

Planning, Taxi Licensing and Rights of Way Committee Report

UPDATE REPORT

Application No: P/2017/0667 **Grid Ref:** 304017.92 256724.39

Community Council: Disserth and Trecoed **Valid Date:** 20/06/2017 **Officer:** Thomas Goodman

Applicant: Mr J Nicholls, Cargill Meats Europe, Feed Mill, Allensmore, Hereford, HR2 9AW

Location: Gaufron Farm, Howey, Llandrindod Wells, Powys, LD1 5RG

Proposal: Full: Redevelopment of site, including the demolition of 5 poultry units, and the erection of 2 replacement poultry units and all associated works

Application Type: Application for Full Planning Permission

Officer Appraisal

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.

Deliveries to and from the site in connection with the delivery and removal of birds was previously conditioned and secured under condition 5 of the original report. It is considered that this condition be amended due to the fact that birds are delivered in the very early morning due to bird welfare reasons. The Noise Assessment within the Environmental Statement relates to bird delivery and removal. The Noise Assessment demonstrates that these activities will not result in a significant impact upon neighbouring properties, furthermore given that there are only 2.2 cycles per annum, it means that birds will only be delivered three times per annum and removed twice. The existing business currently operates in this manner and has done for a period of time.

Given that the Noise Assessment demonstrates that these activities will not result in a significant impact upon neighbouring properties it is considered that the condition be amended to ensure that the delivery and removal of birds is carried out in full accordance with the Environmental Statement.

Recommendation

Whilst this report forms an update to the original report, it is considered that the recommendation remains the same with the amendment of a condition which secured deliveries between specific hours, the condition will now ensure that the deliveries are carried out in accordance with the Environmental Statement submitted by Berrys in support of this application.

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 XX/XX/XX (drawing no's: Dwg No GW-3D, Dwg No GW-3C, Dwg No GW-5, Dwg No GW-1B & Dwg No GW-2B).
3. Prior to the construction of the buildings hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the buildings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
4. All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:

0800 - 1800 hrs Monday to Friday

0800 – 1300 hrs Saturday

At no time on Sunday and Bank Holidays

Deliveries to and removal of plant, equipment, machinery and waste, including soil, from the site must also only take place within the permitted hours detailed above.

During construction (including soil movement and landscaping activities) the contractor shall take all reasonable steps to prevent dust formation from dusty activities and any dust formed shall be prevented leaving the site by continuous watering down.

5. The recommendations regarding bats, nesting birds and reptiles identified in Section 4.3 of the Ecological Report by Turnstone Ecology dated May 2017 shall be adhered to and implemented in full.
6. The mitigation regarding bats, badgers and reptiles in Section 4.3 of the ecological report by Turnstone Ecology dated May 2017 and water pollution identified in Section 9.6 of the Environmental Statement by Berrys shall be adhered to and implemented in full.
7. Prior to commencement of development, a Biodiversity Enhancement Plan including details of the proposals for bat and bird boxes, grassland seeding and tree planting shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.
8. The Pollution Prevention Plan and Surface Water Management Plan submitted to the Local Planning Authority shall be implemented as approved and maintained thereafter.
9. A lighting design scheme to take any impacts on nocturnal wildlife into consideration shall be submitted to and agreed in writing by the Local Planning Authority and carried out in full.
10. Prior to commencement of development a Tree and Hedgerow Protection Plan in accordance with BS:5837:2012 shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter.
11. No manure from the egg laying unit shall be spread on the holding without the prior written approval of the Local Planning Authority. In no circumstances shall such manure be spread within 10m of any watercourse, protected dwelling or SSSI.
12. 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.
13. Vehicles used for the movement of manure shall be sheeted to prevent spillage of manure.

14. The development hereby approved must not affect Network Rail's current ability to access, inspect, examine and maintain the earthwork and drainage assets along the Heart of Wales Line.

15. All deliveries to and from site in connection to this application shall be carried out in full accordance with the Noise Assessment within the Environmental Statement submitted by Berrys.

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 the interests of the visual amenity of the area and to ensure the satisfactory appearance of the building in accordance with policies GP1 and GP3 of the Powys Unitary Development Plan and the Councils Residential Design Guide.
4. In the interests of the amenities of existing residential property in the locality in accordance with policy GP1 of the Powys Unitary Development Plan.
5. 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, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.
6. 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, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.
7. To comply with Powys County Council's UDP Policies SP3, ENV2, ENV3 and ENV7 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh government strategies, and the NERC Act 2006.
8. 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, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.
9. 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, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.
10. To comply with Powys County Council's UDP policies SP3, ENV2, ENV3 and ENV6 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh Government strategies, and the Environment (Wales) Act 2016.
11. 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, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.
12. To comply with Powys County Council's UDP Policy ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.
13. To comply with Powys County Council's UDP Policy ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.

14. In the interests of highway safety and in accordance with the provisions of Powys UDP Policy GP1, GP4, T10 and T11.

15. In the interests of the amenities of existing residential property in the locality in accordance with policy GP1 of the Powys Unitary Development Plan.

Informative Notes

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