

Item 5 - Report on Planning Applications

Application Ref: NP/16/0055/FUL

Case Officer	Caroline Bowen		
Applicant	Mr A Cole		
Agent	Mr J Prout		
Proposal	Rural Enterprise with log cabin accommodation/office		
Site Location	Bridge Street, Llanychaer, Fishguard, Pembrokeshire, SA65 9TB		
Grid Ref	SM98363562		
Date Valid	19-Feb-2016	Target Date	14-Apr-2016

Summary

The planning application proposes a single rural enterprise dwelling, which is to be occupied by the applicant to manage a new farm enterprise on land at Bridge Street, Llanychaer.

The evidence provided in support of the proposal demonstrates that the rural enterprise will be concerned with the rearing of sheep, pigs and calves, supplemented with firewood sourced from the applicant's activities as an agricultural contractor, and eggs, fruit and vegetables to be grown on-site. Technical Advice Note 6 – Planning for Sustainable Rural Communities sets out tests against which a new dwelling on a rural enterprise is to be judged, and states that where a case is not entirely proven for a dwelling, it may be appropriate for the local planning authority to test the evidence by granting permission for temporary accommodation for a three year period. The enterprise is in its early stages, and whilst the evidence does not yet support a permanent permission, officers consider that a temporary consent will allow a reasonable period for the applicant to develop the enterprise toward meeting the requirements for a permanent consent. It is important to note that TAN 6 states that it will be unsatisfactory to grant successive extensions to a temporary permission, and that a permanent permission should not subsequently be given unless the required criteria set out in TAN 6 can be met in full. In light of this, should temporary planning permission be granted, an informative is required, stating the requirements that will have to be met if a permanent permission is to be granted.

In respect of other planning requirements, the dwelling will be sited adjacent to an existing storage shed and stable on the land, thus its location will ensure that it does not stand out as an isolated structure in the rural setting. The temporary accommodation is single storey and lightweight, which would be acceptable to the sheltered setting, and would not be considered harmful to the special qualities of the National Park.

This proposal allows the applicant the opportunity to develop a fledgling rural farming enterprise, and can be supported by officers, subject to conditions relating to a temporary three year permission, occupancy and conditions/informatives suggested by statutory consultees.

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Consultee Response

PCNPA - Park Direction: Concern

Carmarthenshire County Council: Concern - Referring back to my original report (in which concern was expressed at the functional requirement to be on the site), although the additional information adds to the viability case of the business, the application still falls short on the functional requirement to be on-site outside normal working hours.

CADW - Protection & Policy: No objection - The proposed development is located within the vicinity of the scheduled monument known as PE349-Cronllwyn Earthwork.

The development will add another structure into the landscape, however, in our view, this is unlikely to have any substantive impact on the setting of the above designated historic asset. The intervening vegetation and road, as well as the existing agricultural nature of the development site, means that the impact on setting should be very little.

PCC - Transportation & Environment: No objection

PCC - Ecologist: No objection - In principle I have no objection to the proposed development however I would like some reassurance that the development will not result in a significant increase in lighting on site. The application form, under lighting, states 'low level lighting within cabin, flood light overlooking livestock'

The surrounding habitat supports large numbers of foraging, commuting and roosting bats and excessive lighting in the form of flood lights would not be supported. I would request that no additional external lighting be permitted should the application be approved.

Dyfed Archaeological Trust: No objection

PCNPA - Tree and Landscape Officer: Conditional Consent

Dwr Cymru Welsh Water: Standard Advice

Natural Resources Wales: No adverse comments

Public Response

A site notice was posted in accordance with statutory requirements, and neighbours notified by letter. No responses have been received.

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokehire Coast National Park website - <http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 07 - Countryside

LDP Policy 08 - Special Qualities

LDP Policy 11 - Protection of Biodiversity

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LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park
 LDP Policy 29 - Sustainable Design
 LDP Policy 30 - Amenity
 LDP Policy 32 - Surface Water Drainage
 LDP Policy 44 - Housing
 LDP Policy 52 - Sustainable Transport
 LDP Policy 53 - Impacts on traffic
 PPW8 Chapter 03 - Making and Enforcing Planning Decisions
 PPW8 Chapter 04 - Planning for Sustainability
 PPW8 Chapter 07 - Economic Development
 PPW8 Chapter 09 - Housing
 TAN 06 - Planning for Sustainable Rural Communities

Constraints

Ancient and Semi Natural Woodland - within 25m
 Technical Advice Note 15
 LDP Mineral Safeguard
 LDP Open Space
 Biodiversity Issue
 Rights of Way Inland - within 50m
 Ancient Monument - within 50m
 Potential for surface water flooding
 Recreation Character Areas

Officer's Appraisal

The application site comprises land to the north-east of Llanychaer, and is accessed via an unadopted track off the main road through Llanychaer to Fishguard. The livestock element is currently located on the land itself, and the applicant (who also is an agricultural contractor) also owns forestry at the site, and rents land at other sites in Pembrokeshire. The main site at Llanychaer currently has a storage shed and stable, which were granted planning permission in 2009, and the land extends to 5 hectares.

On the land to the south east of the site is a campsite operated under a licence from the Camping and Caravanning Club.

History

- NP/09/530 – Stable block and storage area. Approved.

Constraints

- Ancient and semi-natural woodland (within 25m)
- LDP Open Space

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- Technical Advice Note 15
- LDP Mineral safeguard
- Biodiversity
- Potential for surface water flooding
- Listed Building (within 10m)

Current Proposal

The proposed rural enterprise dwelling will utilise a single storey painted wooden chalet as the main structure. The building will be sited adjacent to existing buildings to the south east of the site and will be set against the steep valley side which runs along the southern part of the site.

The internal accommodation comprises a bedroom, lounge, kitchen and WC/shower room.

Key Issues

The application raises the following planning matters:-

- Policy and Principle of Development
- Visual Amenity and Special Qualities of the National Park
- Highway Safety, Access and Parking
- Amenity and Privacy
- Biodiversity
- Other material considerations

Policy and Principle of Development

The site lies in a rural setting on land within the Gwaun Valley, immediately to the north east of Llanychaer, and within the countryside of the National Park. For the purpose of the Local Development Plan the application is therefore considered under Policy 7 (Countryside) which identifies the types of developments that will be permitted in countryside locations. Criterion (b) of the Policy identifies that 'housing for essential farming or forestry needs' will be permitted.

In order to consider whether the development proposed is 'essential' consideration can be given to a range of National policy and guidance which sets out various tests. These include the following Welsh Government publications;

- Planning Policy Wales (Edition 8, January 2016)
- Technical Advice Note 6 – Planning for Sustainable Rural Communities (July 2010)
- Practice Guidance – Rural Enterprise Dwellings (December 2011).

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In the supporting information, it is stated that the applicant had begun the current enterprise in 2009 and that this proposal is to an established rural enterprise. However, having visited the site, it is evident to officers that this is a new enterprise on existing farmland, rather than the management of an existing farm enterprise. For the purposes of this application, officers have, therefore, considered the proposal as a new dwelling on a new enterprise.

TAN 6 outlines a range of criteria to consider;

- a) clear evidence of a firm intention and ability to develop the rural enterprise concerned;**
- b) clear evidence that the new enterprise needs to be established at the proposed location and that it cannot be accommodated at another suitable site where a dwelling is likely to be located;**
- c) clear evidence that the proposed enterprise has been planned on a sound financial basis;**
- d) there is a clearly established functional need and that need relates to a full-time worker and does not relate to a part time requirement;**
- e) the functional need could not be fulfilled by another dwelling or by converting an existing suitable building on the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the workers concerned;**
- f) Other normal planning requirements are satisfied.**

The applicant has provided a planning statement, together with a cash flow forecast for the farm. This states that the farm will be a single-handed enterprise based on the keeping of sheep, pigs and calves, together with logs and timber sourced from the land and from the applicant's agricultural contractor work. The farm will also produce eggs, fruit and vegetables. The predicted cash flow is considered to be achievable and demonstrates that that applicant would be able to meet basic living costs, however, the advice from the agricultural advisor is that the enterprise currently does not meet the requirement to demonstrate a functional need to be on the site. Therefore, in terms of the relevant criteria;

a) clear evidence of a firm intention and ability to develop the rural enterprise concerned;

The applicant has supported the application with a planning statement and cash flow forecast to demonstrate his intentions to become a full time worker on the rural enterprise, and to show that his basic living expenses are capable of being adequately met by the income generated from the enterprise. The enterprise is already partially established, however, without being present full time on the site, the applicant is concerned for the safety and welfare of the

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animals and is, therefore, nervous of increasing stock levels for the further expansion of the rural enterprise.

b) clear evidence that the new enterprise needs to be established at the proposed location and that it cannot be accommodated at another suitable site where a dwelling is likely to be located;

The applicant has stated that dwellings for sale in the village are beyond his financial means. Officers have looked online at the availability of property in the local area (as of June 2016), and this illustrates that property prices range between £190,000 to £500,000. The land subject of the application has historically been used for farming, with the original farmhouse being located opposite the village pub. This building has since been demolished.

c) clear evidence that the proposed enterprise has been planned on a sound financial basis;

The cash flow forecast provided is considered to be reasonable and realistic to support a single farm worker.

d) there is a clearly established functional need and that need relates to a full-time worker and does not relate to a part time requirement;

As above, whilst the applicant has begun the rural enterprise, he is concerned at increasing stock levels until he is present on the site full time (for reasons of security and welfare). The agricultural advisor is concerned that at present the functional need to be on site is not demonstrated. Officers are satisfied that the intention of the applicant is genuine, and therefore would consider that the proposal is worthy of being given a temporary permission – as advised in TAN 6 – to establish whether the rural enterprise can be developed to meet the criteria for a permanent dwelling. TAN 6 says that three years will normally be appropriate to ensure circumstances are fully assessed.

e) the functional need could not be fulfilled by another dwelling or by converting an existing suitable building on the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the workers concerned;

The applicant has an existing storage shed and stable on the site, but as these are currently used for storage and feed for the farm, they are not available for use as temporary accommodation. In respect of existing accommodation in the locality, and as above, the cost of existing accommodation is currently beyond the means of the applicant.

f) Other normal planning requirements are satisfied.

In respect of criterion f), TAN 6 advises that *“Rural enterprise dwellings should satisfy the usual planning requirements in terms of design, sustainability and access. The siting of the proposed dwelling should relate closely to the activities for which there is a need. In most cases this will mean that the new*

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dwelling should be sited in close proximity to existing buildings and in the case of dwellings for agricultural enterprises, should not be isolated from the farmstead or in locations that could encourage farm fragmentation. Local planning authorities should resist planning applications for rural enterprise dwellings that are prominent in the landscape.” In light of this, the proposal has been considered as follows;

Visual Amenity and Special Qualities of the National Park

Policy 8 of the Pembrokeshire Coast National Park Local Development Plan (LDP) is a strategic policy which refers to the special qualities of the National Park, and lists priorities to ensure that these special qualities will be protected and enhanced. Policy 15 of the LDP seeks the conservation of the Pembrokeshire Coast National Park with criteria ‘a’ and ‘b’ resisting development that would cause significant visual intrusion and/or, that would be insensitively and unsympathetically sited within the landscape. Criteria ‘d’ and ‘e’ resists development that would fail to harmonise with, or enhance the landform and landscape character of the National Park, and/or fail to incorporate important traditional features.

Policy 30 of the LDP seeks to avoid development that is of an incompatible scale with its surroundings (criterion ‘b’) or is visually intrusive (criterion ‘d’).

The proposed dwelling is small in scale, and will be sited adjacent to existing buildings at the site. The dwelling will be set on the lowest part of the site, thus the modest structure will be viewed against the steeper southernmost valley side and against existing buildings, thus will not be unduly prominent in the landscape.

The design of the dwelling is deliberately lightweight –whilst the wooden cabin would not normally be considered an appropriate permanent building, it can be considered appropriate for temporary residential occupancy. The form and appearance of the proposed dwelling is, therefore, considered to be acceptable for a temporary period and – due to its sheltered position - would have no harm on surrounding physical and visual amenity. As such, the scheme is acceptable and complies with the aims of policies 8, 15, and 30 in relation to its impact upon visual amenity and the special qualities of the National Park.

Highway Safety, Access and Parking

Policies 52 and 53 of the Local Development Plan refer to sustainable transport and the traffic impacts of proposed development. The dwelling is proposed to be served via an existing access to the land, which is a private track which extends beyond the main road.

The Highway Authority at Pembrokeshire County Council has been consulted and raise no objection to the planning application subject to a condition requiring the parking space to be completed before the development is

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brought into use and thereafter retained for parking only. The condition requested is considered to be reasonable in the interests of highway safety.

There are considered to be no objections to the scheme on highway grounds and suitable access and parking facilities can be provided to serve the dwelling. As such the scheme complies with the aims of policies 52 and 53.

Neighbouring Amenity and Privacy

Policy 30 of the Local Development Plan seeks to protect issues of amenity. The proposed dwelling would be positioned in a well-sheltered site, and is sufficiently distanced from neighbouring properties. Given the separation, and its siting within a group of existing agricultural buildings, the dwelling will have no harmful impact upon neighbouring amenity. As such the development complies with the aims of policy 30.

Landscaping

Whilst there are no tree preservation orders on the site, the Authority's Tree and Landscape Officer was consulted on the proposal as the site lies in proximity to ancient and semi-natural woodland. He has recommended conditional consent to ensure that soft landscaping is appropriate to the site and that the development does not harm prevailing tree and hedgerow features.

Biodiversity

Both the Authority's Ecologist, and Natural Resources Wales were consulted on the proposal. No objections were received to the proposed development, however, the Ecologist recommended that the external lighting did not exceed that already specified (low level lighting within the dwelling and flood light over livestock), in order to protect foraging, commuting and roosting bats. Given the character of the valley, officers would attach a condition to any grant of permission to ensure the lighting proposed is suitable for the countryside location.

Other material considerations

The application site falls within close proximity to a scheduled ancient monument, Cronllwyn Earthwork. Following consultation, CADW advised that whilst the proposal would add a further building into the landscape, it was unlikely to have any substantive impact on the setting of the designated historic asset. The intervening vegetation and road, as well as the existing agricultural nature of the development site means that the impact on setting should be very little.

Conclusion

Following consideration of all material issues, it is concluded that whilst the current proposal does not contain sufficiently robust evidence to satisfy the

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tests laid out in Technical Advice Note 6, in respect of a permanent new dwelling on a new rural enterprise, the applicant has demonstrated a genuine intention to achieve this. Thus, officers would consider that a temporary planning permission to test the enterprise – as advised in TAN 6 – would be appropriate here. The development offers the opportunity to establish a sustainable rural farming enterprise within the countryside, thus the principle of the development can be supported, subject to conditions relating to a temporary permission, accordance with submitted plans, rural enterprise occupancy (but requiring the removal of the dwelling should the rural enterprise fail, as the dwelling would not be considered suitable for use as an affordable dwelling), removal of permitted development rights, and landscaping. In line with TAN 6, it will be unsatisfactory to grant successive extensions to a temporary permission, and that a permanent permission should not subsequently be given unless the required criteria set out in TAN 6 can be met in full. In light of this, should temporary planning permission be granted, an informative is also required, stating the requirements that will have to be met if a permanent permission is to be granted.

In terms of other planning requirements the dwelling will be sited within the existing farm complex, and the relationship to existing structures at this location will ensure that the dwelling will not stand out within in the landscape. The simple, lightweight design and form of the dwelling is acceptable on a temporary basis and will have no adverse impact upon surrounding visual amenity or the special qualities of the National Park. The development therefore complies with the aims of Planning Policy Wales (Edition 8, January 2016), Technical Advice Note 6 – Planning for Sustainable Rural Communities (TAN 6, July 2010) and policies 1, 7, 8, 15, 29, 30, 31, 32, 33, 52 and 53 of the Pembrokeshire Coast National Park Local Development Plan (Adopted 2010).

Recommendation

That the application be approved subject to the following conditions:

Conditions

1. Temporary permission is hereby granted for a period of 3 years from the date of this permission. On or before the expiration of this permission, the dwelling permitted shall be permanently removed and all fixtures, fittings and equipment installed in connection therewith shall be removed from the land and the said land restored to its former condition.

Reason: The materials and form of the construction are of a temporary nature and are not conducive to a permanent permission. Local Development Plan - Policies 1(National Park Purposes and Duty), 7 (Countryside), 8 (Special Qualities), 15(Conservation of the Pembrokeshire Coast National Park), 29 (Sustainable Design) and 30 (Amenity)

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2. The development hereby permitted shall be carried out, and thereafter retained, strictly in accordance with the deposited plans, reference and subject to any following conditions.

Reason: To ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area. Local Development Plan - Policies 1 - National Park Purposes and Duty, 8 - Special Qualities, 15 - Conservation of the Pembrokeshire Coast National Park, 29 - Sustainable Design and 30 - Amenity.

3. The occupancy of the dwelling hereby permitted shall be limited to a person solely or mainly working, or last working, on a rural enterprise in the locality, earning the equivalent of a Grade 2 agricultural workers salary as defined by the Agricultural Wages Order 2012; or a widow, widower or surviving civil partner of such a person, and to any resident dependants. When there are no such eligible occupiers and/or the rural enterprise ceases, then, unless the local planning authority have otherwise agreed in writing, the building shall be removed from the land, and the land be restored to its condition before the development took place, or to such a condition as may have been agreed in writing between the local planning authority and the developer.

Reason: Since a dwelling in this rural location would not be permitted unless justified for rural enterprise, and in order that the dwelling is kept available to meet the needs of other rural enterprises in the locality. To accord with Policy 7 of the Local Development Plan and to accord with the advice set out in Technical Advice Note 6: Planning for Sustainable Rural Communities and associated Practice Guidance.

4. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) Order 1995, (relating to extensions to, and changes to the external appearance of the dwelling and to development or the siting of a caravan within the curtilage of the dwellinghouse), no development of Parts 1, 2 and 5 of Schedule 2 to that Order (or any Order revoking or re-enacting that Order) shall be carried out without specific planning permission being obtained.

Reason: To preserve the character and appearance of the area within the National in the interests of visual amenity and the special qualities of the National Park. Local Development Plan- Policy 1- National Park Purposes and Duty (Strategy Policy), Policy 8- Special Qualities (Strategy Policy), 15 (Conservation of the Pembrokeshire Coast National Park) and Policy 30 (Amenity).

5. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order) any electricity or telephone supplies to the site shall be by underground cables.

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Reason: To preserve the character of the area within the National Park. Local Development Plan- Policy 1 (National Park Purposes and Duty (Strategy Policy) and Policy 15 (Conservation of the Pembrokeshire Coast National Park).

6. A comprehensive scheme for the soft landscaping of the site shall be submitted to the local planning authority for approval, in writing, prior to the commencement of work. Such a scheme shall provide for planting throughout the site, provide specific information regarding the proposed planting and methods and details of all trees and hedgerows to be retained with an appropriate tree protection plan.

Reason: In the interests of maintaining a satisfactory scheme of landscaping and to protect the visual amenity of the area. Local Development Plan - Policy 15 - Conservation of the Pembrokeshire Coast National Park.

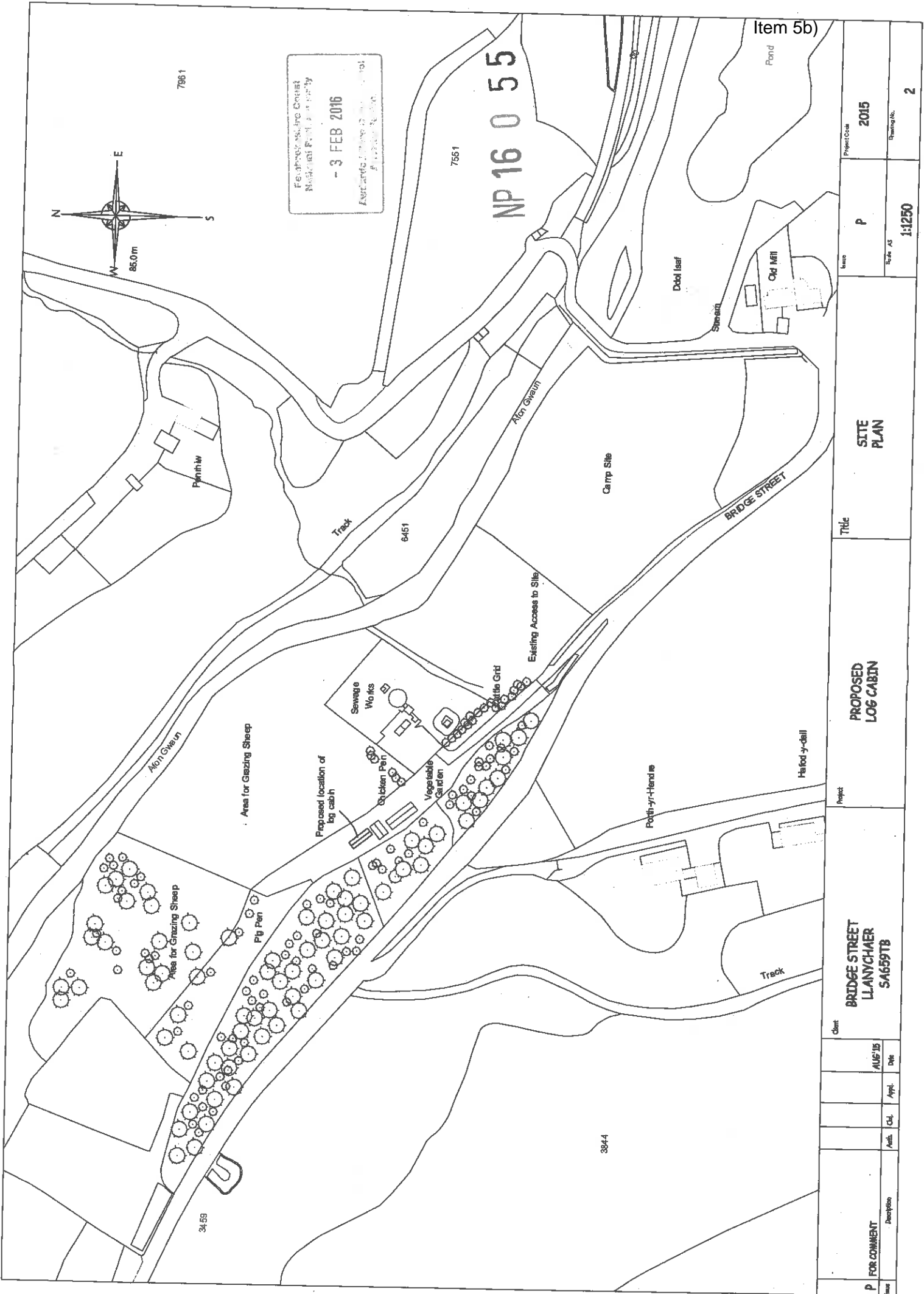
7. All planting, seeding and turfing comprised in the approved details shall be carried out in the first planting and seeding season following the occupation of the dwelling or the completion of development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development, fail, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the local planning authority give written consent to any variation.

Reason: In the interests of maintaining a satisfactory scheme of landscaping and to protect the visual amenity of the area. Local Development Plan - Policy 15 - Conservation of the Pembrokeshire Coast National Park.

Informatives:

Natural Resources Wales Planning Advice Note.

The planning permission hereby granted is for a temporary period only. Should permanent planning permission be subsequently sought for the rural enterprise, the criteria set out in paragraph 4.4.1 or 4.6.1 of Technical Advice Note 6 – Planning for Sustainable Rural Communities is to be met in full.



Item 5b)

Fedrick Malins Co Ltd
 National Planning Agency
 - 3 FEB 2016
 Approved Plans of the National Planning Agency

NP 16 0 55

P	FOR COMMENT	Description	Auth.	Col.	Appl.	Date	Client	Project	Title	Issue	P	Project Code	2015
													2
													1:1250

BRIDGE STREET
 LLANYCHAER
 SA659TB

PROPOSED
 LOG CABIN

SITE
 PLAN

1:1250

2015

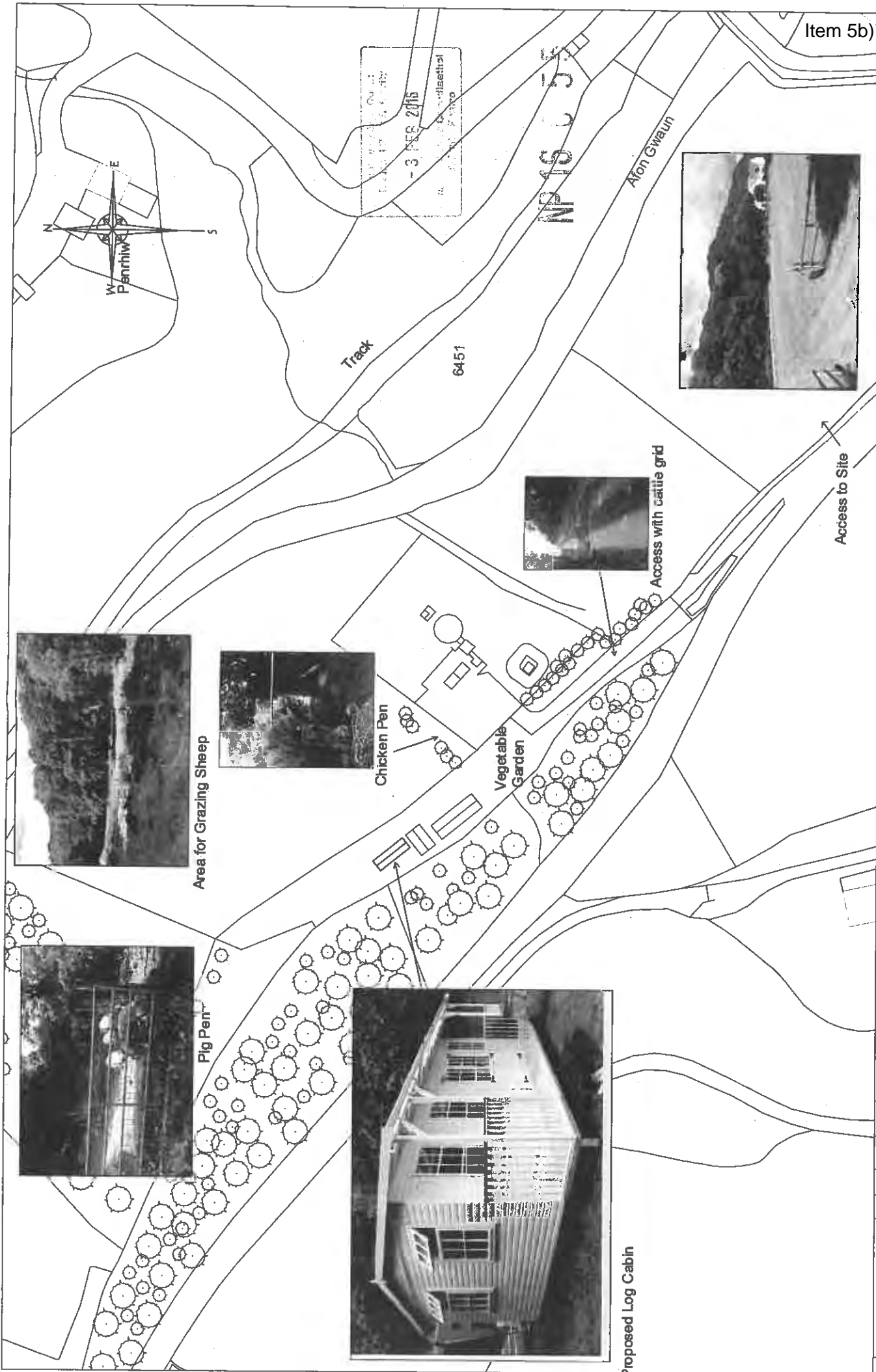
Project Code

2

Issue

Scale AS

Drawing No.



Item 5b)

P	FOR COMMENT	Description	Auth.	Cbl.	Appt.	Date	Client	Project	Title	SITE PHOTOS	Home	Project Code
											Scale A3	NTS
												Drawing No.
												3



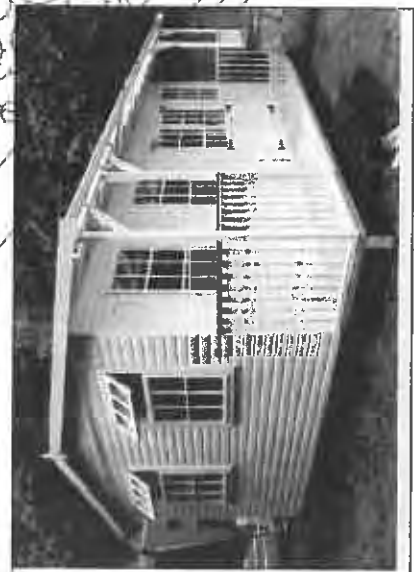
Area for Grazing Sheep



Chicken Pen



Pig Pen



Proposed Log Cabin



Access with cattle grid

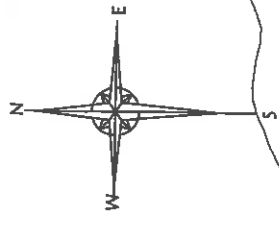


Access to Site

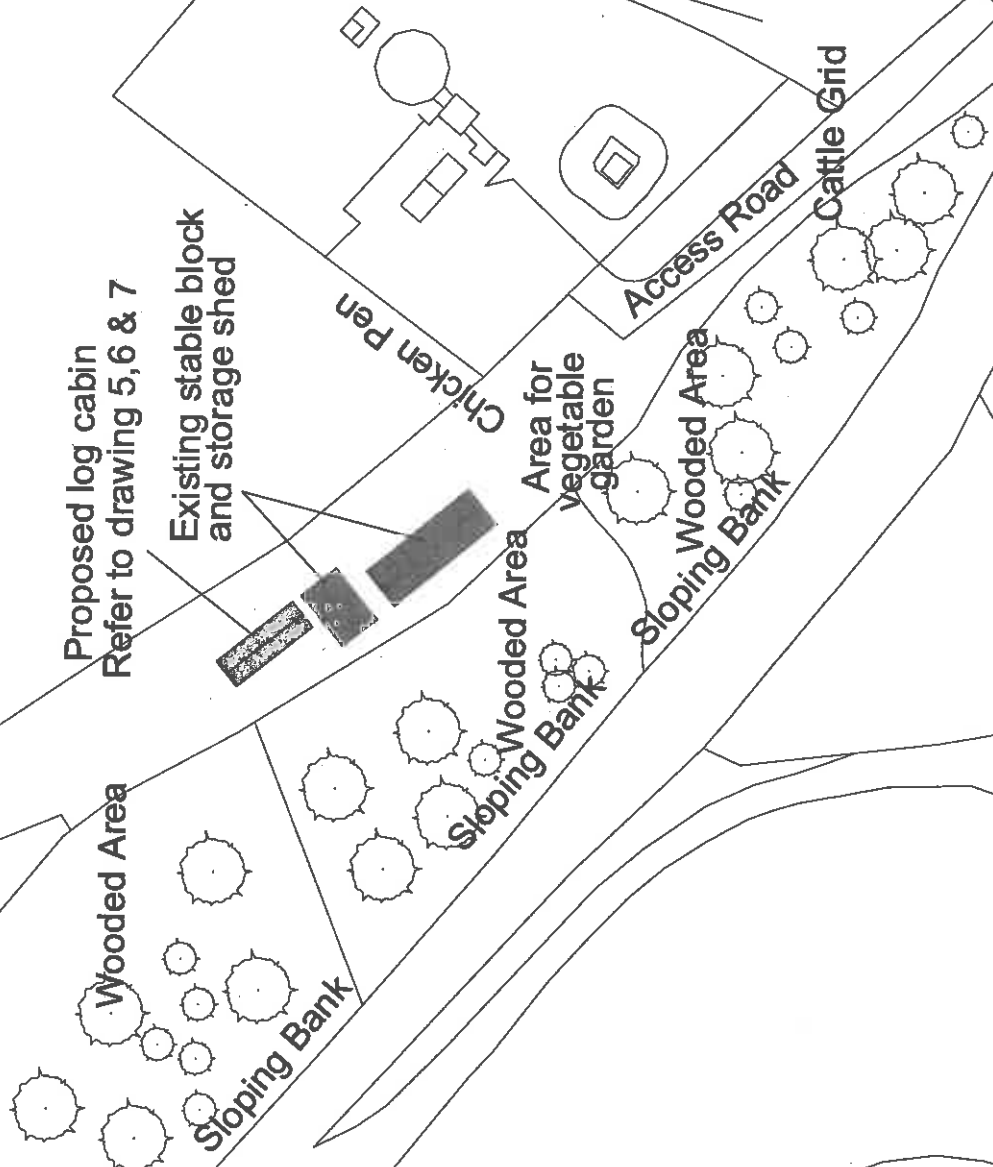
PROPOSED LOG CABIN

BRIDGE STREET
LLANYCHAER
SA659TB

Permitted by Council
 - 9 FEB 2016

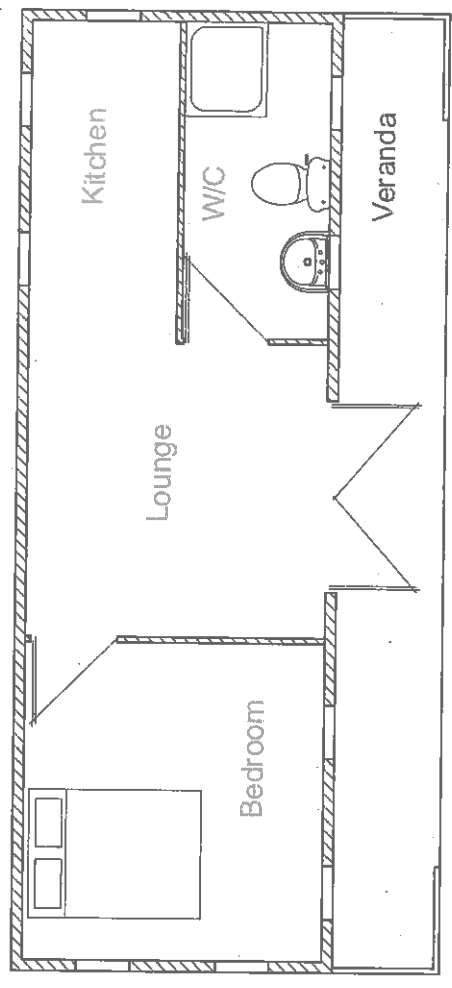
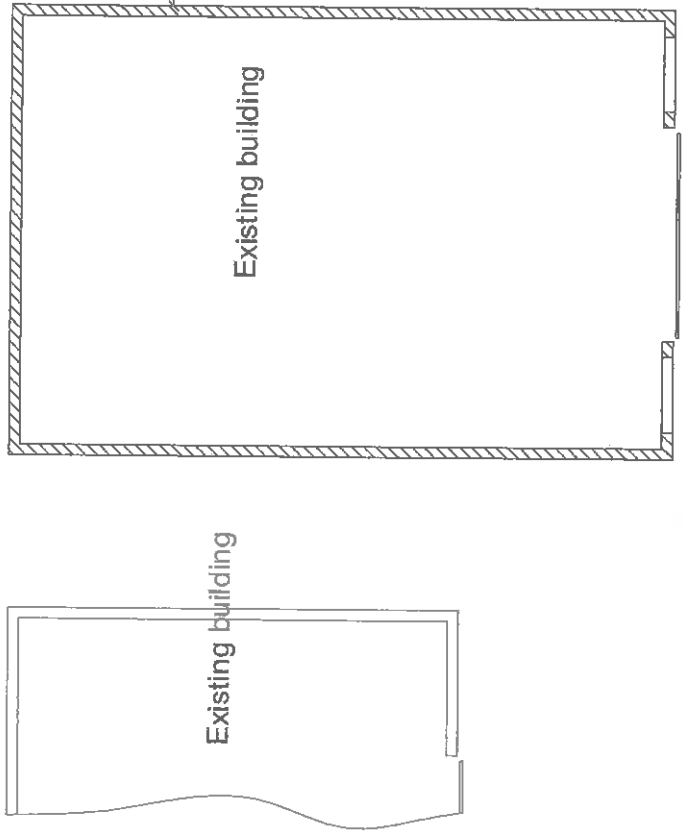


NP 16 55



P FOR COMMENT	Description	Auth.	Ctd.	Appt.	Date	Client	Project	Title	BLOCK PLAN	Issue	2015	4
										Issue	1:500	
BRIDGE STREET LLANYCHAER SA659TB							PROPOSED LOG CABIN		P		1:500	

PFC 16/055
 NP 16 0 55
 - 3 FEB 2016
 APPROVED BY THE ARCHITECT
 APPROVED BY THE CLIENT



PROPOSED FLOOR PLAN



Typical Elevation

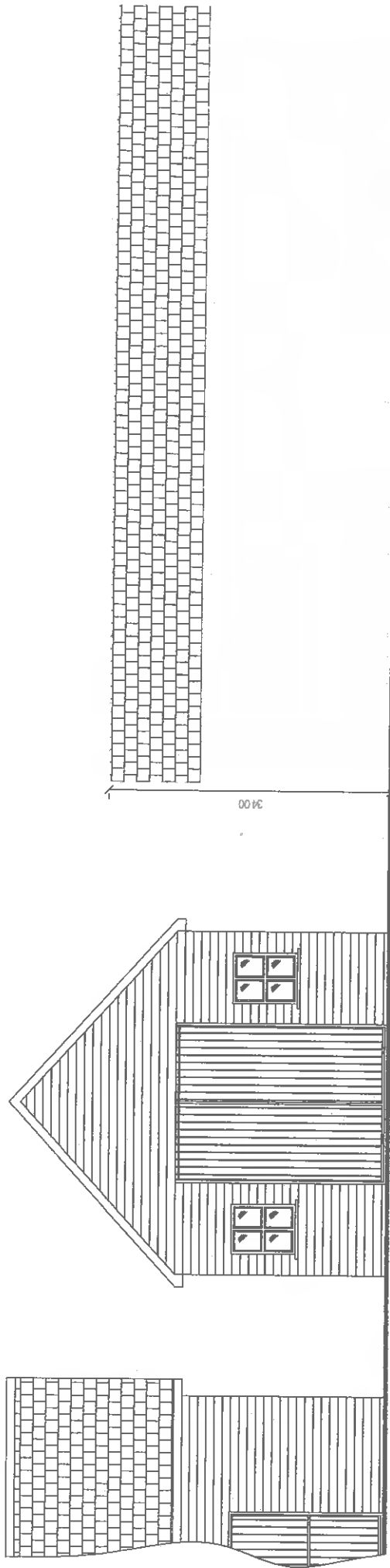


Typical internal layout

NP 16 0 55

Item 5b)

P FOR COMMENT	Description	Auth.	Ctd.	Appd.	Date	Client	Project	Title	FLOOR PLAN	Issue	Project Code	2015
												5
						BRIDGE STREET LLANYCHAER SA659TB		PROPOSED LOG CABIN		P		
										1:50		



Veranda Removed for clarity

Existing building



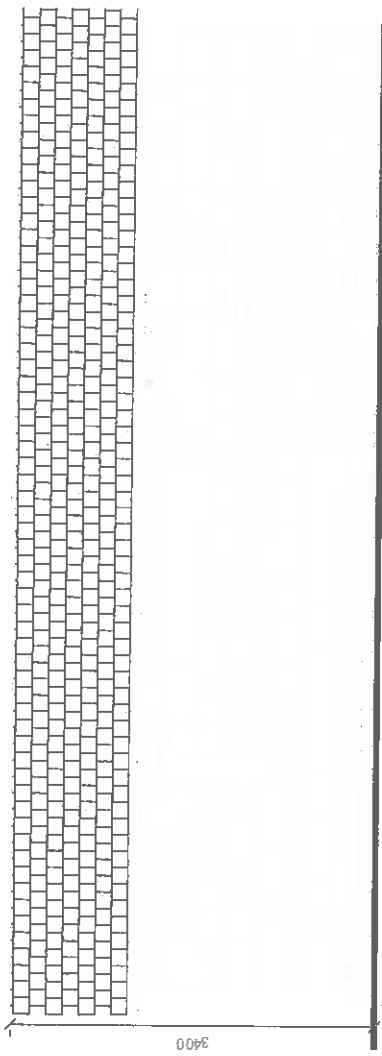
PROPOSED SOUTH ELEVATION

NP 16 0 55

Cladding to match existing building

Item 5b)

P	FOR COMMENT	Description	Auth.	C'd.	App'd.	Date	AUG '15	Client	BRIDGE STREET LLANYCHAER SA659TB	Project	PROPOSED LOG CABIN	Title	FLOOR PLAN	Issue	P	Project Code	2015	Drawing No.	6



Pwllheli National Park
 National Park Authority
 - 3 FEB 2016
 A. Roberts
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PROPOSED REAR ELEVATION

16 0 55



Veranda

PROPOSED SIDE ELEVATIONS

Item 5b)

Date	Description	Actd.	Clk.	Appd.	Date	Client	Project	Title	Floor Plan	Issue	Project Code	2015
												7
P	FOR COMMENT				AUG'15	BRIDGE STREET LLANYCHAER SA659TB	PROPOSED LOG CABIN		FLOOR PLAN	P		1:50