

DM7 – Dark Skies and External Lighting
DM13 – Design and Resources
DM14 – Air Quality Management
E2 – Employment Proposals on Non-allocated Employment Sites
E6 – Farm Diversification
T1 – Travel, Traffic and Transport Infrastructure

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note
LDP=Powys Local 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

Planning (Listed Buildings and Conservation Areas) Act 1990

Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017

Environmental Permitting (England & Wales) Regulations 2010 (as amended)

Officer Appraisal

Following the publication of the report and further review it was considered appropriate to attach conditions regarding the spreading and storage of manure in the event that the contingency plan identified within the Manure Management Plan needs to be implemented.

Recommendation

Having considered all statutory consultee responses, 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.

The Environmental Information submitted has been considered in full in the determination 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 approved plans and documents (drawing no's: RJC-MZ-4685-01A, RJC-MZ-4685-02B, RJC-MZ-4685-03, RJC-MZ-4685-04, RJC-MZ-4685-05 and Drainage Plan and documents; Non-Technical Summary dated January 2018, Noise Impact Assessment dated August 2018, A Dispersion Modelling Study of the Impact of Odour dated March 2017, Noise Management Plan dated January 2018, Environmental Statement dated January 2018, Design and Access Statement dated January 2018, Method Statement Pollution Prevention, Manure Management Plan, Flood Consequence Assessment dated January 2017, A Report on the Modelling of the Dispersion and Deposition of Ammonia dated July 2017, Lighting Design Scheme dated January 2018 and Impact on Setting of Historic Assets dated June 2018).

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. 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 two cars 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.

6. Installation of external lighting features at the site shall be carried out in accordance with specifications identified in the Lighting Design Scheme – Ystym Colwyn produced by Roger Parry & Partners LLP dated January 2018, the identified lighting plan shall be adhered to and implemented in full and maintained thereafter.

7. 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.

8. 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.

9. Development shall be carried out in strict accordance with the Method Statement Pollution Prevention Plan, Drainage Plan and Manure Management Plan dated March 2018.

10. 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.

11. Vehicles used for the movement of manure shall be sheeted to prevent spillage of manure.

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. 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.

4. 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).

5. In the interest of highway safety in accordance with policies DM13 and T1 of the Powys Local Development Plan and Technical Advice Note 18: Transport.

6. To comply with Powys County Council's Policies LDP DM2 and DM7 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 Part 1 Section 6 of the Environment (Wales) Act 2016.

7. To comply with Powys County Council's LDP Policies DM2 in relation to the Natural Environment and DM4 in relation to ecological qualities of the landscape and 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.

8. To comply with Powys County Council's LDP Policies DM2 in relation to the Natural Environment and DM4 in relation to ecological qualities of the landscape and 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.

9. To comply with Powys County Council's UDP Policy ENV3 and Policies DM2 and DM4 of the Powys Local Development Plan 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 Policy ENV3 and Policies DM2 and DM4 of the Powys Local Development Plan 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.

11. To safeguard the amenities of the locality in accordance with policy GP1 of the Powys Unitary Development Plan and Policy DM13 of the Powys Local Development Plan.

Informative Notes

Work should halt immediately and Natural Resources Wales (NRW) contacted for advice in the event that protected species are discovered during the course of the development. To proceed without seeking the advice of NRW may result in an offence under the Conservation of Habitats and Species Regulations 2017 and/or the Wildlife & Countryside Act 1981 (as amended) being committed. NRW can be contacted at: Tel: 0300 065 3000

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