

## Dirprwyedig / Delegated

|  |   |
|--|---|
| <b>Rhif y Cais / Application Reference</b> | A200231   |
| <b>Derbyniwyd / Received</b>               | 19-03-2020  |
| <b>Y Bwriad / Proposal</b>                 | The proposal is for a temporary dwelling of 12m x 6m (static caravan)   |
| <b>Lleoliad Safle / Site Location</b>      | Land Adjacent To Gelli Gwenyn, Silian, Lampeter, SA48 8BN   |
| <b>Math o Gais / Application Type</b>      | Full Planning   |
| <b>Ymgeisydd / Applicant</b>               | Miss L Jones, Land Adjacent To Gelli Gwenyn, Silian, Lampeter, SA48 8BN   |
| <b>Asiant / Agent</b>                      | Mr Graham Leaver (EGIS Consultancy Ltd), Egis Consultancy Ltd, Lowendel Cliffords Mesne, Newent, Gloucester, GL19 3AG |

## Y SAFLE A HANES PERTHNASOL / THE SITE AND RELEVANT PLANNING HISTORY

The application site is positioned within the open countryside in the rural ward of Llanybi to the East of the small settlement of Creuddyn Bridge. The application site is positioned adjacent to an existing agricultural building and sheep handling area and the wider block of land totals approximately 100 acres. The site is accessed via a private track leading to a minor council maintained highway. Part of the track is a bridle path.

Extensive relevant planning history exists on site as follows;

A110258 - Outline Planning Permission - All/Some Matters Reserved - Erection of a dwelling for an agricultural worker - Refused

A120222 - Outline Planning Permission - All/Some Matters Reserved - Agricultural dwelling with garage - Refused

A120851 - Outline Planning Permission - All/Some Matters Reserved - Erection of a dwelling for an agricultural worker - re submission of A120222 - Refused at appeal (APP/D6820/A/18/3202570)

The planning history outlined above sought permission for the erection of a rural enterprise dwelling on site. The earlier application sought to justify the dwelling on both agricultural and non agricultural income to an existing business. The final refusal was appealed and the inspector concluded that a permanent dwelling could not be supported on site. The inspector concluded that there is not an essential need for a second dwelling to accommodate a full-time worker on the enterprise.

## MANYLION Y DATBLYGIAD / DETAILS OF DEVELOPMENT

Full planning permission is sought for the temporary siting of a dwelling being a static caravan measuring 12 meters by 6 meters. The proposed caravan is to be positioned in close proximity to the existing farm building on site. As part of the application the following supporting information has been submitted;

- Planning appraisal,
- Business budget 5 years
- Plan of properties for sale in the area
- Plan of properties for rent in the area

The supported documents have been completed by Graham Leaver of Egis Consultancy Ltd who specialize in such work.

The application outlines that the parcel of land known as Gelli Gwenyn is currently farmed as part of a larger farm unit at Moelfre where the main dwelling is located. The farm is currently owned by the applicants mother Jean Jones who farms the land at both Moelfre and Gelli Gwennyn whom the applicant Lowri works for. The total area currently farmed is 303 acres of which only 100 acres is at Gelli Gwenyn. The submission gives an indication of existing stocking numbers and farming practices being organic beef and sheep farming.

The intention is that Lowri is to establish her own farm business as Gelli Gwenyn separate from the main enterprise at

Moelfre. It is outlined in order to establish a separate enterprise at Gelli Gwennyn that a separate dwelling on the holding would be required. It is outlined that there would be 2 main enterprises on the holding which would continue to be farmed organically, being beef and sheep. Details of both elements are included in the planning appraisal submitted.

## **POLISIAU A CHANLLAWIAU CYNLLUNIO PERTHNASOL / RELEVANT PLANNING POLICIES AND GUIDANCE**

Mae'r polisiau canlynol o'r Cynllun Datblygu Lleol yn berthnasol wrth benderfynu'r cais hwn: / These Local Development Plan policies are applicable in the determination of this application:

- DM06 High Quality Design and Placemaking
- DM10 Design and Landscaping
- DM13 Sustainable Drainage Systems
- DM14 Nature Conservation and Ecological Connectivity
- DM15 Local Biodiversity Conservation
- S04 Development in Linked Settlements and Other Locations
- S05 Affordable Housing
- PPW Planning Policy Wales (edition 10, December 2018)
- TAN18 Transport (2007)
- TAN6 Planning for Sustainable Rural Communities (2010)

## **YSTYRIAETHAU PERTHNASOL ERAILL / OTHER MATERIAL CONSIDERATIONS**

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.

## **YMATEBION YMGYNGHORI / CONSULTATION RESPONSES**

Highways - No objection subject to conditions

Land Drainage - No objection

Ecology - No response

Dwr Cymru Welsh Water - No objection

Community council - No final response but raise concerns

## **CASGLIAD / 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**

Both local and national planning policy seeks to strictly control residential development in the open countryside. Planning policy S04 of the LDP relates to development in linked settlement and other locations seeks to strictly control residential development in the open countryside. The relevant part of the policy states:

2. In the case of housing development:

a. General housing provision will only be permitted in the 'Linked Settlements'. All 'Other Locations' are inappropriate for housing development unless justified on the basis that it meets a demonstrated:

i. unmet affordable housing need in the locality and accords with Policy S05; or

ii. need for a rural enterprise dwelling in line with TAN 6.

This application seeks permission for a temporary residential unit in line with TAN6 policies. The proposal is for a new enterprise on a new dwelling in line with section 4.6 of TAN6. The policy outlines that a new dwelling must be essential to support the new rural enterprise and the following criteria which must be met;

a. clear evidence of a firm intention and ability to develop the rural enterprise concerned (significant investment in new buildings and equipment is often a good indication of intentions);

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 available;

- 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; and
- f. other normal planning requirements, for example siting and access, are satisfied.

## **The above criterion are discussed individual as follows;**

a. Evidence has been supplied demonstrating the applicants intention to invest over £70,000 on site. The breakdown of the figure is £25,000 for the temporary dwelling and connection to the electricity supply, £2,500 for the poly tunnel, £12,000 for the ewes and rams and £30,000 for the calves and working capital. This does show an intention to develop a enterprise on site, which is backed up by a detailed plan and financial projections. However the amount to be spent specifically on the unit is quit low, at only £2,500 for an additional polytunnel. I broadly conclude that the application does meet the basic requirements of criterion a, but there is an element of doubt of whether the rural enterprise described to be developed can be delivered on site. I will further outline my reasoning for this doubt in subsequent paragraphs.

b. The applicant outlines in the application that this is an opportunity to allow succession in the current business. The proposal entails the applicant receiving the relevant Single Farm Payment entitlements for the land to help the business establish.

The need for a dwelling on site will depend on the activities proposed to be carried out on site. A temporary planning permission will be an opportunity for the applicant to implement the proposal for the business and to prove through the submission of accounts and other relevant information during any future application for a permanent dwelling.

c. The planning statement and 5 year projections have been completed by a suitably qualified and competent person and as such it would be considered reasonable to accept the figures. However, in considering the figures submitted and visiting site and walking some of the land, I do have some concern as to whether the block of 100 acres proposed to be farmed by the applicant can sustain the stocking proposed on an organic farming system. It was evident during the site visit that the level of stocking on site seemed comparatively low to the stocking rate proposed, however there was very little grass forage on site. I do acknowledge that this may be because of the dry weather conditions being experienced in the area at the time, however it does raise some doubt. Furthermore in considering some of the costs inputted into the financial appraisal I do wonder are they unrealistically low, with they little money set aside for key farm machinery. Furthermore funds for straw and feed for the sheep enterprise also seems very low, considering the land is considered as Less Favorable Area (LFA) and pretty exposed ti inclement winter weather conditions. However I am not in a strong position to question these assumptions and therefore may give the figures a cautious approval, which can be proven during the temporary period.

d. Calculations have been supplied within the application to show that there would be a labor requirement on site of 1.22, basically one full time with occasional part time help. These figures have been checked against the John Nix Pocketbook for Farm Management 2020 and seem correct. This meets the policy requirements outlined within TAN6. However if less stock is kept on site in line with the concerns I raise above regarding the ability of the site to keep the proposed numbers of livestock, then this figure may be reduced. For the benefit of justifying a temporary permission to prove the business, I deem the proposal meets criterion d.

e. Details have also been submitted to demonstrate that there are no suitable properties available to rent or buy near by to the site, which the authority holds no evidence to prove contrary to this. It could be argued why the business could not continue to be run from the main holding at Moelfre, but it is acknowledged that the additional cost and work of traveling back and forward may make the proposal unviable. Furthermore it is outlined that the farmer would need to be on hand all year round to run the business and be available for calving, lambing and tending to the needs of the animals outside normal working hours which is accepted on the information provided.

f. The proposed siting is deemed acceptable in line with DM06 of the LDP.

### **Concluding remarks regarding TAN 6 tests**

I deem the criteria outlined in TAN 6 paragraph 4.6 for new dwellings on new enterprises is broadly met albeit some doubt regarding some of the assumptions outlined in the submission. It is deemed that the case for a permanent dwelling is not proven, and in this case it is deemed that a temporary permission for a caravan is deemed mor appropriate in line with TAN6 policies as has been applied for by the applicant.

### Other considerations

Following consultation with the highways department and the submission of additional access information, the proposed access provision is deemed acceptable subject to conditions in line with DM06 of the LDP.

No specific landscaping is sought during this temporary permission, due to the temporary nature of the application. However any subsequent application would require landscaping as part of any proposal.

The application site is current grazed pasture and no ecological interest are impacted due to the application and therefore the proposal complies with policy DM14 and DM15 of the LDP.

The proposed development does not propose any new hard surfaces and therefore the proposal is deemed acceptable in drainage terms.

### **ARGYMHELLIAD / RECOMMENDATION:**

Approve subject to conditions

Rhydian Williams DMO

29/07/2020.