

Consultee Response

Llanwrthwl Community Council

Recognise importance of the poultry and eggs industry to the local economy. Also the need for farms to diversify in order to be sustainable.

However – there appears to be questions about the suitability of the site due to ecological and environmental impact. We would urge the planning committee to pay close attention to expert advice in these areas.

For example, nitrogen deposition should be clarified (19.46 kg v/ha/yr) which seems to be above the critical load of (10.0 kg v/ha/yr).

We feel that adequate passing places should be made available on the lane running from Dolfallen bridge to the site.

This was a special meeting convened by Llanwrthwl community council held on 17 January 2018 at Llanwrthwl village hall to discuss the application ref: P/2017/1437 with members of the public present and were given the opportunity to voice the opinion for / against.

After further discussion the community council agreed to support this application.

PCC Highways

First Response received 12th January 2018

I have just been out to site to have a look at this application. Please could you request a revised plan from the agent to include the following:

- The access to be included within the red line area
- Visibility at the access of 34m
- The gates are currently sited at 10m from the highway, this will need to be increased to 20m
- The width of the access

Once the revised plans have been received a final Highways response will be given, please could the decision be deferred in the meantime.

Second response received 5th March, 2018

The County Council as Highway Authority for the County Class III Highway, C0010

Wish the following recommendations/Observations be applied

Recommendations/Observations

HC1 Prior to the first beneficial use of the development any entrance gates shall be set back at least 20 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.

HC2 The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 20 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.

HC3 The centre line of the first 20 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.

HC4 Prior to the commencement of the development 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 0.6 metres above ground level at the edge of the adjoining carriageway and 34 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 areas 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.

HC7 Prior to the commencement of the development 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 20 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.

HC12 The width of the access carriageway, constructed as Condition HC7 above, shall be not less than 6 metres for a minimum distance of 20 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.

HC21 Prior to the first beneficial use of the development the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 20 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.

HC8 Prior to the first beneficial use of the development, provision shall be made within the curtilage of the site for the parking of not less than 2 cars and 2 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.

HC11 Prior to the commencement of the development provision shall be 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 0.4 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.

HC13 Prior to the occupation of the development a radius of 10.5 metres shall be provided from the carriageway of the county highway on each side of the access to the development site and shall be maintained for as long as the development remains in existence.

HC32 No storm water drainage from the site shall be allowed to discharge onto the county highway.

HC37. Prior to any works being commenced on the development site the applicant shall construct 2 passing bays, in locations to be agreed in writing by the Local Planning Authority. The passing bays shall be constructed up to adoptable standard prior to any works being commenced on the development site.

Building Control

No response received at the time of writing the report.

Wales & West Utilities

Received 12th December, 2017

According to our mains records Wales & West Utilities has no apparatus in the area of your enquiry. However Gas pipes owned by other GT's and also privately owned may be present in this area. Information with regard to such pipes should be obtained from the owners.

Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus.

Please note that the plans are only valid for 28 days from the date of issue and updated plans must be requested before any work commences on site if this period has expired.

Welsh Water

Received 27th December, 2017

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

SEWERAGE

Some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal we request the applicant contacts us on 0800 917 2652 to establish the location and

status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Environmental Health

First response received 11th January, 2018

In its current form Environmental Protection would have to recommend refusal on the grounds of insufficient information being supplied with the application.

In order to fully consult on the application we would require the following to be addressed.

Plant noise

Environmental Protection would require the applicant to undertake a noise impact assessment for all fixed plant. The assessment should identify all noise sources, assess the noise impact at noise sensitive receptors, and include details of proposed noise mitigation measures.

Deliveries to the site

Environmental Protection would require the applicant to provide details of all deliveries to the site and, depending on the proposed timing of deliveries, may require a noise impact assessment to be undertaken

Dust Management Plan

A dust management plan to be supplied addressing all properties within 250 metres of the proposed site.

2nd response received 20th March 2018

Recommendations

It has been demonstrated that at the nearest dwellings the aggregate (extract fans and feed silo motor) Rating Level will be sign below the typical background during the day, evening and night. On the basis that BS4142:2014 states that for a Rating Level of parity with the typical background the Specific Level will have a low impact they conclude that at highest the noise impact of the assessed noise sources will be very low.

However, I would recommend the use of the following conditions.

Conditions

(a) Noise Conditions

For the use of fixed plant/machinery, etc.

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 $L_{A90 [1\text{hour}]}$ (day time 07:00-23:00 hours) and/or (b) $L_{A90 [5\text{ mins}]}$ 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.

Reason: To protect the local amenities of the local residents by reason of noise.

(a1) Transport Noise

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.

Reason: To protect the local amenities of the local residents from noise.

(b) Prevention insect and of odour nuisances during storage of manure and manure spreading.

(i) General Odour condition

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.

Reason: To protect the local amenities of the local residents from the excess of mal-odorous emissions.

(ii) The Site for the Storage of manure

No storage of manure shall be sited next to dwellings, place of work, and popular leisure areas and all stored manure shall be stored on level ground.

No manure shall be stored over field drains or within 10 metres of a watercourse.

Reason: To avoid runoff and prevent deterioration of the local amenities.

Manure transportation

All vehicles used for the movement of manure if taken off site shall be sheeted and/or fully covered.

Reason: To prevent spillage of manure and minimise odour dispersion and prevent population increase of insects.

Manure storage.

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.

Reason: To ensure that any flies or fly larvae are killed, prevent sudden increase of fly and other insect infestations and minimise smells and contamination of water.

(c) Artificial lighting condition.

Any artificial lighting incorporated to these units in connection to this application shall not increase the pre-existing illuminance at the light sensitive locations when the light is in operation.

Reason: To protect the local amenities of the local residents from the excess of illuminance.

Third response received 14th May 2018

Further to our conversation on Friday, Kevin Bray and myself have reviewed our comments in respect of this application.

We therefore wish to remove condition a and b(i) from our comments dated 14th May 2018. In relation to the noise condition the applicants noise assessment has demonstrated that noise from the fans and feed silo's onsite will not exceed WHO guidelines for sleep disturbance and therefore we would not object in respect of noise, also as the predictions show this by some margin then a condition is not required.

In relation to the odour condition and upon reflection we do not believe that this meets the tests in the planning circular. Odour from the units themselves does not usually cause an issue, odour problems generally result from manure management and other conditions have been set to control this. Therefore subject to the other conditions suggested we have no objection to this application.

PCC Contaminated land officer

Received 21st December, 2017

In relation to planning application P/2017/1437, there would be no requirements in respect of land contamination.

PCC Ecologist

Received 6th April 2018

Thank you for consulting me with regards to planning application P/2017/1437 which concerns an application for the erection of a pullet rearing unit, feed silos and all associated works at Land at Dol y Garreg, Llanwrthwl, Llandrindod Wells, Powys.

The information submitted to inform the planning application has been assessed against the NRW Quick Guide 9 Poultry Units: planning permission and environmental assessment Guidance for applicants, local planning authorities and NRW staff and the EA and DEFRA Guidance - Intensive farming risk assessment for your environmental permit.

The following European Sites are present within 5km of the proposed development:

- River Wye Special Area of Conservation approximately 244m from proposed development
- Elenydd-Mallaen Special Protection Area (SPA) approximately 478m from proposed development
- Elan Valley Woodlands SAC approximately 499m from proposed development
- Elenydd SAC approximately 3701m from proposed development

The following Nationally Designated Sites are present within 5km of the proposed development:

- Upper Wye (Tributaries) Site of Special Scientific Interest (SSSI) approximately 244m from proposed development
- Carn Gafallt SSSI approximately 478m from proposed development
- River Wye (Upper Wye) SSSI approximately 539m from proposed development
- Coed Y Cefn SSSI approximately 1645m from proposed development
- New House Meadow SSSI approximately 1760m from proposed development
- Elenydd SSSI approximately 2100m from proposed development
- Rhosydd Llanwrthwl SSSI approximately 2474m from proposed development
- Rhos Rhyd-Y-Ceir SSSI approximately 2665m from proposed development
- Cwm Gwynllyn SSSI approximately 2935m from proposed development
- Caeau Cnwch a Ty'n-Y-Graig approximately 2951m from proposed development
- Cae Cwm-Bach SSSI approximately 4257m from proposed development
- Marcheini Uplands, Gilfach Farm & Gamallt SSSI approximately 4445m from proposed development
- Upper Nantserth Pasture SSSI approximately 4677m from proposed development
- Coedydd Glannau a Cwm Coel SSSI approximately 4769m from proposed development
- Gweunydd Ty'n-Y-Llidiart SSSI approximately 4921m from proposed development

The following non-statutory designated sites are present within 2km of the proposed development:

- Carn Gafallt RSPB Reserve approximately 484m from proposed development
- Fron-dorddu RVNR approximately 1078m from proposed development
- Rhayader Tunnel Wildlife Trust Reserve approximately 1285m from proposed development
- Tan-yr-Allt SINC approximately 1391m from proposed development
- 80 parcels of Ancient Woodland – closest parcel approximately 96m from proposed development

A Pre-Application Consultation as undertaken with NRW , a copy of the pre-application advice dated 27/04/2017 ref:SN96/GB/CAS-32211-G4X2. In this advice NRW identify that as the SCAIL results submitted to inform the pre-app predict that process contributions of ammonia and nitrogen from the proposed development would exceed the thresholds that they apply in their assessment of potential impacts to SACs and SSSIs, further detailed modelling would be required to support an application.

A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Pullet Rearing House by AS Modelling & Data Ltd. Dated 8th October 2016 has been produced and submitted with the application.

In addition to the detailed modelling requested for statutory designated sites the Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Pullet Rearing House by AS Modelling & Data Ltd. Dated 8th October 2016 has also considered the potential impacts of the proposed development to Ancient Woodland sites within 2km of the proposed development, I have reviewed the information provided to determine the likely significance of predicted emissions from the proposed development and the need for further information to assess potential impacts.

Preliminary modelling was undertaken to identify the predicted maximum annual mean ammonia concentration at the identified receptors. For ammonia concentration in air, the Critical Level for higher plants is 3.0 µg-NH₃/m³ as an annual mean. For sites where there are sensitive lichens and bryophytes present, or where lichens and bryophytes are an integral part of the ecosystem, the Critical Level is 1.0 µg-NH₃/m³ as an annual mean. For the purposes of modelling and in the absence of survey information to demonstrate that the Ancient Woodlands do not support sensitive lichens or bryophytes the lower critical level is applied.

Current guidance with regards to Ancient Woodland identifies that an emission is insignificant where Process Contribution (PC) is <50% ancient woodland and where modelling predicts a process contribution >100% at an ancient woodland the proposal may not be considered acceptable.

The report identifies that at all of the Ancient Woodlands considered, the preliminary modelling predicted that the process contribution to the annual ammonia concentration and the nitrogen deposition rate would be below the recognised lower threshold percentage (100% for a non-statutory wildlife site) of the precautionary Critical Level of 1.0 µg-NH₃/m³.

It is therefore considered that the potential impacts of the proposed development to Ancient Woodland is within the levels considered to be acceptable by recognised current guidelines.

NRW have considered the potential of the proposed development to impact Internationally and Nationally Designated Sites (SSSIs and SAC). They have confirmed in their response dated 27th March 2018 that they are satisfied that the process contributions of ammonia and nitrogen deposition from the proposed development are below the thresholds applied in their assessment of potential impacts to these sites. They do note that although the farm contributions are within the old guidelines, they are at the upper end of those guidelines for some of the protected sites listed in the report.

In addition NRW have reviewed the following documents submitted to inform the application:

-Manure Management Plan Revision A for Mrs N Wozencraft and Son, Dolgarreg Farm, Llanwrthwl Powys', undated
-Pollution Prevention Plan Revision A for Mrs N Wozencraft and Son, Dolgarreg Farm, Llanwrthwl Powys', undated
-Drainage Plan - Proposed Site Plan drawing no. 4723/1 produced by Gareth Price Chartered Building Surveyor dated October 2017

NRW have confirmed that they consider the information and measures identified to be appropriate and subject to adherence to these Plans there would be no negative impacts from the proposed development. NRW have recommended that a suitably worded planning condition is included to secure adherence to these plan, I agree with the need for a condition to be included to this effect.

I have undertaken Habitats Regulations Assessment Screening of the proposed development for the River Wye SAC the Screening found that the proposed development would not result in Likely Significant Effects to the SAC in light of proposed mitigation measures. I have attached a copy of the Screening Assessment for your records.

No information has been submitted with regards to external or perimeter lighting. Whilst it is recognised that at this time there may be no intention to install exterior lighting, in the future it may be deemed necessary to install external lighting e.g. for safety reasons, to ensure that the lighting would not have a negative impact on local wildlife I recommend inclusion of a condition requiring any future external lighting identified as required at the site is approved by the LPA prior to installation.

I note from the submitted proposed site plan that as part of the application a 2.0m high bund will be installed along the north-east and northwest sides of the proposed chicken rearing shed. The plans indicate that the bunds will be planted with native species on top, the species identified as being planted are hawthorn, hazel and blackthorn. The provision of additional planting through the development is welcomed and is considered to provide biodiversity enhancements. In order to ensure the planting is undertaken in a manner to ensure effective establishment and long-term success it is recommended that a planning condition is included to secure a detailed landscaping scheme.

Therefore should you be minded to approve the application in addition to the condition recommended by NRW regarding adherence to manure management, pollution prevention and drainage plans I recommend inclusion of the following conditions:

No external lighting shall be installed unless a detailed external lighting design scheme has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall identify measures to avoid impacts on nocturnal wildlife. The development shall be carried out in accordance with the approved details.

Reason: To comply with Powys County Council's UDP Policies SP3, ENV3, ENV4, ENV5 and ENV7 / LDP Policies DM2 and DM7 in relation to The Natural Environment and External Lighting and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

Prior to the commencement of development a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted landscaping scheme shall include a scaled drawing and a written specification clearly describing the species, sizes, densities and planting numbers proposed as well as aftercare measures. Drawings must include accurate details of any existing trees and hedgerows to be retained with their location, species, size and condition.

Reason: To comply with Powys County Council's UDP policies SP3, ENV2, ENV3 and ENV6/ LDP Policies DM2, DM4 & DM13 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Planning Policy Wales (Edition 9, November 2016), and Part 1 Section 6 of the Environment (Wales) Act 2016.

PCC Land Drainage Officer

Received 12th April 2018

In refer to your consultation enquiry regarding the above mentioned application. Apologies for the delay in responding.

The Lead Local Flood Authority would make the following observations/comments/recommendation.

Surface Water Run-off

Observation: Item 13 - *Assessment of Flood Risk* on the application form indicates that the development proposal is to dispose surface water via sustainable drainage system and soakaway.

Drwg No.4723/1 - 'Proposed Site Plan' prepared by Gareth Price Chartered Building Surveyor dated 10/17, shows the surface water run-off draining to soakaway.

The general soil type for the site location is described as being 'freely draining', so it is likely a SUDS and or soakaway solution can be achieved in this locality.

Comments: The site is classed as Greenfield, therefore proposed surface water flows should be equivalent existing Greenfield run-off in accordance with good practice requirements. The use of soakaways or other best practice management sustainable drainage systems should be investigated in the first instance for surface water disposal. The design of such systems shall cater for a 1 in 100 year return storm event plus an allowance of 20% for climate change. Porosity test should be undertaken in accordance with BRE365 – *Soakaway Design*.

If soakaways are not feasible, drainage calculations to limit the discharge rate from the site shall be equivalent to a 1 in 1yr Greenfield run-off rate. The attenuation drainage system should be designed so that storm events of up to 1 in 100 year plus an allowance for climate

change and will not cause flooding on or off the site. There must be no discharge to a surface water body that results from the first 5mm of any rainfall event.

No surface water run-off from the development site shall drain onto the public highway. If non permeable surfacing is used on the new entrance driveway and/or the driveway slopes toward the highway, the applicant should submit for approval a drainage system to intercept water prior to flowing on to the public highway.

Recommendation: No development shall commence until a detailed scheme for the surface water drainage of the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before the building comes into use.

Reason: To ensure that the proposed surface water drainage system for the site follows best practice designs and is fully compliant with regulations and is of robust design.

NRW

First response received 16th January, 2018

I am dealing with this planning application for a pullet rearing unit. The majority of the plans are acceptable, however the Manure Management Plan needs to be amended to include a manure contingency plan.

Would you be willing for me to discuss amending the document directly with the applicant? I have discussed the proposal extensively with them at pre-application stage, and thought it would speed up the process of NRW responding to you.

Alternatively, I could send an official letter requesting the document to be amended.

Received 16th January 2018

Thank you for referring the above application, which we received on 21/12/2017. We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if the scheme can meet the following requirement. We would object if the scheme does not meet these requirements.
Requirement 1 – Amendment of Manure Management Plan to include a Manure Contingency Plan

Manure Management

The Manure Management Plan states that the manure will be taken to an Anaerobic Digester or sold.

Requirement 1 – Amendment of Manure Management Plan to include a Manure Contingency Plan

The Manure Management Plan must be amended to demonstrate that there is a contingency plan for storing all manure, slurry and dirty water produced throughout the year when the normal method of manure disposal may not be possible.

The contingency plan should also include contingency for the storage of wash water during and after disease outbreak, as this is classified as hazardous waste and depending on the severity and type of outbreak, may need to be stored for longer than normal and separate from other manures and slurry.

Drainage Plan

The plan showing the proposed site layout ('Proposed Site Plan', drawing number 4723/1, dated 10/17 by Gareth Price Chartered Building Surveyor) shows the proposed site drainage plans. The dirty and clean water will be drained separately. The plan states the dirty water tank will be built to SSAFO standards. The clean water will be disposed of by means of a soakaway.

Provided the drainage system is built in accordance with this plan, it is unlikely the proposal will cause pollution to the wider environment.

We are likely to request a condition which includes the implementation of this plan.

Pollution Prevention Plan

A Pollution Prevention Plan has been submitted in support of the proposal.

Provided the works on site are undertaken in accordance with this plan, the proposal is unlikely to adversely impact the surrounding environment.

Should any contaminated water or materials enter or pollute the watercourse or groundwater, Natural Resources Wales must be notified immediately on our incident hotline, 03000 65 3000.

We are likely to request a condition which includes the implementation of this plan.

Protected Sites and Aerial Emissions

Intensive agricultural units have the potential to impact protected sites through aerial emissions (ammonia and nitrogen deposition).

We have reviewed the information provided in the report ('A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Pullet Rearing House at Sŵn y Glyn, near Rhayader in Powys' by AS Modelling & Data Ltd, dated 8th October 2016) and considered the potential impacts based on the pre-April 2017 guidance. The farm contribution to both ammonia concentrations and nitrogen deposition fall within those pre-April 2017 guidelines at the designated sites assessed.

It should be noted that although the farm contributions are within the old guidelines, they are at the upper end of those guidelines for some of the protected sites listed in the report.

Please do not hesitate to contact us if you require further information or clarification on any of the above.

Our comments above only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website: (<https://naturalresources.wales/media/5271/150302-natural-resources-wales-and-planning-consultations-final-eng.pdf>). We have not considered potential effects on other

matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Third response received 28th March 2018

Thank you for referring the above application, which we received on 21/12/2017.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if you attach the condition listed below. We would object if the consent does not include this condition.

Condition 1 - Pollution Prevention: To prevent pollution to watercourses during the construction and operational phases of the proposal, the development shall be carried out in accordance with the:

- i) Pollution Prevention Plan ('Pollution Prevention Plan – Proposed Pullet Rearing Unit at Dol y Garreg, Llanwrthwl', undated)
- ii) Manure Management Plan ('Manure Management Plan Revision A For Mrs N Wozencraft and Son Dolgarreg Farm Llanwrthwl Powys', undated)
- iii) Drainage Plan ('Proposed Site Plan', drawing number 4723/1, dated 10/17 by Gareth Price Chartered Building Surveyor)

Manure Management

We have assessed Manure Management Plan ('Manure Management Plan Revision A For Mrs N Wozencraft and Son Dolgarreg Farm Llanwrthwl Powys', undated). The Manure Management Plan states that the manure will be taken to an Anaerobic Digester (AD plant) or sold.

The Plan includes a contingency plan for the storage of manure when export of manure to an AD plant, and for containing contaminated dirty water during and after disease outbreak. We confirm Requirement 1 of our previous letter has been satisfied.

Drainage Plan

The plan showing the proposed site layout ('Proposed Site Plan', drawing number 4723/1, dated 10/17 by Gareth Price Chartered Building Surveyor) shows the proposed site drainage plans. The dirty and clean and water will be drained separately. The plan states the dirty water tank will be built to SSAFO standards. The clean water will be disposed of by means of a soakaway.

Provided the drainage system is built in accordance with this plan, it is unlikely the proposal will cause pollution to the wider environment.

Pollution Prevention Plan

A Pollution Prevention Plan ('Pollution Prevention Plan – Proposed Pullet Rearing Unit at Dol y Garreg, Llanwrthwl', undated) has been submitted in support of the proposal.

Provided the works on site are undertaken in accordance with this plan, the proposal is unlikely to adversely impact the surrounding environment.

Should any contaminated water or materials enter or pollute the watercourse or groundwater, Natural Resources Wales must be notified immediately on our incident hotline, 03000 65 3000.

Protected Sites and Aerial Emissions

Intensive agricultural units have the potential to impact protected sites through aerial emissions (ammonia and nitrogen deposition).

We have reviewed the information provided in the report ('A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Pullet Rearing House at Sŵn y Glyn, near Rhayader in Powys' by AS Modelling & Data Ltd, dated 8th October 2016) and considered the potential impacts based on the pre-April 2017 guidance.

The background ammonia concentration (annual mean) in the area around Swn y Glyn is 0.91µg/m³, and the background nitrogen deposition is 27.16 kgN/ha/yr to woodland, and 18.2kgN/ha/yr to short vegetation.

The farm contribution to both ammonia concentrations and nitrogen deposition fall within the pre-April 2017 guidelines at the designated sites assessed.

It should be noted that although the farm contributions are within the old guidelines, they are at the upper end of those guidelines for some of the protected sites listed in the report.

Please do not hesitate to contact us if you require further information or clarification on any of the above.

Our comments above only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website: (<https://naturalresources.wales/media/5271/150302-natural-resources-wales-and-planning-consultations-final-eng.pdf>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be www.naturalresourceswales.gov.uk advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Representations

A public site notice was erected at the site for a period of 21 days. In response, 22 objection letters have been received and 13 letters of support received.

The key points raised in the objection letters are summarised below:

- Impact to local tourism
- Smell
- Traffic issues – road network unsuitable

- Noise
- Light pollution
- Adverse visual impact
- Concerns regarding air pollution
- surface water quality
- Public amenity
- Affect to private water supply
- Impact of anomia pollution to woodland biodiversity
- Affect to wildlife habitats
- Contamination risks to river
- Affect to local businesses
- Impact to Wye SSSI and SAC and Elenydd SSSI
- Site is wet
- Water supply issues
- Waste disposal
- Flood Risk issues

The key points raised in the letters of support are summarised below:

- Enterprises such as this are crucial for farms to remain sustainable.
- Will service free range poultry houses in Powys with pullets.
- Very few pullet rearing units in Powys – sustainable development.
- Supports the local economy.
- Much needed farm diversification.
- Increasing demand for eggs and poultry.
- Will secure a future for a young farmer to stay in agriculture.
- Supports the local farming industry

Planning History

P/2008/1044 – Outline – Agricultural Dwelling – Refused 28/10/2008

P/2008/1749 – Full: Erection of general purpose agricultural shed (cattle building) CC 20/2/2009

P/2009/0191 – Full: Erection of a general purpose agricultural building CC 15/4/2009

P/2009/1111 – Change of use of land for the siting of 2 self-contained holiday lets, installation of a private treatment plant and highway improvements to C0009/C0010 junction. CC 14/1/2010

P/2010/1063 – Full: Erection of a general purpose agricultural building. CC 3/11/2010

P/2010/0468 – Full: Erection of a general purpose agricultlaur building. CC 16/2/2010

Principal Planning Constraints

Flood Zone – Zone ALV
Minerals Safeguarding

Ancient Woodland
Public Right of Way

Principal Planning Policies

National planning policy

Planning Policy Wales (9th Edition, 2016)

Technical Advice Note 5 – Nature Conservation and Planning (2009)
Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)
Technical Advice Note 11 – Noise (1997)
Technical Advice Note 12 – Design (2016)
Technical Advice Note 15 - Development and Flood Risk (2004)
Technical Advice Note 18 – Transport (2007)
Technical Advice Note 23 – Economic Development (2014)
Technical Advice Note 24 - The Historic Environment (2017)

Welsh Office Circular 11/99 – Environmental Impact Assessment

Local planning policies

Powys County Council Local Development Plan 2018

SP7 - Safeguarding of Strategic Resources and Assets
DM2 – The Natural Environment
DM4 – Landscape
DM6 – Flood Prevention and Land Drainage
DM7 – Dark Skies and External Lighting
DM13 – Design and Resources
DM14 – Air Quality Management
E6 – Farm Diversification
T1 – Travel, Traffic and Transport Infrastructure

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note
UDP=Powys Unitary Development Plan, MIPPS=Ministerial Interim Planning Policy Statement

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

Section 38 (6) of the Planning and Compulsory Purchase Act 2004

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.

Environmental Impact Assessment Regulations 2017

Part 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 details development proposals and associated thresholds defining where a development proposal constitutes EIA development. These are contained in Schedule 1 and 2 of the Regulations. Schedule 1 of the regulations lists those developments where EIA is mandatory and Schedule 2 where the development must be screened to determine if it is EIA development.

The development falls within the description of development at paragraph 1 c. of schedule 2 (“the schedule”) to the 2017 Regulations and meets the applicable criteria in column 2 of the table in the Schedule. The development is therefore comprised “Schedule 2” development within the meaning of the 2017 Regulations.

Following screening the local planning authority determined the application as EIA development and a subsequent EIA screening direction was made to Welsh Government by the applicant on the 30th January 2018. The Welsh Government response dated 22 March 2018 directed that the proposed development is not EIA development within the meaning of the 2017 Regulations.

Principle of Development

Policy E6 of the Powys Local Development Plan accepts the principle of appropriate farm diversification developments within the open countryside where the schemes are of an appropriate intensity, does not have a detrimental impact upon the vitality and viability of adjacent land uses, has adequate parking facilities and is located within or immediately adjacent to the existing farm complex. In light of the above, and having considered all statutory consultee responses, Officers are satisfied that the principle of the proposed development at this location is generally supported by planning policy.

Farm Diversification

The existing farm business at Dol-Garreg is an existing mixed enterprise farm of cattle and sheep extending to 80 acres of owner occupied land and rented land.

The farm business is proposing to diversify into a pullet rearing enterprise which will supplement the existing farm profits. Reasons provided (within the Design and Access Statement) indicate that there have been a number of free range egg laying units approved in Powys in recent years and there is currently a demand for hens to stock these sheds. The number of pullet rearing sheds is sited as being currently low in Powys and franchises are

looking for local suppliers which will cut down the transportation of hens from outside the region.

Planning policy acknowledges that rural enterprises play a vital role in promoting healthy economic activity within rural areas. Planning Policy Wales (2016) and Technical Advice Note 23 (2014) emphasises the need to support diversification and sustainability in such areas, recognising that new businesses are key to this objective and essential to sustain rural communities therefore encouraging Local Authorities to facilitate appropriate rural development.

Notwithstanding the policy presumption in favour of appropriate rural development, support needs to be balanced against other material considerations including landscape and visual impact, highway safety implications, ecology together with the potential impact on local amenity. Consideration of such matters is duly given below.

Landscape and Visual Impact

Guidance within policy DM4 of the Powys Local Development Plan, indicates that development proposals will only be permitted where they would not have an unacceptable impact on the environment and would be sited and designed to be sympathetic to the character and appearance of its surroundings. Policy DM4 requires a Landscape and Visual Impact Assessment to be undertaken where impacts are likely on the landscape and proposals should have regard to LANDMAP, Registered Historic Parks and Gardens, protected landscapes and the visual amenities enjoyed by users of the Powys landscape and adjoining areas.

This application site lies within the lower Elan Valley as characterised by LANDMAP and is located in an open / wooded mosaic upland valley. The visual and sensory assessment and landscape habitat assessment being considered to be moderate.

The proposed unit is to accommodate 12,000 birds and the building itself is to be located directly north of an existing site of an agricultural shed which was approved under P/2010/1063. It is noted that ground works have started to implement this permission.

The proposed building would be accessed via the existing access off the County Class III Highway, C0010 and a hardstanding area is proposed directly east of the proposed building.

The site itself is bound by the highway to the north, an existing access to the east, agricultural land to the south and an existing access track to the west.

The topography of the agricultural land to the south is gently rising with the proposed building located on the lower area of land adjoining the highway.

The topography of the surrounding agricultural land means that the proposed building would be significantly screened in the wider landscape to the south and woodland to the east would screen the site in an easterly direction. The site would be partially screened from a north and north easterly direction by existing landscaping including hedgerows and trees.

Policy DM13 of the Powys Local Development Plan seeks to ensure that development is designed to complement and/or enhance the character of the surrounding area in terms of siting, appearance, integration, scale, height, massing and design detail. Developments should not have an unacceptable detrimental impact upon the amenities enjoyed by the occupants or users of nearby properties by means of noise, dust, air pollution, litter, odour, hours of operation, overlooking or any other planning matter.

The proposed unit is sited within a parcel of land where former planning approvals for agricultural buildings and tourism accommodation have been granted and as such the principle of development is therefore established in this location. The scale of the building being 40 metres in length, 15 metres in width, 3.78 metres in height to the eaves and 6.0 metres in height to the ridge is considered an acceptable scale and the design and appearance is very much of standard agricultural appearance. The proposed development will be positioned on a parcel of land with existing planning permission for an agricultural building. It is recognised that the buildings will be visible from the adjoining highway and in particular whilst the proposed landscaping scheme is established. (A 2.0 metre high bund with planting of native species is proposed along the northern and western boundary of the site which will aid assimilation into the landscape in this location).

Given the proposed siting of the unit and topography of the surrounding agricultural land and scale of the proposed development, officers consider the siting to be acceptable. Officers consider that the proposal is capable of being accommodated without causing unacceptable harm to existing character and appearance of the surrounding area and landscape. It is noted that conditions regarding future landscaping are to be imposed to ensure that prior to commencement of any building works a landscaping scheme is submitted to the local planning authority for approval.

In light of the above observations and notwithstanding the scale of the proposed development, it is considered that the proposal is in accordance with planning policy and in particular policies SP7, DM2, DM4, DM7, DM13 and E6 of the Powys Local Development Plan.

Highways Safety and Movement

Policy T1 of the Powys Local Development Plan 2018 states that development proposals should incorporate safe and efficient means of access to and from the site for all transport users, manage any impact upon the network and mitigate adverse impacts.

This application is supported by a Design & Access Statement which outlines that the pullet rearing unit will require bulk food delivered by six or eight wheeler HGV's. The Design and Access Statement submitted with the application states that feed will be delivered 2/3 times a month and stored in hoppers on site. There is estimated to be 2.3 cycles per year – which will require deliveries and collections of birds for 4 days of the calendar year. It is noted that the main labour will be family members of the applicant and all traffic will be accessed via the B4518 (Rhayader to Elan Valley highway).

The site itself will include an area for parking, turning and service area directly west of the existing access.

The Highway Authority have been consulted and initially commented that they would require further details regarding the access to be included within the red development line boundary, visibility was to be shown at the access of 34 metres, the proposed gates were to be set back 20 metres from the highway and the width of the access was to be shown on plan.

Revised highway details were submitted on the 28th February 2018 and the Highway Authority re-consulted.

In response to the revised details the Highway Authority has no objections to the proposal subject to the inclusion of appropriately worded conditions.

In light of the Highway Officers comments and suggested conditions, Officers consider that subject to the conditions suggested, the proposed development is in accordance with planning policy, particularly policy T1 of the LDP, Technical Advice Note 18 and Planning Policy Wales.

Biodiversity and Ecology

SAC's, SSSI's and Ancient Woodland

Policy DM2 of the Powys Local Development Plan seeks to maintain biodiversity and safeguard protected important sites. Policy DM2 states that proposed development should not unacceptably adversely affect any designated site, habitat of species including locally important site designations.

It is considered that the key impacts associated with the proposed development include the potential impacts upon nearby watercourses and woodlands as a result of the contribution of the process on the existing ammonia levels in the area. An ammonia modelling report has been submitted in support of the application. (A Report on the modelling of the dispersion and deposition of Ammonia from the Proposed Pullet Rearing House at Swm Y Glyn, Rhayader – by AS Modelling and Data Ltd – 8th October 2016). The report identifies a number of environmentally important sites over a domain covering the site of the proposed unit and nearby River Wye SAC, Elan Valley Woodlands SAC and Elenydd – Mallaen SPA and computer modelling used to assess the impact of ammonia emissions from the proposed pullet rearing unit

Natural Resources Wales and the County Ecologist have been consulted as part of this application process.

The County Ecologist notes that preliminary modelling was undertaken to identify the predicted maximum annual mean ammonia concentration at the identified receptors. For ammonia concentration in air, the Critical Level for higher plants is 3.0 µg-NH₃/m³ as an annual mean. For sites where there are sensitive lichens and bryophytes present, or where lichens and bryophytes are an integral part of the ecosystem, the Critical Level is 1.0 µg-NH₃/m³ as an annual mean. For the purposes of modelling and in the absence of survey information to demonstrate that the Ancient Woodlands do not support sensitive lichens or bryophytes the lower critical level is applied.

Current guidance with regards to Ancient Woodland identifies that an emission is insignificant where Process Contribution (PC) is <50% ancient woodland and where modelling predicts a

process contribution >100% at an ancient woodland the proposal may not be considered acceptable.

The report identifies that at all of the Ancient Woodlands considered, the preliminary modelling predicted that the process contribution to the annual ammonia concentration and the nitrogen deposition rate would be below the recognised lower threshold percentage (100% for a non-statutory wildlife site) of the precautionary Critical Level of 1.0 µg-NH₃/m³.

The County Ecologist therefore considers that the potential impacts of the proposed development to Ancient Woodland are within the levels considered to be acceptable by recognised current guidelines.

NRW have also considered the potential of the proposed development to impact Internationally and Nationally Designated Sites (SSSIs and SAC). They have confirmed in their response dated 27th March 2018 that they are satisfied that the process contributions of ammonia and nitrogen deposition from the proposed development are below the thresholds applied in their assessment of potential impacts to these sites. They do note that although the farm contributions are within the old guidelines, they are at the upper end of those guidelines for some of the protected sites listed in the report.

In addition NRW have reviewed the following documents submitted to inform the application:

- Manure Management Plan Revision A for Mrs N Wozencraft and Son, Dolgarreg Farm, Llanwrthwl Powys', undated
- Pollution Prevention Plan Revision A for Mrs N Wozencraft and Son, Dolgarreg Farm, Llanwrthwl Powys', undated
- Drainage Plan - Proposed Site Plan drawing no. 4723/1 produced by Gareth Price Chartered Building Surveyor dated October 2017

NRW have confirmed that they consider the information and measures identified to be appropriate and subject to adherence to these Plans there would be no negative impacts from the proposed development. NRW have recommended that a suitably worded condition is included to secure adherence to these plans – the County Ecologist is in agreement to the need to include a condition to this effect.

As part of this application process the County Ecologist has been consulted who has not requested any further information as part of this application process. A Habitats Regulations Assessment Screening of the proposed development for the River Wye SAC found that the proposed development would not result in Likely Significant Effects to the SAC in light of proposed mitigation measures.

In summary, as part of this application process both the County Ecologist and NRW have been consulted who have not raised any concerns or objections regards to potential impacts on any SSSI, SAC or areas of ancient woodland within close proximity to the site. Both NRW and the ecologist have raised no objections to the scheme subject to the suggested conditions being included upon any grant of consent.

In light of the above and subject to the imposition of conditions suggested by both NRW and the County Ecologist, it is considered that the proposed development is in accordance with

policy DM2 of the Powys Local Development Plan, Technical Advice Note 5 and Planning Policy Wales.

Protected Species

Policy DM2 of the Powys Local Development Plan, TAN5 and PPW seek to safeguard protected species and their habitats. Policy DM2 states that proposed development should not unacceptably adversely affect any habitat or protected species.

As part of this application process the County Ecologist has been consulted who has not requested any further information regarding protected species and has offered no objection subject to the imposition of conditions requiring the submission of lighting details and a landscaping scheme..

In light of the above and subject to the recommendations, it is considered that the proposed development is in accordance with policy DM2 of the Powys Local Development Plan, Technical Advice Note 5 and Planning Policy Wales.

Residential Amenity

Intensive livestock units have the potential to impact on the living conditions of residents living nearby through a number of factors, in particular emissions of noise and odour. The nearest residential dwellings to the proposed site are located approximately 180 metres distant from the proposed development site namely Dolgam to the north and Dolifor to the south west.

Environmental Health has been consulted as part of the application and initially recommended refusal on the grounds of insufficient information regarding plant noise, deliveries to the site and dust management plan.

Noise:

LDP policy DM13 states that development proposals will only be permitted where the amenities enjoyed by the occupants of nearby or proposed properties shall not be unacceptably affected by levels of noise. Officers acknowledge that intensive livestock units have potential to generate noise impact from plant/equipment (roof mounted extractor fans) and general operational activities.

In a second response dated 20th March 2018, Environmental Health confirm that following the submission of a Plant Noise Assessment (Plant Noise Assessment – Acoustics Report M1806/RO1a) a noise survey was conducted to determine the typical background noise levels at the nearest dwellings to the proposed pullet rearing unit.

The extract fan and feed silo motor noise emissions as a result of the development were assessed in accordance with BS4142:2014. The noise assessment concludes that at the nearest dwellings the aggregate rating level will be significantly below the typical background during the day, evening and night. It is therefore concluded that at highest the noise impact of the assessed noise sources will be very low.

On the basis of the submitted information and comments received, officers consider that sufficient information has been submitted in support of the application to demonstrate that the proposed poultry development will not have an unacceptable adverse impact on the amenities enjoyed by the occupants of the neighbouring properties by reasons of noise. As such, the proposed development is considered to fundamentally comply with LDP policies DM13, Technical Advice Note 11 and Planning Policy Wales.

Odour:

A manure management plan has been submitted in support of this application. The plan indicates that all of the land currently owned at Dol-Garreg by the applicant will not be used for the spreading of any manure from this proposal. The plan indicates that all solid manure produced within the pullet rearing unit will be removed after every cycle approx. twice a year. The manure will be loaded into lorries and transported off site to an Anaerobic Digester plant. (it is noted that other holdings from time to time will be able to purchase the manure).

The manure management plan also includes a contingency plan for when removal of the manure off site may not be possible. In this case, storage in temporary field heaps sited in accordance with regulatory controls and Code of Good Agricultural Practice or stored in a covered area within existing buildings will be facilitated.

As part of this application process NRW, the County Ecologist and Environmental Health officers have been consulted who have raised no objection to the proposed manure management plan and that the proposed development would not have an unacceptable adverse impact on the amenities enjoyed by occupants of neighbouring properties by reason of odour.

Following consultation, it is noted that no concerns have been raised by the Environmental Health Department in this respect subject to the inclusion of appropriately worded conditions

In light of the above, it is considered that the proposed development will not have an unacceptable adverse impact on the amenities enjoyed by occupants of nearby properties by reasons of odour. Therefore, Development Management considers the proposal to be in accordance with planning policy, in particular LDP policy DM13 and DM14.

Tourism

LDP Policy DM13 seeks to oppose development which would have an unacceptable adverse impact on existing and established tourism assets and attractions.

The application site sits in the heart of rural Powys, an area that has a strong tourism industry in a variety of guises although it is noted that many tourists are drawn to the area for its scenic quality and to enjoy the nearby Elan Valley area. Elan Village is located approximately 2.5 kilometres distant in a south westerly direction.

Several representations have been received raising concerns that the proposed development will be of detriment to local tourism and their livelihoods.

Letters have been received that make particular comment on the impact of the proposed development on tourism in the Elan Valley area and also the nearby bed and breakfast establishment that is located approximately 190 metres distant from the development site in a south westerly direction.

Whilst objectors make reference to potential impact of odour emissions on the nearby tourism accommodation considerations should also be given to the technical professional reports submitted with the application and the comments submitted by the Environmental Health Officer who offers no objection to the proposed development.

Whilst the concerns raised by objectors are noted, the evidence submitted and reviewed details odour emissions and potential noise impacts that are in line with relevant guidelines

Surface and Dirty Water Drainage

This application submission (Proposed site layout plan) shows a dirty water tank to SSAFO regulations and is proposed that dirty water will be kept separate from surface water drainage. The pollution prevention plan (received 4th December 2017) notes that the drainage system will ensure that the foul water and clean water are kept separate and therefore no clean water will be contaminated. The proposed drainage system will allow all clean surface water to be discharged into a nearby soakaway adjacent to the building and is diverted away from any watercourse.

As part of this application process NRW have been consulted and they have raised no objection to the proposed means of surface and dirty water disposal. It is proposed that a condition be placed on an approval to ensure that no development commences until a detailed scheme for the surface water drainage of the site has been submitted to and approved in writing by the local planning authority.

In light of the above, it is considered that the proposed surface and dirty water drainage systems proposed fundamentally comply with policy DM6 of the Powys Local Development Plan.

Conclusion

Having considered all statutory consultee responses and third party representations, due consideration has been given to the proposed development and its potential impact upon the amenity and character of the area in this locality.

Having visited the site, Officers are satisfied that the proposed development complies with the relevant policies within the Powys County Council Local Development Plan and the decision is one of conditional consent in line with the conditions as set out below.

Decision – Conditional Consent

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** (drawing no's: 4723/2A – Site Location, 4723/3 Proposed floor plan, 4723/4 Proposed Elevations, 4723/1A – Proposed Site Plan, Dust Management Plan (received 12th March 2018), Manure Management Plan Revision A for Mrs N Wozencraft and Son, Dolgarreg Farm, Llanwrthwl Powys, Pollution Prevention Plan Revision A (received 4th December 2017), Report on the Modelling of the Dispersion and Deposition of Ammonia from the proposed Pullet Rearing House at Swn Y Glyn, Nr Rhayader, Powys – AS Modelling and Data Ltd – 8th October 2016, Design and Access Statement by Gareth Price Building Surveyor – received 4th December 2017 and Plant Noise Assessment Acoustics Report – dated 27th February 2018 by Matrix Acoustic Design Consultants.
3. Prior to the first beneficial use of the development any entrance gates shall be set back at least 20 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.
4. The gradient of the access shall be constructed so as not to exceed 1 in 15 for the first 20 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.
5. The centre line of the first 20 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.
6. 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 0.6 metres above ground level at the edge of the adjoining carriageway and 34 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway.
7. Nothing shall be planted, erected or allowed to grow on the areas 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.
8. Before any other development commences 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 20 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.
9. The width of the access carriageway, constructed as Condition 6 above, shall be not less than 6 metres for a minimum distance of 20 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.

10. Prior to the first beneficial use of the development the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 20 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.

11. Prior to the first beneficial use of the development, provision shall be made within the curtilage of the site for the parking of not less than 2 cars and 2 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. Before any other development commences provision shall be 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 0.4 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. Prior to the occupation of the development a radius of 10.5 metres shall be provided from the carriageway of the county highway on each side of the access to the development site and shall be maintained for as long as the development remains in existence.

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

15. Prior to any works being commenced on the development site the applicant shall construct 2 passing bays, in locations to be agreed in writing by the Local Planning Authority. The passing bays shall be constructed up to adoptable standard prior to any works being commenced on the development site.

16. 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.

17. No storage of manure shall be sited next to dwellings, place of work, and popular leisure areas and all stored manure shall be stored on level ground. No manure shall be stored over field drains or within 10 metres of a watercourse.

18. All vehicles used for the movement of manure if taken off site shall be sheeted and/or fully covered.

19. 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.

20. No external lighting shall be installed unless a detailed external lighting design scheme has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall identify measures to avoid impacts on nocturnal wildlife. The development shall be carried out in accordance with the approved details.

21. 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.

22. 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.

23. No development shall commence until a detailed scheme for the surface water drainage of the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before the building comes into use.

24. Prior to the commencement of any building works (works relating specifically to the application building), scaled drawings detailing the landscaping scheme for the application site shall be submitted to and approved in writing by the Local Planning Authority. The submitted landscaping scheme shall include scaled drawings and a written specification clearly detailing: species, sizes (in metric form), densities and planting numbers of new trees and/or hedgerow planting.

25. No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

26. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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 – 15. In the interests of highway safety and in accordance with the provisions of Powys LDP Policy DM13 and T1.

16. To protect the local amenities of the local residents from noise.

17. To avoid runoff and prevent deterioration of the local amenities.

18. To prevent spillage of manure and minimise odour dispersion and prevent population increase of insects.
19. To ensure that any flies or fly larvae are killed, prevent sudden increase of fly and other insect infestations and minimise smells and contamination of water.
20. To protect the local amenities of the local residents from the excess of illuminance.
21. To comply with Powys County Council's LDP Policies DM2, DM7 and DM13 in relation to The Natural Environment, External Lighting and residential amenity and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
22. To comply with Powys County Council's LDP Policies DM2, DM4 & DM13 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Planning Policy Wales (Edition 9, November 2016), and Part 1 Section 6 of the Environment (Wales) Act 2016.
23. In order to control development which has the potential to have adversely affect the amenity of the area in contradiction to Policy DM13 of the Powys Local Development Plan and Planning Policy Wales (2016).
24. In order to control development which has the potential to have adversely affect the amenity of the area in contradiction to Policy DM13 of the Powys Local Development Plan and Planning Policy Wales (2016).
25. To ensure that the proposed surface water drainage system for the site follows best practice designs and is fully compliant with regulations and is of robust design.
26. To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment and visual amenity and privacy in accordance with policies DM2, DM4 and DM13 of the Powys Local Development Plan (2018).
28. 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 DM2, DM4 and DM13 of the Powys Local Development Plan (2018).
29. 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 DM2, DM4 and DM13 of the Powys Local Development Plan (2018).

Informative Notes

The Design and Access Statement (November 2017), submitted in support of this proposal states the development will house 12,000 birds. Please note that should the number of birds subsequently increase within the holding to over 40,000 birds an Environmental Permit under the Environmental Permitting Regulations 2016 would be required from Natural Resources Wales.

Should an Environmental Permit be required we recommend that both planning and permit applications are twin tracked.

The grant of planning permission does not permit activities that require consent, licence or permit under other legislation. It is the applicant's responsibility to ensure that all relevant authorisations are obtained before any work commences on site.

The written consent of NRW or registration for exemption by the developer will be required for any discharge (e.g. foul drainage to a watercourse/ditch etc.) from the site and may also be required for certain categories of discharges to land. All necessary NRW consents, or exemptions will need be obtained prior to works progressing on site.

Abstractions

If it is intended to supply new units with water from ground or surface waters, you are advised to check the abstraction limits and apply for a permit to abstract if required.

<https://naturalresources.wales/apply-for-a-permit/water-abstraction-licences-and-impoundment-licences/?lang=en>

Discharges

The written consent of NRW or registration for exemption by the developer will be required for any discharge from the site (e.g. foul drainage to a watercourse) and may also be required for certain categories of discharges to land. All necessary NRW consents, or exemptions must be obtained prior to works progressing on site.

<https://naturalresources.wales/apply-for-a-permit/water-discharges/discharges-to-surface-water-and-groundwater/environmental-permitting-for-discharges-to-surface-water-and-groundwater/?lang=en>

Water Resources Act (Control of Pollution) (Silage Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010

All wash water and manures arising from poultry units must be collected and stored in accordance with The Water Resources (Control of Pollution) (Silage Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010 and Welsh Governments Code of Good Agricultural Practice.

Manure Storage

All wash water and manures arising from intensive agricultural units must be collected and stored in accordance with The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010 and the Welsh Government's Code of Good Agricultural Practice.

Manure Spreading

Manures should be spread in accordance with the Welsh Government's Code of Good Agricultural Practice.

Waste

The activity of importing waste into the site for use as, for example hardcore, must be registered by the Natural Resources Wales as an exempt activity under Environmental Permitting Regulations 2010. The developer should contact Natural Resources Wales to discuss the necessity for an exemption permit for any material imported to and exported from the site.

Case Officer: Karen Probert- Planning Officer
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