

Application No	E/33695
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Application Type	Full Planning
Proposal & Location	FULL PLANNING FOR THE ERECTION OF A POULTRY UNIT ON FARM TO ACCOMMODATE FREE RANGE CHICKENS (EGG PRODUCTION) TOGETHER WITH ASSOCIATED FEED BINS, INTERNAL FARM ACCESS AND ASSOCIATED WORKS AT GODRE GARREG, LLANGADOG, SA19 9DA

Applicant(s)	T V HUGHES & CO, GODRE GARREG, LLANGADOG, SA19 9DA
Agent	ROGER PARRY AND PARTNERS - GAIL LEWIS, THE ESTATES OFFICE, 20 SALOP ROAD, OSWESTRY, SHROPSHIRE, SY11 2NU
Case Officer	Kevin Phillips
Ward	Llangadog
Date of validation	21/04/2016

Members will recall that this planning application was reported to the Planning Committee on 24 August 2017 that in turn resulted in a site visit by the Committee on 3 October 2017. Following the site visit it was resolved to refuse planning permission with the primary areas of concern relating to the location of the proposed unit, its proximity to nearby properties and the harm to the amenities of the occupiers of those properties which could arise. In the interim, between the aforementioned committee resolution on 3 October 2017 and the issue of the decision notice, the agent proposed an amended location, which resulted in the submission of revised plans that now detail the proposed poultry unit adjacent to the farm. The proposed access point on to the public highway is to remain as previous with the track to the amended location running along an existing hedgerow.

The application was deferred at the Planning Committee on 15 May 2018 for a site visit to the revised location adjacent to the farm.

CONSULTATIONS

Head of Transport – Initially recommended the refusal of the application as the traffic generated by the development would use an existing access which is unsuitable because there is restricted visibility at the county road. However, following a traffic survey and improvement to the design of the access along with the proposed provision of a passing

bay along the road leading to/from the site, the application is now supported subject to the imposition of conditions.

Head of Public Health & Protection:

Noise - The new proposed location for the chicken shed is further away from residential properties which has resulted in the noise rating level from the proposed development being less at the nearest noise sensitive property.

For external areas this is generally considered as a low level of noise, especially given the fans will only be operated during the day time. Therefore based on this and subject to the proposed conditions being imposed, Environmental Health and Licencing do not object to this application.

Odour – From the Odour Report submitted in the application it is not considered that there will be significant odour issues from the operation. It is noted that odours, albeit, low level, will exist at times, and could affect nearby properties. The property closest to the operation have not raised any objections to the application and are supportive of the development.

In terms of the ADAS odour emissions assessment submitted from a resident of Carreg Sawdde Common certain matters raised in the report identify potential issues with the manure store. It is understood that the manure storage is not being considered as part of this application, and further permissions will be required for the manure store prior to the operation commencing. Concerns raised for further sensitivity assessments on the potential for odours at nearby properties could be of benefit, but given this is a rural agricultural area, having slight odours from time to time would not seem unreasonable. The prevailing wind direction is south westerly, and the properties located in this direction have no objection to the application.

Since the application was originally received, the proposed siting for the building has been moved and it will now be located further away from the residential properties that have raised concerns.

The proposed operation will be using a conveyor belt system for removing the manure from inside the unit, and this system is recognised as a method that reduces odours significantly from the unit in general. From visiting an identical operation in the County, it was apparent that there were no odours in the nearby vicinity. Slight odours were witnessed adjacent to the area used for manure removal, but these were very slight in nature and would not be noticeable off site. This operation also uses the same ventilation system through the roof as the proposed development. Due to the weather conditions the ventilation fans were not in operation during the visit, so assessments were also made inside the unit. Odours were not strong inside, so any odours released when the fans would be operated would be low in intensity. This is due to the manure being removed from the unit twice weekly, so there is less manure present to generate odours. The manure is also kept dry, which again reduces the potential for odour intensity. Removing the manure as opposed to using a deep litter system is also beneficial in reducing the potential for insect/fly problems.

Officers of the public health and protection team have also previously dealt with a similar application in the County, which uses a deep litter system as opposed to a conveyor belt

operation. This operation has not caused odour complaints, and it is therefore anticipated that a conveyor system would reduce the likelihood and intensity of odours further.

The ventilation system will emit air through vents in the roof, which should also reduce the potential for odours to affect nearby properties as odours will be dispersed at height. These units are operated on an automated system, whereby the fans will operate when required to maintain the temperature inside, so fans may operate during the day or night.

Therefore, from experience and assessing other operations of this nature, there is not envisaged to be a problem in relation to odours.

Head of Corporate Property – No comments received.

Llangadog Community Council – Objects to the proposal. Whilst the Community Council has no issue with the applicant wishing to diversify their business and move into egg production, they do feel that the current, proposed location for a poultry unit of this size and scale is inappropriate due to its close proximity to several neighbouring residential properties (under 200m) and because of the extra traffic it would generate.

The Community Council would like the planning authority to ensure that there is sufficient separation between the residential properties and the proposed poultry unit to mitigate against any detrimental effects of noise, smell and visual amenity.

Local Member– Councillor A James at the 3rd October 2017 consideration of the proposal, declared an interest in the application as he has previously sold land elsewhere to the applicant.

Natural Resources Wales – Planning permission should only be granted if the scheme can meet the following requirements and conditions, which would address significant concerns that have been identified relating to drainage, pollution prevention and protected sites.

1. In terms of drainage, a drainage plan in relation to foul water drainage is required to be approved by NRW.
2. Full details of the sterilisation of the building following the 14 month cycle is required to be submitted.
3. A test of likely significant effect (TLSE) of the proposal on the Tywi Special Area of Conservation (SAC) is required to be undertaken. This is to be undertaken by the Authority's Planning Ecologist and will be submitted to NRW for their approval.

The drainage plan requested and submitted advises that all dirty water from wash down will be collected in an underground sealed tank. It will be tankered out as necessary and applied to the land in accordance with the Manure Management Plan. The drainage plan is to be conditioned in the planning permission. It remains that the test of likely significant effect has yet to be completed for the revised location and no permission shall be released until this has been completed and agreed by NRW.

During the operational lifetime of the poultry unit an updated manure management plan (MMP) is to be submitted to the Local Planning Authority for written approval on an annual basis reflecting any changes in the operation. The nutrient management plan which

informs the MMP is to be updated as required and as agreed with the Local Planning Authority. All poultry manure produced is to be managed in line with the approved MMP.

The MMP considers the requirements of the current Glastir agreement. The plan shows that there is not sufficient land available to apply all the poultry manure produced. The excess is to be exported off the holding by a specialist contractor. The plan also refers to the construction of a new manure store on the holding, which we [NRW] understand will form part of a separate planning application.

The nutrient management plan is based on soil samples taken in 2013. The applicant should refer to best practice and be aware that the soil nutrient levels should be checked every three to five years to give a suitable baseline to produce the nutrient management plan.

The Design and Access Statement produced by Roger Parry and Partners LLP, referenced 131217, states that the manure applied to the holding will be incorporated into the land within 24 hours. The details on how this will be carried out are to be included in the Manure Management Plan

National Grid – No comments received.

Dwr Cymru/Welsh Water – No comments received.

Dyfed Archaeological Trust – No comments received.

Neighbours/Public – The previous siting of the proposed poultry unit away from the farm resulted in 79 letters of objection, in addition to an online petition with over 1300 signatures and 33 letters of support. The reasons of objection were as follows:-

- The proposal is a large scale building that will be detrimental to the visual amenity of the landscape.
- The proposal will result in highway safety problems with vehicles accessing and exiting the site.
- The proposal is within the river Tywi flood zone and there will be pollution of the environment as a result.
- The proposal will result in the loss of hedgerow.
- The proposal will be detrimental to local living conditions as a result of noise.
- The proposal will be detrimental to local living conditions as a result of smells.
- There will be an increase in rats and fly infestation.
- There will be a devaluation of local properties.
- The welfare of the chicken business is questioned.
- The proposal will increase in Antibiotic resistance.
- The proposal will Impact upon the tourism of the locality.
- The proposal will Impact upon the heritage of Llangadog village.
- There is concern regarding the spread of manure.

The letters in support of the application refer to:-

- Expansion and diversification of a rural business is essential for a rural community
- The proposed development will allow a young farmer to succeed in a new rural enterprise

- A modern poultry will not cause any harm in for local residents in terms of smells and noise
- The proposal allows quality food to be produced locally
- Chicken manure will be beneficial to farming practices in the locality and rather than importing in from far afield, the manure can be supplied from a local source.

The site notices erected in respect of the current, revised scheme that proposes the poultry unit adjacent to the farm resulted in a further 7 letters of objection and 1 letter of support have been received.

The further issues of objection raised reflect the above reasons of objection. In addition, it is raised that the proposed manure store has been included in the planning application. Although the agent initially included plans of the proposed manure store within the application that building has subsequently been removed and is not be the subject of this application. Should planning permission be granted for the poultry shed, the manure store will be subject to a separate planning application, which again shall include the relevant public consultation exercise

PLANNING HISTORY

There is no relevant planning history on the application site.

APPRAISAL

THE SITE

The application site is part of three large fields to the south of the existing farm, Godre Garreg, Llangadog, located approximately 57 metres from the farm. Access to the site is from an unclassified road that runs across Carreg Sawdde Common and ends at Devanah and Dolau farm. There are two dwellings to the north-east of the application site, Bancyfelin at approximately 80 metres away and Rhosawel at approximately 115 metres. To the east there is Bwlchagored and Dolgarreg, which are approximately 100 metres and approximately 115 metres respectively away from the proposed poultry unit. Derwen Deg is approximately 137 metres to the south-west and Brofana (formerly Kite Cottage) and Ty Newydd are approximately 143 metres and approximately 170 metres away to the south respectively.

THE PROPOSAL

The application seeks planning permission to erect a juniper/olive green free range poultry unit; the rectangular hen house is shown to measure 140 metres x 20 metres, with a 3.1 metre eaves height and 6.09 m height to the ridge. Four feed bins at 7.16 metres in height are proposed; to be sited two at each end of the northern elevation, and a loading bay at the north-west corner of the building. The roof will have box profile sheeting and the elevations will be a mass concrete base with box profile sheeting to the eaves. The elevation facing away from the farm will have pop holes to the site to allow the hens to exit and enter. The south-east gable elevation will have four double doors with a standard central single door in the north elevation. The roof of the proposed poultry unit is now to include 16 green coloured exhaust chimneys with fans, with 8 spread evenly towards the end of the north-west elevation of the building and 8 at the south-east elevation and there will also be 8 green coloured inlet chimneys along the length of the building with no fans.

The exhaust chimneys will be 1.2 metres above the plane of the roof and the inlet chimneys will be 1.5 metres above the ridge.

The building is specifically designed for the housing of free range hens and is to meet the relevant regulations and codes for bird welfare. The proposed development will have the capacity to accommodate up to 32,000 laying hens.

The proposed unit will not only house the poultry, but will include the mechanical processing and packing of eggs via a conveyor belt system. Essentially, the chickens will lay eggs within certain designated areas within the units; the eggs will enter onto a conveyor system (this may also be done manually); then transported into the packaging/grading area whereby they are mechanically sorted and graded into crates. The crates are then sealed and stored at optimum temperatures before being collected. The whole process is low labour intensive.

The poultry unit is to be served by a new, revised access approximately 25 metres from the boundary with Brofana and Ty Newydd which runs along a mature hedgerow that runs north-south between Bancyfelin and Brofana and then runs along the northern side of the building with a turning facility and loading facility at the western extremity. A hardstanding area for parking is to be provided at the eastern side of the building for staff, deliveries and collections.

PLANNING POLICY

The application falls to be considered against Policies within the Carmarthenshire Local Development Plan (LDP). The relevant policies are:

Policy SP14 is a strategic policy that requires that development should reflect the need to protect and wherever possible enhance the County's natural environment and should be considered in accordance with national guidance/legislation and the policies and proposals of this plan.

Policy GP1 is a general policy which promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Development proposals should also not have a significant impact on the amenity of adjacent land uses and properties.

Policy EMP 4 provides advice on the consideration of farm diversification proposals, and requires that it is subordinate to, compatible with and supports the continued operation of the agricultural activity of the existing working farm; is of a scale and nature appropriate to the existing farm operation; the scale and nature of the activity is compatible with its accessibility to public transport and the need for local highway improvements; the scale and scope of any retail use (where planning permission is required) would not have an adverse impact on the vitality and viability of retail facilities in nearby settlements, or would undermine the retail hierarchy (see policy RT1); it would not have an adverse impact on the character, setting and appearance of the area and the surrounding landscape and where appropriate, townscape.

Proposals should give priority to the conversion of suitable existing buildings on the working farm. Where justified new building should be integrated with the existing working

farm complex and not detrimental to the respective character and appearance of the area and surrounding landscape.

Policy TR3 relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.

Policy EQ4 states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation, (namely those protected by Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 and UK and Local BAP habitats and species and other than sites and species protected under European or UK legislation) will not be permitted, except where it can be demonstrated that the impacts can be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements; there are exceptional circumstances where the reasons for the development or land use change clearly outweighs the need to safeguard the biodiversity and nature conservation interests of the site and where alternative habitat provision can be made in order to maintain and enhance local biodiversity.

Policy EQ6 states that Special Landscape Areas are designated in specific locations and proposals for development which enhance or improve the Special Landscape Areas through their design, appearance and landscape schemes will be permitted (subject to the policies and proposals of the Plan).

Policy EP1 requires that proposals for development will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality. Watercourses will be safeguarded through biodiversity/ecological buffer zones/corridors to protect aspects such as riparian habitats and species; water quality and provide for flood plain capacity. Proposals will be permitted where they do not have an adverse impact on the nature conservation, fisheries, public access or water related recreation use of the rivers in the County. Proposals will wherever possible be required to make efficient use of water resources.

Policy EP2 requires that proposals should wherever possible seek to minimise the impacts of pollution. It will be required to demonstrate proposals do not conflict with air quality strategy, cause deterioration in water quality, ensure that light and noise pollution are minimised and ensure that risks arising from contaminated land are addressed.

Policy EP3 requires that proposals for development will be required to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Drainage Systems (SUDS), has been fully investigated. The details and options resulting from the investigation must show that there are justifiable reasons for not incorporating SUDS into the scheme in accordance with Section 8 of TAN 15.

Nationally, Technical Advice Note 6 – ‘Planning for Sustainable Rural Communities’ (July 2010) provides guidance on the subject of new agricultural buildings that requires local planning authorities seek to ensure such development is essentially required at that location, sensitively related to existing settlement patterns and landscape features, and is of an appropriate size, scale and design. These principles serve to ensure the proposal is

justified, and complements rather than detracts from the site and surroundings in which it is proposed.

NEIGHBOURS/PUBLIC REPRESENTATIONS

The details in relation to the letters of objection received shall be considered herewith.

The proposal is a large scale building that will be detrimental to the visual amenity of the landscape.

Although large, the proposed free range egg production unit, is not considered to be overly large in relation to its setting with the farm sited to the north, the building being away from a public vantage point and the detailed supporting landscaping to screen the development.

Although having some concerns in relation to the impact of the building in the landscape, the Landscape Officer has not objected to the proposal, recommending the imposition of conditions on any permission to mitigate the impact.

The proposal will result in highway safety problems with vehicles accessing and exiting the site.

The proposed development has been considered in detail by the Head of Transport in relation to the vehicular movements, visibility splays and turning facilities and the proposal is supported subject to the application of relevant conditions. This will include a passing bay within highway limits, at the western edge of Llangadog common, opposite Dolgarreg.

The proposal is within the flood zone and there will be pollution of the environment as a result.

Following the submission of detailed information including a TLSE to Natural Resources Wales, the proposal at the initial location received their support, in that any fluvial flood risk to the unit was likely to be negligible. Therefore there is not considered to be any significant risk through pollution of the local rivers as a result of flooding. A further amended TLSE will be required for the current, revised location adjacent to the farm

The proposal will result in the loss of hedgerow.

A native woodland copse will be planted to the west of the access to the site with existing hedgerow restocked and a new native tree belt to aid screening will be planted to the northern boundary with Brofana and Ty Newydd. A new native species hedgerow with native trees will be planted along the eastern border of the access road to the poultry building and along the northern boundary of the access road and building, in addition to the translocation of the existing hedgerow to the north of the building and a section of hedgerow to the south. A couple of native woodland copses to aid the screening of the views from west and to soften the field boundary edge to the south is to be planted, in addition to the strand of trees at the boundary with Bancyfelin.

The proposal will be detrimental to local living conditions as a result of noise and smells.

The above matter has been addressed earlier in the report in the response to consultation received from the Head of Public Health and Protection.

There will be an increase in rats and fly infestation.

It is considered that as far as flies are concerned, they could be controlled by way of Statutory Nuisance powers under the Environmental Protection Act 1990, this would include management practices at the unit to ensure fly larvae etc are controlled as conveyed in the Design and Access Statement submitted with the application. Rats can be controlled via pest control treatments, and minimising access to foodstuffs etc and legal notices for rodent problems can be served if deemed necessary.

There will be no employment created by the proposal and there is no viable need for the proposal.

The proposed development will add to the existing agricultural business viability of the farm with the introduction of three full time and 1 part time employees.

The application is not supported by an Environmental Impact Assessment.

The proposal comes under "*Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes*" as defined in Column 1 as it is deemed a permanent agricultural building; the area of development does not exceed the 0.5 hectare threshold.

It would appear that the proposed development falls within Schedule 2 of the 2016 Regulations (part 1C) and as such only requires an EIA 'if it is a development, with an area of new floorspace that exceeds 500 square metres. In this instance the proposed shed measuring 120 metres x 20 metres would have a floor-space equating to 2800 sq. metres. The development therefore falls to be considered against the indicative thresholds and criteria stipulated in Column 2 of schedule 2 (part 1C).

The relevant circular provides guidance and stipulates that such developments on previously uncultivated land would only require an EIA if it is designed to house more than "50,000 layers, turkeys or other poultry". From the information given by the landowner, the building has been designed to accommodate 32,000 poultry, on the basis of the above it is not considered that the requirement of an EIA are applicable.

In the consideration of the above it is necessary to consider the characteristics of the development in combination with its proposed location in order to identify the potential for interactions between a development and its environment and therefore determine whether there are likely to be significant environmental effects. Having received a favourable response to the consultation with NRW in relation to the TLSE, it is considered that the proposed development will not have a significant impact upon the local environment.

There will be a devaluation of local properties/The welfare of the chicken business is questioned/ The proposal will increase in antibiotic resistance.

These are not considered to be a material planning considerations in the determination of the application.

The proposal will Impact upon the tourism of the locality.

It is not considered that an agricultural building as a diversification scheme to an existing farming enterprise will have any significant harm to the tourism of the locality. It is

appreciated that there is a small scale exempted caravan site adjacent at Ty Newydd, however the retention and strengthening of the landscape features will not result in the proposal having any harmful impacts on the caravan site.

The proposal will impact upon the heritage of Llangadog village.

The building is sufficiently distant from the village of Llangadog to ensure that there will not be any harm to its heritage.

There is concern regarding the spread of manure.

The updated manure management plan considers the requirements of the current Glastir agreement. The plan shows that there is insufficient land available to apply all the poultry manure produced. The excess is to be exported off the holding by a (specialised) contractor. The plan also refers to the construction of a new manure store on the holding. NRW has confirmed that the nutrient management plan based on soil samples taken in 2013 is acceptable, commenting that the applicant should refer to best practice and be aware that the soil nutrient levels should be checked every three to five years to give a suitable baseline for the production of the nutrient management plan.

As noted in the summary of consultations section above, the proposal has been the subject of a detailed consideration by NRW, including the assessment of manure and nutrient management plans and the undertaking of a TLSE and it has been concluded that the proposal shall not have a significant effect on the River Tywi Special Area of Conservation. The application of conditions recommended by NRW to the planning permission and their adherence will protect the environment from any concerns.

CONCLUSION

The proposed poultry building is now to be sited adjacent to Godre Garreg farmyard and buildings at a location that will remain to be accessed from an unclassified road to the south east. The siting of the proposal adjacent to the farm has resulted in the closest residential property now being Bancyfelin, approximately 80 metres to the north-east. While the previous submission to the Planning Committee included chimneys of a lower height (0.6 metres above the plane of the roof), which were not considered to add significantly to the assessment of the impact in terms of visual harm to the landscape at the previous location adjacent to the hedgerow bordering Brofana and Ty Newydd, it is considered that with the siting now being adjacent to the farm and distant from public view points; being further from residential dwellings and substantial additional landscaping improvements, the current revised siting albeit with taller chimneys does not raise concerns in terms of visual impact that would merit the refusal of planning permission.

The Local Planning Authority has carried out a thorough consultation exercise in respect of the revised siting and following a further lengthy period of consideration and deliberation of the responses from the statutory consultees and the public, the principal areas of concern regarding the application concerned the visual harm, smells and noise, the highway impacts of the development, and the manure management plan.

It is considered that the principal concern in relation to smells and noise can be appropriately controlled with the professional management of the business and adherence to conditions applied to the planning permission. Although there would be negligible odour from the buildings when in operation, there may be some odour from the buildings during

the cleaning period, which is for a short period of time every 14 months and this is not considered significant enough to warrant a negative determination of the proposal.

The Head of Transport is satisfied that the traffic movements, access and parking/turning provision at the site with a passing bay proposed to be provided, is acceptable and has received a favourable response to consultation subject to the application of conditions.

It has been established that the proposed passing bay, north-east and opposite the highway that leads to Godre Garreg farm, as required by the Head of Transport is also within the limits of Llangadog Common. Following consultation with the Common Lands Officer, the applicant has agreed to apply for a land exchange under Section 16 of the Commons Act 2006. This is a procedure outside of the remit of Planning where the piece of land that is required for the passing bay would be removed from the register and replaced by another piece of land that is owned by the authority but which is not currently common land. While the required land exchange is not directly a Planning matter there is however, a condition (number 13) that is worded to the effect that the passing bay has to be provided prior to any part of the development being brought into use.

The Landscape Officer has considered the amended location of the proposal, which has included the input of a landscape consultant in terms of landscaping mitigation. While it is recognised that the proposed development presents challenges to relevant policy objectives with specific concerns that the proposed development is located within a sensitive landscape and the proposed development involves fragmentation of the existing field pattern and expansion of man-made, rectilinear elements in the form of large scale built form and associated access areas into the wider rural landscape, it is concluded that following the receipt of requested amendments, the proposed development away from residential properties and the public highway represents a more acceptable development proposal than the previous scheme

The Planning Ecologist has undertaken a Test of Likely Significant Effect (TLSE) on the proposal with NRW consultation, which is a process in determining planning applications, whereby local planning authorities should have regard to the Habitats Directive in the exercise of their planning functions in order to fulfil the requirements of the Habitats Directive in respect of the land use planning system. The consideration of the likelihood of significant effects is a form of screening process or risk assessment. The planning authority must consider whether the proposed development would be likely to have a significant effect on any European site or European offshore marine site alone and in combination with other plan or projects. In doing so, it must adopt a precautionary approach. The TLSE was forwarded to NRW in relation to the previous site away from the farm and farm yard, who have indicated that they are satisfied with the findings of the assessment and the proposed mitigation measures and consider that subject to the measures and conditions referred to therein being applied to any permission, their significant concerns regarding the development would be addressed.

There will be a requirement to undertake a further TLSE for the current, revised location, which at the time of writing this report, has not been completed.

The operation of the free range egg production business is typically seen as an extension to an existing farm business and the rural location proposed is where in planning terms it is expected to see this type of enterprise. Taking into consideration the comments of the consultees and the issues of objection received, and balancing this with the relevant national and local policy guidance, it is considered that with the detailed landscaping

mitigation, the proposed poultry unit is acceptable and the successful operation of the business in both planning and business terms is reliant upon adherence to the planning conditions and effective management of the business. While the proposed development shall have an impact within the Tywi Valley Special Landscape area, a balance has to be made between the visual harm to the landscape and the economic benefits of this farm diversification scheme.

In light of the aforementioned report of the proposed development, it is concluded on balance that planning permission should be granted subject to the conditions below.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The above approved development relates to the following plans and documents and works should be carried out in accordance with them unless amended by any conditions below:-
 - Section Through Loading Bay (010), received 8 February 2018
 - Passing Place plan 1:250 scale, received 8 February 2018
 - Revised Location Plan (002), received 9 March 2018
 - Revised site Plan (001), received 9 March 2018
 - Proposed Elevations and Floor Plan Option 2 (GG003), received 19 March 2018
 - Cross Section Site Levels (006), received 19 March 2018
 - Figure 1-Landscape Proposals, received 19 March 2018
 - Figure 2- Planting Specification, received 19 March 2018
 - Drainage Plan (GEL/HUGH/GG011DP), received 19 April 2018
- 3 The building hereby approved shall only be used for the purposes of agriculture as defined by Section 336 of the Town and Country Planning Act 1990.
- 4 The use of the poultry unit shall be for free range egg laying only; any change to the operation must first be approved in writing by the Local Planning Authority.
- 5 Any external artificial lighting incorporated with the proposed poultry unit shall be installed in accordance with the relevant lighting engineers' guidance to reduce any potential light nuisance to neighbouring properties. Any such proposals for artificial lighting is to be agreed in writing by the Local Planning Authority prior to installation.
- 6 Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.0 metre carriageway for the initial 15.0m measured from the nearside edge of carriageway and 10.0 metre kerbed radii at the junction with the U4502 road.
- 7 Any access gates shall be set back a minimum distance of 15.0 metres from the highway boundary, and shall open inwards into the site only.

- 8 The existing means of vehicular access into the site shall be permanently stopped up, and the public highway reinstated to the written approval of the Local Planning Authority, prior to the new means of vehicular access herein approved, being brought into use.
- 9 Prior to any use of the access by vehicular traffic, a visibility splay of 2.4 metres x 57 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the access road in relation to the nearer edge of carriageway. In particular there shall at no time be any growth or obstruction over 0.9m within this splay area.
- 10 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 11 The parking spaces and layout shown on the plans herewith approved shall be provided to the written approval of the Local Planning Authority prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 12 The site access road shall be hard-surfaced for a minimum distance of 15.0 metres behind the nearside edge of carriageway, in materials which shall be subject to prior written approval of the Local Planning Authority. The hard surfacing shall be fully carried out prior to any part of the development approved herewith being brought into use.
- 13 A passing bay, giving a carriageway width of 5.5 metres over a 10 metres linear length of the road, shall be provided as shown on the Passing Place drawings approved in condition 2 above. This shall be implemented prior to any part of the development being brought into use, and thereafter shall be retained, unobstructed, in perpetuity.
- 14 Within one month of the granting of this planning permission the applicant shall submit a planning application for the erection of a covered manure store at Godre Garreg farm, Llangadog. No work shall commence on the poultry unit hereby approved until the covered manure store has also been granted planning permission and the poultry unit shall not be operational until the covered manure store has been completed and is ready to be used in association with the approved poultry unit.
- 15 No manure spreading shall take place within a 10 metre wide buffer zone measured from any nearby water course bank top for the whole extent of the site (banked off is defined at the point at which the bank meets normal land levels). The buffer zone shall be without structure, hardstanding, footpath, fences or overhanging development.
- 16 During the operational lifetime of the poultry unit an annual updated manure management plan reflecting any changes in the operation is to be submitted to the Local Planning Authority for their written approval. The nutrient management plan

which informs the manure management plan is also to be updated and submitted in conjunction to the Local Planning Authority for their written approval.

- 17 All vehicles used for the movement of manure shall be sheeted and/or fully covered.
- 18 Poultry waste from the unit will be managed in line with the approved Revised Manure Management Plan Rev 13 12 17, received 8th February 2018.
- 19 The rating level of the noise emitted from the proposed development as a whole shall not exceed the background noise level. The noise levels shall be determined at the nearest noise sensitive premises or at another location that is deemed suitable by the authority. Measurements and assessments shall be made in accordance with BS 4142: 2014 Methods for rating and assessing industrial and commercial sound.
- 20 If the authority receives a justified complaint with respect to the development, the operator within a period of 1 month shall undertake and submit to the authority a noise assessment conforming to BS 4142: 2014 Methods for rating and assessing industrial and commercial sound, to determine whether noise arising from development exceeds the level specified in condition 19 above. The assessment shall be undertaken under the supervision of the Local Authority.
- 21 In the event that Condition 19 is exceeded then the submitted survey shall also include mitigation measures to ensure compliance with the noise level specified in Condition 19. The development shall then be undertaken in accordance with the approved details.
- 22 Deliveries and collections associated with the proposed development shall only be taken at or dispatched from the site between the hours of 08:00 through to 20:00 on Monday to Saturday and not at any time on Sundays, Bank or Public Holidays.
- 23 Any associated works with the proposed development, such as cleaning, maintenance shall only be taken at or dispatched from the site between the hours of 08:00 through to 20:00 on Monday to Saturday and not at any time on Sundays, Bank or Public Holidays.
- 24 Fans shall not operate between the hours of 23:00 and 07:00.
- 25 During the construction phases, no works or construction shall take place other than within the hours of 08:00 – 18:00 Monday – Friday, Saturday 08:00 – 14:00 and not at all on Sundays, Bank or Public Holidays.
- 26 The detailed landscaping and planting of the site as approved within Condition 2 above shall be fully implemented during the first available planting and seeding season following the commencement of the development.
- 27 Any new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved Detailed Landscape Design Scheme which, within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next

planting or seeding season with replacement elements of similar size and specification.

- 28 The existing hedge/hedgerow along the south eastern *boundary of the enclosure with the unclassified 4502 road* shall be protected through all construction phase operations and thereafter retained, and maintained at a minimum height of 2.5 metres above the adjacent carriageway. Prior to any management works to the hereby defined hedge/hedgerow, which would result in laying or coppicing to a height below the hereby specified minimum height, a method statement for the works shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented as the approved method statement. Any existing hedge/hedgerow or part thereof, which, within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the existing hedge/hedgerow[s] in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification.
- 29 No development or site clearance shall take place until a method statement for the translocation of the existing hedge/ hedgerow(s), as approved in condition 2 above has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include an implementation programme and shall be in compliance with relevant guidance as provided by the Local Planning Authority.
- 30 The hedge/ hedgerow translocation method statement as approved to discharge condition 29 shall be fully implemented as the implementation programme unless otherwise agreed in writing by the Local Planning Authority. Any section of existing hedge/hedgerow translocated in accordance with the approved method statement which, within the lifetime of the approved development is removed; dies; becomes diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the existing hedge/hedgerow(s) in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification
- 31 Prior to the commencement of any works associated with the development hereby approved, a Construction Exclusion Zone (CEZ) shall be established to protect: -
- all trees, groups of trees or woodland located within, on, or with a canopy spread which overhangs the site boundary and which are identified for retention.
 - all shrub masses, hedges and hedgerows located within or on the site boundary which are identified for retention.

The CEZ shall be defined by a barrier of a specification appropriate to exclude the degree and proximity of all construction phase operations. The barrier shall form a continuous length, aligned as follows:

- to the perimeter of root protection areas, defined in accordance with BS5837, of all trees, groups of trees or woodland as identified above.
- to 1.5m from the edge extent of above ground growth of shrub masses, hedges and hedgerows as identified above.

Any construction operations and access within the CEZ shall be limited to those undertaken in compliance with the recommendations of BS5837. The CEZ shall be enforced throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 In the interest of visual amenity.
- 3-5 To prevent any separate use on the site, and to ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.
- 6-13 In the interest of highway safety.
- 14-18 To ensure that there is no significant effect to any designated site.
- 19-25 In the interest of protecting the living conditions of local residents.
- 26-31 In the interest of the visual amenity of the locality.

REASONS FOR GRANTING PLANNING PERMISSION

The decision to grant planning permission has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise.

- The proposed development adheres to the requirements of policy SP14 of the Carmarthenshire Local Development Plan which ensures that proposed development does not unacceptably harm the Tywi Valley Special Area of Conservation.
- The proposed development adheres to the requirements of policy GP1 of the Carmarthenshire Local Development Plan which ensures that proposed development promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. The development proposal should also not have a significant impact on the amenity of adjacent land uses and properties.
- The proposed development adheres to the requirements of policy EMP4 of the Carmarthenshire Local Development Plan which ensures that proposed development is a form of farm diversification, and requires that it is subordinate to, compatible with and supports the continued operation of the agricultural activity of the existing working farm; is of a scale and nature appropriate to the existing farm operation; the scale and nature of the activity is compatible with its accessibility to public transport and the need for local highway improvements; the scale and scope

of any retail use (where planning permission is required) would not have an adverse impact on the vitality and viability of retail facilities in nearby settlements, or would undermine the retail hierarchy (see policy RT1); it would not have an adverse impact on the character, setting and appearance of the area and the surrounding landscape and where appropriate, townscape. As the proposal is a new building and not integrated with the existing working farm complex, it remains that it is considered that the proposal is not detrimental to the respective character and appearance of the area and surrounding landscape.

- The proposed development adheres to the requirements of policy TR3 of the Carmarthenshire Local Development Plan which ensures that proposed development relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted.
- The proposed development adheres to the requirements of policy EQ4 of the Carmarthenshire Local Development Plan which ensures that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation, (namely those protected by Section 42 of the Natural Environment and Rural Communities (NERC) Act 2006 and UK and Local BAP habitats and species and other than sites and species protected under European or UK legislation) will not be permitted, except where it can be demonstrated that the impacts can be satisfactorily mitigated, acceptably minimised or appropriately managed to include net enhancements; there are exceptional circumstances where the reasons for the development or land use change clearly outweighs the need to safeguard the biodiversity and nature conservation interests of the site and where alternative habitat provision can be made in order to maintain and enhance local biodiversity.
- The proposed development adheres to the requirements of policy EQ6 of the Carmarthenshire Local Development Plan which ensures that proposed development in Special Landscape Areas are designated in specific locations and proposals for development which enhance or improve the Special Landscape Areas through their design, appearance and landscape schemes will be permitted (subject to the policies and proposals of the Plan). The proposal is a diversification scheme for an established agricultural enterprise, at a sensitive siting and with a detailed landscaping scheme which will mitigate for the impact of the building within the landscape, and provides biodiversity benefits to the locality.
- The proposed development adheres to the requirements of policy EP1 of the Carmarthenshire Local Development Plan which ensures that proposals for development will be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality. Watercourses will be safeguarded through biodiversity/ecological buffer zones/corridors to protect aspects such as riparian habitats and species; water quality and provide for flood plain capacity. Proposals will be permitted where they do not have an adverse impact on the nature conservation, fisheries, public access or water related recreation use of the rivers in the County. Proposals will wherever possible be required to make efficient use of water resources.

- The proposed development adheres to the requirements of policy EP2 of the Carmarthenshire Local Development Plan which ensures that proposals should wherever possible seek to minimise the impacts of pollution. It will be required to demonstrate proposals do not conflict with air quality strategy, cause deterioration in water quality, ensure that light and noise pollution are minimised and ensure that risks arising from contaminated land are addressed.
- The proposed development adheres to the requirements of policy EP3 of the Carmarthenshire Local Development Plan which ensures that proposals for development will be required to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Drainage Systems (SUDS), has been fully investigated. The details and options resulting from the investigation must show that there are justifiable reasons for not incorporating SUDS into the scheme in accordance with section 8 of TAN 15.
- The proposal complies with Welsh Assembly Government issued advice contained in Technical Advice Note 6 – ‘Planning for Sustainable Rural Communities’ in that the proposed development is appropriate to the site and surrounding landscape.

NOTES

- 1 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority’s website (www.carmarthenshire.gov.uk).
- 2 Please note that this permission is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

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

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

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

- 3 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.

- 4 The burning of waste on the site should at no time be permitted which is likely to emit dark or black smoke, or smoke which would constitute a smoke nuisance at the nearest sensitive residential property.
- 5 All waste manure must be stored in a satisfactory manner/covered to ensure it does not give rise to an odour nuisance beyond the site boundary.
- 6 Appropriate methods of clearing the waste and cleaning the unit must be adopted to minimise the effect of dust / odours affecting neighbouring properties.
- 7 All dead stock must be stored in appropriate containers to reduce the potential for odours and flies.
- 8 Adequate procedures must in place for controlling flies if necessary.
- 9 Appropriate methods must be in place for the control of vermin if required.
- 10 Adequate procedures must be adopted to ensure the litter/manure inside the unit is kept dry and in such a condition as to reduce the ammonia produced.
- 11 It should be noted that the proposed development should be adequately controlled with regard to other emissions or deposits so that the development does not at any time constitute a statutory nuisance as defined by Section 79 of the Environmental Protection Act 1990.
- 12 Any works undertaken within or forming part of the highway shall meet the requirements of Section 184 of the Highways Act 1980, and shall only be commenced with the specific agreement of the Highway Authority.
- 13 The applicant should take due care and attention to avoid the deposit of mud on the road from construction vehicles using the access.
- 14 No drainage from the development site shall be connected to or allowed to discharge into the road drainage system, and the proposed junction shall be constructed such that the access road does not drain onto the road.