adverse impact on their amenity. It is noted that the applicant has a right of access over Dyffryn Farm to access Alltgoch and the surrounding fields. This means that the farm enterprise currently accesses Alltgoch and the surrounding fields for agricultural purposes without any planning restrictions. Whilst it is acknowledged that there would be increased traffic during the construction of the building, however this would only be for a temporary period. The

use of the building once it has been constructed is not considered to result in significant increase in traffic through Dyffryn Farm above the current situation.

The proposed building is located approximately 300 metres away from Dyffryn Farm. Whilst the application is not an application under the prior approval procedure under Part 6, it is considered relevant to note that the exemption applied for buildings used for the accommodation of livestock within 400 metres of the curtilage of a protected building does not apply to a dwelling or other building on another agricultural unit which is used for the connection of agriculture. Therefore, the impact of such development on the amenity of existing farms is not the same as applied to residential dwellings not used for agricultural purposes.

In view of the above, it is not considered that the building would have a significant adverse impact on the amenity of the occupiers of Dyffryn Farm.

### **Access and Highways**

The application states that access to the site is from the A485 through Olwen Farm along the disused railway line and from the A486 through Dyffryn to the west of the site via a right of way agreement. The proposed building is not considered to result in a significant increase in traffic over and above the existing use of the land in this location.

The local highway authority has raised no objection to the proposed development.

### **Land Drainage**

The application states that roof water will be directed to a soakaway. The development will require SuDS approval from the Council Sustainable Drainage Approval Body (SAB) therefore it is considered that surface water can be adequately dealt with by the SAB process.

The application states that there would be no drains within the building and would be formed to contain any effluent with upstand edges to prevent any run-off from the building. The floor would also be formed of concrete so no lining. The building will provide straw loose housing therefore there would be no real effluent. Manure would be in the form of Farm Yard Manure, temporarily stored on the land in accordance with the relevant regulations until used as fertiliser on the land.

### **Protected Sites**

The application site is located within 290 metres and falls within the catchment of the River Teifi Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). NRW within their initial response raised significant concerns on the impact of the development on the River Teifi SSSI and SAC in terms of Phosphates, Aerial Emissions and Water Quality and as a result further information was requested. In response, a Nutrient Management Plan and Manure Management Plan, Pollution Prevention Plan and further details on drainage, was subsequently submitted. Based on this information, NRW within their subsequent response, did not raise concerns with the proposed development in terms of aerial emissions, as there would be no increase in stock, and water quality, as the farm had sufficient capacity to utilise the manure and slurry produced by the business, however further details with regards to drainage and pollution prevention were required. These were subsequently sent to NRW, and in NRW third response, they advise that their concerns can be overcome subject to condition requiring the development to be carried out in accommodation with the documents submitted.

The Council's Planning Ecologist has undertaken a Habitats Regulation Assessment which concludes that no significant adverse effect is predicted on the SAC based on the information provided.

### **Protected Species**

No ecological assessment has been undertaken for the proposed development, however the Council's Planning Ecologist has advised that the proposed development is located on improved grassland and no priority habitats will be lost as a result.

### **Minerals Safeguarding**

The application site lies within the mineral aggregate safeguarding area, however given the scale and nature of the development, it is not considered to prejudice the objectives of the designation as set out within LDP Policy 30.

### **Power of Delegation**

The application is being reported to the Development Management Committee at the request of the former local member, Cllr Ivor Williams, for the following reasons:

- Building the shed at Alltgoch farm is a perfect location and will have no visual impact on the landscape
- NRW are supporting the application
- Saves on carbon as reduces movement of livestock and slurry back and forth to the main farmyard at Llwyn

- Welfare of the animals as it's better for them to be kept on the farm all year round with silage and slurry

**RECOMMENDATION:**

The application is recommended for refusal as it represents unjustifiable development that is segregated from the existing farm, and will result in significant adverse impact on the landscape, contrary to policies S04, DM06, DM17 and DM18.

**REASON FOR DEFERRAL:**

At the Development Management Committee meeting on the 13th July, 2022, Members resolved to refer the application to the Site Inspection Panel (SIP), in accordance with point 4, 5 and 7 of the Operational Procedure.

The SIP met on Thursday, 28th July, 2022 and comprised of Cllr Rhodri Davies (Chair), Cllr Rhodri Evans, Cllr Geraint Hughes, and Cllr Maldwyn Lewis. Cllr. Ifan Davies apologised for his inability to attend the meeting. The applicant was present only to escort the SIP to the proposed site and did not accompany members during their inspection and was not present during their deliberations.

Members met at Llwyn (the main farmstead) and thoroughly inspected existing operations at the site, and accepted that Llwyn was the location of the main farming operation. Members then visited Olwen and Alltgoch, and the proposed location of the shed some 800m from Olwen. At the site location Members congregated to discuss their findings, where views were expressed. Discussion included orientation of the shed and whether it could be moved to lessen the impact on the landscape, and whether a condition could be imposed on the colour of the roofing sheets. Members also discussed the future potential of splitting the farming operation considering the holding at this location amounted to 250 acres. There was discussion on the reduction of slurry generated at Llwyn, although it was accepted that the proposal was for loose housing, and straw provided for bedding, therefore generating manure, rather than slurry. The shed would also be located adjacent to the existing cattle handling unit, and therefore was an appropriate location for the building.

It was accepted that the topography around Alltgoch was an unsuitable location to construct the shed, and potentially a shed adjacent to Alltgoch being positioned at a higher altitude would have a greater effect on the landscape. Olwen is a listed building, and it was agreed that it would not be appropriate to construct the shed in close proximity to the property.

In conclusion, Members formed a consensus that the location of the shed was suitable to facilitate continued farming operations, and did not consider the location to adversely affect the landscape.