

Planning, Taxi Licensing and Rights of Way Committee Report

UPDATE REPORT

Application No:	P/2016/0700	Grid Ref:	324073.7 256083.39
Community Council:	Gladestry	Valid Date:	Officer: 15/07/2016 Eddie Hrustanovic
Applicant:	Mr Stephen & Robert Watson Gladestry Court of Gladestry Kington Herefordshire HR5 3NS		
Location:	Land at Wern Farm Gladestry Kington Hertfordshire HR5 3PP		
Proposal:	Construction of a 16,000 bird free range egg production unit, feed bins, formation of vehicular access, hardstanding areas and all associated works		
Application Type:	Application for Full Planning Permission		

The reason for update

Additional response has been received from Environmental Health Officer in respect of Private Water Supply (PWS), which states the following:

*“The agent has confirmed that the applicant is not aware of any private water supply within the development area and their own private water supply is 200m from the proposed site. I have **no objection** to the application”.*

Recommendation

Having carefully considered the proposed development, Officers are satisfied that the proposed development is in accordance with the listed planning policies. It is considered that the proposed development will contribute to the diversification of the existing farm enterprise whilst avoiding any unacceptable adverse harm to the environment, landscape or amenities enjoyed by residents of the surrounding area.

In light of the above, the recommendation is one of approval subject to the original conditions detailed in the main reports which are duplicated below for reference only;

Conditions:

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.

2. The development shall be carried out strictly in accordance with the plans stamped as approved on xxxxx and submitted material samples (drawing no's: 05/07/16- Location Plan/CH, 16012-Elevation Plan, 27/04/17/Foul and Surface Water run-off REV1/CH, 27/04/17, 02/12/16/Range Area-Fence/Watercourse Buffer/CH, 26/01/17/ Profile View Existing/Proposed Ground Levels/CH, 28/01/17/Proposed Planting Plan/CH, 30/08/16/Paddocks and Verandas/CH, together with associated documents; namely: Design and Access Statement, Ecology Report by RammSanderson Ecology Consultancy _ report ref.no. RSE_552_01_V1 dated April 2016, SCAIL report/data, Manure Plan dated 10th June 2016, Dispersion and Deposition of Ammonia Report dated 24th August 2016).

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or alterations to the unit shall be erected without the consent of the Local Planning Authority.

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 as amended or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the premises shall not be used for any purpose other than that hereby authorised.

5. The landscaping scheme as shown on the approved plan shall be carried out concurrently with the development hereby permitted and shall be completed no later than the first planting season following the completion of the development. The landscaping shall be maintained for a period of 5 years. During this time any trees, shrubs or other plants which are removed, die, or are seriously retarded shall be replaced during the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period.

6. Prior to the operational use of the development hereby permitted any entrance gates shall be set back at least 15 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.

7. The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 15 metres measured from edge of the adjoining carriageway along the centre line of the access and shall be retained at this gradient for as long as the development remains in existence.

8. The centre line of the first 15 metres of the access road measured from the edge of the adjoining carriageway shall be constructed at right angles to that edge of the said carriageway and be retained at that angle for as long as the development remains in existence.

9. Before any other development commences the access shall be constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.26 metres above ground level at the edge of the adjoining carriageway and 120 metres distant in each

direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

10. No further development shall commence until the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 15.0 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.

11. Prior to the operational use of the development, provision shall be made within the curtilage of the site for the parking of not less than three cars excluding any garage space provided and two heavy goods vehicles together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear. The parking and turning areas shall be retained for their designated use for as long as the development hereby permitted remains in existence.

12. No further development shall commence until provision has been made within the curtilage of the site for the parking of all construction vehicles together with a vehicle turning area. This parking and turning area shall be constructed to a depth of 0.3 metres in crusher run or sub-base and maintained free from obstruction at all times such that all vehicles serving the site shall park within the site and both enter and leave the site in a forward gear for the duration of the construction of the development.

13. The width of the access carriageway, constructed as Condition 10 above, shall be not less than 6 metres for a minimum distance of 15 metres along the access measured from the adjoining edge of carriageway of the county highway and shall be maintained at this width for as long as the development remains in existence.

14. Upon formation of the visibility splays as detailed in Condition 9 above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

15. No storm water drainage from the site shall be allowed to discharge onto the county highway.

16. The machinery, plant or equipment including air condition and ventilation systems ("machinery") installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [5 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014.

17. All deliveries to and from site in connection to this application shall be carried out between the following hours, Monday to Fridays from 07.30 to 18.00 hours, Saturdays from 08.00 to 13.00 hours and at no time on Sundays, Bank and public holidays.

18. All emissions to air arising from the units hereby approved shall be free from odours at levels that are likely to be offensive or cause serious detriment to the amenity of the locality outside the site boundary of the holdings, as perceived by an authorised officer of the local planning authority by olfactory means.

19. The storage and spreading of manure will be undertaken in accordance with the DEFRA Code of Good Agricultural Practice for the Protection of Air, Water and Soil. All stored manure shall be stored on level ground, and no manure shall be stored over field drains or within 10 metres of a watercourse.

20. All vehicles used for the movement of manure off site shall be sheeted and/or fully covered to prevent spillage of manure.

21. All stored manure that needs to be covered shall be covered by the end of the day. The covering shall be tightly with polythene in such a manner as to leave no gaps and the edges of the polythene shall be tightly secured. All poultry manure that needs to be covered shall remain covered for a minimum period of 10 days before it is used.

22. Poultry manure shall not be applied to ground that is waterlogged, flooded, frozen hard or snow covered. No poultry manure shall be applied within 10 metres of ponds or watercourses or within 50 metres of wells or boreholes. Only manure that is free from flies and larvae and low in odour shall be used.

23. No light source shall be directly visible to the public highway users on the adjacent B4594 County Highway.

24. Prior to commencement of development a pollution management/mitigation scheme shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the Local Planning Authority.

25. Prior to commencement of development, a Species List for the Landscape Planting shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the Local Planning Authority.

26. The mitigation regarding bats, great crested newts and breeding birds in section 6 of the ecological report by Ramm Sanderson April 2016 shall be adhered to and implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
3. In order to control development which has the potential to have adversely affect the amenity of the area in contradiction to policy GP1 of the Powys Unitary Development Plan (March 2010) and Planning Policy Wales (2016).
4. In order that the Local Planning Authority may control the use of the premises in the interests of the protection and preservation of the amenity of the area in accordance with policies GP1, EC1, EC9 and EC10 of the Powys Unitary Development Plan (2010) and Planning Policy Wales (2016).

5. To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment, visual amenity and privacy in accordance with policies GP1 and ENV2 of the Powys Unitary Development Plan.
6. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
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15. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1 and GP4.
16. To safeguard the amenities of the locality in accordance with policy GP1 of the Powys Unitary Development Plan.
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24. To comply with Powys County Council's UDP Policies ENV3, ENV4, ENV5 and ENV6 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, 2016), TAN 5: Nature Conservation and Planning and the NERC Act 2006.
25. To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, 2016), TAN 5: Nature Conservation and Planning and the NERC Act 2006.
26. To comply with Powys County Council's UDP Policies SP3, ENV2 and ENV7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, 2016), TAN 5: Nature Conservation and Planning and the NERC Act 2006.

Informative Notes

- *Rights of Way - The applicant/developer should be aware of the necessity of making sure that the nearby rights of way is not obstructed during any works and that they remain fully available for public use during and after any works.*

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