

11/2019/0472

Scale: 1:5000

Printed on: 21/11/2019 at 10:05 AM

GENERAL LOCATION PLAN

© COPYRIGHT. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS.

MATISCHOK & ROSS
architectural services

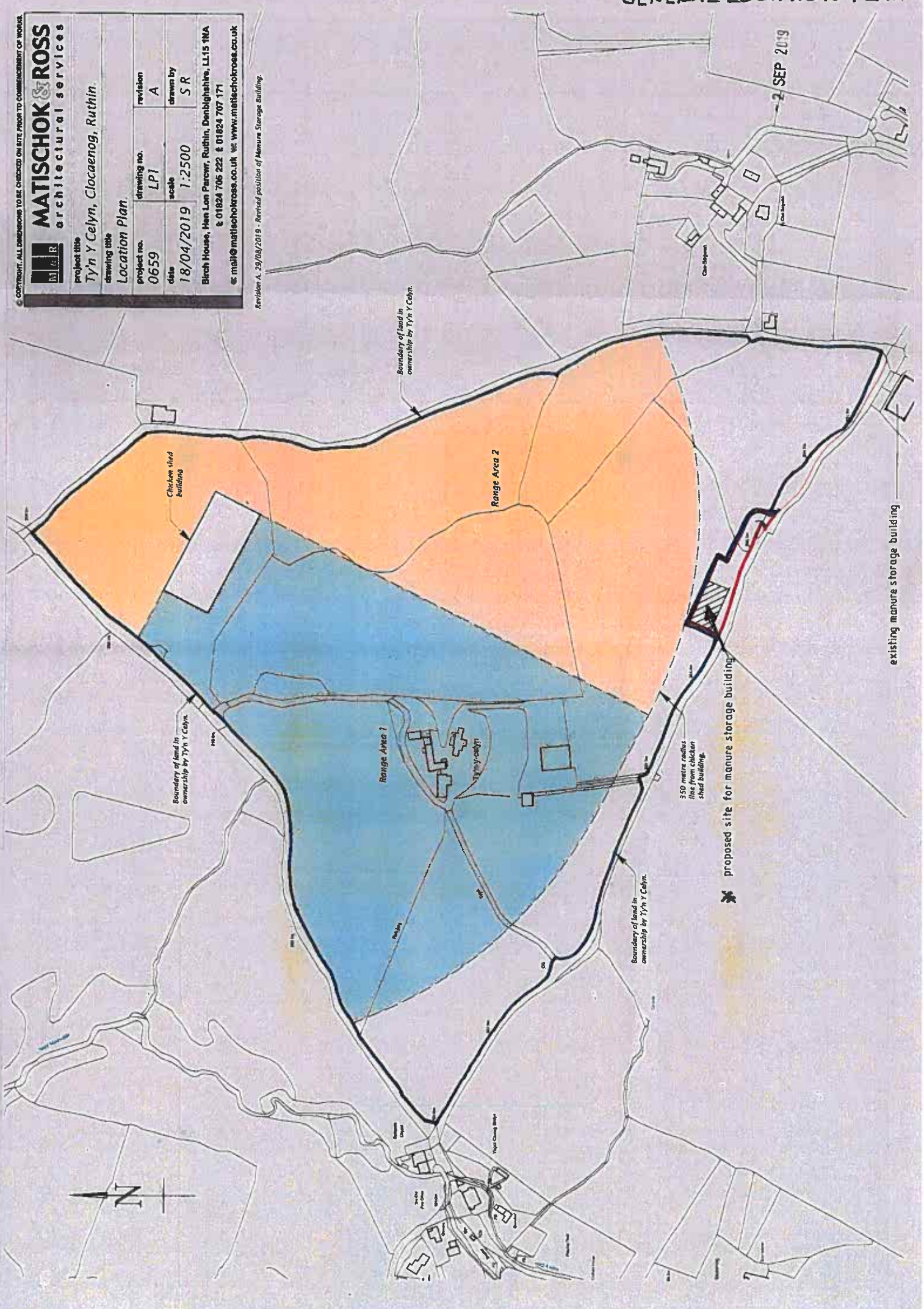
project title
Tyn Y Celyn, Clocaenog, Ruthin.

drawing title
Location Plan

project no. 0659	drawing no. LPI	revision A
date 18/04/2019	scale 1:2500	drawn by S R

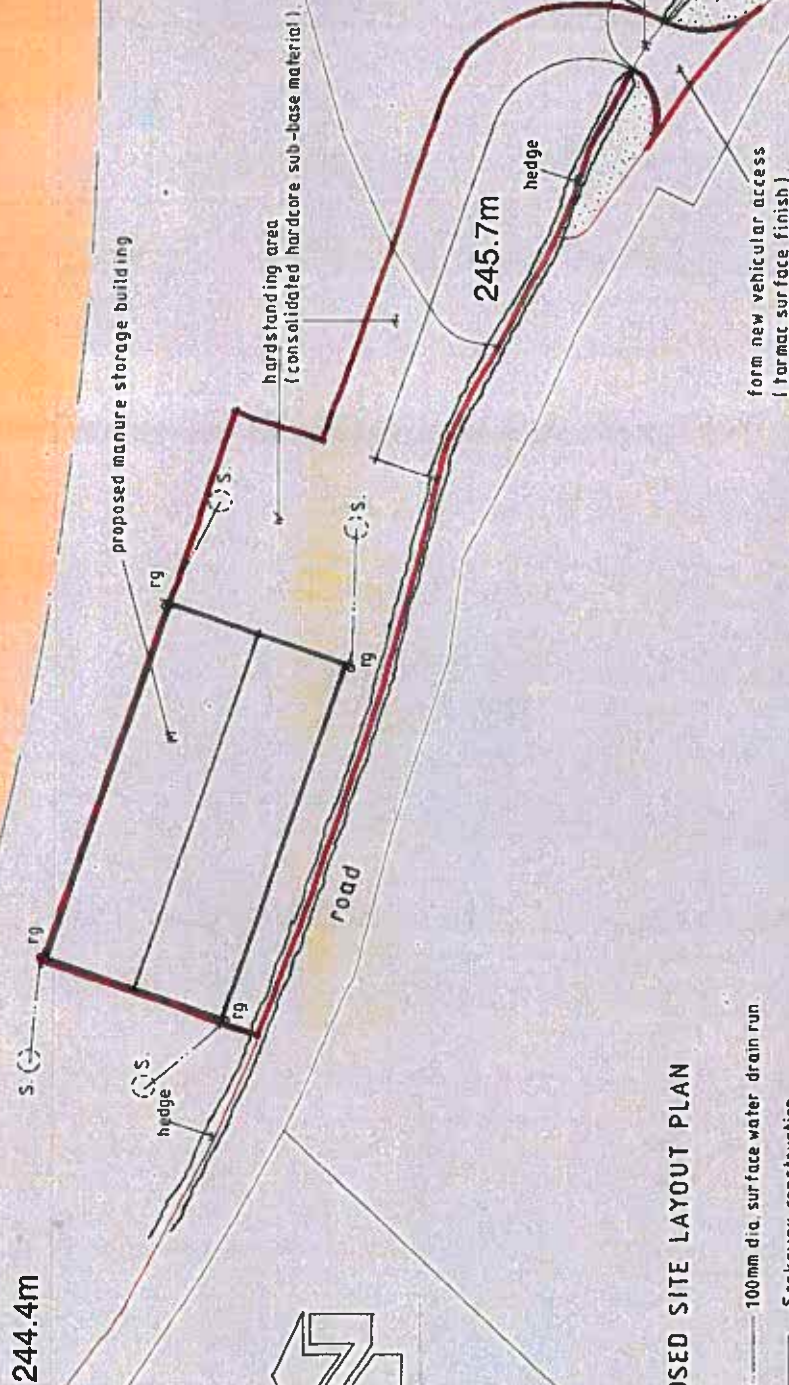
Blach House, Hen Lon Parow, Ruthin, Denbighshire, LL15 1NA
t 01824 705 222 f 01824 707 171
e mail@matischokross.co.uk w www.matischokross.co.uk

Revision A, 29/08/2019 - Revised position of Manure Storage Building.



- 2 SEP 2019

PROPOSED SITE PLAN



PROPOSED SITE LAYOUT PLAN 1:500

© COPYRIGHT. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS.

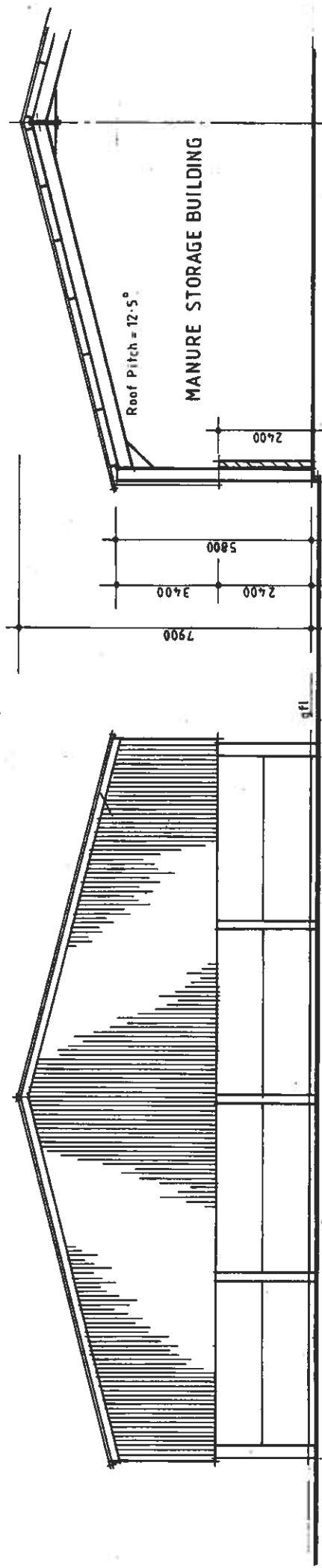
MATISCHOK & ROSS architectural services			
project title Ty'n Y Celyn, Clocaenog, Ruthin.			
drawing title Proposed Site Plan.			
project no. 0659	drawing no. 12	revision A	drawn by SR
date 18/04/2019	scale 1:500		
Birch House, Hen Lon Parowr, Ruthin, Denbighshire, LL45 1NA t 01824 706 222 e 01824 707 171 m mail@matischokross.co.uk w www.matischokross.co.uk			

Revision A. 29/08/19 Revised position of Manure Storage Building



SIDE ELEVATIONS
1:100

Dimensions to take precedence over scaled dimensions.



REAR ELEVATION
1:100

PART SECTION DETAIL

Rev. A - 04/06/19 - Height of building altered to accommodate tipping trailer.

PROPOSED ELEVATIONS

© COPYRIGHT. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS.

MATISCHOK & ROSS
architectural services

project title
TYN Y CELYN, CLOCAENOG, RUTHIN.

drawing title
Proposed Elevations.

project no.
0659

drawing no.
14

revision
A

date
18:04:19

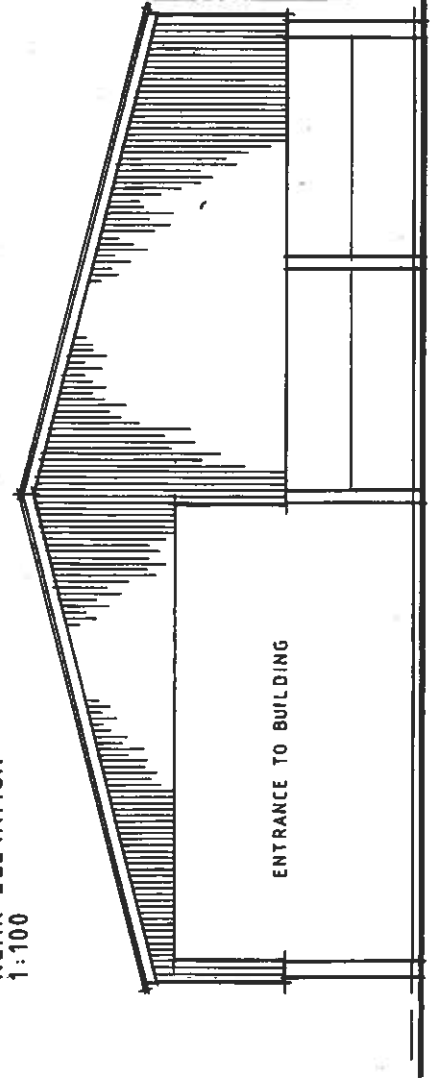
scale
1:100

drawn by
PM

Bloch House, Hen Llan Pwll, Ruthin, Denbighshire, LL15 1NA
t 01824 705 222 f 01824 707 171
e mail@matischokross.co.uk w www.matischokross.co.uk

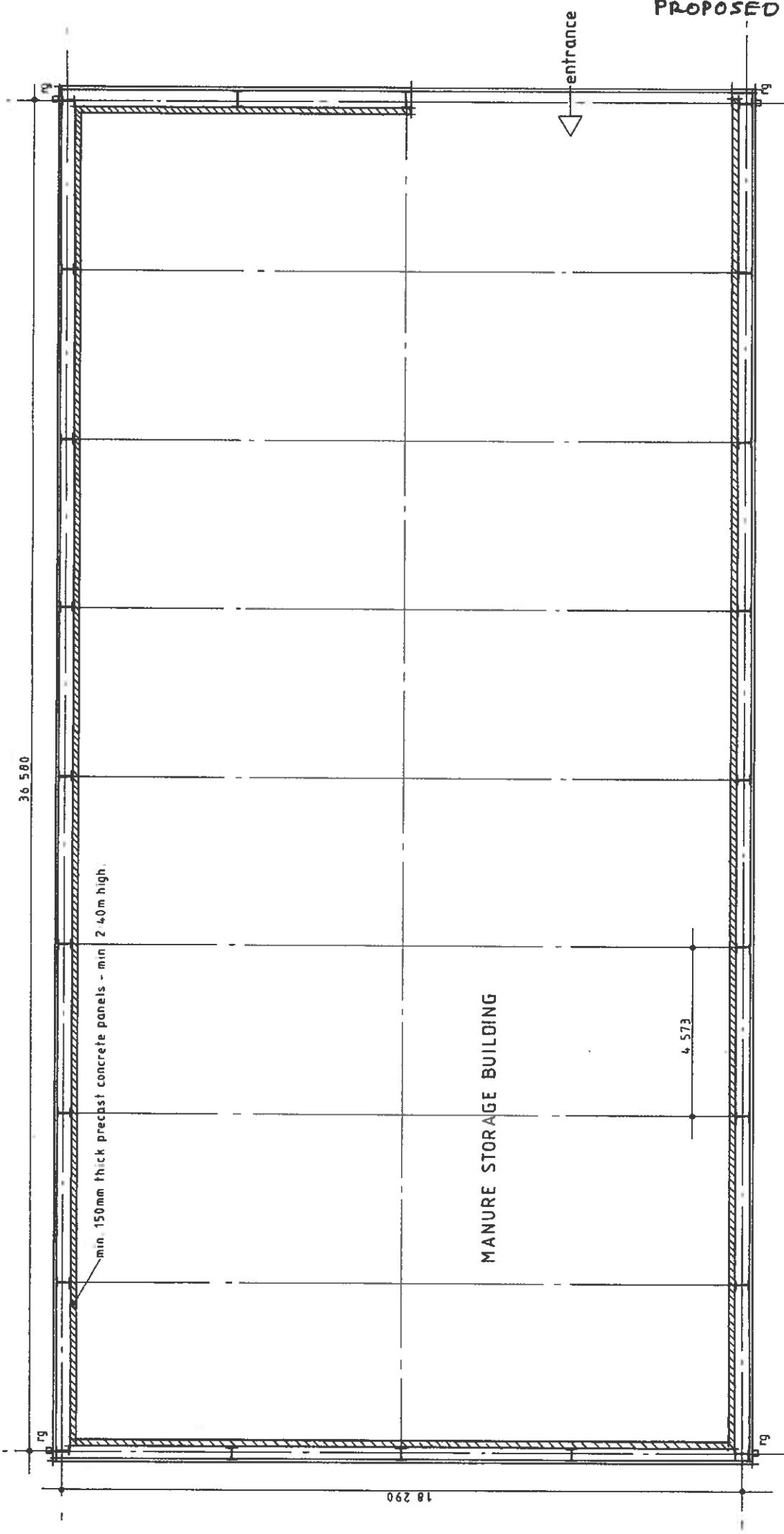
EXTERNAL MATERIALS

- Roof : Polyester powder coated profiled steel sheeting.
Colour : Juniper Green.
- Walls : Polyester powder coated profiled steel sheeting.
Colour : Juniper Green.
- Precast concrete panels up to 2.40m height.
- Rainwater Goods : Polyester powder coated steel rainwater goods.
Colour : Juniper Green.




FRONT ELEVATION
1:100

ENTRANCE TO BUILDING



PROPOSED FLOOR PLAN

© COPYRIGHT ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS

**MATISCHOK & ROSS**
architectural services

project title TY'N Y CELYN, CLOCAENOG, RUTHIN.			
drawing title Proposed Floor Plan.			
project no. 0659	drawing no. 13	revision	
date 18-04-19	scale 1:100	drawn by PM	
Birch House, Hen Lon Parcwr, Ruthin, Denbighshire, LL15 1NA t 01824 705 222 e 01824 707 171 a: mail@matischokross.co.uk w: www.matischokross.co.uk			

GROUND FLOOR LAYOUT PLAN
1:100

WARD : Efenechtyd

WARD MEMBER: Councillor Eryl Williams

APPLICATION NO: 11/2019/0472/ PF

PROPOSAL: Erection of a manure storage building for use in connection with existing poultry unit, formation of a new vehicular access to serve the building and associated works

LOCATION: Land at Tyn Y Celyn Clocaenog Ruthin LL152AS

APPLICANT: Mr & Mrs Bruce and Catrin Jones

CONSTRAINTS: None

PUBLICITY UNDERTAKEN: Site Notice - No
Press Notice - No
Neighbour letters - Yes

REASON(S) APPLICATION REPORTED TO COMMITTEE:
Scheme of Delegation Part 2

- Recommendation to grant / approve – 4 or more objections received
- Recommendation to grant / approve – Town / Community Council objection

CONSULTATION RESPONSES:

CLOCAENOG COMMUNITY COUNCIL:

“On behalf of local residents, Clocaenog Community Council strongly objects to this application on the following grounds:

- Deviation from original planning permission granted for Ty'n y Celyn poultry unit
- Impact on residents and local community of existing manure storage facilities
- Detrimental effect of increased storage facilities on local residents, community and local environment
- Access

Poultry unit – Planning application 11/2010/0329 (Granted)

On site facilities for the storage of poultry manure were deemed unnecessary by the applicant when the original planning permission was granted;

- Design and Access Statement; Section 4.7 – Disposal of manure from the site

“Due to the size of this land holding adjacent to the shed none of the manure would be retained on this site. The manure would be taken to other farm units for use as fertilizer”

Since the commencement of the poultry operation (c. 2011) the applicant has managed the removal from the unit of all manure generated without the need for storage facilities on site. The size of the poultry unit has not changed and as such we see no justification for the erection of a storage facility on this site. Further, the size of the land holding has not increased and thus if considered, by the applicant, as too small for a separate storage facility in 2010 there has been no material change in circumstances to satisfy this application.

We should in any event object to a variance of the proposals which secured the granting of permission for the Poultry unit itself.

Local impacts

We have heard from residents at Cae Segwen and the wider Clocaenog community of the existing deprivations to the enjoyment of properties and leisure activities experienced as a

result of the current poultry manure storage on nearby land, utilised but not owned, by the applicant.

These include, but are not limited to; noxious odour, airborne particles, flies, rodents and deterioration of localised road network. Many residents complain of the need to remain indoors with windows closed in certain prevailing weather conditions. We have also been given evidence from residents of the release of dust particles which are vented from the poultry unit itself which at times can have detrimental effects on received air quality.

When planning was approved for this independently owned storage facility (ref 11/2014/0358) the Design & Access Statement gave the reason for the Economic Context of the application as a building to "provide dry manure store" that was "essential in the future success of" the dual based farm holding of Bryn Eryr, Llanfihangel / Clawddnewydd. The clear impression was that the unit was to support existing livestock operations and reduce travel costs. At no stage was there any indication that the building would be used at any time for the storage of poultry manure. In a Social Context there was to be no claimed effect on neighbouring properties. Clearly had the current use been proposed at the time the application would have been viewed very differently. In the circumstances, any increase in storage capacity specifically for poultry manure, as here, must be vigorously opposed.

Proposed manure storage shed at Ty'n y Celyn

Given the adverse effects on wellbeing currently experienced by residents at Cae Segwen, Clocaenog Community Council objects to the creation of additional manure storage facilities at the proposed location.

As previously stated, the applicant considered the site too small for an independent storage facility when planning was granted for the poultry unit. This must still be the case. Application claims that new Welsh Government regulations will require a covered manure storage shed capable of holding up to 5 months of manure, which must be in a permanently roofed building. It is our contention that the existing facility owned by Bryn Eryr provides such storage and notwithstanding new regulations it is our understanding that the requirement for 5 months storage capacity was in place before the commencement of poultry operations on this site so is not a valid justification for this application.

The recently provided "Traffic Statement" indicates that the existing storage shed also occasionally accommodates manure from the applicant's other unit at Braich yr Alarch in Clawddnewydd. This also has no on site storage. We consider that were Planning Approval to be granted this would lead to yet further deterioration of amenity for local residents as up to 5 months of manure from both units would be housed in adjacent sheds within approximately 200 metres of dwellings at Cae Segwen.

The proposed shed at Ty'n y Celyn is considerably larger than the one currently in use, so one might legitimately ask whether arrangements to utilise the existing storage facility have changed and the applicant does in fact need to store manure from both units in the proposed larger shed, thus effectively storing up to 10mths manure between cycles. This would mean stored manure would be present virtually all year round. This is compounded by the fact the Design & Access statement for the actual poultry unit stated that 1 flock of birds (14 mths) generates 1080 tonnes of manure which when spread would require an area equivalent to 216 hectares. This will double for the 2 flocks to around 1000 acres if utilised correctly. This is many more acres than combined at Bryn Eryr (267 as stated) giving rise to increased transportation requirements.

Keeping poultry manure under cover alone is not sufficient as it should be sheeted to minimise odours and fly issues. This also applies to the transportation of poultry manure, which we are advised is not always the case when manure is transported from shed to the current store along the lane behind properties at Cae Segwen. One wonders why when trailers should be sheeted that manure is only transported from Braich yr Alarch when weather permits (Traffic Statement ref 11/2019/0472).

This application presents no clearly defined and agreed Manure Management Plan – the only reference is a scanned leaflet posted on the DCC planning portal.

Clear codes of practice apply to the use and storage of poultry manure and any failure to adopt these principles is likely to create an "avoidable nuisance". Where it is necessary to store

manure before transport, adequate precautions should be taken to minimise the potential for fly or odour problems – this should include monitoring and effective treatment regimes which should be documented to demonstrate adherence. This is not evident within this application. The Justification Statement claims that the proposed siting is the “most suitable site available outside the chicken range” – 350 metres. Welsh Government planning guideline TAN 6, para 6.6.3 advocates planning authorities exercise particular care over housing applications within 400 metres of established livestock units and it is also important to keep incompatible development away from polluting or potentially polluting uses. The situation here is the same but in reverse and were the same thinking (and distance) to apply, there is nowhere on the Ty’n y Celyn holding that this proposed manure store could be accommodated a sufficient distance from existing housing stock.

Access

The highway presently in use to transport manure away from the current storage shed is already designated “Unsuitable for heavy vehicles” and is in poor state. There is a gateway from the rear of the poultry unit leading to the lane currently used to transport manure away from the unit and towards the existing storage facility. This is the access lane for properties at Cae Segwen and is in exceptionally poor condition, the surface is damaged and eroded as are the banks either side. This lane is also prone to flooding, presumably as a direct consequence of usage other than that originally intended. If more damage ensues there will be a real risk of damage to passenger vehicles.

This new application indicates that this lane will continue in use for the removal of manure. In contradiction to the “Traffic Statement” actual traffic movements will increase on the lane from the B5105 if additional manure is transported to site from Braich yr Alarch on anything more than the “occasional” trip as presently declared.

For the reasons stated, Clocaenog Community Council opposes and Objects to this application.”

NATURAL RESOURCES WALES:

No objections

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Highways Officer:

No objections

Pollution Control Officer:

No objections

RESPONSES TO RECONSULTATION:

CLOCAENOG COMMUNITY COUNCIL:

“In light of revisions to planning application, Clocaenog Community Council sees no reason to amend its original decision and remains opposed to the application.

Location

- Proposed storage has moved 90 meters down the hill, closer to the village but this offers no greater protection or improvement to local residents and the general public.

Odour assessment

- Requested by Senior Technical Officer at DCC
- Computer modelling plan using estimates and predictions based on the ‘figures and values’ in literature available to the author of the report.
- No evidence that any physical monitoring has taken place.
- Does not address the current situation as complained of by local residents.
- Ignores existing evidence of odour, dust borne particles and vermin.
- Does not address the hazardous nature of the manure – this is not generic livestock manure.

- Despite the wealth of evidence presented by local residents (receptors) the report claims that no local properties would even suffer from 'moderately offensive' odours using the prescribed measuring criteria.

Transportation & manure management

- Revised plans provide no new consideration of issues regarding the transportation of the manure.
- Evidence was provided by residents about the inadequate measures taken when moving manure from site. It appears clear that manure is still moved in uncovered trailers and has been deposited and left uncovered on neighbouring land in contradiction of manure management plans. This is despite the sensitivity of the ongoing application which does not offer any confidence that this would improve in future.

Access

- Despite objections, there has been no new proposal regarding improving access to and from site. No proposals to negate the damage caused to both local road infrastructure and neighbouring property boundaries.
- Damage to roadways causes detriment to local residents and general public.
- Increased council maintenance costs borne by local ratepayers rather than directly by the owner and direct beneficiary of the enterprise.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Robert Garrod, 1 Maes Caenog, Clocaenog MA & WJ Seymour, 4 Cae Segwen, Clocaenog LM & DL Locke, 1 Cae Segwen, Clocaenog Ms Glenda Dunne & Mr Michael Clark, 2 Cae Segwen, Clocaenog Mr Shiran & Mrs Rachael Devakumar, 3 Cae Segwen, Clocaenog The Worthingtons, Ty Cae Segwen, Clocaenog Alison Lewis, Tyr Saer, Clocaenog Lynda Roberts, Tyn Y Minffordd, Llanfwrog C. Parton, The Old Rectory, Clocaenog Leonard Gill, Bryn Ffynnon, Clocaenog Tim and Janette Keeley, Bryn Moel, Clawddnewydd

Petition (31 Signatories) 4 Cae Segwen, Clocaenog

Summary of planning based representations in objection:

Impact on residential amenity – the proposal would have a detrimental impact on residential amenity by virtue of odour, dust, flies and vermin

Impact on Highway network – the proposal would result in the lane being used by an increased number of large vehicles which will cause damage to the side of the highway/soft verges.

In support

None

EXPIRY DATE OF APPLICATION: 24/07/2019

EXTENSION OF TIME AGREED? 11/10/2019

REASONS FOR DELAY IN DECISION (where applicable):

- delay in receipt of key consultation response(s)
- additional information required from applicant
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information

- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

1.1 Summary of proposals

- 1.1.1 Members will recall that this application was deferred at the October planning committee with a request to seek details of a detailed management plan for the storage and disposal of manure at the site. This has now been submitted and consulted on.
- 1.1.2 The proposal is for the erection of an agricultural building to store dry manure. The site is Tyn Y Celyn, Clocaenog.
- 1.1.3 The building is proposed to be located adjacent to the road in an isolated rural location. The building would measure 36 metres by 18 metres, and feature a pitched roof with a ridge set at 7.9 metres. It would be constructed of pre-cast concrete panels up to 2.40m and then 'juniper green' powder coated metal sheet, including on the roof.
- 1.1.4 The proposed building would be set back from the road by approximately 4 metres, with the longer side of the building running parallel to the road.
- 1.1.5 A new access would be created off the highway approximately 65 metres east of the building, and a track would be created to link the building to the access.
- 1.1.6 The application is being made as part of the requirements of new Agricultural Pollution Regulations which come into effect in 2020. The regulations seek to reduce ammonia emissions from farming, and in part set out standards for how manure is stored on agricultural units.
- 1.1.7 Natural Resources Wales require the existing poultry unit at Tyn Y Celyn to have a covered manure storage capable of storing 5 months of manure from chicken sheds so as to enable the applicant to avoid spreading manure during wet periods. The shed has to be located outside of the chickens 'ranging' area.
- 1.1.8 The application is accompanied by an odour assessment of the potential impacts on sensitive receptors (residential properties).

1.2 Description of site and surroundings

- 1.2.1 The site is in an elevated position above Clocaenog, some 500m south east of the village. It is accessed via an unclassified lane that links Clocaenog to the B5105 road.
- 1.2.2 It is currently an area of relatively flat agricultural grass land. A similar building to that which is being proposed is located approximately 185m to the south east of the site.
- 1.2.3 A collection of dwellings at 'Cae Segwen' are sited 280 metres to the east of the site.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is in open countryside.

1.4 Relevant planning history

- 1.4.1 None.

1.5 Developments/changes since the original submission

- 1.5.1 The building has been relocated further to the west than originally proposed so as to avoid the need for an in combination odour assessment with the existing manure store.
- 1.5.2 A Manure management plan has been submitted following deferral of the item in October. This details that the size of the farm extends to approximately 50 acres of owner occupied land. Due to the size of the holding all manure is exported off site to neighbouring farms. The plan is based on a maximum potential number of 64,000 birds. All solid manure produced within the poultry unit will be removed from the laying area every four days and stored in the proposed manure store.
- 1.5.3 Manure would be collected from the store by neighbouring farms for spreading on their land between April and October.
- 1.5.4 The Manure Management Plan details that the shed would provide 5 months of storage for manure generated from the poultry unit, with a 5% contingency for additional storage. If for some reason there was exceptionally extreme weather conditions that lasted more than 5 months, and the extra capacity in the manure storage shed was exceeded, then manure would be exported off site to a locally sourced Anaerobic Digester plant.
- 1.5.5 The manure would be loaded via an existing conveyor belt system from within the poultry unit into 10 ton high sided tipping trailers, directly to the rear of the building. The trailers would be covered with a tarpaulin directly after filling and transported along the public highway to the proposed storage building. The trailers would unload their loads within the storage building. It is suggested that this would take place on average 2 to 3 times per week.

1.6 Other relevant background information

- 1.6.1 The application was subject to a Site Inspection Panel meeting at 11.00am on Thursday 3rd October 2019.
- 1.6.2 In attendance were:
CHAIR – Councillor Joseph Welch
VICE CHAIR – Councillor Alan James
LOCAL MEMBER – Councillor Eryl Williams

GROUP MEMBERS –
Plaid Cymru Group – Councillor Emrys Wynne
Conservative Group – Councillor Ann Davies

COMMUNITY COUNCIL – Mark Lewis

The Officer present was Paul Griffin (Development Management)
- 1.6.3 The reason for calling the site panel was to allow opportunity to view the site in relation to the neighbouring properties, and to consider the adequacy of the surrounding highway infrastructure.
- 1.6.4 At the Site Inspection panel meeting, Members considered the following matters:
 - 1. The detailing of the building, including its proposed siting, the distance to adjacent buildings, and the requirement for it.
 - 2. Representations on the application.

In relation to the matters outlined:

1. The Officer outlined the proposals which involved the erection of a steel portal framed building for manure storage, and the need for it given new Agricultural Emissions Regulations. Members viewed the surrounding area and the proposed siting of the building in relation to neighbouring properties, as well as the location of the proposed access and the condition/width of the approach roads.

2. The site panel was informed of the basis of comments on the application from consultees, including the concerns of the Community Council. It was noted that the Highway Officer and Public Protection Officer had raised no objections. There was discussion on the issues raised and the nature of the Odour Assessment which accompanied the application.

OFFICER NOTES

For clarification, Officers understand that the proposal is in line with NRW's 'best practice' guidance in relation to storage of manure. At present, it is possible for the manure to be stored on open fields, under a waterproof sheet, which represents a significant fallback position.

2. DETAILS OF PLANNING HISTORY:

2.1 None.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Denbighshire Local Development Plan (adopted 4th June 2013)

None

Supplementary Planning Guidance

None

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 10) December 2018

Development Control Manual November 2016

TAN 6 Planning for Sustainable Rural Communities (2010)

3.3 Other material considerations

4. MAIN PLANNING CONSIDERATIONS:

In terms of general guidance on matters relevant to the consideration of a planning application, Section 9.1.2 of the Development Management Manual (DMM) confirms the requirement that planning applications 'must be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise'. It advises that material considerations must be relevant to the regulation of the development and use of land in the public interest, and fairly and reasonably relate to the development concerned.

The DMM further states that material considerations can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment (Section 9.4).

The DMM has to be considered in conjunction with Planning Policy Wales, Edition 10 (December 2018) and other relevant legislation.

The following paragraphs in Section 4 of the report therefore refer to the policies of the Denbighshire Local Development Plan, and to the material planning considerations which are considered to be of relevance to the proposal.

4.1 The main land use planning issues in relation to the application are considered to be:

- 4.1.1 Principle
- 4.1.2 Visual amenity
- 4.1.3 Residential amenity
- 4.1.4 Drainage (including flooding)
- 4.1.5 Highways (including access and parking)

4.2 In relation to the main planning considerations:

4.2.1 Principle

Paragraph 5.6.6 of PPW 10 advises that Local 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.

The application is submitted with a justification statement which outlines the need for the building. It outlines that Natural Resources Wales require the existing poultry unit at Tyn Y Celyn to have a covered manure storage area that can hold 5 months of manure from the existing chicken sheds as the applicant is not able to spread manure on the land in extreme wet weather conditions, as this would result in an increase in ammonia emissions. It is understood that NRW also require the building to be outside of the free range area for the chickens, which means that the building must be at least 350m from the poultry sheds.

The proposal relates to an existing agricultural enterprise and is submitted so as to accord with environmental legislation as enforced by NRW. It is therefore considered to be acceptable in principle subject to an assessment of the impacts.

4.2.2 Visual amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The visual amenity and landscape impacts of development should therefore be regarded as a potential material consideration.

TAN6, paragraph A14 states the siting of a new agricultural building can have a considerable impact on the surrounding landscape. Developments should be assimilated into the landscape without compromising the functions they are intended to serve. New buildings should normally form part of a group rather than stand in isolation, and relate to existing buildings in size and colour. However, new buildings of modern design may sometimes best be separated from a group of traditional buildings to avoid visual conflict. Sites on skylines should be avoided. To reduce visual impact, buildings should be blended into the landscape or, on sloping sites, set into the slope if that can be achieved without disproportionate cost.

The building is proposed to be located adjacent to the road in an isolated rural location. The Agent has advised that the proposal has been designed to sit in the least visually obtrusive location on the site, whilst complying with the requirements of NRW in regard to not being within the chickens 'ranging area', and being at sufficient distance from unrelated dwellings so as not to result in a nuisance by way of odour. In terms of size and appearance the building would measure 36 metres by 18 metres, and feature a pitched roof with a ridge set at 7.9 metres.

Having regard to the siting of the proposal, whilst noting general planning principles of TAN 6 that new agricultural buildings should ideally be located adjacent to the existing complex, it is clear that that would not be possible to achieve in this instance – regulations oblige the building to be located away from the main poultry unit. It is

therefore considered in this instance that an isolated siting is justified. With regard to the scale, design and appearance of the building, it is considered that whilst it would be visible from the highway, and is a 'large structure', such sized units are not uncommon in rural areas. As noted, there is a similar sized unit located approximately 185m to the south west of the site. Given that the site is not within a protected landscape area, and its isolated location has been justified, Officers do not consider that there would be such unreasonable harm to justify a refusal on visual amenity grounds.

4.2.3 Residential amenity

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The residential amenity impacts of development should therefore be regarded as a potential material consideration.

The building would be approximately 280m from the nearest residential dwelling.

Significant concern has been raised by local residents and the Community Council relating to the potential impact on residential amenity by way of unpleasant odour, dust, flies and vermin.

The Council's Public Protection Officer does not raise an objection to the application.

The submitted odour assessment identifies all relevant sensitive receptors, including the dwellings at Cae Segwen. In line with accepted industry standards, the assessment models the potential odour impacts on those receptors, and in doing so takes into account prevailing winds, topography and location of receptors. The odour from a manure store is classed as a moderately offensive odour as it is linked to intensive livestock rearing, in line with Natural Resources Wales Odour Management Guidance. 1.0 Odour Unit per meter cube (OU/m³) is the limit of detection in a laboratory. 2.0 - 3.0 OU/m³ may result in a particular odour being detected in an open environment. The Odour Management Guidance gives benchmark odour levels based on the 98th percentile (i.e. the receptor may notice an odour for approx. 168 hours per year) at the site boundary as 1.5 OU/m³ for the most offensive odours and 3.0 OU/m³ for moderately offensive odours. The modelling in the submitted report shows a predicted odour concentration of 3.0 OU/m³, which does not reach the boundary of the applicant's field between the proposed manure store and the closest residential receptor. Odour concentrations at the closest residential receptor are predicted to be 1.06 OU/m³. Based on the modelling report, odour from the proposed manure store would have a minimal effect on the closest residential receptors.

With regard to the concerns relating to dust, flies and vermin, the Council's Public Protection Officer is satisfied that given the distances involved, and the nature of the proposal, the store would not result in a demonstrably unacceptable impact on the amenity of residents in the locality. The key source of dust from poultry units is from the poultry sheds themselves. The proposal would see dry manure being loaded into covered trailers at the poultry unit and being transported to and unloaded within the manure store building. A Manure Management Plan has been submitted. In Officers' opinion, the activities are unlikely to result in a significant impact on the residents some 280 metres away.

In terms of flies and vermin, the Council's Public Protection Officer considers it would be difficult, given the distances involved to prove that there either would be an increase, or that an increase would impact upon dwellings located 280 metres away across a field.

With respect to the concerns of the residents and Community Council, having regard to the information submitted and the comments of the Council's Public Protection Officer, it is not considered that the proposals would have an unacceptable impact on residential amenity. The proposals are therefore considered to comply with the policies and guidance listed above.

4.2.4 Drainage

Planning Policy Wales confirms that factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The drainage / flooding impacts of a development proposal are a material consideration.

Planning Policy Wales (PPW 10) Section 6.6.9 states 'The adequacy of water supply and the sewage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity'.

The drainage engineer has not raised an objection to the proposal.

The proposal would result in the loss of permeable ground through the erection of a large structure. It shows that surface water run off would be through soakaways created to the east and west of the proposed building. As the construction area exceed 100 square metres, separate approval is required from the SuDS Approval Body (SAB).

Given the comments of the technical consultees, it is considered reasonable to conclude that an acceptable drainage scheme can be achieved on the site and that the SuDS Approval process is sufficient to control how surface water will be dealt with at the site. The proposals are therefore considered acceptable in relation to drainage.

4.2.5 Highways (including access and parking)

The Development Management Manual advises at paragraph 9.4.3 that material considerations must be fairly and reasonably related to the development concerned, and can include the number, size, layout, design and appearance of buildings, the means of access, landscaping, service availability and the impact on the neighbourhood and on the environment; and the effects of a development on, for example, health, public safety and crime. The highway impacts of development should therefore be regarded as a potential material consideration.

The proposal includes the creation of a new access onto an unclassified road. In terms of additional vehicular movements on the public highway it is envisaged that the proposal would result in approximately 2 or 3 additional movements (a tractor with trailer) each week between the poultry units at Tyn Y Celyn and the store.

Concern has been raised by local residents and the Community Council that the local highway network is not capable to accommodate the additional movements without damage being caused to the highway verge. The Highway Officer has not raised an objection to the proposal.

Given the likely intensity of the use, it is considered that the proposed access is acceptable. Whilst respecting the concerns that the highway network in this location is too narrow, in Officers' opinion, given the requirement to site a manure storage building away from the main complex, it is inevitable that manure will have to be transported off site by way of tractors and trailers. It is not considered reasonable therefore to refuse the proposal on the basis of an additional 2 or 3 vehicular movements per week. The proposal is therefore considered to be acceptable in terms of its impact upon the highway.

Other matters

Well – being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on the Council not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. The Act sets a requirement to demonstrate in relation to each application determined, how the development complies with the Act.

The report on this application has taken into account the requirements of Section 3 'Well-being duties on public bodies' and Section 5 'The Sustainable Development Principles' of the Well-being of Future Generations (Wales) Act 2015. The recommendation is made in accordance with the Act's sustainable development principle through its contribution towards Welsh Governments well-being objective of supporting safe, cohesive and resilient communities. It is therefore considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

5. SUMMARY AND CONCLUSIONS:

- 5.1 The application has been submitted in response to new Agricultural Pollution Regulations that seek to reduce the amount of ammonia emissions from farms. This prevents the spreading of manure during wet periods and certain farms/livestock units must therefore have the capacity to store manure in dry conditions for up to 5 months. On this basis the proposal is considered acceptable in principle.
- 5.2 Significant concern has been raised by local residents that the proposal would result in them suffering a loss of amenity by way of impacts from odour, dust, flies and vermin. Concern has also been raised in relation to the adequacy of the highway network to accommodate the additional vehicle movements.
- 5.3 Whilst respecting these concerns, based on the submitted odour assessment and the comments of technical consultees, it is not considered that there is sufficient substance to the concerns to sustain a refusal. The odour modelling assessment suggests that the odour would barely be perceptible at the nearest receptors, and would certainly be within the NRW guidelines for such odours. In relation to the vehicle movements, it is considered that whether the manure store is located in this location or not, it is inevitable (due to the aforementioned regulations) that manure would still be transported off site to wherever the manure store is located. In officers' opinion this is not a reasonable ground to refuse the application.
- 5.4 The proposal is considered acceptable in principle and the submission demonstrates that the local impacts of the proposal are not unacceptable.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later thaninsert DATE 2024
2. The development hereby permitted shall be carried out in strict accordance with details shown on the following submitted plans and documents unless specified as otherwise within any other condition pursuant to this permission:
 - (i) Proposed elevations (Drawing No. 14A) received 4 June 2019
 - (ii) Proposed floor plan (Drawing No. 13) received 24 May 2019
 - (iii) Existing site plan (Drawing No. 11 Rev. A) received 2 September 2019
 - (iv) Proposed site plan (Drawing No. 12 Rev. A) received 2 September 2019
 - (v) Location plan (Drawing No. LP1 Rev. A) received 2 September 2019
 - (vi) Transport Statement received 8 July 2019
3. The building shall not be brought into use until a Manure Management Plan detailing the method for loading manure at the egg production facility, transporting manure to and from the

site and unloading manure, has been agreed in writing by the Local Planning Authority, and the approved details shall be adhered to at all times.

4. All trees and hedges to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by 1 metre high fencing erected 1 metre outside the outermost limits of the branch spread, or in accordance with an alternative scheme agreed in writing by the Local Planning Authority; no construction materials or articles of any description shall be burnt or placed on the ground that lies between a tree trunk or hedgerow and such fencing, nor within these areas shall the existing ground level be raised or lowered, or any trenches or pipe runs excavated, without prior written consent of the Local Planning Authority

The reasons for the conditions are:-

1. To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure a satisfactory standard of development.
3. In the interest of protecting residential amenity.
4. In the interest of visual amenity.