

Planning, Taxi Licensing and Rights of Way Committee Report

Application No: AGRI/2018/0024 **Grid Ref:** 315527.3 246484.71

Community Council: Painscastle **Valid Date:** 17/05/2018 **Officer:** Thomas Goodman

Applicant: Powys County Council

Location: Fronhowey, Painscastle, Builth Wells, LD2 3JJ

Proposal: AGRI: Application for prior notification of proposed agricultural building

Application Type: Application for prior Notification of Agricultural or Forestry development

The reason for Committee determination

Powys County Council is the applicant.

Site Location and Description

The proposed development is located within the open countryside as defined by the Powys Local Development Plan (2018). To the north and west of the application site is agricultural land and to the south and east are existing agricultural buildings.

Under class A (2) of part 6 of The Town and Country Planning (General Permitted Development) Order 1995, developers are required to submit a prior notification for various agricultural developments to enable the planning authority to determine whether the prior approval of the planning authority will be required for the siting, design and external appearance of the building. In addition, the planning authority is required to determine whether the proposal would not be permitted development and as such would require full planning permission.

This prior notification is sought for the erection of an agricultural building for the storage of farm implements and fodder. The building will measure approximately 18.3 metres in length by 12.2 metres in width, 6.4 metres to the ridge and 4.27 metres to the eaves. The building will be constructed in profiled steel cladding in juniper green.

Planning History

None as per GIS

Principal Planning Constraints

Open Countryside

Principal Planning Policies

National Policies

The Town and Country Planning (General Permitted Development) Order 1995 – Schedule 2, Part 6 Agricultural Buildings and Operations.

Planning Policy Wales (9th Edition, 2016)

Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009)

Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities (2010)

Technical Advice Note (TAN) 12: Design (2016)

Technical Advice Note (TAN) 18: Transport (2007)

Technical Advice Note (TAN) 23: Economic Development (2014)

Technical Advice Note (TAN) 24: The Historic Environment (2017)

Local Policies

Powys Local Development Plan (2018)

SP7 – Safeguarding of Strategic Resources and Assets

DM2 – The Natural Environment

DM4 – Landscape

DM13 – Design and Resources

E6 – Farm Diversification

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note
UDP=Powys Unitary Development Plan, MIPPS=Ministerial Interim Planning Policy Statement

Other Legislative Considerations

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Officer Appraisal

Section 38 (6) of the Planning and Compulsory Purchase Act 2004

Members are advised to consider this application in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires 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 made in accordance with the plan unless material considerations indicate otherwise.

Principle of Development

Schedule 2 Part 6 of the Town and Country Planning (General Permitted Development) Order 1995 allows works for the erection of an agricultural building for when that proposed building is to be used for agricultural purposes and the agricultural land unit is 5 hectares or more. This proposal falls under the permitted development rights of the agricultural holding and this prior notification notice informs the Local Planning Authority of the applicant's intentions.

The design of the proposal is considered suitable and the scale and height of the buildings are not overbearing on the nearest neighbouring dwelling (Lundy Cottage) which is approximately 276 metres to the east of the proposed development and screened by existing agricultural buildings. Materials to be used in the construction of the building are typical and practical for farming operations and complement existing agricultural buildings in the near vicinity.

The proposed agricultural shed covers a total floor space area less than 465 square metres (approximately 223.26sq. metres), it is not within close distance of an aerodrome and it is not within 25 metres (approximately 108 metres from a 'B' class road) of the metalled part of a trunk road or classified road.

For the above reasons it is considered that the proposed development will not have an adverse impact on the character and appearance of the area by reason of its siting or appearance.

RECOMMENDATION

It is recommended that prior approval of the proposed extension to the agricultural building will not be required.

The building must be carried out in accordance with the notification submitted to Powys County Council within five years of the 17/05/2018.

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