

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN/**

**TO CARMARTHENSHIRE COUNTY
COUNCIL'S PLANNING COMMITTEE**

**AR 12 RHAGFYR 2019
ON 12 DECEMBER 2019**

**I'W BENDERFYNU/
FOR DECISION**

***Ardal
Gorllewin/
Area West***



**Cyngor Sir Gâr
Carmarthenshire
County Council**



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	12 DECEMBER 2019
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/38933
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Application Type	Full Planning
Proposal & Location	CHANGE OF USE OF REDUNDANT OUTBUILDING INTO ONE RESIDENTIAL UNIT AT BUILDING AT PARC Y CNWC, OLD SCHOOL ROAD, LLANSTEFFAN, CARMARTHEN, SA33 5HA

Applicant(s)	BEVERLEY ANN WALKER EVANS & DAVID ROBERTS, PARC Y CNWC, OLD SCHOOL ROAD, LLANSTEFFAN, CARMARTHEN, SA33 5HA
Agent	SAURO ARCHITECTURAL DESIGN LTD - PETER SAURO, 9 ELLISTON TERRACE, CARMARTHEN, SA31 1HA
Case Officer	Paul Roberts
Ward	Llansteffan
Date of validation	06/06/2019

Reason for Committee

This application is being reported to the Planning Committee on the basis that the applicant is a member of staff in the Planning Service.

Site

The application site consists of a detached barn and part of the curtilage of an adjacent farm house located on Old School Road on the outskirts of Llansteffan. The barn forms part of the farmstead of Parcnwc Farm being located adjacent to and perpendicular to the main farm house. It fronts on to the court yard and parking area of the farmhouse with the farmstead being set at a higher level than the road.

The main barn is of a two storey design being rectangular in shape and has a single storey lean-to structure on its western side. Its elevations consist of a mix of stonework, facing brick and a rendered finish while the roof is clad in natural slate. The front of the barn is characterised by a large central door opening that is flanked on either side by small symmetrically arranged window openings.

There is a hardstanding to the side of the building and a large lawned area to the rear. The front courtyard consists of a gravelled parking area that currently serves the main farm house. The farmstead includes an additional smaller barn structure located to the south of the house and on the opposite side of the courtyard to the application building. There are

also a number of further agricultural buildings to the rear of the house which serve the wider holding. The two barns and farmhouse are served by a single access located to the front of the courtyard that is flanked by walling and hedgerows.

The site is located some 70 metres to the north of the development limits of Llansteffan with the surrounding area being of a rural character and appearance. The centre of the village is some 500 metres to the south of the site.

Proposal

The application seeks full planning permission for the change of use and conversion of the barn to a residential dwelling.

The proposal will provide three bedroom accommodation set over both floors of the building. The lean-to roof of the single storey structure is to be replaced by a new pitched roof to match that of the main barn while the proposal will also include the insertion a number of small eaves dormer structures in the rear roof of the barn to provide additional headroom and natural light to the new first floor bedroom accommodation. The scheme also includes the addition of a small lean-to extension to the rear elevation of the building that will provide additional utility room accommodation.

The converted building will consist of a mix of rendered and stonework elevations while the natural slate roof finish will be retained as part of the proposal. The existing door and window openings of the barn are to be retained as part of the proposal with new openings provided on its gable ends to, again, improve the level of natural daylight in the converted building.

Vehicular access to the converted building will be achieved via the existing access to the courtyard which is to be improved as part of the proposal to provide additional visibility along the roadway. Provision is made for three parking spaces to the front of the building as well as a generous amenity area to the rear.

The application has been accompanied by a structural survey which confirms that the building is structurally sound while a bat survey report has also been provided which found no evidence of bats in the building. The application has also been accompanied by marketing details whereby the building has previously been marketed for commercial and community uses over a two year period.

Planning Site History

The following previous applications have been received on the application site:

D4/2587	Extension to dairy for milk storage tank Full planning permission	12 August 1976
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Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

- SP1 Sustainable Places and Spaces
- SP5 Housing
- GP1 Sustainability and High Quality Design
- H5 Adaptation and Re-use of Rural Buildings for Residential Use.
- AH1 Affordable Housing
- TR3 Highways in Developments – Design Considerations.
- EQ4 Biodiversity

Summary of Consultation Responses

Llansteffan and Llanybri Community Council – Have not commented on the application to date.

Local Members – County Councillor C Jones is a member of the Planning Committee and has made no prior comment on the application.

Head of Transport – Has raised no objection.

Dyfed Archaeological Trust – Has raised no objection.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The application was the subject of notification by way of the posting of a site notice to the front of the site. As a result, no third party representations have been received to date.

Appraisal

As mentioned above, no third party representations have been received in respect of the proposal and the application is presented to the Committee for determination given that the applicant is a member of staff in the Planning Service.

Policy H5 of the LDP permits the re-use of rural buildings for residential use subject to a number of qualifying criteria. These include the need for the applicant to make every reasonable endeavour to secure an alternative business use while the building should be structurally sound and capable of conversion without extensive alteration. The building must also retain sufficient quality of architectural features and traditional materials and proposals should not unacceptably harm the character and integrity of the original structure.

The proposal is in accord with the objectives of the abovementioned policy in that it will re-use an existing barn which is of a traditional character and appearance and the building has been shown to be structurally sound and capable of conversion without significant alteration or reconstruction work. The design of the scheme is sensitive to the appearance of the existing building in retaining existing fenestration and original features. Moreover, the alterations to the roof of the building and addition of the small rear lean-to extension

will complement its overall appearance in the surrounding rural area. The applicant has also endeavoured to secure an alternative business use for the building by marketing it for such purposes over an 18 month period with no substantive interest having been received during this time.

In addition, the proposal will provide a beneficial residential use for a vacant and underused agricultural building while being located in a sustainable location that is within walking distance of the services and facilities within Llansteffan. There are no highway or ecological objections to the proposal and it will cause no unacceptable material harm to the character and appearance of the surrounding rural area, or amenity of adjacent land uses and occupiers.

Planning Obligations

The recommendation to approve the application is subject to the applicant submitting a unilateral undertaking securing an affordable housing contribution in accordance with requirements of Policy AH1 of the LDP, or alternatively demonstrating to the Council's satisfaction that such a contribution would make the scheme unviable.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted, together with the representations received, it is concluded on balance that the proposal is acceptable and in compliance with the policy objectives of the Authority's adopted LDP and national planning policy.

The application is therefore put forward with a favourable recommendation subject to the completion of a Unilateral Undertaking securing an affordable housing contribution as part of the development or the applicant demonstrating that such a contribution would make the scheme unviable.

RECOMMENDATION – APPROVAL

Conditions and Reasons

- 1 The development hereby approved shall be commenced before the expiration of two years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans and information :

- Proposed floor plans and elevations (742/05B)

received on 17 October 2019

- Bat survey report prepared by I & G Ecological Consulting
- Structural Appraisal Report prepared by MW Consulting

received on 1 May 2019.

- Site block and location plan (LP-01C)

received on 29 November 2019

- 3 Prior to the commencement of the development a scheme of bat enhancement measures based upon the recommendations contained in the sections 4.2, 5.1 and Appendix 5 of the bat survey report prepared by I & G Ecological Consulting received on 1 May 2019 shall be submitted to and approved in writing by the local planning authority. The development shall be implemented strictly in accordance with the approved details.
- 4 The parking spaces and layout shown on the site block plan (LP-01C) received on 29 November 2019 shall be provided in accordance with the detail shown prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 5 The 2 metres by 25 metres visibility splays shown on the site block plan (LP-01C) received on 29 November 2019 shall be provided free of any obstruction exceeding 0.9 metres in height prior to the occupation of the development and maintained for as long as the development exists.
- 6 Notwithstanding the provisions of the Town and Country Planning, Wales (General Permitted Development) (Amendment) (Wales) Order 2013 (or any order revoking and re-enacting that order with or without modification), no development within Schedule 2, Part 1, Classes A, B, C, D and E shall be carried out within the curtilage of the holiday unit hereby approved (other than those expressly authorised by this permission) without the prior written consent of the Local Planning Authority.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls other than those shown on the plans herewith approved shall be erected within the curtilage of the development hereby approved without the prior written consent of the Local Planning Authority.
- 8 Prior to the commencement of the development a scheme of swallow nest mitigation based upon the recommendations contained in the sections 4.2.3 and Appendix 5 of the bat survey report prepared by I & G Ecological Consulting received on 1 May 2019 shall be submitted to and approved in writing by the local planning authority. The development shall be implemented strictly in accordance with the approved details.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 In order to ensure that there is no detriment to the maintenance of the favourable conservation status of bat and swallow species Policy EQ4).
- 4-5 In the interests of highway safety (Policies GP1 & TR3).
- 6-7 In the interests of the visual amenity of the surrounding area (Policy GP1).
- 8 In order to ensure that there is no detriment to the maintenance of the favourable conservation status of bat and swallow species Policy EQ4).

Notes

- 1 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).

Application No	W/39362
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Application Type	Full Planning
Proposal & Location	RETENTION OF EXTENDED HARD STANDING ADJACENT TO TURBINE T6 TO BE PARTIALLY REGRADED, AND THE CREATION OF MINOR LAY-BYS BY WAY OF INTRODUCTION OF 7 NO. CATTLE GRIDS AT ALLTWALIS WIND FARM (STATKRAFT), COEDLLWYDION ROAD, ALLTWALIS, CARMARTHEN, SA32 7ED

Applicant(s)	STATKRAFT WIND UK LIMITED, C/O FISHER GERMAN, THE ESTATES OFFICE, NORMAN COURT IVANHOE BUSINESS PARK, ASHBY DE LA ZOUCH, LE65 2UZ
Agent	BOYER - EMMA DYSON, THIRD FLOOR, PARK HOUSE, GREYFRIARS ROAD, CARDIFF, CF10 3AF
Case Officer	Helen Rice
Ward	Llanfihangel-ar-arth
Date of validation	29/08/2019

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties.

Site

The application site forms part of the Alltwallis Wind Farm to north east of Alltwallis village. The Wind Farm, which comprises 10no. wind turbines in total, was granted planning permission in 2008. The site the subject of this application relates to Turbine No. 6 (T6) and land surrounding this turbine located in the south eastern section of the wind farm which is also adjoins the Brechfa Forest West Wind Farm site, also now operational. A number of public rights of way cross the Alltwallis wind farm including in close proximity to T6. The application site area comprises an extensive area of excavated land that was undertaken in early 2018 to create a crane pad to enable repair works to T6 as well as the installation of cattle grids along the existing access road to the turbines.

Proposal

This application is retrospective in nature in that it refers to extensive excavation works that were carried out without the benefit of planning permission to create a crane pad to enable repair works to be carried out to T6. It is relevant to note that when planning permission was originally granted, each turbine had the benefit of its own hardstanding crane pad to assist with the erection of each turbine. These crane pads would then be backfilled with excavated material on completion of the initial turbine construction, albeit the hardstanding would remain under the backfill for future use if necessary.

The works that have now taken place at T6 has involved the creation of a far larger crane pad than that originally approved with the hardstanding area remaining exposed despite the repair works having been completed.

This application is as a result of enforcement investigations and subsequent discussions with officers to seek a satisfactory resolution to the matter.

The submitted information explains that a larger crane pad was required as due to operational advances and increased focus on efficiency, the corporate approach to repair of turbines now involved the replacement of much larger parts of the turbine collectively rather than individually and as such this requires the creation of larger crane pads.

This application therefore seeks planning permission to retain the increased hardstanding crane pad area at T6, albeit with the same caveat that when not in use the pad would be backfilled with the excavated material and regraded to reduce the visual impact. If the hardstanding is required in future, the material would be re-excavated to reveal the hardstanding to enable repairs. The application also seeks permission for the installation of cattle grids along the access road to meet operational requirements.

Planning Site History

W/16185	Temporary work associated with ground investigations for Blaengwen wind farm. 1. Rotary borehole drilling at each turbine position (10 turbines). 2. Machine excavation trial pits and trenches. 3. Dynamic cone petrometer testing Full Granted - Committee	28/06/2007
W/14257	Erection of ten wind turbines and associated ancillary development comprising a metreological mast (67 m), transformers, sub-station, temporary site compound and improvements to highway access, together with habitat improvements Full Granted - Committee	28/08/2008
W/12071	Temporary work associated with ground investigations for Blaengwen wind farm. 1. rotary borehole drilling at each turbine position (10 turbines) 2. machine excavation trial pits and trenches 3. dynamic cone petrometer testing Full Granted - Committee	23/03/2006
W/09205	Erection of ten wind turbines and associated	

ancillary development comprising a metrological mast (67m), transformers, sub-station, temporary site compound and improvements to highway access
Full Refused - Committee
Appeal Withdrawn

24/11/2005
23/09/2008

Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP1 Sustainable Places and Spaces
SP11 Renewable Energy & Energy Efficiency
SP14 Protection and Enhancement of the Natural Environment
SP17 Infrastructure
GP1 Sustainability and High Quality Design
EQ6 Special Landscape Areas
RE1 Large Scale Wind Power

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Llanfihangel ar Arth Community Council - No observations received to date.

Local Member - Councillor Linda Davies Evans has commented on the application raising concerns over the retrospective nature of the application and that the developers failed to re-instate the land upon completion of the repair works to T6 in accordance with the original planning permission. Such failures to re-instate will result in the gradual reduction of available agricultural land.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The application was the subject of notification by way of a site notice. 5no. representations from 4 no. households were received all objecting to the development on the following grounds:

- The developers have ignored planning requirements and undertaken unauthorised works without consultation with neighbours/residents/the public.
- Full planning permission should be sought for works undertaken at T6 and T9.
- Works to excavate the land around T6 should be fully restored as it has an unacceptable impact on the landscape.
- This development is a forerunner for the erection of larger wind turbines.
- Such works should not be allowed as it would set a precedent.
- Why was the original hardstanding provided under the original planning permission not sufficient.
- Provision of 7no. cattle grids is a health and safety hazard for animals, field gates are more appropriate.
- Provision of 7 no. cattle grids will require further hardstanding areas.

All representations can be viewed in full on our [website](#).

Appraisal

The key issues of relevance to this application are considered to be whether the development can be considered acceptable in principle and its landscape and visual impact.

Principle of development

The application site lies within the consented area of the permitted Alltwallis Wind Farm and whilst it is disappointing that the developers undertook the work without first seeking planning permission, the overall justification put forward for the creation of the larger hardstanding crane pad as detailed above and installation of the cattle grids is considered acceptable in principle subject to the backfilling of the excavated area and regrading of the land which is proposed as part of the application.

Landscape and Visual Impact

The application site is located in an elevated position with far reaching views, including short range views attainable from the network of public footpaths and highways within the vicinity. The presence of the wind turbines further draws the eye to the site area and whilst the turbines are more dominant, the sheer extent of the excavation works and the resultant mounds of excavated material has a significant landscape and visual impact in its present form. However, the justification put forward for the creation of the larger crane pads than that originally proposed is acknowledged and as such its creation for operational requirements for the limited time required to undertake necessary repairs can be tolerated.

Unfortunately, to date the large crane pad has remained exposed and the resultant mound of excavated material remains to blot the landscape, although it is acknowledged that this is partly down to awaiting the outcome of this application. The submitted application acknowledges the need to backfill the created hardstanding and regrade the land (subject to the Authority agreeing to the retention of the larger crane pad). The application includes details of the proposed works required to fulfil this need and following discussions with the Authority's Landscape Officer, the submitted details are considered acceptable subject to the imposition of conditions to ensure the timely restoration works.

Third Party Comments

Whilst the majority of the matters raised by third parties are covered in the above report, the disappointment of the retrospective nature of the application is acknowledged. Nevertheless, it is considered that the Authority has taken appropriate steps to bring the matter to an acceptable resolution. It is also anticipated, that as a result of this case, this situation will not arise again as the developer is now aware of the need to first seek planning permission for the creation of larger crane pad hardstandings than that originally approved for any of the other 9 turbines on the wind farm. In relation to comments referring to T9, this is the subject of separate investigations which does not form part of the application before Members.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful consideration of the scheme as submitted it is concluded on balance that the works, subject to the imposition of time constrained conditions to secure the restoration works to cover the created crane pad, is acceptable and would, upon restoration, not have an unacceptable impact upon the landscape or visual amenity. The application is therefore recommended for approval subject to the below conditions.

RECOMMENDATION – APPROVAL

Conditions and Reasons

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a retrospective permission, shall have been deemed to have been implemented on 1 March 2018.
- 2 The development shall be carried out in accordance with the following approved plans and documents, unless otherwise stipulated by conditions:-
 - 1:5000 scale Location Plan [8002/01] received 25 July 2019
 - 1:2000 scale Location Plan [8002/02] received 25 July 2019
 - 1:3000 scale Location Plan [8002/03] received 25 July 2019
 - 1:500 scale T6 Hardstand Current Survey and Construction Hardstand Layout received 25 July 2019
 - 1:200 scale Landscaping Area [0874] received 28 October 2019
 - 1:500 scale T6 Topographical Survey [0874] received 28 October 2019
 - 1:200 scale Current Site Sections [0874] received 28 October 2019
 - 1:500 scale Proposed Sections [0874] received 28 October 2019
 - Planning Statement by Boyer Planning received 25 July 2019
- 3 Within 2 months of the date of this permission the hardstanding area around Turbine no. 6 shall be backfilled and the land regraded in accordance with the details included on the 1:200 scale Landscaping Area [0874] and 1:500 scale Proposed Sections [0874] plans received 28 October 2019.
- 4 Within 2 months of the completion of each subsequent future repairs to Turbine no. 6 where any part or the whole of the hardstanding crane pad hereby approved is required, the hardstanding crane pad shall be backfilled and the land regraded in accordance with details first submitted to and approved in writing by the Local Planning Authority.

- 5 All areas subject to regrading including areas disturbed through construction of the proposed cattle grids, shall be seeded in the first available seeding seasons following regrading with an appropriate grass seed mix to integrate with the existing adjacent grassland. Any seeded areas which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, shall be reseeded in the next seeding season.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of clarity as to the extent of the permission.
- 3 - 5 To ensure that the land is restored in an orderly, timely and acceptable fashion to reduce the impact on the landscape in the interests of visual amenity.

Notes

- 1 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).