

NWWFConnection@pins.gsi.gov.uk

Gofynnwch am / Please ask for: **Ceri Thomas**

 **01492575391**

 **01492 512637**

 **ceri.thomas@conwy.gov.uk**

Ein Cyf / Our Ref: **DC/ENQ/25324**

Eich Cyf / Your Ref:

Dyddiad / Date: **16/10/2015**

Site / Location: Clocaenog Forest
Denbighshire to a terminal
point located to the South
of the unnamed
Groesffordd Marli to
Glascoed Road and the
B5381 (Glascoed Road)
St Asaph Denbighshire

Proposal: Development Consent Order for the North
Wales Wind Farms Connection Order

Dear Sirs

As requested by the Panel at the Issue Specific Hearing on 30th September, I attach copies of:

- i) The Committee report relating to the application to construct the cattle shed at Berain Farm;
and
- ii) The planning permission relating to that application.

The Panel also request the reasons why Hafod Dingle has been designated as a Local Wildlife Site. The Biodiversity Project Officer responds as follows:

Hafod Dingle (grid ref SJ3008 3685) has been noted as a potential Wildlife Site. These are sites which do not meet criteria for statutory protection, but are considered important in the local (Conwy) context by virtue of the habitats and/or species they contain. The feature for which this site was selected was broad-leaved woodland.

I trust that this response addresses the Panel's questions.

Yours sincerely



 **Paula Jones**

Rheolwr Rheoli Datblygu ac Adeiladu / Development and Building Control Manager

CODE No. 0/37194

EXPIRY DATE: 08/10/2010

APPLICANT: Mr John Jones

PROPOSAL: Erection of extension to existing cattle shed with under floor slurry store

SITE: Berain, Cefn Berain, Llanefydd, Conwy, LL16 5PW

WARD: Llansannan

RECOMMENDATION

- A) Minded to grant conditional planning permission
- B) To authorise the Development and Building Control Manager to determine the application under delegation

NOTE

1. **A site inspection has been arranged so that Members can appraise themselves of the proposal and its landscape impacts.**

SITE / LOCATION

2. The application site is situated approximately 1km north east of Cefn Berain, adjoining the minor road between Cefn Berain and Bont-newydd, close to its crossroads with the minor road which runs north-west from Henllan. The site comprises a range of both traditional and modern farm buildings. The traditional buildings are located near the minor road include the farmhouse and L-shaped agricultural range (both of which are separately listed as Grade II*) and the former carhouse and brewhouse / pigsty range (both of which are separately listed as Grade II).
3. To the rear of the traditional buildings, there are a number of modern farm buildings, most notably a series of three cattle sheds, which are aligned with their ridges perpendicular to the Cefn Berain to Bont-newydd road, and which are linked together side-by-side. Two of the existing sheds extend back over a distance of 28 metres, whilst the third extends back for a distance of 38 metres. These sheds are used for collecting the herd for milking, for rearing both young and old stock, for lambing and for storing slurry. Milking operations are currently carried out in a small shed, measuring 30m by 8m.

PROPOSALS

4. It is proposed to adapt and extend the existing cattle shed that is closest to the crossroads (which is currently used as a cattle store, for housing sheep during the lambing season, and for storing slurry). Part of the existing shed would be adapted to form a milking parlour, whilst the remainder of the existing shed and extension would form a cattle store. The proposed extension would extend the length of the cattle shed further back into the adjoining field by an additional distance of 50 metres (i.e. an overall length of 79 metres). The proposed extension would be 21 metres wide, with a ridge height of 9 metres (identical to that of the existing shed). It would be clad with 'Yorkshire boarding' and roofed with fibre cement sheets. Material excavated to level the ground would be used to form an

embankment along the north-eastern side of the proposed extension. It is proposed to incorporate a slurry store within the building below ground level.

5. Officers have carried out a Screening Opinion to determine whether the application should be accompanied by an Environmental Impact Assessment (EIA). It has been determined that the proposal is not EIA development.

ADDITIONAL INFORMATION FROM APPLICANT / AGENT

Design and Access Statement

6. The Design and Access Statement considers that the existing facilities on the farm, while adequate, have not kept up with the latest trends in animal husbandry. As the nature of the enterprise on the farm has changed in recent years, the existing buildings currently used are not sufficient for modern farming methods and efficient for milk production and use of farm labour. The new extension for the dairy herd would offer some distinct advantages, namely rearing of replacement heifers, for the continuation of this successful family business, particularly now as the younger generation is gradually taking over the management of the farm.
7. The Design and Access Statement considers that the long-established dairy herd has outgrown the space offered by existing buildings, and although they have been expanded somewhat over the years, the site will not allow for any further expansion. It is this reason in particular that has prevented expansion of the dairy herd for a number of years.
8. The decision to construct one substantial building, as opposed to a number of smaller ones was based on a number of considerations:
 - i) Extending within the farm complex would allow for a more attractive working environment, and benefit productivity;
 - ii) The agent considers that one streamlined building would be far less unsightly than a number of smaller ones in scattered locations;
 - iii) An extension would cost less than constructing a separate building;
 - iv) Upon completion of this extension, the agent considers that further construction would not be required within the foreseeable future on this unit, although he considers that this site would easily accommodate additional expansion.

Further Information from the Agent

9. In response to concerns expressed by the Landscape Officer, the agent has submitted further information on the following matters:
10. **Landscape:** The application now proposes a beech and hawthorn hedge along the entire length of both buildings. Beech is fairly dense and may retain some leaves over the winter. The purpose of the hedge is to conceal the raised path around the building for feeding. The trees are now in clusters, so as to break up the long line.
11. **Appearance of the building:** The proposed extension is similar to existing and other modern farm buildings. The Yorkshire cladding will help to "ruralise" its visual vertical surface. The low price of milk means that the building and maintenance costs have to be kept down. The floor level of the extension has to be level with the existing, for ease of cattle flow, and in order to accommodate under floor storage, which is both visually and environmentally preferable to a tower.
12. **Need for the extension:** It is proposed to increase the size of the herd from 100 milking cows to 150 by next spring. 120 of these cattle would be accommodated within the extended building, with the remaining 30 within existing buildings. The farm rears its own

stock of milking cattle, to reduce the risks of bringing diseases onto the farm. Each of the existing buildings would continue to be used to capacity for housing cattle and sheep, for storing silage and for the replacement milking parlour.

13. The agent has submitted letters of support from the Environment Agency, the NFU, a veterinary surgeon, a milking equipment supplier, an agricultural consultant and a building contractor.

PLANNING HISTORY

14. 0/21794 – Listed building consent for installation of windows, re-roofing and re-pointing of dwelling, re-building of chimney and erection of porch; approved 1998.

0/27843 – Erection of agricultural building; approved 2003.

CONSULTATIONS

15. a) Community Council – State no objection.
b) Environment Agency – No response.
c) Welsh Water – No response.
d) Countryside – State no comments.
e) Highways – States no objection.
f) Environmental Services – The development has the potential to increase surface water run-off; sustainable drainage systems should be used where appropriate.
g) Principal Environmental Health Officer – State no comments.
h) Planning Policy – No response.
i) Landscape Officer – Expresses concerns that the proposal would have an adverse effect on the character of the Special Landscape Area.
j) Principal Conservation Officer - The proposal would not affect the setting of the listed buildings.

REPRESENTATIONS

16. The application has been advertised by means of site and press notices, as major development and development affecting the setting of listed buildings. There are no close neighbours.

PLANNING POLICIES

17. Welsh Office Circular: 61/96 (Planning and the Historic Environment)
Planning Policy Wales
Technical Advice Notes: 6 (Planning for Sustainable Rural Communities)
12 (Design)
Clwyd Structure Plan CONS2 (agricultural buildings)
CONS5 (protection of the countryside)
Colwyn Borough Local Plan CG1 (development control considerations)
CN1 (development outside settlement limits)
CN3 (Special Landscape Area)

PLANNING CONSIDERATIONS

Principle

18. Planning Policy Wales states that local planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed

to meet the needs of changing farming practices, or are necessary to achieve compliance with new environmental, hygiene or welfare legislation.

19. Policy CONS2 of the Structure Plan states that the construction of new agricultural buildings requiring planning permission will be permitted provided that such structures do not have an unacceptable effect on the visual appearance of the area or on the amenity of people living nearby by virtue of their scale, forms, siting and general design.

Impact on Setting of Listed Buildings

20. Four of the traditional farm buildings are listed. These comprise:
- i) The farmhouse was a medieval gentry house at least as early as the C14, though its most significant phase was the Tudor period and its association with Queen Elizabeth's cousin, Katherine (Tudor) of Berain. The building is listed as Grade II* for its special architectural and historic significance.
 - ii) The L-shaped agricultural range, which is located immediate north west of the farmhouse, and probably dates from the late C16. It is also listed as Grade II*, as an exceptionally large and scarce example of a timber-framed Elizabethan barn, and for Berain's important historic associations.
 - iii) The former carhouse, dating from the late C18 or early C19, is listed as Grade II on the basis of group value.
 - iv) The brewhouse and pigsty range, dating from the C19, is also listed as Grade II on the basis of group value.
21. The most significant vantage points for these buildings are from the various points along the Cefn Berain to Bont-newydd Road, and from within the farmyard itself. The listed buildings are also visible from the road that runs north-west of Henllan, but the aspect from this direction has already been affected by the existing modern buildings
22. Officers consider that the existing modern buildings provide a visual screen between the listed buildings and the proposed extension, and that the proposal would therefore not significantly affect the setting of the listed buildings.

Design / Appearance

23. The site lies within a designated Special Landscape Area. Policy CN3 of the Local Plan states:
- "Within the designated Special Landscape Area and Local Landscape Areas development proposals which, by virtue of their design, would have an adverse impact on the landscape and visual amenity, will be resisted. Development should be kept to a minimum and be of a higher standard of design and materials which have regard for the setting than may be appropriate elsewhere in the Borough, particularly in the way in which it has regard for local building tradition, in terms of appearance and in the use of materials. Special attention should be paid to avoid harm to both nearby and distant viewpoints, particularly the Snowdonia National Park".*
24. The Landscape Officer has expressed the following concerns:
- "The existing complex of modern agricultural buildings already has a strong presence and heavy visual weight, which in my view has an adverse impact on the visual amenity of the local landscape. The single, slight mitigating factor is that it is terminated along its exposed north-western edge by a uniform large-building line, beyond which lies pastureland.*
- "The proposed extension would break out from this containing edge, and project, on a built-up plinth, into the adjacent field by approximately 50m. The resulting building elevation presented to the adjacent highway would have an overall length of approximately 79m, artificially raised above the existing field level, which the formality of the proposed line of tree planting would only serve to accentuate.*

“In my view the proposed development cannot be considered to be carefully sited to minimise its visual impact, and would unacceptable increase the existing complex’s adverse visual impact in and on the designated landscape, contrary to Policy CN3 and paragraph 8.11 of the Local Plan, and I therefore object to it.”

25. It is accepted that the proposal would have an adverse visual impact, particularly when viewed from the road that runs north-west of the crossroads, which runs at a lower altitude than the proposed extension. From this direction, the proposed extension would form a long linear extension to the consolidated cluster of existing buildings. However, it should be noted that views of the proposed extension would be fairly localised, due to the topography and the screening effects of trees, hedgerows and existing buildings. For these reasons, it is not considered that the landscape impacts of the proposal are of such significance as to over-ride the need for the development. However, in view of the Landscape Officer’s concerns, a site inspection has been arranged so that Members can appraise themselves of the proposal and its landscape impacts.

Amenity

26. There are no other dwellings close to the application site. The proposal would not have a significant effect on residential amenity.

CONCLUSIONS

27. The proposal would enable the size of the stock to increase from 100 to 150 milking cows, and also improve handling methods, welfare standards and slurry storage. Officers consider that the proposal would not have a significant detrimental impact on the setting of the listed buildings, but have concerns with regard to the visual impact on the Special Landscape Area and compliance with Policy CN3 of the Local Plan. However, given the submitted justification for the proposal, and the fact that the visual impact would be relatively localised, Officers recommend conditional approval.
28. The application has already been advertised in the press under the list of ‘major’ applications (including those which may be a departure from the development plan), and no further advertisement is therefore necessary. The proposal is not of a scale or type that would need referral to the Welsh Assembly Government under departure procedures.

RECOMMENDATION

- A) Minded to grant conditional planning permission
- B) To authorise the Development and Building Control Manager to determine the application under delegation

Gwasanaethau Rheolaethol / Regulatory Services

Cynllun Pwyllgor / Committee Plan

Rhif Cais / Application Number

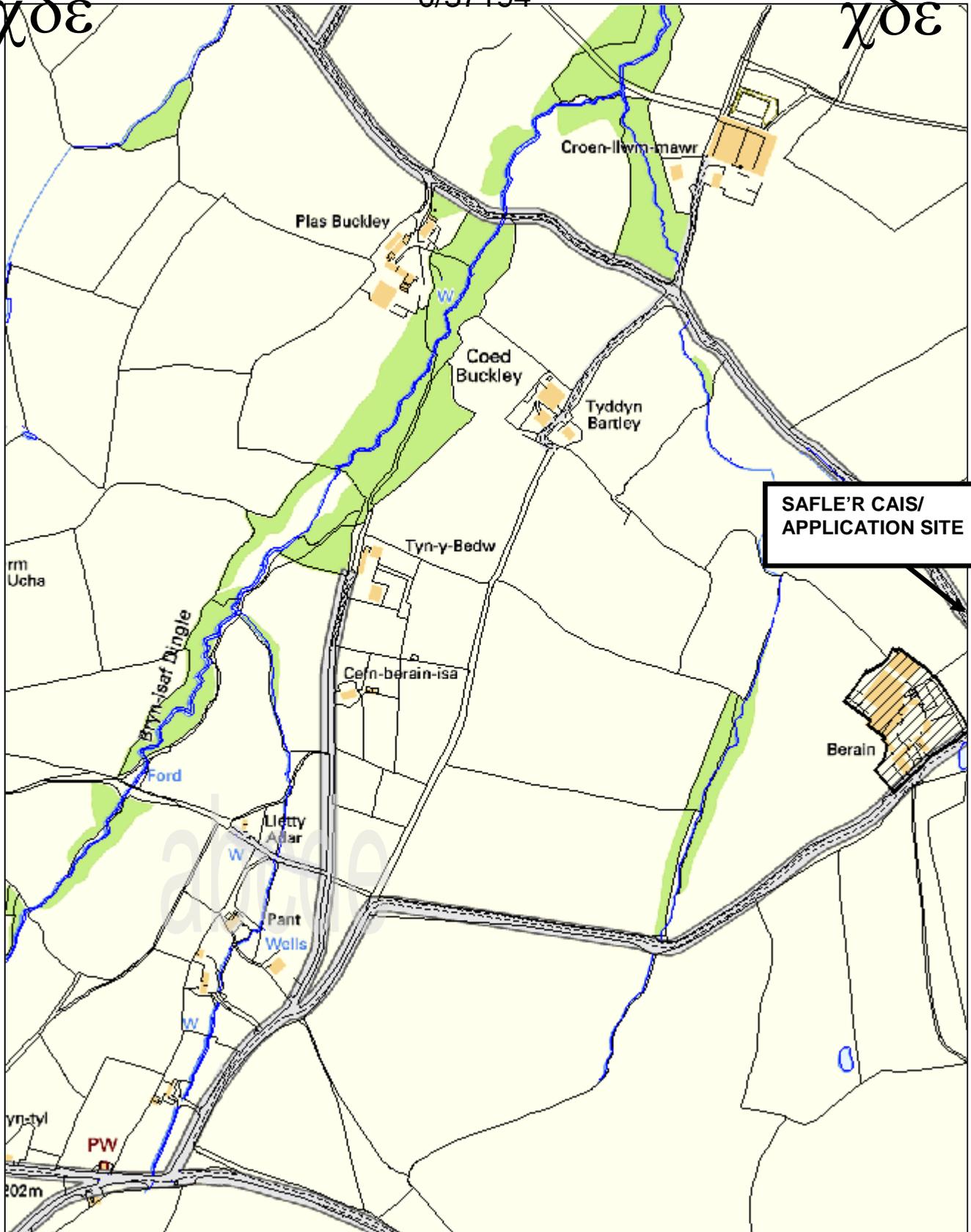
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Mr B Evans
Gelli
7 Llwyn Y Gibwst
Llansannan
Denbigh
Conwy
LL16 5HQ

Gofynnwch am / Please ask for: **Ceri Thomas**

 **01492575391**

 **01492 512637**

 **ceri.thomas@conwy.gov.uk**

Ein Cyf / Our Ref: **DC/0/37194**

Eich Cyf / Your Ref:

Dyddiad / Date: **19/10/2015**

Cais Rhif: 0/37194
Disgrifiad y Datblygiad: Adeiladu estyniad i'r sied wartheg gyda storfa biswail dan y llawr
Safle / Lleoliad: Berain, Cefn Berain, Llanefydd, Conwy, LL16 5PW

Application No.: 0/37194
Development Description: Erection of extension to existing cattle shed with under floor slurry store
Site / Location: Berain, Cefn Berain, Llanefydd, Conwy, LL16 5PW

Annwyl Mr B Evans

Dear Mr B Evans

Mae'r cais hwn wedi cael ei ystyried gan y Cyngor. Tynnir eich sylw at y penderfyniad ar y rhybudd ynghlun.

This application has now been considered by the Council. Your attention is drawn to the decision on the attached Notice.

RHYBYDD - GWYRO ODDI WRTH GYNLLUNIAU A GYMERADWYD

Tynnir sylw pob datblygwr at y ffaith na ddylid gwyro oddi wrth gynllun a gymeradwyd hyd nes y bydd y Cyngor wedi ystyried a phenderfynu ar unrhyw gynllun diwygiedig. Tynnir eich sylw at y ffaith y gallai unrhyw wro oddi wrth gynllun a gymeradwyd, heb gymeradwyaeth y Gyngor, arwain at ddechrau camau gorfodi gyda'r posibiliad o gosbau am ddifyg cydymffurfio yn unol ag Adran 172 (1) Deddf Cynllunio Gwlad a Thref 1990.

DALIER SYLW

Mae'r amgædig yn cyfeirio at y gymeradwyaeth i'ch cais cynllunio yn unig. Mae'n bosibl y bydd angen caniatâd o dan y Rheoliadau Adeiladu i'r gwaith hwn ac os nad ydych eisioes wedi cyflwyno Cais Rheoliadau Adeiladu, dylech wirio a oes angen hynny trwy gysylltu â'r Prif Swyddog Rheoli Adeiladu.

WARNING - DEVIATION FROM APPROVED PLANS

The attention of all developers is drawn to the fact that no deviation from an approved plan should take place until the Council has considered and decide upon any revised plan. Your attention is drawn to the fact if any deviation from an approved plan is carried out without the approval by the Council, this may lead to enforcement action being instituted with the possibility of penalties for non-compliance in accordance with Section 172(1) of the Town and Country Planning Act 1990.

ATTENTION

The enclosures refer to the approval of your planning application only. The work may require consent under Building Regulations and if you have not already submitted a Building regulations Application, you should check whether one is required by contacting the chief Building Control Officer.

Yn gywir / yours sincerely



P. A. Hardwick

Rheolwr Rheoli Datblygu/Adeiladu / Development/Building Control Manager

Cais Rhif / Application No. 0/37194**TOWN AND COUNTRY PLANNING ACT 1990****CERTIFICATE OF PLANNING PERMISSION****Disgrifiad y Datblygiad:**

Adeiladu estyniad i'r sied wartheg gyda storfa biswail dan y llawr

Development Description:

Erection of extension to existing cattle shed with under floor slurry store

Safle / Lleoliad:

Berain, Cefn Berain, Llanefydd, Conwy, LL16 5PW

Site / Location:

Berain, Cefn Berain, Llanefydd, Conwy, LL16 5PW

Derbyniad / Decision:

In pursuance of their powers under the above mentioned Act, their statutory powers as Local Planning Authority, and in accordance with the submitted application particulars and plans, Conwy County Borough Council hereby

PERMIT the above development, subject to the following conditions:

- 1 The development shall commence within five years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

- 2 Unless otherwise approved in writing by the local planning authority, the development shall be carried out in accordance with the amended plans and drawings received by the local planning authority on the 22nd September 2010.

REASON: For the avoidance of doubt as to which drawings have been approved.

- 3 Notwithstanding the indicative landscaping submitted with the application, the following landscaping scheme shall be carried out by the end of the first planting season following the substantial completion of the extension hereby permitted, or within two years of the commencement of the development, whichever is the sooner:

a) The planting of a hedgerow along the top of the embankment (between points A and B shown on the attached plan) in accordance with the details attached to this decision;

b) Four groups of five trees, planted at a height of 1.2 - 1.5m at spaces of 2 m - 3m apart, with each group comprising two from the following list of species:

Ash (*Fraxinus excelsior*)

Bird cherry (*Prunus padus*)

Field maple (*Acer campestre*)

Sessile oak (*Quercus petraea*)

c) Stock proof fencing to protect the hedgerow and embankment in accordance with details previously approved by the local planning authority in writing.

The trees, shrubs and stockproof fencing shall thereafter be retained. If any trees or shrubs die, or become seriously damaged or diseased, within five years from the date of planting, they shall be replaced by others of the same size and species by the following planting

Cais Rhif / Application No. 0/37194

season, unless the local planning authority approves any variation in writing.

REASON: In the interests of the visual amenity of the Special Landscape Area, in accordance with Policy CN3 of the Colwyn Borough Local Plan.

- 4 No works shall be carried out to install the wall and roof finishes until samples of the cladding and roofing materials have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out as so approved.

REASON: In the interests of the visual amenity of the Special Landscape Area, in accordance with Policy CN3 of the Colwyn Borough Local Plan.

- 5 Unless otherwise approved in writing by the local planning authority, the proposed extension shall only be used for:
- a) the accommodation of cattle, sheep, and such other large livestock as may be approved in writing by the local planning authority, and
 - b) the storage of fodder, machinery, equipment and materials that are reasonably necessary for the purposes of agriculture.

REASON: As the local planning authority has carried out a screening opinion and determined, on the basis of the information submitted with the application, that the proposal is not Environmental Impact Assessment development. In the event that the proposed extension is used other than as indicated in the application (such as intensive poultry farming), the local planning authority would need to undertake a further screening opinion, and give further consideration to the environmental impacts of the proposal.

- 6 The underfloor slurry pit shall be completed in accordance with the approved plans before the building is brought into use.

REASON: To ensure that suitable provision is made for waste management and to safeguard the water environment.

Informatives (if applicable):**Ymgeisydd / Applicant:**

Mr John Jones
Berain
Cefn Berain
Llanefydd
Conwy
LL16 5PW

Cais Rhif / Application No. 0/37194

Dyddiedig / Dated: 22 October 2010

Arwyddo / Signed:

P. A. Hardwick

Rheolwr Rheoli Datblygu/Adeiladu / Development/Building Control Manager