

Planning, Taxi Licensing and Rights of Way Committee Report

Application Number: 19/0947/AGR

Grid Ref: E: 320156
N: 331945

Community Council: Llansilin Community

Valid Date: 07.06.2019

Applicant: Mr Aled Davies

Location: Glanogeu, Rhiwlas, Oswestry, Powys, SY10 7JJ

Proposal: Application for prior notification of agricultural development - proposed storage building

Application Type: Agricultural Notification

The reason for Committee determination

The applicant is a Councillor of Powys County Council.

Planning History

App Ref	Description	Decision	Date
19/0403/HH	Erection of orangery to front elevation together with side extension forming a utility and annexe.	Approve	2nd May 2019

Principal Planning Constraints

None

Principal Planning Policies

Town and Country Planning (General Permitted Development) Order 1995 Part 6 (GPDO)

Technical Advice Note 6 – Planning for Sustainable Rural Communities

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

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 a general purpose agricultural building. The proposed building will measure approximately 18.4 metres in length by approximately 6 metres in width and will reach a height to the ridge of approximately 4.4 metres.

The application site is bound by agricultural land to the north, east, and west. To the south lies the applicant's residential curtilage.

Principle of Development

Schedule 2 Part 6 of the Town and Country Planning (General Permitted Development) Order 1995 allows works for the erection, extension or alteration of an agricultural building; or any excavation or engineering operations required for agricultural purposes where the agricultural land unit is 5 hectares or more. Provided all the GPDO requirements are met, the principle of whether the development should be permitted is not for consideration. Only in cases where the authority considers that a specific proposal is likely to have a significant impact on its surroundings would it be necessary for the authority to require the formal submission of details for approval.

The proposed agricultural building covers a total floor space area less than 465 square metres (approximately 110.4 sq metres), it is not within close distance of an aerodrome and it is not within 25 metres of the metalled part of a trunk road or classified road (approximately 40.5 metres from a classified road).

The design of the proposal is suitable for agricultural storage and the scale and height of the building is not considered to be overbearing. The proposed building is considered to be incidental to the running of the agricultural holding at Glanogeu. The proposed building will be used for the storage of agricultural machinery and will not be used for the housing of livestock or slurry.

On this basis of the above information, it is considered that the proposed building benefits from the permitted development rights afforded by Part 6 Schedule 2 of the General Permitted Development Order 1995 for Agricultural Buildings and Operations Class A and does not require planning permission. In addition, based on the circumstances of the case, prior approval is not considered necessary.

RECOMMENDATION

Officers consider that the proposed development constitutes permitted development and therefore full planning permission is not required and neither is prior approval of the details of the scheme. The recommendation is therefore one of approval.

Case Officer: Sara Robinson, Planning Officer
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