

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR AMGYLCHEDD**

**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

**TO CARMARTHENSHIRE COUNTY
COUNCIL'S PLANNING COMMITTEE**

**AR 14 TACHWEDD 2019
ON 14 NOVEMBER 2019**

**I'W BENDERFYNU
FOR DECISION**

***Ardal
Gorllewin/
Area West***



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	14 NOVEMBER 2019
REPORT OF:	HEAD OF PLANNING

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Error! Reference source not found.	Conversion of ground floor of former public house to residential accommodation, incorporating with existing first floor accommodation to form a self-contained dwellinghouse; removal of section of internal modern walling to re-introduce use of existing internal stairwell and blocking-up of internal rear doorway to rear extension; together with the subdivision of a substantially completed rear extension to form two additional dwellinghouses at Ram Inn, Cwmann, Lampeter, SA48 8ES

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	W/37254
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Application Type	Full Planning
Proposal & Location	PLANNING APPLICATION TO ERECT A STRAW-BEDDED YOUNG-STOCK BUILDING, MATERNITY BUILDING, SILAGE CLAMP, CONCRETE YARD AREAS AND REPROFILED LAGOON (PART RETROSPECTIVE) AT WERNOLAU FARM, LLANGYNOG, CARMARTHEN, SA33 5BN

Applicant(s)	CWRT MALLE LTD - STEFFAN RICHARDS, CWRT MALLE FARM, LLANGYNOG, CARMARTHENSHIRE, SA33 5BN
Agent	READING AGRICULTURAL CONSULTANTS - ALEX LAWRENCE, GATE HOUSE, BEECHWOOD COURT, LONG TOLL, WOODCOTE, RG8 0RR
Case Officer	Paul Roberts
Ward	Llansteffan
Date of validation	16/05/2018

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than five objections from third parties.

Site

The application site consists of an irregular shaped parcel of land that forms part of Wernolau Farm located approximately 3km to the south west of Carmarthen. It occupies a countryside location being 1.8km to the north west of the village of Llangain and 2.2km to the east of Llangynog. The farm is part of the wider Cwrt Malle farm business which is a large dairy unit that extends to approximately 1,418 hectares. Cwrt Malle Farm consists of the main dairy unit on the holding and is located 1km to the east of the site.

The site covers an area of approximately 4.2 hectares and extends around the western and southern sides of the farmstead of Wernolau Farm being bounded by pasture fields to the west and wooded areas to the south and east. It is accessed via a farm track that leads from the C2078 to the south and extends through the farm to the north and west. The farmstead comprises of four modern cattle accommodation buildings, open feed yards, a number of older agricultural buildings, slurry and dirty water lagoon, silage clamps

and farmhouse. The buildings at the farm are primarily used to accommodate dry cows associated with the main dairy herd at Cwrt Malle Farm.

The western part of the site measures some 1.9 hectares and is located to the west of the farm access. It originally formed part of a large sloping field enclosure which included a silage clamp set on a concrete pad located adjacent to the farm buildings. It has recently been the subject of excavation works which have significantly reduced the levels of the original field to create a large levelled area which consists of a mix of a compacted stone and concrete surface. This area is set at a level of up to approximately 8 metres below that of the remainder of the field enclosure to the west having a graded bank on its northern and southern sides. Its western side consists of a steep excavated face above which is the remainder of the original field enclosure.

The original silage clamp within the site has been removed and replaced by a larger silage clamp which has been constructed close to the centre of the levelled area. It measures 60 metres in length by 13.7 metres wide and its side and rear walls consist of pre-cast concrete panels of 3.7 metres in height. Its eastern side is open and faces the existing farmstead. It has been erected to provide forage for the livestock on the site and in advance of the new livestock buildings proposed in the planning application.

The eastern part of the site is located to the east of the farm access and immediately to the south east of the farm buildings. It measures approximately 2.3 hectares and comprises a field enclosure that slopes down gently towards its southern and eastern boundaries which consist of belts of mature trees and two small watercourses. There is a dirty water lagoon in this part of the site close to the farm buildings. The land has, again, been the subject of significant re-profiling works in that the topsoil and subsoil excavated to form the plateau on the western part of the site has been deposited over this field. The resulting ground levels have been increased by approximately 1.3 metres across the field while the original dirty water lagoon has been reconstructed and re-profiled. The field has also been re-sown with grass.

The wider area wherein the site is located is rural in character consisting of an undulating landscape made up of agricultural fields bounded by hedgerows and scattered areas of woodland. The road network consists primarily of narrow country lanes flanked by high hedgerows. The main roadway serving the site is the C2078 which extends from Johnstown to the north east through to Llangynog and Llanybri to the west. The A40 between St Clears and Carmarthen runs approximately 2km to the north of the site. The river Tywi is located some 8km to the south east of the site.

Proposal

The application seeks full planning permission (part retrospective) for the erection of a straw-bedded young-stock building, maternity building, silage clamp, concrete yard areas and re-profiled dirty water lagoon at Wernolau Farm.

Background to the proposal

Wernolau Farm is part of the wider Cwrt Malle farm business which is a dairy farm that has seen a significant growth in the size of the dairy herd and holding since 2005. The wider holding extends to approximately 1,418 hectares which includes owned and rented land as well as those with agreements for the spreading of slurry. The majority of the land in the holding is located between the village of Llangynog and Carmarthen.

Cwrt Malle farm is located 1km to the east of the application site and is the location of the milking herd on the holding. The holding has a number of smaller satellite farms which support the main milking operation at Cwrt Malle by providing dry cow accommodation, calving facilities and young stock and heifer accommodation. The calving, young stock and heifer accommodation provide replacement stock for the main dairy herd at Cwrt Malle while the farms also provide additional land for forage and slurry spreading. They consist of six farms located in the area to the south west of Carmarthen and within the vicinity of the villages of Llangain, Llangynog and Llanybri. They are Cowin Grove, New Werncorgam, Old Werncorgam, Pen Y Clun, Maesgwynne and Wernolau Farm. The holding also includes two outlying holdings at Clymblewog Farm near Trelech and Plas Gwar Farm to the east of St Clears.

In addition, the holding has a contract with four third party owned farms which also rear replacement stock until they are ready to join the milking herd at Cwrt Malle. Two of these are located outside the County in Abergavenny and Carew, while the remaining two are located to the north of Carmarthen and the A40 between Carmarthen and St Clears.

The current stocking levels on the holding consist of 1,641 dairy cows which are kept at Cwrt Malle, 313 dry cows which are split between Cwrt Malle and Wernoleu Farm, and 1683 replacement calves and heifers which are kept on the various satellite farms on the wider holding. Planning permission was granted for two additional livestock buildings at Cwrt Farm back in 2012 which allowed for the expansion of the dairy herd as well as providing additional isolation facilities to meet Defra's bovine TB requirements. The development also provided highway improvements on the local road network with the provision of a number of passing places between Cwrt Malle and Wernolau Farms.

Although the current operational arrangement has allowed the milking herd at Cwrt Malle to grow, it generates a large number of daily trips around the out-lying farm units of the holding to check on animals and to transport livestock and bedding. Whilst being a poor use of time, the current arrangement also significantly increases the costs of the holding and the number of traffic movements on the local road network. Calving on the holding currently mainly takes place at both Cwrt Malle and Cowin Grove Farm near Llangynog from where the calves are taken directly to New Werncorgam Farm and are then, at three months old, taken to four other farms on the holding until they are approximately one year old. From one year until 22 months they are then taken to one of five other farms, be it those within the holding or under contract, to be reared from where they are then returned to Wernolau Farm prior to first calving and eventually back to Cwrt Malle and Cowin Grove for calving.

The applicant indicates that whilst the satellite farms are distant of the main unit at Cwrt Malle, many of the buildings on these farms are also in a poor state of repair coming to the end of their lifespan. He has therefore decided to improve the efficiency of the wider holding by consolidating operations at Wernolau Farm and reducing the number of satellite farms that are used to rear replacement cows for the dairy herd.

The construction of the new young stock building will enable the holding to discontinue using buildings at five of the satellite farms to accommodate calves/heifers between one week and 12 month old. These include 4 of the farms within the local area of Cwrt Malle to the south west of Carmarthen (New Werncorgam, Old Werncorgam, Maesgwynne and Pen-y-Clun) as well as Plas Gwar farm near St Clears.

In addition, the new maternity building proposed will provide new modern calving facilities that will replace those used at Cowin Grove Farm to the West of Llangyog and Cwrt Malle Farm. This will also avoid the need to use the existing off site farms at Abergavenny as well as Llein and Pen-y-Coed which are located to the north of Carmarthen and the A40 respectively.

The size of the milking herd will remain the same as a result of the proposal while the replacement herd size will reduce to approximately 1,400 in number. The holding employs approximately 35 staff the majority of whom work at Cwrt Malle Farm and surrounding farms.

Development layout and design

The proposed new young-stock and maternity buildings are to be erected on the levelled area created in the western part of the application site either side of the existing silage which also forms part of the application.

The young-stock shed is to be located to the north of the silage clamp and will measure 73.2 metres in length and 35.1 metres in width. It is to be of a portal frame design comprising 6 metre bays and will have a roof with two varying pitches to meet the specific ventilation needs of the animals to be kept in each side of the building. The roof will reach a height of 9.9 metres. It will have a floor area of 2,569.3 sq metres which has been determined by the minimum floor area requirement per calf recommended by the relevant animal welfare regulations and best practice guidance. It will consist of straw bedded pens and associated walkways and feeding passage. The building's northern side elevation will consist of pre-cast concrete panels up to 2 metres in height with Yorkshire boarding above, while the end elevations will consist of profiled steel sheeting. The southern side elevation of the building will be left open with the exception of a low barrier to prevent the egress of stock. The roof will consist of dark green fibre cement sheets and clear roof lights.

The maternity is to be the same length as the young-stock building with a narrower width of 34.2 metres. It will also have a slightly higher ridge level of 10.4 metres. The building will have a floor area of 2500 sq metres that will comprise 1,367 sq metres of straw bedded loose housing area and 688 sq metres of straw bedded loafing/feeding area. The remaining area will provide a central feed passage. The floor area has been determined by the requirement to provide accommodation for the number of in calf heifers and cows on the holding. Its rear and side elevations will consist of precast concrete panels with Yorkshire boarding above while its front easterly elevation facing the existing farm buildings will provide the gated entrances into the building. The roof will be of the same design as the young-stock building.

The application also seeks retrospective permission for the existing silage clamp on site which will be located between the maternity and young stock buildings. The level area surrounding the buildings and silage clamp will consist of a mix of an unbound permeable stone surface with the existing impermeable concrete areas located either side of the silage clamp being retained as part of the proposal and a new concrete apron being constructed to the front of the maternity building.

The development layout includes a surface water drainage scheme for clean and dirty water. Clean run-off from the buildings and impermeable surfaces will discharge to a new balancing pond to be constructed to the south of the maternity building which will attenuate

flows before discharging to a stream to the runs to the south of the site. Provision is made for an intercepting dirty water drain that will drain into an existing covered reception pit that is located to the front of the silage clamp.

The excavated cut to the north of the levelled area will consist of a graded bank that is already in place and is to be seeded. Until recently there was a similar graded bank along the western side of this part of the site, however, it has since been excavated by the applicant in order to partially infill a slurry lagoon at Cwrt Malle Farm which, in itself, does not require planning permission. The existing steep face is to be stabilised and revegetated using a wire netting geocell system. A new hedgerow is to be planted along the top of the embankment to the north, west and south of the site.

The development includes the re-profiling of the original dirty water lagoon located in the eastern part of the application site as well as the field enclosure wherein it is located. As mentioned above, the soil excavated from the western part of the site has been spread over this area of the site with the original lagoon having been reconstructed and re-profiled to address previous pollution problems and ensure it meets the requirements of the Slurry, Silage and Agricultural Fuel Oil Regulations (SSAFO) Regulations (2010). The levels of the field have been raised by approximately 1.3 metres to improve the workability of the land and sown with grass. The stone from the excavation works has been retained on the farm for future repairs to farm tracks.

Finally, with regard to the access to the development, the junction of the farm track with the C2078 is to be improved as part of the development to provide improved visibility along the classified road.

The application has been accompanied by a suite of supporting documents certain of which are appraised below:-

- Environmental Statement
- Supporting Statement/Policy Appraisal.
- Design and Access Statement.
- Cattle Movement Records.
- Nutrient Management Plan.

Environmental Statement

The development proposal falls under Schedule 2 Part 1(c) of the Environmental Impact Assessment (EIA) Regulations 2017 which relates to intensive livestock installations where the area of new floorspace exceeds 500 square metres. It also falls under Schedule 2 Part 13 (b) whereby it relates to an extension of an existing intensive livestock installation on the wider holding which is already authorised and exceeds the 500 square metre floorspace threshold.

Accordingly, officers screened the application upon its submission and confirmed it to be EIA development on 4 June 2018 on the basis of its location within the catchment of the River Tywi which is part of the Carmarthen Bay and Estuaries Special Area of Conservation (SAC) and its potential impacts upon the designated Site. The screening opinion also required an assessment of the potential highway, amenity and landscape impacts of the development upon the surrounding environment. A formal scoping opinion was subsequently issued by officers on 27 September as to the precise scope of the EIA

and the Environmental Statement presenting the findings of the EIA was submitted on 5 November 2018. The main findings of the ES are summarised below.

- i **Site Selection (Alternatives)** – The ES provides an assessment of the alternatives to the development considered by the applicant, as required under the EIA Regulations.

The applicant considered the option of either 'doing nothing', expanding one of the existing farms within the wider holding or alternatively creating a new facility on land in his ownership. Given the high level of traffic movements associated with the holding and the operational inefficiencies of the same, the ES does not consider the approach of 'doing nothing' to be an economically or environmentally preferable option. Furthermore, given the numerous existing farms on the holding, it is not considered necessary to develop a new facility on a green-field site.

In terms of the option of expanding one of the existing farms, the applicant has assessed the suitability of existing farm holdings for the proposal. Cwrt Malle was deemed to be unsuitable in that it is restricted in terms of suitable land, while other farm holdings have significant restrictions relating to highway (in terms of distance from the main holding and slurry/manure spreading land), landscape and local amenity impacts. Wernoleu Farm is the preferred location in terms of its likely environmental impacts and the efficiency of the holding in that it is, amongst others, close to the main dairy unit at Cwrt Malle for the management and transfer of cattle, has existing farm infrastructure and is not visually prominent from the surrounding area. Moreover, it has no dwellings in close proximity and has good road access via the C2078.

- ii **Landscape Impact** – An assessment of the potential landscape and visual impacts of the proposal is provided in the ES together with the requirement to mitigate any identified impact. The document confirms that the development does not fall within any Special Landscape Area designated in the LDP. Moreover, whilst it recognises the scale of the development and the buildings proposed, it opines that the landscape has a high tolerance to agricultural developments given the character of the local landscape with farming being the primary land use in the area. Views into the site from the wider area are also heavily restricted by the topography of the landscape as well as surrounding hedgerows and trees and it is not clearly visible from any public rights of way in the area.

The ES concludes that the position of the buildings adjacent to the existing farm buildings and their limited visibility within the local area ensures that the development will have a limited impact upon the surrounding landscape. Its impact will be further minimised with the planting of a hedgerow along the top of the embankment to the north and west of the buildings as well their general design which will include the use of green roofing and elevational treatments.

- iii **Public Amenity** – this chapter focusses on the potential impact of the development and wider holding on the amenity of nearby sensitive receptors in terms of odours, dust, vermin and fly sources. It identifies a number of residential dwellings within the vicinity of the development with the nearest being approximately 200 metres to the west.

In terms of potential odour from the development itself, the ES confirms that the straw bedded loose housing buildings proposed generate a low level of odour while the use of one of the buildings to house young livestock (with low manure output) also means that the level of odour emissions from the development will be low. Based upon these factors, the separating distance to the nearest property and the prevailing wind direction, it concludes that surrounding properties will not experience any unacceptable odour impacts arising from the proposed new buildings.

Turning to the odour impact from slurry spreading activities, the surrounding land and that associated with the wider holding, including the land at Wernolau Farm, has historically been spread with manure and slurry from the holding. Additional land has been acquired by the applicant in order to accommodate the additional slurry and manure from the increased stock and this, again, has historically been the subject of spreading. The slurry and manure are to be spread in accordance with the recommendations of Defra's best practice guidance 'Code of Good Agricultural Practice for farmers, growers and land managers, Protecting our water, soil and air' (2009) details of which are set out in the Nutrient Management Plan provided in support of the application. It is noteworthy that the ES refers to a small increase in replacement heifers on the holding as a result of the proposal, however, the stocking levels provided by the applicant confirm that there will be a reduction in levels as referred to earlier in this report.

In view of the comparable stocking levels proposed, the fact that the land on the holding has historically been the subject of spreading and that it will be undertaken in accordance with Defra advice, the ES concludes that there will be no unacceptable impact upon the amenity of nearby properties.

In addition, the separating distance to nearby properties combined with the infrequency of dust generating activities at Wernolau Farm lead the ES to conclude that the dust impact of the development will be negligible. It also sets out a series of measures to remove potential fly breeding habitats and vermin within the development to safeguard against any unacceptable impacts upon the surrounding area. These include the effective management of manure, providing natural ventilation within the new buildings and the removal of wasted or unwanted feed. It concludes that the implementation of these measures and separating distances to the nearest properties will ensure the development will not have an unacceptable impact upon existing living conditions.

- iv **Ecology** - this chapter provides an assessment of the ecological impacts of the development upon the application site and the hydrological links between the Carmarthen Bay and Estuaries Special Area of Conservation (SAC) and areas where manure and slurry will be stored and spread on the holding. The application site is located within the catchment area of the stream known as Fernhill Brook which flows into the River Towy within the SAC. The application site itself is of low ecological value while the wider holding comprises of a variety of habitats which together provide suitable conditions for a wide range of species.

The potential impact of the development upon the Carmarthen Bay and Estuaries SAC is acknowledged whereby there is potential for pollution incidents as a result of manure and slurry entering watercourses directly from the application site or wider holding. The potential of indirect effects as a result of manure and slurry storage and

spreading activities across the holding is also recognised. The ES highlights that these could lead to an adverse impact upon the ecology of water courses flowing into the SAC and the impacts of the same could include, amongst others, the nutrient enrichment of the watercourse and resultant decrease in water quality. This in turn could result in a reduction in invertebrate and fish species diversity and populations in the SAC.

With the foregoing in mind, the ES sets out a series of mitigation measures that will be implemented as part of the development to minimise and negate any impact upon the SAC. They include pollution prevention measures that are to be undertaken as part of the construction phase of the development to prevent any unacceptable pollution impacts.

The mitigation measures for the potential operational impacts of the development relate primarily to the day to day management of activities on the holding and the provision of suitable storage and drainage facilities. These include the provision of a 'closed' drainage and storage system for the 'dirty' surface water run-off within the development as referred to above, as well as the appropriate treatment and attenuation of surface water that is to be discharged directly into a watercourse.

The measures set out in the Nutrient Management Plan (NMP) are integral to mitigating the impacts of the holding on the SAC in that they will ensure that all slurry and manures arising from the holding are managed in an effective and responsible way while meeting the crop nutrition requirements of the holding. The NMP quantifies the volume of slurry and manure production on the holding based upon existing outputs and proposed stocking levels as well as providing details of the total slurry storage capacity available throughout the holding. It demonstrates that the holding has more than sufficient land available for spreading the slurry and manure based upon the maximum recommended nitrogen application rate in any one year, and that its application to the land will meet the crop requirements of the holding and minimise the risk of diffuse nitrogen and phosphorous pollution.

The NMP includes measures for the storage of manure heaps in accordance with the recommended guidance whereby it will, amongst others, be kept away from watercourses and land drains or sloping land located close such features. Similarly, it includes a spreading risk assessment of the land within the holding based upon Defra guidance together with detailed spreading measures that will limit the risks of run-off and pollution to the land, wider drainage catchment and the protected SAC.

- v **Traffic** – the ES provides an assessment of the projected traffic impacts of the development on sensitive receptors, pedestrians and the local highway network both during the construction and operational phases of the development. It confirms that the majority of the local highway network serving the site and holding are narrow country lanes with low background traffic although with certain routes vehicles associated with the holding will use some B and C class roads to link with other minor roads.

The assessment focusses on the improvements to the operational efficiencies of the wider farm holding as a result of the proposal in that the construction of the new maternity and young stock buildings at Wernolau Farm will enable the applicant to reduce the number of satellite farms used to rear replacement cows for the dairy herd. Existing traffic movements associated with the holding are shown to be

approximately 40,215 each year with approximately 17,000 relating to the daily car movements of farm workers driving to work. Approximately 14,600 of the traffic movements are associated with the rearing of young stock and calving cows and consist of livestock transport between the various farms on the holding and the car movements of staff performing daily checks on animals. As mentioned earlier, the provision of the modern young stock building at Wernolau will enable the holding to discontinue using livestock facilities in the satellite farms within the surrounding area while, similarly, the new maternity building will also replace existing facilities and avoid the need to use more distant off site facilities.

The development will, in essence, consolidate the numerous vehicle movements associated with the outlying satellite farms by creating a centre hub for the farming operations thereby reducing the overall vehicle movements on the local highway network. As a result, the assessment forecasts that the level of traffic movements will reduce to approximately 30,772 which represents a reduction of 9,443 movements on current routes of the local highway network between the various farms on the wider holding. Traffic movements associated with the dairy herd at Cwrt Malle Farm itself will remain unchanged as a result of the proposal. On the basis of this significant reduction in vehicular movements, the ES concludes that the development will have no unacceptable impact upon the wider highway network.

With regard to the constructional impacts of the development, it is estimated that the construction of the new facilities will take place over a 10 month period. Moreover, a Traffic Management Plan will be prepared in conjunction with the highway Authority which will include a series of mitigation measures designed to minimise the environmental impact of the development. These will include temporary road signage, construction traffic routing and timings as well as measures such as wheel washing and road sweeping.

Nutrient Management Plan

The NMP seeks to ensure that organic manure and slurry applications are in line with the crop requirements of the holding while limiting the impact of its storage and spreading on the local environment including surrounding watercourses and the Carmarthen Bay and Estuaries SAC.

It confirms that the cropping on the holding comprises of grass silage, grazing, forage maize and wholecrop cereals although the farm is mostly laid down to grass. The dairy cows are housed indoors all year round and the dry-cows are housed for six months of the year and kept outside for the remainder. Similarly, replacement cows are housed for part of the year. The cattle grazed outdoors are integrated within the crop rotation on the holding.

Details of the total available slurry storage across the holding are provided in the NMP with these amounting to approximately 35,611 cubic metres and consisting of existing slurry stores at the various farms on the holding, including both Cwrt Malle and Wernoleu. Slurry produced on the holding is applied to the land in up to four cycles annually using both an umbilical system within a serviceable distance of the slurry stores and via slurry tankers on off lying land.

The NMP demonstrates that the holding has 1,313ha of available land for spreading and, based upon the recommended upper limit for organic nitrogen application set out in

Defra's 'Protecting our Water, Soil and Air – a Code of Good Agricultural Practice for farmers, growers and land managers (2009)' this exceeds the spreading area requirement by 342ha. This will allow the applicant to rotate the manure applications and minimise the pollution risk of the holding. Moreover, the crop requirements for phosphorous on the holding exceeds the phosphorous content of the manures and slurry to be spread on the land thereby reducing the risk of diffuse phosphorous pollution.

Details of the spreading areas are included in the NMP as are a series of detailed measures based upon Defra guidance to limit the risk of run-off and pollution. These include, amongst others, ensuring that no spreading occurs in areas close to watercourses, springs or boreholes, only applying the slurry when soil and ground conditions permit its application and avoiding periods when heavy rain is forecast. Provision is also made for the checking of watercourses adjacent to spreading areas.

Planning Site History

W/36387	Silage clamp Full planning permission	03 November 2017
W/34116	Concrete silage pad Agricultural notification – prior approval not required	15 July 2016
W/29609	Extension to existing concrete silage pad to provide adequate feed storage for stock and to comply with SSAFO Regs 2010 Agricultural notification – prior approval not required	21 February 2014
W/26013	Roof over existing open feed yard area Full planning permission	13 March 2012

Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP14	Protection and Enhancement of the Natural Environment
GP1	Sustainability and High Quality Design
EMP3	Employment – Extensions and Intensification.
TR2	Location of Development – Transport Considerations.
TR3	Highways in Developments – Design Considerations.
EQ4	Biodiversity
EP1	Water Quality and Resources.
EP2	Pollution
EP3	Sustainable Drainage.

National Planning Policy and Guidance is provided in Planning Policy Wales (PPW) Edition 10, December 2018 and associated Technical Advice Notes (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways – No objection subject to the imposition of suitable conditions.

Llangynog Community Council – Has objected to the proposal for the following reasons:

- Concerns regarding the pre-application consultation process.
- Impact upon the environment and wildlife.
- Infrastructure cannot cope with the expansion of the site despite the reduction in traffic associated with the movement of animals and feed lorries.
- Lack of explanation as to how the proposal will result in reduced traffic levels.
- Question the data provided in respect of the slurry being distributed on the holding and whether it complies with the relevant regulations. Also suggest that the slurry lagoon should be covered to reduce the amount of rainfall entering the lagoon which in turn reduces the volume of slurry distributed on the holding.
- Concerns that the concentrated methane gas being produced as a bi-product of the size of the farming unit is above the levels considered safe by European Health Standards.

Llangain Community Council – Has objected to the application for the following reasons:

- The reduction in the daily movements of animal bedding, feeds and machinery along Heol Smyrna and Church Road is welcomed.
- The amount of slurry being produced and transported will be unchanged and with the extra cattle at Wernolau, there will be extra slurry and having tankers travelling continuously from dawn until late at night has had an adverse effect upon Heol Smyrna and Church Road as well as devaluing property prices.
- Slurry management needs to be addressed before further planning is considered.
- Concerns that a building to be demolished at Penyclun Farm will be replaced by a slurry lagoon resulting in further increased traffic along Church Road.

Local Member - County Councillor Carys Jones is a member of the Planning Committee and has declared an interest in the application in that she sits on a panel which mediates between the community and community councils and Cwrt Malle Farm. On this basis, she's confirmed that she will not be participating in the determination of the application.

CADW – No objection.

Welsh Water – No objection.

Head of Public Protection – No objection subject to the imposition of suitable conditions securing the mitigation measures detailed in the Environmental Statement in relation to odour, dust, flies and vermin.

Head of Waste and Environmental Services (Land Drainage) – No objection to the surface water system proposed to dispose of clean water from the development.

Natural Resources Wales – No objection subject to the imposition of conditions relating to the management of slurry, manure and dirty water on the holding.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The original application has been publicised with the posting of a number of site notices within the vicinity of the site and a press notice. The Environmental Statement (ES) subsequently submitted as part of the application process and subsequent amendments to the same have been publicised with further site and press notices.

As a result of these publicity exercises 15 letters of objection have been received from local residents while further letters have been received from the Llangain Action Group and the Assembly Member for Carmarthen West, Angela Burns. It is of note that the letters of objection from local residents were received from the occupiers of 4 properties in the local area with the respondents having commented on the original application and the ES subsequently submitted.

The respondents raise the following concerns:

- The farm is already too big and there is a need to stop it getting any bigger because the volume of heavy lorries travelling along Alltynap Road throughout the day has already affected the quality of life of local residents.
- Any increase in livestock at the farm will exacerbate the pollution of watercourses in the area with both slurry and sediment. The slurry and sediment run into a Fernhill Brook and into the River Tywi therefore impacting upon the Carmarthen Bay and Estuaries (SAC) and Afon Tywi (SAC).
- Cwrt Malle is a well documented serial polluter and the County Council have a statutory and moral responsibility to protect its residents and the environment.
- Slurry has poured onto the public highway close to existing properties.
- The slurry is from a farm with bovine TB and residents do not want it on their property.
- Retrospective planning permission has previously been granted on the farm and the current application is also part retrospective.
- Residents' concerns have been dismissed to the detriment of the aquifer, highway network, air quality and noise pollution.
- Effect on human health.
- Effect on tourism.
- The need for an up to date and accurate forecast of traffic movements.
- Increased articulated lorry movements along Alltynap Road.
- The dairy unit is too large for its location within a network of rural lanes.
- Increased traffic such as lorries, tractors, trailers, and slurry tankers on narrow country lanes and resulting road safety issues and damage to road surfaces and roadside verges.
- More animals and slurry.
- An Environmental Impact Assessment is needed to examine the pollution impacts of the development.
- Question the accuracy of the nutrient management plan in that one of the fields classed as medium risk has fresh water springs and is used for flood relief for part of Alltynap Road.
- A number of fields in the nutrient management plan are not rented or available to the applicant.

- Concerns that a vehicle haulage business with the resulting added traffic is to be started up at Cwrt Malle.
- The proposal is contrary to Policy GD12 of the Authority's previous UDP in that the levels of traffic will cause harm to highway safety and the amenity of residents living alongside the network
- The application must be viewed in light of other developments that have taken place at Cwrt Malle and its associated farm holding with a further 300 head of cattle resulting in a total amount of livestock at somewhere in the region of 3000.
- The application states that the calves will be straw bedded, however, the applicant could alter this arrangement in the future with a knock-on effect of increased slurry.
- The continual expansion of the farm is already having an effect upon neighbouring properties with odours from virtually non-stop slurring.
- Effect on small tourist ventures in the area.
- Effect of increased traffic upon hedgerows and wildlife as slurry is spilled in transition.
- Damage to roads and properties from heavy goods vehicles.
- The herd size of 3,637 cattle has grown significantly since 2011 when it was approximately 1800 in number and the applicant gave an undertaking at the time that it would remain at this number plus or minus 5%.
- Constant volume of heavy goods vehicles all hours of day and night along Alltynap Road hauling feed and goods to Cwrt Malle as well as other traffic that use the route as an alternative to get to the industrial estate in Johnstown.
- Risk to pedestrians safety.
- There is no pasture available for grazing as the entire farm is either stubble or freshly sown winter wheat.
- Lack of slurry storage.
- The projected fall in traffic movements is welcomed, however, the level of traffic is still high for the narrow lanes.
- The applicant has previously been convicted of discharging slurry into a watercourse.

Appraisal

The main issues in the determination of the application are appraised below.

Principle of the development & highway impacts

A common ground of concern amongst respondents is the size of the farm holding with many suggesting that it is already too big and that its continual expansion must be stopped. The majority of respondents refer to the impact of the holding's expansion upon the local highway network in terms of increased traffic movements and opine that the highway infrastructure serving the site cannot cope with existing traffic levels. Reference is made to the flow of heavy goods on the road network particularly along Alltynap Road with the hauling of goods and feed to Cwrt Malle Fram.

The wider Cwrt Malle holding has been the subject of significant expansion since 2005 both in terms of the size of the holding and the dairy herd. This has been achieved through the expansion of the dairy herd at Cwrt Malle with the construction of new buildings and facilities as well as the acquisition of further satellite farms in the surrounding area. The latter has principally served to provide additional land for forage production and slurry

spreading on the holding as well as utilising the buildings on these farms to provide additional accommodation for young replacement stock for the milking herd.

The current dispersed nature of the holding is not sustainable in the long term from an economic and costs perspective whereby it requires a large number of daily trips between the separate farms as part of the operation of the wider holding. The current proposal is designed to improve rather than expand the operational facilities of the holding by consolidating the young stock accommodation for the replacement herd from a number of the satellite farms to Wernolau Farm. This will allow the holding to discontinue using existing buildings on a number of surrounding farms while, similarly, the new maternity building proposed will replace existing facilities elsewhere on the holding as well as precluding the need to use existing off site facilities on third party farms. The applicant has demonstrated that the application site offers the preferred location at which to consolidate the operations given its proximity to the main dairy unit, its road access via the C2078 and separating distance to nearest residential properties.

The size of the dairy herd will therefore remain unchanged as a result of the proposal while the predicted level of replacement stock will reduce in number. A number of livestock and storage buildings have been demolished on the wider holding in recent years and the applicant has agreed to enter into a Section 106 agreement that will prevent the future use of the livestock buildings on the satellite farms that are to be replaced by the new youngstock and maternity buildings. This will safeguard against their future re-use and the further expansion of the holding while any further expansion of the dairy herd at Cwrt Malle Farm will be constrained by the need for further accommodation buildings which will, in themselves, require planning permission.

The scale and design of the new buildings are commensurate with their intended use and the operational requirements of the holding based upon current stocking numbers and will provide new modern purpose built facilities that will meet the minimum floor area requirement for livestock as recommended by the relevant animal welfare legislation and best practice guidance. The Authority's agricultural adviser is satisfied that the scale and design of the buildings are justified based upon proposed stocking levels while also providing sufficient capacity to allow animals to be retained on the holding during periods when they can't be transported such as, for example, when TB restrictions are in place. The silage clamp will serve to provide forage for the new livestock at the site while the reconstructed lagoon has remediated the previous substandard lagoon on the farm to ensure it complies with the SSAFO Regulations and does not result in the pollution of surrounding watercourses. The design of the new silage clamp and dirty water drainage system also comply with the SSAFO regulations.

The proposed buildings are well related to and adjacent to the existing farm buildings at Wernoleu Farm to allow the easy transfer of cattle between the accommodation buildings while also being close to the main dairy unit at Cwrt Malle for the management and transfer of cattle. They will be restricted to their intended use of providing young stock and maternity facilities by the imposition of suitable conditions on the permission granted to ensure that they are used for such purposes rather than to expand the dairy facilities on the wider holding.

Turning to the respondents' highway concerns, the ES provides a detailed assessment of the impact of the proposal upon the surrounding road network both during the construction and operational phases of the development. It predicts that the consolidation of the young stock and maternity facilities at Wernolau Farm will reduce the current annual traffic

movements associated with the holding by 9,443. The reduction will relate primarily to the transport of livestock and traffic movements associated with the daily checking of stock and the assessment demonstrates that all of the road links associated with the farms within the holding will experience an overall decrease in traffic flows as a result of the development.

The traffic movements associated with the dairy herd at Cwrt Malle Farm including existing HGV movements will remain unchanged as a result of the proposal while the consolidation of livestock accommodation will result in a small increase in the movement of manure to three of the farms on the wider holding equating to 118 be vehicle movements per year. Nonetheless, the development will provide significant betterment to the current level of traffic movements on the local road network compared to the existing situation and this in turn will ensure the proposal will cause no unacceptable harm to the living conditions of existing residents on the local road network.

The findings of the assessment have been the subject of a thorough analysis by the Head of Transport who has raised no objection to the development subject to the imposition of appropriate conditions. He is satisfied that the level of traffic on the surrounding road network will be reduced as a result of the development and has recommended the imposition of conditions securing the submission of a traffic management plan to mitigate the construction impacts of the development and the improvement of the existing junction leading into Wernolau Farm. The permission will be conditioned in accordance with his advice.

In terms of the concern raised that the applicant has obtained a HGV operator's license on the holding that will increase traffic flows. The applicant has confirmed that he has acquired a large articulated HGV for forage harvesting and solid manure spreading on land distant from the main Cwrt Malle holding which reduces the level of vehicular movements on the local highway. The operator's license is required to use this vehicle and for no other purpose.

The proposal is considered to be in accord with the objectives of paragraph 5.6.6 of Planning Policy Wales (2018) which advocates that planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices or are necessary to achieve compliance with new environmental, hygiene or welfare legislation. It is also in compliance with the requirements of Policies GP1 and EMP3 of the LDP, the latter of which relates to the expansion of existing rural enterprises, in that it will not intensify the existing enterprise or result in adverse amenity or environmental issues, and is of an appropriate scale and form compatible with its location. Moreover, the proposal accords with Policy TR3 of the LDP in that it will be served by a suitable access and will not generate an unacceptable level of traffic on the local road network or cause significant harm to the amenity of residents.

Pollution and Ecological Impacts

A further common ground of concern amongst respondents is that the disposal of slurry from the development does not comply with the relevant regulations and the potential impact upon existing watercourses and ecology. A number of respondents suggest that the development impacts upon the Carmarthen Bay and Estuaries SAC while others refer to previous pollution incidents on the holding.

The application has been accompanied by a detailed NMP for the wider Cwrt Malle holding which seeks to ensure that organic manure and slurry applications are in line with the crop requirements of the holding and to limit the impact of its storage and spreading on the local environment including watercourses and the Carmarthen Bay and Estuaries SAC. It provides detailed information relating to the slurry storage facilities and available spreading land across the entire holding. The latter significantly exceeds the spreading area requirement needed to meet Defra's recommended upper limit for nitrogen application in any one year whereby the holding will comply with the Nitrate Pollution Prevention (Wales) Regulations 2013 and not cause any unacceptable pollution of the land. Similarly, the crop requirement for phosphorous on the holding exceeds that contained in the organic manures produced which safeguards against the risk of diffuse phosphorous pollution. Detailed measures are also provided in respect of the method of spreading slurry and manure on the holding in accordance with Defra's guidance in order to prevent, amongst others, the risk of run-off and pollution of watercourses within the vicinity of the land.

NRW have raised no objection to the NMP and are satisfied that the slurry, manure and dirty water from the holding will be managed in an acceptable way that will prevent any unacceptable pollution impacts in the wider environment including the Carmarthen Bay and Estuaries SAC. It is of note that since the receipt of their response, the volume of available slurry storage on the holding has been reduced by 4,300 cubic metres from that contained in the original NMP whereby part of the smaller slurry lagoon at Cwrt Malle Farm has recently been filled in with excavated material from the application site. Officers are currently awaiting NRW's observations on this change to the NMP and these will be presented in the addendum to the report.

The Authority's Planning Ecologist has also raised no objection to the development and recommended the imposition of a condition securing the submission of a Construction Management Plan to safeguard against any unacceptable pollution impacts during the construction phase of the development. Furthermore, in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017, the Authority has undertaken an Appropriate Assessment of the impact of the development upon the Carmarthen Bay and Estuaries SAC which concludes that, with the implementation of the NMP and the pollution prevention measures proposed, the development will not have a detrimental effect upon water quality within the SAC either alone or in combination with other development. The Appropriate Assessment will shortly be sent to NRW for approval and the recommendation to grant planning permission is therefore subject to them confirming their acceptance of its conclusions.

In addition, the Authority's land drainage officer has raised no objections to the surface water drainage scheme proposed to dispose of run off from the new buildings in that it will provide an attenuated discharge of the clean water to a nearby watercourse.

The proposal is therefore in accordance with the objectives of Policies SP14, EQ4, EP1, EP2 and EP3 of the LDP in that it will not result in any unacceptable ecological and pollution impacts.

Living conditions and amenity

Turning to the impact of the development upon the living conditions of the residents of neighbouring properties, the nature of the livestock accommodation provided with straw bedded housing and young livestock will result in low odour emissions while the separating distances to the nearest neighbouring properties will safeguard against any unacceptable

amenity impacts. Similarly, in terms of the spreading of slurry and manure, the spreading land on the holding has in the past been spread with cattle manure and slurry and the development will not change this current practice. As highlighted above, the slurry and manure are to be spread in accordance with the recommendations of Defra's best practice guidance and the Authority's Head of Public Protection has raised no objection to the proposal from an odour or air quality perspective. He has also raised no concerns in terms of the impact of the development by way of dust, vermin or flies and has recommended that the mitigation measures set out in the ES to safeguard against such impacts are implemented as part of the development. The planning permission will be conditioned in accordance with his advice.

In addition, the Authority's Head of Public Protection and NRW have not raised any concerns in respect of the human health impacts of the slurry produced and spread on the farm holding.

The proposal is therefore in accord with the objectives of policies GP1 of the LDP in that it will not unacceptably harm the living conditions of the occupants of surrounding properties.

Landscape impacts

The ES provides a thorough analysis of the potential landscape and visual impact of the development. The site does not fall within any Special Landscape Designation and its location on low lying land combined with the presence of surrounding trees and hedgerows will mean that the new buildings and silage clamp will have a limited impact upon the surrounding landscape. Although being large in scale, the buildings will be located adjacent to the farmstead and existing buildings, and the lowering of the original ground levels of the site will mean that they will sit below and be partially screened by the elevated land to the west and north. Moreover, the re-profiling of the slurry lagoon and surrounding field enclosure as part of the proposal has had no harmful landscape impact upon the surrounding area

Whilst the majority of the steep excavated face along the western side of the site will be screened from the surrounding area by the new livestock buildings, it is to be revegetated as part of the development using a netted geocell system to minimise its visual impact. A condition securing the provision of suitable landscaping scheme will be imposed on the permission granted.

The proposal is therefore in accord with the objectives of policies GP1 of the LDP in that it will not unacceptably harm the appearance of the surrounding rural area.

Other matters

It is not considered that the proposal will have an unacceptable impact upon tourism in the area in that the agricultural use of the site and wider holding is in keeping with that of the surrounding rural area. Matters relating to damage caused to the highway and properties are not material planning considerations and cannot therefore be given weight in the determination of the application.

With regard to concerns that a building no longer required on the farm holding will be replaced by a slurry lagoon, the creation of a new lagoon will, in itself, require planning permission thereby ensuring that the requirement and acceptability of any such proposal is fully considered.

Whilst concerns regarding the retrospective nature of the application are noted, nonetheless this does not affect the Authority's determination of the proposal whereby it must still be considered on its merits and against the objectives of the relevant policies of the LDP and national planning policy.

Finally, with regard to concerns regarding the publicity of the development, officers are satisfied that it has been publicised in accordance with the relevant statutory requirements.

Planning Obligations

The permission granted will be subject to the completion of a Section 106 agreement that will prevent the future re-use of the livestock buildings on the farm holding that will no longer be required as a result of the proposal.

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

After careful examination of the site, together with the representations received to date, the proposed development is considered to be acceptable and in compliance with the key policy objectives of the Authority's adopted LDP as well as those of National Planning Policy.

There has been a significant growth and intensification of farming operations on the wider Cwrt Malle holding over previous years which has had an impact upon the local area particularly in terms of the level of traffic movements on the road network. However, the current proposal seeks to consolidate and improve its operational efficiencies with the overall scale of the farming operations therefore remaining unchanged. It will significantly reduce the number of farms required to provide the replacement stock for the main dairy operation while providing new modern purpose built accommodation that will replace existing substandard facilities. Moreover, the improvements will provide economic benefits by reducing the costs of the holding thereby helping to sustain the business and the large number of jobs it provides in the long term.

The ES provides a cogent assessment of the likely impacts of the development upon the surrounding environment and demonstrates that it will provide significant betterment to the local road network by reducing existing traffic volumes. Furthermore, the development will result in no unacceptable amenity or landscape impacts while also satisfying the ecological objectives of the LDP and the Habitat Regulations in not having a detrimental effect upon the wider environment and the conservation status of the Carmarthen Bay and Estuaries SAC.

For these reasons, the application is put forward with a favourable recommendation subject to the following:

- 1 The completion of a Section 106 agreement that will prevent the future re-use of existing livestock buildings on the farm holding that will no longer be required as a result of the proposal.
- 2 NRW confirming their acceptance of the Authority's Appropriate Assessment which concludes that the development will not have a detrimental effect upon water quality within the Carmarthen Bay and Estuaries SAC either alone or in combination with other development.
- 3 NRW confirming their acceptance of the applicant's revised Nutrient Management Plan reflecting the recent reduction in the volume of available slurry storage on the holding.

Conditions

- 1 Notwithstanding the time limit given to implement planning permissions as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended) this permission, being a partly retrospective permission as prescribed by Section 73A of the Act, shall have been deemed to have been implemented on 11 July 2018.
- 2 The development shall be carried out in accordance with the following approved plans and documents:
 - Site plan (2A)
 - Location of farms plan (9A)
received on 5 November 2018

 - Youngstock shed – north and south elevation (4)
 - Youngstock shed – east and west elevation and floor plan (3)
 - Silage clamp – elevations (10)
 - Maternity building – east and west elevation and floor plan (5)
 - Maternity building – north and south elevation (6)
 - Location plan (1)
received on 16 March 2018

 - Drainage plan (11)
 - Environmental Statement (dated October 2018)
received on 5 November 2018

 - Nutrient management plan (dated 8 November 2019)
received on 25 October 2019

 - Particle site distribution produced by Geosite and testing services Ltd dated 17 June 2019
 - Inspection of silage pit wall at Wernolau Fram produced by HB Tribe dated 2 July 2019.

- Determination of permeability in a triaxial cell produced by Geosite and testing services Ltd dated 17 June 2019.
- Below ground 'earth' nutrient storage lagoon information produced by HB Tribe dated 2 July 2019 received on 5 July 2019
- Supplement to Environmental Statement dated 17 September 2019 received on 18 September 2019.
- Current replacement/calving cow movements (amended September 2019) received on 27 September 2019
- Slurry spreading locations (17)
- Topographical sections (8A)
- Cross sections (7A) received on 25 October 2019.

- 3 The vehicular access into Wernolau Farm shall be laid out and constructed strictly in accordance with the details shown on Drawing No. SK01 contained in Appendix 12 of the Environmental Statement (dated October 2018) received on 5 November 2018, prior to the commencement of any works on the construction of buildings hereby approved. Thereafter it shall be retained, unobstructed, in this form in perpetuity
- 4 Prior to the commencement of any works on the construction of the buildings hereby approved, a detailed Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 5 Prior to the commencement of any works on the construction of the buildings hereby approved, details of the materials to be used in the construction of the external surfaces of the buildings shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 6 Prior to the commencement of the access improvement works shown on Drawing No. SK01 contained in Appendix 12 of the Environmental Statement (dated October 2018) received on 5 November 2018 (as required under condition no. 3), a scheme for the translocation of the existing hedgerows either side of the existing access into Wernolau Farm to create the necessary visibility splay improvements, shall be submitted to and approved in writing by the local planning authority. The scheme shall include a method statement for the translocation of the hedgerows to include a methodology of the works, hedgerow aftercare and a detailed programme/timescale of works. The works shall be carried out in strict accordance with the approved details.
- 7 Prior to the commencement of any works on the construction of the buildings hereby approved, a scheme of landscaping for the development shall be submitted to and approved in writing by the local planning authority. The scheme shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities; and

implementation programme. The works shall be carried out in strict accordance with the approved details.

- 8 Prior to the commencement of any works on the construction of the buildings hereby approved, details of the design of the roof and 'clean' surface water drainage scheme shown on the Drainage plan (11) received on 5 November 2018 shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the approved details prior to the use of the buildings hereby approve
- 9 The maternity building hereby approved and shown on the site plan (2A) received on 5 November 2018 shall be used solely for the provision of calving facilities in association with the farm holding and for no other purpose.
- 10 The young-stock building hereby approved and shown on the site plan (2A) received on 5 November 2018 shall be used solely for the accommodation of calves and replacement heifers in association with the farm holding and for no other purpose.
- 11 Prior to the commencement of any works on the construction of the buildings hereby approved, a Pollution Prevention Method Statement detailing all necessary pollution prevention measures for the construction phase of the development is submitted to and approved in writing by the Local Planning Authority. The details of the PPMS shall be implemented as approved.

As a minimum the PPMS must include the following points.

- Storage facilities for all fuels, oils and chemicals.
- Any water features on the site and how they will be protected.
- How any watercourses will be crossed or confirmation that this is not applicable.
- Any sources of pollution (including silt), potential pathways for that pollution to enter any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on site.
- Details of the nature, type and quantity of materials to be imported on to the site.
- Measures for dealing with any contaminated material (demolition waste or excavated waste).
- Details on waste types that will be produced and how they will be managed.
- Details on any invasive species on site and how they will be managed.
- Identification of any buried services, such as foul sewers, so that they are protected.
- Details of emergency contacts, for example Natural Resources Wales' Pollution hotline 0300 065 3000.

Reasons

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 In the interest of clarity as to the extent of the permission.
- 3-4 In the interests of highway safety (Policies GP1 & TR3).
- 5-7 In the interests of visual amenity and to retain existing landscape and ecological features and ensure the provision, establishment and maintenance of an appropriate landscaping scheme. (Policy GP1).
- 8 To ensure the installation of an appropriate drainage scheme and to prevent the pollution of the environment. (Policies GP1, EP2 & EP3).
- 9-10 To prevent the over intensification of the holding and in the interests of safeguarding residential amenity and highway safety (Policy GP1 & TR3).
- 11 To prevent the pollution of the environment. (Policies GP1 and EP3).

Notes

- 1 The applicant/developer is advised that this permission is granted subject to the completion of a Section 106 agreement that will prevent the future re-use of existing livestock buildings on the farm holding that are no longer required as a result of the proposal.
- 2 Further advice and guidance from consultees is provided in their consultation responses which can be viewed on the Authority's website. This may include reference to other relevant permissions and legislation.
- 3 Please note that this consent 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 consent 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 the 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 other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Application No	W/38688
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Application Type	Full Planning
Proposal & Location	CONVERSION OF GROUND FLOOR OF FORMER PUBLIC HOUSE TO RESIDENTIAL ACCOMMODATION, INCORPORATING WITH EXISTING FIRST FLOOR ACCOMMODATION TO FORM A SELF-CONTAINED DWELLINGHOUSE; REMOVAL OF SECTION OF INTERNAL MODERN WALLING TO RE-INTRODUCE USE OF EXISTING INTERNAL STAIRWELL AND BLOCKING-UP OF INTERNAL REAR DOORWAY TO REAR EXTENSION; TOGETHER WITH THE SUBDIVISION OF A SUBSTANTIALLY COMPLETED REAR EXTENSION TO FORM TWO ADDITIONAL DWELLINGHOUSES AT RAM INN, CWMANN, LAMPETER, SA48 8ES

Applicant(s)	DOUGLAS BROTHERS LIMITED, FACTORY YARD, CWMANN, LAMPETER, SA48 8ES
Agent	JCR PLANNING LTD - RICHARD BANKS, UNITS 1-3 BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
Case Officer	Kevin Phillips
Ward	Llanybydder
Date of validation	09/04/2019

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties

Site

The application site is a grade 2 listed public house (PH) with a large incomplete shell of an extension at the rear, located at the junction of the A482 and C2180 road at the southern end of the village of Cwmann, approximately 1.3 kilometres from the town of Lampeter. There is a car park that serves the PH to the north east, the other side of the "C" class road, in between Balfour to the south and Ram Cottage, Murmur y Teifi and Court Lodge to the North. The area is primarily a residential area with Cae Coedmore housing estate to the south and Ysgol Carreg Hirfaen primary school approximately 350 metre along the "A" road to the south.

Proposal

The application requests full planning permission for the conversion of the ground floor of the PH to a residential accommodation, incorporating with existing first floor accommodation to form a self-contained dwelling-house; removal of a section of the internal modern walling to re-introduce use of the existing internal stairwell and blocking-up of internal rear doorway to the rear extension; together with the subdivision of a substantially completed rear extension to form two additional dwelling-houses. The dwellings will be served by the car park retained from the PH.

There is a corresponding Listed Building Consent application submitted for the proposal (W/38687) which has received only 1 letter of objection and therefore in regards to the Council Protocol the application does not require reporting to the Planning Committee. However, the application is required to be referred to CADW for their consideration if this application is approved and support is consequently given to the Listed Building Consent application.

Planning Site History

W/25108	Alteration and extension of building Listed Building Granted	22 September 2011
W/23963	Variation of condition no. 2 on planning application W/13246 - amendment to approved plans to include provision of disabled facilities for room 5 Variation of Planning Condition Granted	03 January 2011
W/14925	Re-Roofing - Disrepair Listed Building Granted - Delegated	20 December 2006
W/13246	Alterations and extensions to public house to provide new dining, kitchen and hotel facilities Full Granted - Committee	27 September 2007
W/13245	Re-Roofing - Disrepair Withdrawn	29 November 2006
D4/21446	Extension and alterations Full Granted - Committee	10 September 1991

Planning Policy

[Carmarthenshire Local Development Plan](#) (Adopted December 2014) ('the LDP')

SP13 Protection and Enhancement of the Built and Historic Environment

SP16 Community Facilities

Policy GP1 Sustainability and High Quality Design

Policy H2 Housing within Development Limits

Policy RT8 Local Shops and Facilities

Policy EQ1 Protection of Buildings, Landscapes and Features of Historic Importance

Policy TR3 Highways in Developments - Design Considerations

[Carmarthenshire Supplementary Planning Guidance](#)

National Planning Policy and Guidance is provided in [Planning Policy Wales](#) (PPW) Edition 10, December 2018 and associated [Technical Advice Notes](#) (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways – Any planning permission shall be subject to the application of 5 highways related conditions.

Head of Public Protection - No adverse comments to make on the proposed development.

Town / Community Council – Pencarreg Community Council would like to object to this planning application on the grounds of the following reasons:-

1. The Ram Inn was an iconic pub and was one of the most successful in Wales. It has history going back to the 16th Century where residents were using it for local activities ie. darts, pool, quiz's, parties, dinners and charity meetings. It also formed the heart of the community where the local Cwmann YFC, Cwmann Choir, W.I., Ffair Ram Show, Cwmann Carnival and numerous other parties would hold their annual dinners and sub-committee meetings there. The Welsh language was of high importance and was in regular use, more so than in the neighboring pubs as they were used by university students. The Ram Inn was well known throughout Wales as it had a reputation for excellent food and beer. It had the prestigious honour of winning the 4th Best Pub In Great Britain and had a visit from the President of United States of America Jimmy Carter and his wife.
2. Planning was given to the present owner in 2011 so that he could turn the pub into a Motel which he hasn't opened since, He has increased the size of the function room with additional 6 bedrooms which have never been used or completed.
3. The Ram Inn has a Grade 2 status and is registered with CADW. Further development to this property would definitely harm and spoil its current character.
4. There are more than enough residential developments in the village of Cwmann already. Due to a lack of employment in the area there is no demand for extra homes.
5. Due to existing problems in the community with sewerage and surface water, this development would only increase the problem. There is already 2 water holding tanks near the Ram Inn, one in the Ram Inn car park and the other directly in front of the main pub. These hold back the surface water from the increase development area north of the pub. The extra water which goes down under the properties of Treherbert Street is causing problems already and this would only increase it.
6. The wording on the planning application states that it is a Conversion of a FORMER public house to a Residential Accommodation. This property is still a public house as the owner is still paying the relevant license fee and has had no authorization as yet for change of use.

7. The clerk and councillors of Pencarreg C.C. have had numerous phone calls from residents of the community and from others in the neighborhood stating their concern that the Ram Inn is changing its use to residential.
8. Over the years that the Ram Inn has been closed for business, numerous people in the village have tried to buy or rent the property so that they could re-open it as a pub and hotel. This would give many in the village a place to work and would contribute to the local economy. The owner has not been interested in selling or renting as he is trading in his main business of running Knackers Yard further up the road to the Ram Inn.

It is also conveyed that the Cwmanne Tavern is presently closed

Local Member(s) - Councillor E Williams is a member of the Planning Committee and has made no prior comment.

All representations can be viewed in full on our [website](#).

Summary of Public Representations

The application was the subject of notification by way of a site notice/publication in the local newspaper.

Nine letters of objection have been received to the application and the matters raised are summarised as follows:

- The loss of the public house will impact upon the character of the community
- The building has been left to stand dormant with no intention to progress with the PH and extension proposal
- The PH has not been put on the market to seek to allow another party to purchase and run the property
- There is no demand for housing in the village for local and young people
- The Ram Inn is an iconic and historic building and this will be lost
- The PH brought the community together for various events
- The loss of the public house will impact upon the welsh language, local traditional community life and economy
- The proposal will increase sewer and surface water problems elsewhere
- Numerous people have contacted the Community Council regarding the closure the PH and numerous people have tried to buy or rent the premises.

All representations can be viewed in full on our [website](#).

Appraisal

Principle of development

The property is a grade 2 listed public house that received full planning permission for an extension for a new dining, kitchen and hotel facilities (5 bedrooms) in 2007 and listed building consent was approved in 2011. During the course of the development of the extension the construction ceased and the public house and extension has been dormant in the interim with the public house last open approximately 10 years ago.

Therefore, it is required to determine in the application whether the proposal for the conversion of the public house to 1 dwelling and the adjoining extension to the rear to two dwellings and the use of the car park for parking spaces for the three dwellings is acceptable in development management and built heritage terms.

Impact upon the Listed Building

The proposal involves the conversion of the public house and extension to three dwellings whilst not altering the external fabric of both the listed building, nor modern rear extension and the principal physical change in the public house is the blocking up of a doorway between the public house and the extension, a modern section of partition wall removed to expose the stairway to the first floor, modern heating and ventilation unit removed from the ground floor ceiling and ceiling beams retained.

The Authority's Built Heritage Officer has not raised objection to the aforementioned internal physical works but objects to the principle that the public house was granted an extension to permit the continued survival of the business and this has not progressed to completion and insufficient justification has been submitted to allow the conversion of the building to a residential use.

Impact upon character and appearance of the area

The public house remains in its historical form with the extension added at the rear which has been the shell of the proposed dining, kitchen and hotel facilities for a number of years. The proposal will continue with a similar layout to that approved for the aforementioned commercial use of the extension with the only change being the internal use for the two residential units and the southern window in the conservatory change to a solid wall. It is considered that there will not be a significant change to the character and appearance of the locality with the use for three residential units.

Privacy Impacts

The layout as proposed will not result in any issues in terms of the impact upon adjoining neighbours' living conditions. The site has a highway each side of the development and the housing site to the south has a mature hedgerow between and the layout is such that there is sufficient distance between the properties to ensure that there are no significant concerns in terms of harm to each residents' living conditions.

Highway Impacts

Conditions are recommended to be applied to any permission to overcome any highway safety concerns.

Response to the issues of objection received

The loss of the public house will impact upon the character of the community

It is acknowledged that a public house within the community has significant benefits for the community in terms of a place for meeting and socialising. However, the public house has been closed for the last 10 years and the village has relied upon the services of the Cwmanne Tavern approximately 900 metres away from the Ram Inn at the Lampeter end of the village, in addition to the PHs at Lampeter. Whilst it has been conveyed that Cwmanne Tavern has recently closed, it remains that a public house has served the community interests and may well open again to serve the needs of the community in the future. It is considered unreasonable to refuse the proposal when there has been a PH in the community and the Cwmanne Tavern remains as a PH in planning terms. In addition to which there are PHs near by in Lampeter and the community hall remains as a hub for the village of Cwmann and the nearby community.

The building has been left to stand dormant with no intention to progress with the PH and extension proposal

The application conveys that the public house has been closed for the last 10 years and due to the lack of viable trade, they decided to close the premises and not progress with the extension to the rear.

The PH has not been put on the market to seek to allow another party to purchase and run the property

The application conveys that it has not been considered viable to progress with the development approved. It therefore remains that the proposal shall be determine against the policies within the Carmarthenshire LDP in reference to the loss of a community facility. The explanation in the conclusion refers to the relevant policies for consideration of the marketing of the property.

There is no demand for housing in the village for local and young people

It is not considered that this statement is correct; it is considered that housing studies establish that there is a significant demand for housing for various sections of the community and the demand is to be provided by land and buildings being made available for that purpose.

The Ram Inn is an iconic and historic building and this will be lost

The building is acknowledged as a significant historic building in the locality and whilst it is not proposed to be used as a public house, it shall remain as a building of significant historic recognition in the locality, retaining its listed status. As noted above the development proposal shall also require listed building consent which is the subject of a separate application.

The PH brought the community together for various events

It is acknowledged that PHs are buildings that brings the community together, however at this village it remains that there are other community facilities that function to provide this community demand; the local community hall and primary school remain in close proximity

to the PH as well as the remaining public house in the village, although presently closed it can regain this function.

The loss of the public house will impact upon the Welsh language, local traditional community life and economy

It is acknowledged that the loss of a PH in any village can be harmful to its unity, however it remains that the village of Cwmann retains a public house that is presently closed, it has other community facilities referred to above as well as the facilities provided by the town of Lampeter, which is close and easy to access by foot and vehicle. Whilst market forces have to be considered in the determination of this application, it has to be balanced in terms of whether the loss will be catered for by other facilities in the locality, as conveyed in policy RT8 of the LDP. It is considered that at this location, the loss of the public house in the community with alternative similar facilities will not have a detrimental impact upon the Welsh language, local community life and the economy.

The proposal will increase sewer and surface water problems elsewhere

The proposal was supported as a development to the PH and it is considered that the conversion to three dwelling will not have a detrimental impact in comparison to that which has been approved.

Numerous people have contacted the Community Council regarding the closure the PH and numerous people have tried to buy or rent the premises.

No specific details of the numbers of the people who have contacted the community council including the details of the interest and approaches made in relation to the purchase /rent has been furnished to the Local Planning Authority

Well-being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

The application has received a number of objections from local residents who express their dismay in relation to the loss of the PH that served the community for many years but remains closed presently and the issues raised from public consultation have been addressed above. In addition, the response to consultation from the Built Heritage Officer (BHO) conveys that is acknowledged that there are difficulties that face public houses in the present day market and conveys that the applicant was aware of the challenges in terms of progressing with an extension that allows the premises to compete with improved facilities. The extension has been built and it is in the opinion of the BHO that significant harm has been caused to the character and setting of the Ram Inn.

The Building Conservation Officer's reasoning for supporting the extension application is as follows:

'the proposed alterations will hopefully provide the Ram Inn with a more secure future, with the facilities to allow its diversification, as a functioning modern day Inn'. It is conveyed that it was unlikely that support would have been given to the proposals if it was not the case of the undoubted benefits of preserving the special interest of the building as a public house. If the improved facilities were completed and the building re-opened it may be the case that the Local Planning Authority are not faced with the present applications for a change of use.

When considering a change of use the Local Planning Authority need to be consistent and require detailed supporting information to make an assessment and the BHO conveys that in terms of justification this is brief and focuses on other public houses and community facilities within the surrounding area or that the completion of the extensions are not viable in today's market which is not considered sufficient. A detailed Heritage Impact Assessment/Statement which fully considers the architectural and historic character of the building, the new statutory requirements for listed buildings, explanation of all potential uses including the existing, and works considered; and why these have been discounted and why the proposals are the most suitable taking into account those contexts.

To support the HIA, it is conveyed that the following is required:

- Marketing the building for a period of time to establish if there is any interest and for what purpose. This does not appear to have been the case since the building was closed 10 years ago.
- Evidence from local estate agents to illustrate that there is no demand in the area for the existing use or for other uses.

The BHO conveys that in considering the proposals as required by Section 16 (2) & 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Ram Inn is listed as a well-preserved early 19th Century public house and its use forms part of its special interest. The proposed change of use would not preserve this interest and cause harm. The justification for the proposed change of use and the works to facilitate the use is not considered reasonable to override the harm caused. It is further conveyed that if the applicant and agent provide a more robust justification then the proposed change of use will be considered again.

The Arboriculture Officer has accepted a formal condition to retain perimeter vegetation, with any future proposals to carry out arboriculture works requiring the prior written approval of the LPA and the Planning Ecologist has not raised objection to the proposal.

Having conveyed the principal issues of contention within the application above, the principal matter for determination of the application is whether the dormant nature of the property over the last 10 years and the failure to progress with the extension at the rear to allow the premises to become a viable commercial business has compromised the proposal. It has been conveyed by objections received that the PH was a successful service within the community and that its closure has impacted upon the community and its return would be of benefit to that community. The Local Planning Authority has received comments from a number of residents and the community council as well as the response of the Built Heritage officer regarding the wish to retain the PH and to restrict the proposed conversion to allow its beneficial use for the community. Whilst it is not possible to

conclude categorically why the premises ceased in its development progress, it remains that it is required to determine the proposal based upon the existing position.

The application falls to be determined against the policies within the LDP in addition to the other material considerations and whilst the proposal succeeds in retaining the listed building, the BHO conveys that the extension presently built at the rear would not have been authorised for any residential development because of its impact upon the character of the building. This is appreciated, however whilst policy SP16 of the LDP allows for the loss of community facilities such as a PH,

“Any proposals that will result in the loss of an existing facility will be permitted where it can be clearly demonstrated that the facility is no longer viable and that a suitable alternative is accessible within the settlement or sustainable community.”

Planning policy RT8 goes on to give specific policy direction and conveys that proposals which would result in the loss of a local service(PH) outside of the identified Growth Areas and Service Centres will only be permitted where:

- a There is another shop or service of a similar compatible use available for customers within:
 - i. a convenient walking distance; or,
 - ii. where applicable, the Sustainable Community.
- b Its loss would not be detrimental to the social and economic fabric of the community.

With the proposal will result in a loss of this PH, it remains that Cwmanne Tavern is a PH in the community and it is considered that there are many PHs within a reasonable walking distance at the town of Lampeter. Therefore, the proposal is considered to adhere to the aforementioned policies.

Whilst it has not been proven that the PH could not become viable if it were to continue and be completed, it is evident from LDP policy that it is not required to demonstrate to the Council's satisfaction that all reasonable attempts have been made to market the business for sale or let over a 12 month period because there are existing similar services within a convenient walking distance in Cwmann and Lampeter and after careful consideration of the scheme as submitted it is concluded on balance that the proposal is supported subject to the proposed conditions.

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 works hereby granted consent shall be carried out strictly in accordance with the following drawings and conditions:

- Location Plan (LOC/RB/001A), received 29 March 2019
 - Site Layout Plan 1:500 scale, received 29 March 2019
 - Proposed Elevations(A102), received 29 March 2019
 - Proposed Floor Plans(A101), received 29 March 2019
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment)(Wales) Order 2013 (or any Order revoking or re-enacting that order with or without modification), no development within Schedule Article 2, Part 1, Classes A, B, C, D, E, G, and H shall be carried out within the curtilage of the dwelling hereby approved (other than those expressly authorised by this permission) without the written consent of the Local Planning Authority.
 - 4 The vehicular access into the site shall at all times be left open, unimpeded by gates or any other barrier.
 - 5 There shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown, over the site's whole C2180 Road frontage within 2.4 metres of the near edge of the carriageway.
 - 6 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained, unobstructed, for the purpose of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
 - 7 No works or site clearance shall be undertaken within 10 metres of the eastern end of the car parking area hereby approved, until there has been submitted to and approved in writing by the local planning authority an appropriate scheme of protection of the eastern perimeter trees and hedgerow.

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 In the interest of visual amenity and to prevent over development of the site.
- 4-6 In the interest of highway safety.
- 7 In the interest of visual amenity.

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 if 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.

APPLICATIONS RECOMMENDED FOR REFUSAL

