

Delegated Decision Report

Application No:	25/0995	Statutory Period Expires:	24th December 2025
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Site:	<i>Pencoed Castle Farm Pencoed Lane Llanmartin Newport NP18 2ED</i>		
Proposal:	<i>PRIOR NOTIFICATION FOR PROPOSED NEW MACHINERY AND HAY BARN</i>		
Applicant:	<i>R. Evans</i>		
Type:	Agricultural Determination	Ward:	Bishton & Langstone
Decision:	PRIOR APPROVAL IS REQUIRED & REFUSED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

- 2.1 The supporting information with the application confirms that Pencoed Castle Farm extends to approximately 60 acres and that the applicant manages a flock of around 250 ewes, kept onsite over the winter period with associated lambing operations. The holding also produces approximately 2,000 small bales of hay annually, which are used as feed and bedding throughout the year and require weather-protected storage.
- 2.2 The building would be sited parallel with a tree line and watercourse to the west and is shown to be a minimum of 10m away from the tree canopy.
- 2.3 The surrounding context is predominantly agricultural land with the village of Llandevaud located approximately 700m to the north and Llanmartin approximately 800m to the west.

3. DESCRIPTION OF DEVELOPMENT

- 3.1 The building would be located on a parcel of land forming part of the agricultural holding and would measure 24.224m long x 12.192m wide and 6.1m in height with a pitched roof. The building would be steel framed with two open fronted bays for hay storage and 2 enclosed bays fitted with roller shutter doors for secure storage of machinery.
- 3.2 The applicant states the proposed building is required to:
- Provide weatherproof, secure storage for essential farm machinery, prolonging its lifespan and ensuring safe operation.
 - Provide open-fronted, dry storage for hay, reducing spoilage and supporting livestock feeding requirements throughout winter.
 - Fill the gap left by the traditional stone buildings, which cannot meet modern agricultural functional needs.
- 3.3 The applicant has also provided details of proposed biodiversity enhancements and surface water drainage and it is stated that a SAB application will be made in due course.

4. RELEVANT SITE HISTORY

None.

5. CONSULTATION RESPONSES

- 5.1 Natural Resources Wales: We have reviewed the planning consultation. From the information provided we consider the proposed development does not affect a matter listed on our Consultation Topics: [Natural Resources Wales / When to consult Natural Resources Wales about a planning application](#). We therefore do not have any comment to make on the proposed development.

Please note, our decision not to comment does not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

The developer should be advised that due to the proximity of the site to a watercourse, works at the site must be carried out in accordance with Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the [NetRegs website](#).

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents relevant to their development.

5.2 Local Highways Authority:

Highway recommendation: No objection.

Highway Comments: No highway impacts anticipated.

5.3 Principal Heritage officer: As identified within the supplied Heritage Statement, though the proposed agricultural building will be approximately 230m NW of Pencoed Castle, there are numerous heritage assets in close proximity to the site:

Pencoed Castle

- Scheduled Monument (Cadw ref: MM274)
- Listed Building, Grade II* (Cadw ref: 2904)

Pencoed Castle Gatehouse

- Listed Building, Grade II* (Cadw ref: 17076)

Farmhouse at Pencoed Castle

- Listed Building, Grade II (Cadw ref: 3089)

Long Barn at Pencoed Castle

- Listed Building, Grade II (Cadw ref: 3090)

Dovecote at Pencoed Castle

- Listed Building, Grade II (Cadw ref: 3091)

Registered Historic Park & Garden

- Grade II (Cadw ref: PGW(Gt)3(NPT))

Moated Site (250m SW of Pencoed Castle)

- Scheduled Monument (Cadw ref: MM201)

The accompanying demonstrates that the rural setting of these assets makes a positive contribution toward their to significance, and that the proposed development will result in visual impact from certain viewpoints due to visibility through gaps in hedges, in particular looking NW to the development site from in front of the GII* listed Gatehouse and associated scheduled monument.

According to the Development Management Manual - Revision 3 - May 2025:

3.4.2 Where prior approval may be required, before commencing such a development, the developer must apply to the LPA for a determination as to whether prior approval of the authority will be required, known as prior notification. The detail that must accompany the application is prescribed within each relevant class of the GPDO. Only in cases where the authority considers that a specific proposal is likely to have a significant impact on its surroundings would the Welsh Government consider it necessary for the authority to require the formal submission of details for approval.

3.4.3 When considering a prior approval application, the LPA can only consider specific issues, such as the siting, design and external appearance of a proposed new agricultural or forestry building and its relationship to its surroundings.

3.4.4 LPAs should always have full regard to the operational needs of the agricultural, forestry and telecommunications industries, the need to avoid imposing any unnecessary or excessively costly requirements, and the normal considerations of reasonableness. They will also need to consider the effect of development on public amenity, the conservation of landscape, habitat, wildlife, historic sites and listed buildings and their settings. Irrespective of whether they follow the prior approval procedure, developers intending to exercise their permitted development rights should also take these considerations into account.

With regards to express permission, there is a duty to consult Welsh ministers upon:

- *Development which has a direct physical impact on a scheduled monument.*
- *Development likely to be visible from a scheduled monument and which meets one of the following criteria:*
 - *it is within a distance of 0.5 kilometres from any point of the perimeter of a scheduled monument;*
 - *it is within a distance of 1 kilometre from the perimeter of a scheduled monument and is 15 metres or more in height, or has an area of 0.2 hectares or more;*
 - *it is within a distance of 2 kilometres from the perimeter of a scheduled monument and is 50 metres or more in height, or has an area of 0.5 hectares or more;*
 - *it is within a distance of 3 kilometres from the perimeter of a scheduled monument and is 75 metres or more in height, or has an area of 1 hectare or more; or*
 - *it is within a distance of 5 kilometres from the perimeter of a scheduled monument and is 100 metres or more in height, or has an area of 1 hectare or more.*
- *Development likely to affect the site of a registered historic park or garden or its setting;*
- *Development within a registered historic landscape that requires an Environmental Impact Assessment; or*
- *Development likely to have an impact on the outstanding universal value of a World Heritage Site*

Upon that basis, I would say that the proposed is likely to have a significant impact on its surroundings and that a formal submission of details for assessment and approval by all relevant statutory bodies is required.

5.4 Senior Scientific officer: No response.

5.5 Ecology officer: The red line boundary appears to show development in conflict with a watercourse and the line of trees associated with it. This would normally lead to a requirement for an ecological impact assessment of this feature. However the plan on the left shows the barn offset by 10m from the watercourse and trees. In the latter case, I would have no objection. The field where the barn is to be situated is used for agricultural production so is unlikely to be of ecological value, and I do not foresee any other likely significant ecological impacts arising from the scenario on the right, above.

5.6 Drainage Manager: Having reviewed the information, a SAB application will likely be required due to the scale of the works. Further information can be found in the following link.

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.newport.gov.uk%2Fen%2FPlanning-Housing%2FPlanning%2FSustainable-drainage-systems.aspx&data=05%7C02%7CVicky.Quinn%40newport.gov.uk%7C53e0837870db4e24954208de30c55de5%7C2c4d0079c52c4bb3b3cad8eaf1b6b7d5%7C0%7C0%7C639001821909795734%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIlwLjAuMDAwMCIsIlAiOiJXaW4zMlslkFOljoitWFlpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=GRsKpbDkoUsEZIGOOoXATMaebMgVm8VE9ffp5Gr8KKkc%3D&reserved=0>

We would encourage the applicant to engage with us at the earliest opportunity to ensure that the planning application and sab application can be reviewed in conjunction to ensure the design satisfies SAB and planning standards.

5.7 Heneb: No response.

5.8 Cadw: No response.

6. ASSESSMENT

6.1 The erection of buildings for agricultural purposes can be permitted development under Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), subject to the scheme being in accordance with the conditions of that part, and applying to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required for the development.

6.2 Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) states within Section A.2 (2)(D)(I) that the determination of the Local Planning Authority shall be sought as to whether prior approval will be required for the siting, design and external appearance of the building. One of the primary requirements of the Order is that any development be “reasonably necessary for the purposes of agriculture”. In this instance the application is supported by a plan showing the extent of Pencoed Farm which is some 60 acres and that the applicant manages around 250 ewes. The Local Planning Authority is satisfied that the proposed development meets this requirement in that it is reasonably necessary or satisfied the requirements of paragraph D1 of Part 6 of Schedule 2 of the GDPO.

6.3 Part 6 of the GDPO has two parts; Class A, which relates to agricultural units of 5 hectares or more and Class B, which relates to agricultural units of less than 5 hectares, but not less than 0.4 hectares. The application form states that the agricultural unit in this case is only 60 acres square which is over 24 Hectares and therefore meets the requirements of Classes A.

6.4 Class A
Development on units of 5 hectares or more
Permitted development

A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—

(a)works for the erection, extension or alteration of a building; or

(b)any excavation or engineering operations,

which are reasonably necessary for the purposes of agriculture within that unit.

6.5 **Development not permitted**

A.1 Development is not permitted by Class A if—

(a)the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;

(b)it would consist of, or include, the erection, extension or alteration of a dwelling;

(c)it would involve the provision of a building, structure or works not designed for agricultural purposes;

(d)the ground area which would be covered by—

(i)any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or

(ii)any building erected or extended or altered by virtue of Class A, would exceed 465 square metres, calculated as described in paragraph D.2 below;

(e)the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

(f)the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

(g)any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

(h)it would consist of, or include, the erection or construction of, or the carrying out of any

works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building; or
(i) it would involve excavations or engineering operations on or over article 1(6) land which are connected with fish farming.

Conditions

A.2(1) Development is permitted by Class A subject to the following conditions—

(a) where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development shall not be used for the accommodation of livestock except in the circumstances described in paragraph D.3 below or for the storage of slurry or sewage sludge;

(b) where the development involves—

(i) the extraction of any mineral from the land (including removal from any disused railway embankment); or

(ii) the removal of any mineral from a mineral-working deposit,
the mineral shall not be moved off the unit;

(c) waste materials shall not be brought on to the land from elsewhere for deposit except for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought shall be incorporated forthwith into the building or works in question.

(2) Subject to paragraph (3), development consisting of—

(a) the erection, extension or alteration of a building;

(b) the formation or alteration of a private way;

(c) the carrying out of excavations or the deposit of waste material (where the relevant area, as defined in paragraph D.4 below, exceeds 0.5 hectare); or

(d) the placing or assembly of a tank in any waters,

is permitted by Class A subject to the following conditions—

(i) the developer shall, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required to the siting, design and external appearance of the building, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;

(ii) the application shall be accompanied by a written description of the proposed development and of the materials to be used and a plan indicating the site together with any fee required to be paid;

(iii) the development shall not be begun before the occurrence of one of the following—

(aa) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;

(bb) where the local planning authority give the applicant notice within 28 days following the date of receiving his application of their determination that such prior approval is required, the giving of such approval; or

(cc) the expiry of 28 days following the date on which the application was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;

(iv) (aa) where the local planning authority give the applicant notice that such prior approval is required the applicant shall display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant;

(bb) where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in sub-paragraph (aa) has elapsed, he shall be treated as having complied with the requirements of that sub-paragraph if he has taken reasonable steps for protection of the notice and, if need be, its replacement;

(v) the development shall, except to the extent that the local planning authority otherwise agree in writing, be carried out—

(aa) where prior approval is required, in accordance with the details approved;

(bb) where prior approval is not required, in accordance with the details submitted with the application; and

(vi) the development shall be carried out—

(aa) where approval has been given by the local planning authority, within a period of five

years from the date on which approval was given;

(bb) in any other case, within a period of five years from the date on which the local planning authority were given the information referred to in sub-paragraph (d)(ii).

(3) The conditions in paragraph (2) do not apply to the extension or alteration of a building if the building is not on article 1(6) land except in the case of a significant extension or a significant alteration.

(4) Development consisting of the significant extension or the significant alteration of a building may only be carried out once by virtue of Class A(a).

6.6 D.2 For the purposes of Part 6—

(a) an area calculated as described in this paragraph comprises the ground area which would be covered by the proposed development, together with the ground area of any building (other than a dwelling), or any structure, works, plant, machinery, ponds or tanks within the same unit which are being provided or have been provided within the preceding two years and any part of which would be within 90 metres of the proposed development;

(b) 400 metres is to be measured along the ground.

6.7 The building would be compliant with the above.

6.8 As noted by the Council's Heritage officer, there are numerous heritage assets in close proximity to the site including Scheduled Ancient Monuments and listed buildings. The Heritage officer advises that the rural setting of these assets makes a positive contribution toward their significance, and that the proposed development will result in visual impact from certain viewpoints due to visibility through gaps in hedges, in particular looking NW to the development site from in front of the GII* listed Gatehouse and associated scheduled monument. The Heritage officer concludes that the proposed building is likely to have a significant impact on its surroundings and that a formal submission of details for assessment and approval by all relevant statutory bodies is required. Whilst the Council is satisfied that the building is justified for the purposes of agriculture, it is a very large metal framed structure that is at odds with any other structures in the vicinity. Given this and the proximity to heritage assets prior approval is required and is refused.

6.9 The site is also located within a mineral safeguarding area however due to the nature and scale of the proposal it is not considered that the proposal would prejudice the future extraction of this resource.

9. OTHER CONSIDERATIONS

9.1 *Crime and Disorder Act 1998*

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.

9.2 *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.

9.3 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.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed

decision.

9.5 *Planning (Wales) Act 2015 (Welsh language)*

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 *Newport's Well-Being Plan 2018-23*

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. CONCLUSION

10.1 Prior approval is required in respect of the proposed agricultural building and is refused.

11. DECISION

PRIOR APPROVAL IS REQUIRED AND REFUSED

01 The proposed agricultural building is located in close proximity to heritage assets and is materially harmful to the rural setting of these assets. No information has been submitted to mitigate these objections.

NOTE TO APPLICANT

01 This decision relates to plan Nos: PP01B, Heritage Statement by Richard Hayman, covering letter 19/11/2025.

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). Policies CE6, SP5, SP8, SP9, GP2, GP5 and GP6 were relevant to the determination of this application.

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.