

**Application Ref: 08/434**

<b>Application Type</b>	Full
<b>Grid Ref:</b>	SN00993489
<b>Applicant</b>	Mr D James
<b>Agent</b>	Mr JR Evans
<b>Proposal</b>	Enlargement of existing hay barn, erection of cattle shed, yard and pigsties and formation of hedgebanks and provision of slurry tanks.
<b>Site Location</b>	Llethyr, Cwm Gwaun
<b>Case Officer</b>	Vicki Hirst

**Summary**

The current application seeks planning permission for the enlargement of the hay barn (permitted in 2003), a new cattle shed and collecting yard, the erection of pigsties and the formation of hedge banks and provision of slurry tanks. The application was registered in September 2008 and has been the subject of discussion since that time as set out below.

The key issues in considering this application are the principle of development, design, the impact of the development on the National Park landscape, amenity and other matters arising.

The principle of the development is considered to be acceptable and the submitted plans are considered to be acceptable in design terms, and with regard to their impact on the National Park landscape and amenities of the area, subject to a Section 106 agreement tying the land to the buildings and requiring outside storage areas to be identified.

However, the Section 106 was not forthcoming and a site visit in 2010 found that the development had commenced to a different design to that applied for. Whilst the changes to the existing hay barn and cattle shed are considered to be acceptable, the changes to the pig sties and the depositing of spoil are considered to be of an unacceptable design and have an adverse impact on the landscape character and visual amenities of the area. Despite numerous requests the full information required to resolve this matter has not been forthcoming. The recommendation is therefore for a further two months to be given for the necessary information to be provided and in the absence of this, that the application be refused.

**Consultee Response**

**Cwm Gwaun Community Council** – Strongly support this application. As the winter approaches in the Councillors opinion it is imperative that Mr James gets this planning. Stocks are in need of shelter and without shelter there will be many casualties. We must think of the animals' welfare.

If we have the same sort of winter as last year then I'm afraid there will be a severe environment impact.

**Dyfed Archaeological Trust** – No further action

**Environment Agency** – No objection

**Carmarthenshire County Council Estates** – Considers that there is a reasonable need for these buildings from the farm husbandry and stock welfare grounds. The sizes of the buildings are commensurate with what would be needed to accommodate the stocking levels that can be supported on the owned land and to accommodate machinery, feedstuffs, etc.

It is recommended that a Section 106 agreement be entered into to tie the land to the buildings to avoid fragmentation. Following advice being sought to clarify the change in comments from those given in 2007, it has been stated that the change in advice is based on the reliance of non wrapped feedstuffs, the spatial demand analysis indicates that there is a reasonable requirement for this amount of accommodation on the holding and the stock welfare issues are supportive of the need for buildings.

### **Public Response**

The main issues raised are:

- This is an identical application to that previously refused and there is no change in circumstances or policy since that refusal to warrant a different decision.
- The proposal would have a long term and adverse effect on the special nature of the countryside in the Gwaun Valley.

### **Policies considered**

LDP Policy 01 - National Park purposes and duty  
LDP Policy 07 - Countryside  
LDP Policy 08 - Special Qualities  
LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park  
LDP Policy 29 - Sustainable Design  
LDP Policy 30 - Amenity  
PPW4 Chapter 04 - Planning for Sustainability  
PPW4 Chapter 05 - Conserving and Improving Natural Heritage and the Coast  
SPG03 - Sustainable Design  
SPG06 - Landscape Character Assessment Study, June 2009  
SPG08 - Validation of Planning Applications  
TAN 06 - Planning for Sustainable Rural Communities  
TAN 12 - Design

## **Officer's Appraisal**

### **Background**

Planning permission was granted in 2003 for the erection of an agricultural building at this site for animal housing and for the storage of agricultural machinery (NP/03/301).

A further application was submitted in 2006 for various agricultural related developments; namely an extension to an existing shed, the replacement of existing unauthorized pigsties with new ones, the erection of a new livestock building and collecting yard and the provision of underground slurry tanks. This application was reported to the Development Management committee on 18<sup>th</sup> July 2007 where it was recommended for refusal on the grounds that there was no agricultural justification for the proposals (following advice being sought from the Authority's Agricultural Adviser) and the development would be detrimental to the special landscape character of the National Park and was contrary to policies in the development plan that seek to protect the special qualities of the National Park from inappropriate and insensitive development. Members resolved to carry out a site visit but subsequently refused planning permission at the meeting on 17<sup>th</sup> September 2007 for the above reasons (NP/06/352).

Two enforcement notices were also served on the land on 5<sup>th</sup> July 2005 in relation to various structures including two caravans (one being used for residential purposes), a container unit, horsebox, a galvanized steel shed, a kennel, and pens for the housing of livestock.

### **Current Application**

The current application seeks planning permission for the enlargement of the hay barn (permitted in 2003), a new cattle shed and collecting yard, the erection of pigsties and the formation of hedge banks and provision of slurry tanks. The application was registered in September 2008 and has been the subject of discussion since that time as set out below.

The submitted plans proposed two lean-to extensions to the existing hay barn, one to the north east side and one to the south west side. These would be constructed of blockwork and metal cladding walls and a box profile metal roof to match the existing.

The new cattle shed will be constructed to the south east of the existing barn providing a collecting yard between the two buildings with the provision of the new pigsties to the south west of this yard. The new cattle shed will measure 15 metres by 6 metres with a height of five metres, and will be constructed with blockwork and timber clad walls with a box profile metal roof to match the existing building. The pigsties will be constructed against the existing hedge bank and be constructed of corrugated cement sheeting with a curved sheeted roof with a maximum height of 2 metres. Slurry tanks are to be provided behind the new cattle housing and new hedge banks will be provided to the north east of all of the buildings to provide a boundary between the fields and the agricultural buildings.

### **Officers Appraisal**

The key issues in considering this application are:

- *The principle of development*
- *Design*
- *The Impact of the development on the National Park landscape*
- *Amenity*
- *Other Matters Arising*

#### *The Principle of Development:*

The site is situated in open countryside where adopted development plan and national policies state that development will not be allowed unless, amongst other things, there is an agricultural justification for development. As set out in the consultations section above, the Authority's Agricultural Adviser supports the proposals and considers that the applicant's enterprise justifies the erection of the additional development proposed.

This view differs from that given to an identical proposal that was refused in 2006 and clarification was sought on the change in recommendation. The Agricultural Adviser states that his change in view is due to the change in practice with regard to the applicant's reliance on non wrapped feedstuffs, the fact that the spatial demand analysis of the applicant's owned land demonstrates a reasonable requirement for the accommodation proposed, and the stock welfare issues that require additional animal housing.

As such the principle of additional agricultural development on this site can be supported. Notwithstanding this view, the applicant does not have a large *owned* holding. In view of the delicate balance between the extent of land and how much stock this can support and thus how many buildings are required, it is considered that in this particular case a Section 106 agreement is required to ensure that no part of the land is severed from the buildings. This was also recommended by the Agricultural Adviser.

#### *Design:*

The application seeks permission for agricultural buildings that are modern in design and use a combination of blockwork, timber cladding and metal sheeting for external materials. The buildings are relatively modest in size and height and their design is reflective of numerous farm buildings within the National Park. The originally submitted drawings were therefore considered to be acceptable.

Regrettably, the Section 106 agreement required for this development (as explained above) was not forthcoming and it was found at a site inspection in 2010 that the applicant had begun to construct buildings on this site to different dimensions and appearance to those applied for. Whilst a number of the changes are relatively minor (i.e. slightly different dimensions to the lean to extensions to the existing building and the cattle shed), other works are significantly different. The main changes relate to the ground profiles that have been created which involved a large amount of excavation to the land

and the depositing of the resulting spoil on the field to the north east of the site of the buildings. Furthermore, the pig sties have been built forward of the hedge bank that they were proposed to be sited against and with a mono-pitch roof, higher than that proposed, of a different footprint and constructed of a number of different materials. It is your officer's view that whilst the changes to the existing shed and the cattle shed are acceptable in principle (and subject to the receipt of accurate drawings indicating the sheds as built) the design of the pig sties is unacceptable due to the ad hoc nature of the materials used, and the increased height which causes greater visual impact. Furthermore, the change in design calls into question the purpose for which this building is to be used.

In addition the spoil deposit is considered to be unacceptable and this is discussed below.

*The Impact of the development on the National Park landscape:*

Llethr Farm is situated on the northern slopes of the Gwaun Valley and the site is clearly visible from surrounding viewpoints being on a high level. In the absence of any agricultural justification for buildings on this site, the development represents an unwarranted intrusion in the landscape. However, in this instance there is an established agricultural development on the site (by virtue of the permission given in 2003) and where there is an essential need for further development for agricultural purposes, as in this case, a balance needs to be struck between the need for the development and its impact in the landscape. The latter therefore needs to be minimized as far as possible. The originally submitted drawings proposed cutting into the slope of the land to lower the height of the buildings and provide new hedge banks and retain those existing. This proposal, as submitted, could be supported with appropriate conditions regarding levels, landscaping and by ensuring that areas for storage/machinery etc were identified to ensure that spillage of these items into the fields does not occur. It was considered that the latter could be dealt with by a Section 106 agreement to identify these areas.

The works that took place during 2010 have not adhered to the submitted plans and the pig sties (referred to above) and the spoil deposit have had a detrimental impact on the landscape appearance. The spoil has resulted in a large and high bank of excavated material which appears totally at odds with the surrounding natural topography and landscape and due to its predominantly shale content is not re-vegetating in a natural manner. This work is considered to be wholly inappropriate in this location and has a negative and detrimental impact on the character of the National Park.

*Amenity:*

As set out above, it is your officer's view that the development that has taken place on the site does have a detrimental impact on the visual amenities of the area and is considered to be unacceptable. However, the development originally applied for was considered to be an acceptable form of development with regard to the visual amenities of the area subject to appropriate conditions/legal agreement.

The site is also situated adjacent to a residential property in separate ownership. The development that has taken place is some distance from this property, within an adjacent field. It is not considered that the development causes adverse harm to the residential amenities of this property sufficient to justify a refusal, but does cause a more general impact on the amenities of the area.

*Other Matters Arising:*

The original development that was applied for was considered to be acceptable, subject to the applicant entering into a Section 106 agreement restricting the disposal of any part of the applicant's land from the buildings, and identifying areas for storage of machinery and implements and excluding all other areas from this use. The applicant and his agent were advised of this in 2008 and requested to provide a draft Section 106 agreement to enable this matter to be concluded.

However in light of the development taking place in a different form from the submitted plans this matter has never been brought to a satisfactory conclusion. The deviation from the plans was brought to the attention of the applicant and his agent in 2010 and numerous meetings have been held and correspondence sent to try to resolve this matter. Plans have been received that illustrate the buildings as built and indicating some changes to the pig sties to address the design concerns. However, despite continuous assurances that new plans would be provided to address all of your officer's concerns (in particular with regard to the spoil), these have never been forthcoming with all the necessary information and changes to bring this matter to a satisfactory conclusion. The last meeting that was held was on 26<sup>th</sup> July 2011 and a written request was made for the following:

- Within two weeks of the meeting, sites for the disposal of the spoil to be identified. In the event that these would be on site, detailed scaled plans should be provided for the written approval by the NPA *prior to the work being carried out*.
- Further scaled drawings would be provided for the planning application indicating the existing and proposed situation in relation to the earth bund. A recognized datum point (agreed to be the top of the entrance gate post to Llethr) would be the benchmark for providing the levels throughout the site and cross sections would be provided.
- The Section 106 agreement would be progressed indicating areas within the site for all outside storage of machinery, implements etc. The Agreement would also tie the land to the buildings and restrict their severance from each other.
- Failure to adhere to the above within 2 months (ending 3<sup>rd</sup> October 2011) would result in the application being reported back to the DM committee with a likely recommendation of refusal.

No further information has been received to date but a further meeting has now been arranged with the applicant's solicitor which is to be held on the 1<sup>st</sup> November 2011. There is concern however that this matter has been

severely delayed and in the absence of the required information being provided and the Section 106 completed your officer's have no option but to recommend refusal. As such members are requested to refuse the application if after two months following this committee date satisfactory plans have not been received that provide sufficient information regarding the location of the disposal of the spoil and details of the existing and proposed levels for this disposal. This information should include measures to integrate any remaining bunding with the surrounding topography and provide full landscaping proposals. Furthermore, plans should be provided for the alterations to the pig pens to provide a design that has uniform materials, that is fit for purpose (i.e., is designed for use by pigs with an outside pen area), and completion of the Section 106 agreement to identify areas for outside storage and limit storage to these areas and to ensure that no part of the land is severed from the buildings or vice versa. It is also recommended that your officers agree a timescale with the applicant for carrying out the agreed works that can be the subject of a planning condition.

### **Recommendation**

That members endorse the following:

That the application be refused for the reasons set out below unless within two months of this committee date the following information is received:

1. Satisfactory plans that provide sufficient and acceptable information regarding the location of the disposal of the spoil and details of the existing and proposed levels for this disposal. This information should include measures to integrate any remaining bunding with the surrounding topography and provide full landscaping proposals.
2. Receipt of satisfactory plans for the alterations to the pig pens to provide a design that has uniform materials and that is fit for purpose (i.e., is designed for use by pigs with an outside pen area)
3. Completion of the Section 106 agreement to:
  - a. identify areas for outside storage and limit storage to these areas
  - b. ensure that no part of the land is severed from the buildings or vice versa.

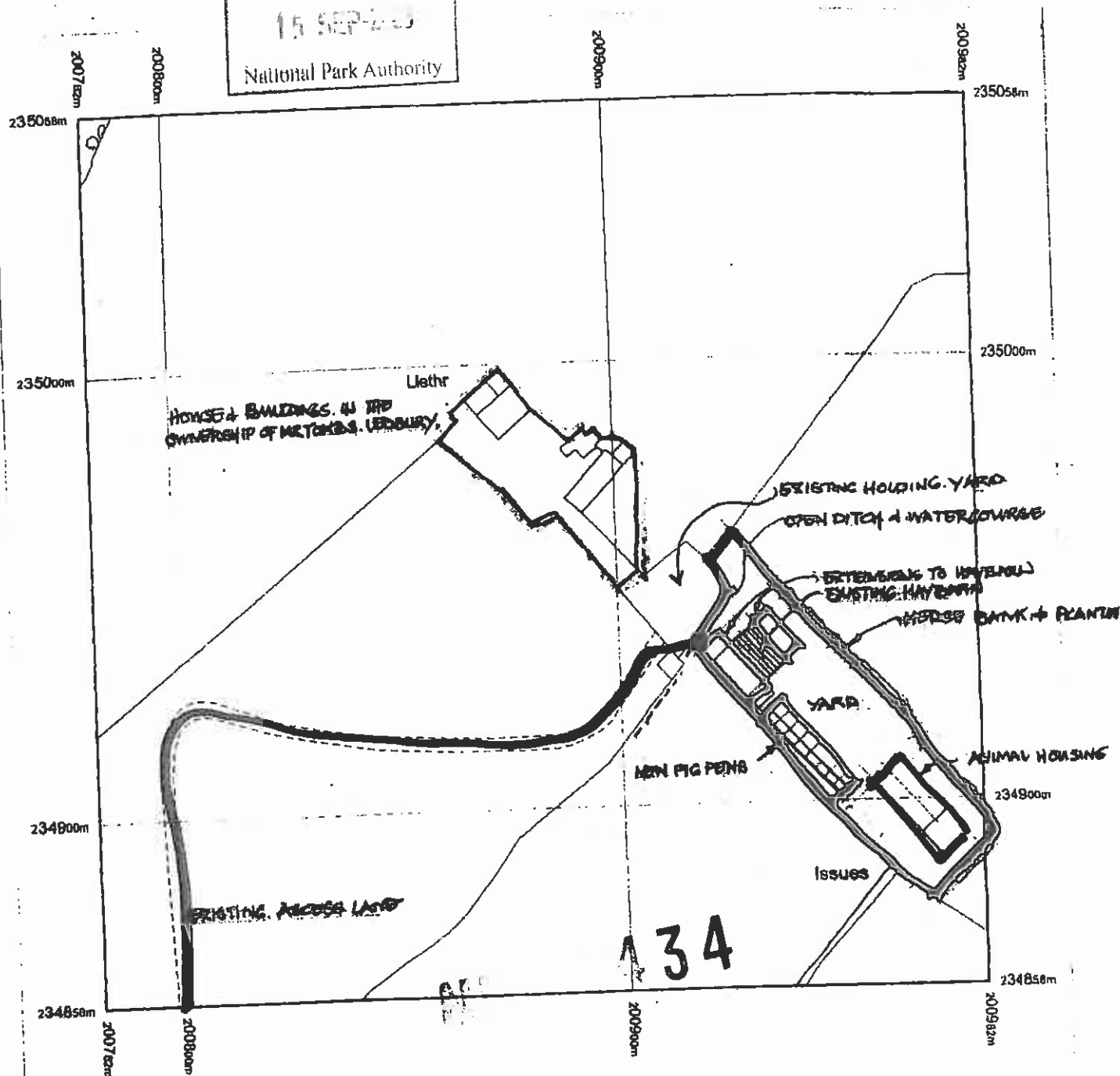
It is also recommended that your officers agree a timescale with the applicant for carrying out the agreed works that can be the subject of a planning condition.

Recommended reasons for refusal if items detailed above are not forthcoming within two months:

That the planning application provides insufficient and inaccurate information (including scaled drawings) to enable the Authority to properly assess and determine the application; and that (despite extensive discussion to that end) the applicant has failed to provide planning obligations under Section 106 of The Town and Country Planning Act 1990 which could overcome the legitimate planning concerns outlined in the above report.

15 SEP 2008

National Park Authority



Produced 11.09.2008 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. © Crown Copyright 2008.

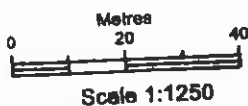
Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey.

Ordnance Survey, the OS Symbol and OS Sitemap are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain.

The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.

Part or all of this OS Sitemap is enlarged from mapping produced at one or more of the following scales: 1:1250, 1:2500, 1:10000.



Supplied by: Ceredigion CC  
Serial number: 01084200  
Centre coordinates: 200882 234958

Further information can be found on the OS Sitemap information leaflet or the Ordnance Survey web site:  
[www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)

LOCATION PLAN. AT. SEPT. 08  
EXTRACT FROM CURRENT OS.  
NEW BUILDINGS & EXISTING YARD @  
LLETHR. DR. MR. J. J. J. J.  
DRAWN BY: MR. J. J. J. J.  
SEPT. 08 SCALE: 1:1250

TO BE USED IN CONJUNCTION WITH LAYOUT  
BLOCK PLAN. 1:2500 & DETAIL.



08424

PARCEL 357.

NP

CURVED 'BIG G' CORRUGATED CEMENT SHEETS. NATURAL WOODING LICHEN & NATURAL WEATHERING. TO A DARK TONE TO OCCUR.

TREE PLANTING IN HEDGES OF EXISTING TREES @ THE SITE IS NATURAL SPECIES.

EXISTING STONE/BOWLDERS TO BE PLACED SO AS TO FORM SCREEN TO THE CORRUGATED SHEETING.

PARCEL 356

DIVIDING WALLS IN CONCRETE BLOCKWORK.

LAND DRAIN

WITH EXCAVATED MATERIAL FROM TRADITIONAL PENINSULAR HEDGES WITH PLANTING OF SPECIES ON SITE.

FORM TRACK IN LOCAL SUBSIDIARY MATERIAL. Laid on TERRAIN.

CROSS SECTION OF PIG STY.

Pembrokeshire Coast  
15 SEP 2003  
National Park Authority

NEW PIG STY. @  
LEATHER PONTFRAEN  
IN THE P. HALLS  
DOWN. JACKETED SW  
ABSTRACTION

CHANGING  
SCALE 1:100  
APRIL 06

EXISTING. PROPOSED METAL DECK.

IRON ROOF TO MATCH  
VERTICAL CURVATURE TO  
MATCH

FAIRFACE BLOCKWORK.

084 3 4

EXTENSION.

WENT TO ADDITION IN FRONT OF EXISTING BARN

EXTENSION.

OPEN SIDE

SOUTH WEST ELEVATION ~ PROPOSED

CHIMNEY.

EXTENSION.

EXISTING BARN.

EXTENSION.

Pembrokeshire Coast

15 SEP 2003

National Park Authority

ENLARGEMENT OF EXISTING. BARN  
© CLETHR PONTFREN CONSTRUCTION  
BY MR D JAMES. SCALE 1/16  
DRAWN J. BUSHNAGT EVANS. AREA 1614  
ABSTRACTION APRIL 04

SOUTH EAST ELEVATION ~ PROPOSED.

08434 A  
MP

EXISTING. HOLDING. YARD.  
+ EXISTING. RACE

EXISTING. GATE  
6.0m

NEW WORN TO

12.0

EXISTING. WAY BORN

NEW WORN TO

ACCESS. TO FIELD.

NEW. HORSE BANK. FROM EXCAVATED  
MATERIAL. GRASSED + TREE PLANTED  
BATOR + GRASS.

OPEN. YARD

NEW. CATTLE. HOLDING.  
15.0.14

YARD

OPEN YARDS.

8 No. DIC. PENS

SHEDS. TANKS.  
FOR. ANIMAL. HOLDING  
LOCATED HERE

ACCESS TO FIELD

STORAGE YARD FOR SILAGE BALES.

EXISTING. HORSE BANK. AS. PERMANENT. GROUND  
ADDITIONAL PLANTING AS. MAY BE NECESSARY  
WITH LOCAL SPECIES.

Wiltshire County

15 SEP 2003

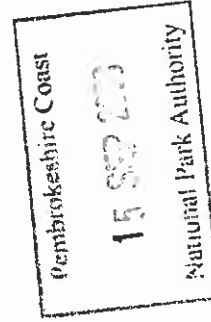
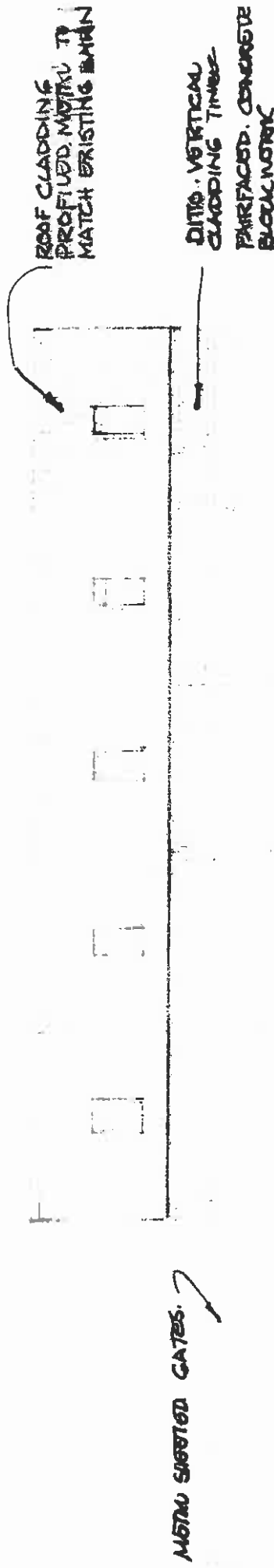
Local Park Authority

REVISED PROPOSAL.

EXTENSION + NEW FARM BUILDINGS  
ON. CATTLE. PENHOLDEN CHANGING  
M. D. HORSES. ETC. SCALE 1:100  
DRAWN. J. HARRIS. 15.09.03  
APPROV. 06.

084 3 4

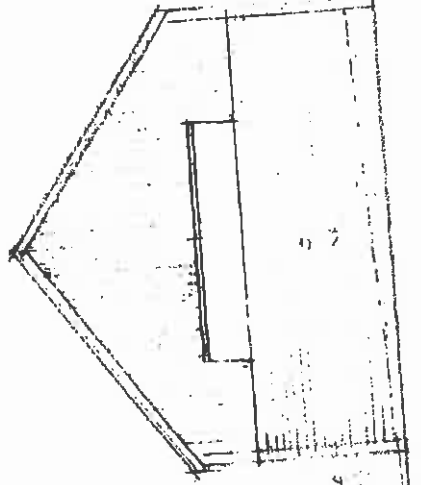
NP



NORTH EAST ELEVATION  
and  
DITTO SOUTH WEST ELEVATION.  
SAVE. BUSTAK WALL IN USE OF GATES

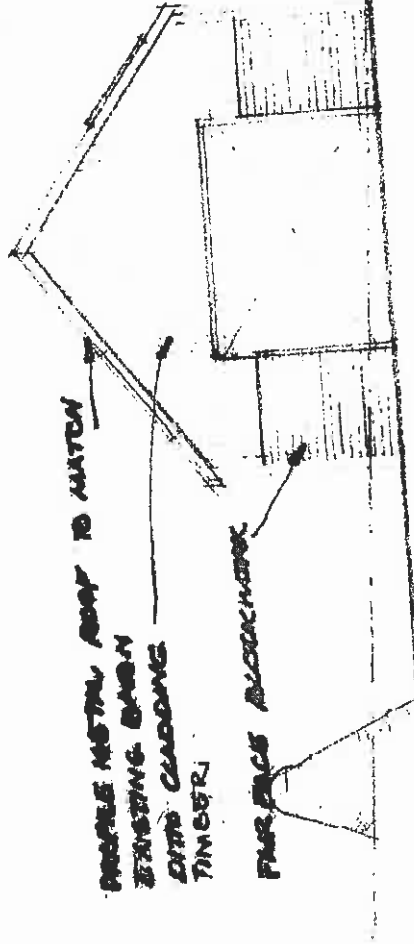
NEW ANIMAL HOUSING + YARD  
© CLETHR PONTFRAEN  
P. MUR D. JONES

SCALE 1:100



NORTH WEST ELEVATION

NP 084 34



SOUTH EAST ELEVATION - PROPOSED

Pembrokeshire Coast  
15 SEP 2003  
National Park Authority

NEW ANIMAL HOUSING + YARD  
OCEANIC PONTYFRAEN CHURCHMAN  
SCAR 110  
Dr. Mrs. D. JAMES  
Down Jenkins's Barn Area