



Glan-y-wern

The Rookery

Glan-y-wern Hall

18/2021/0533



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View of the site facing north



View facing south towards
Ancient woodland



View from the site facing west



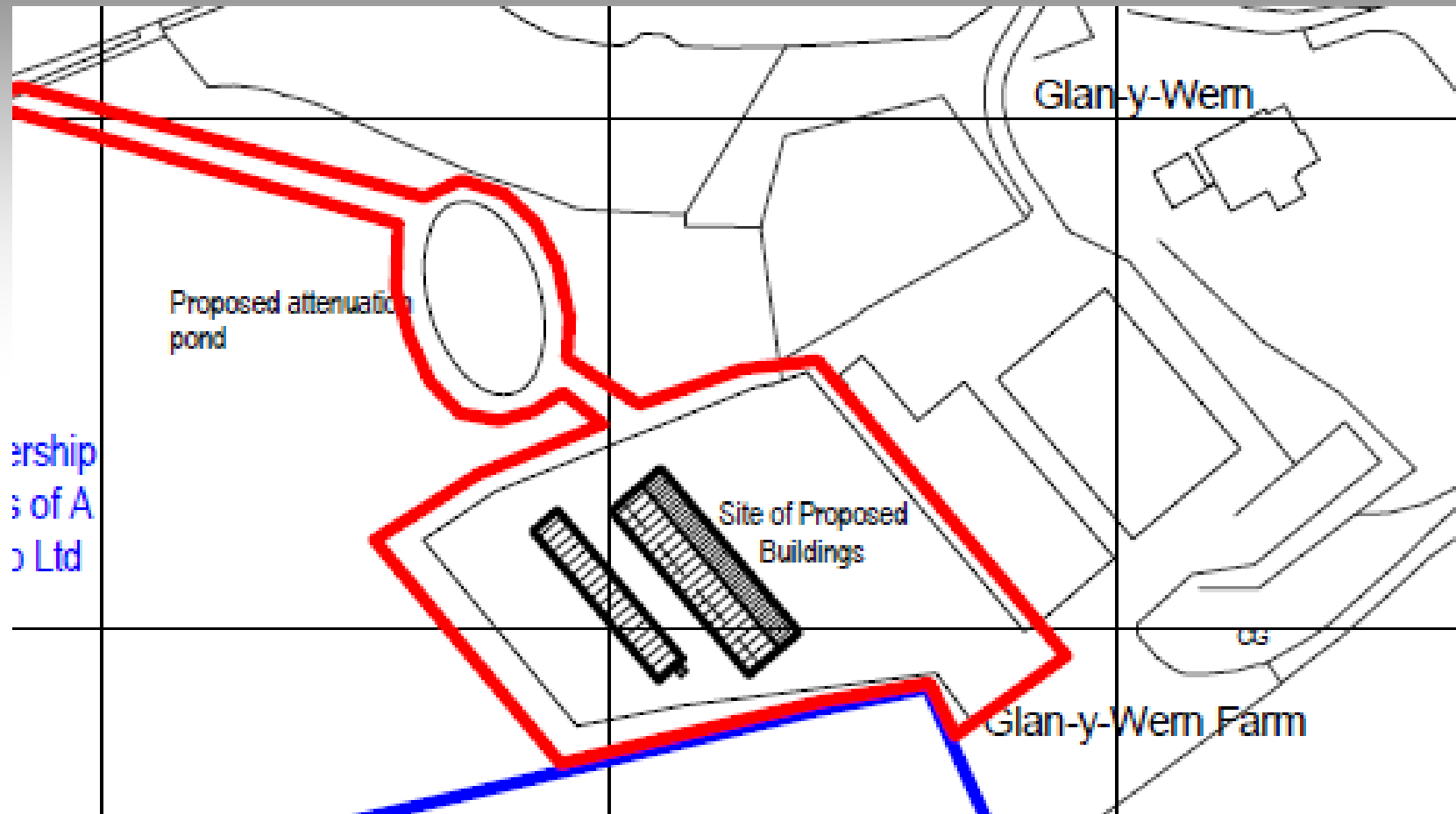
View from the site facing
east



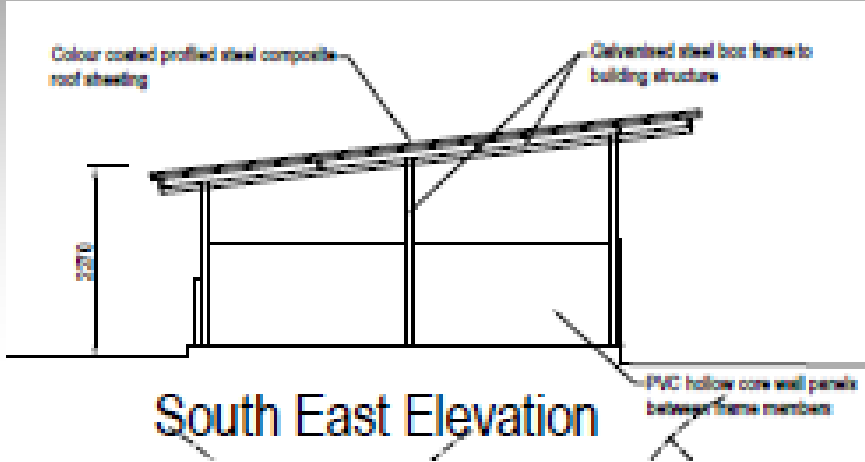
View from yard towards neighbouring properties



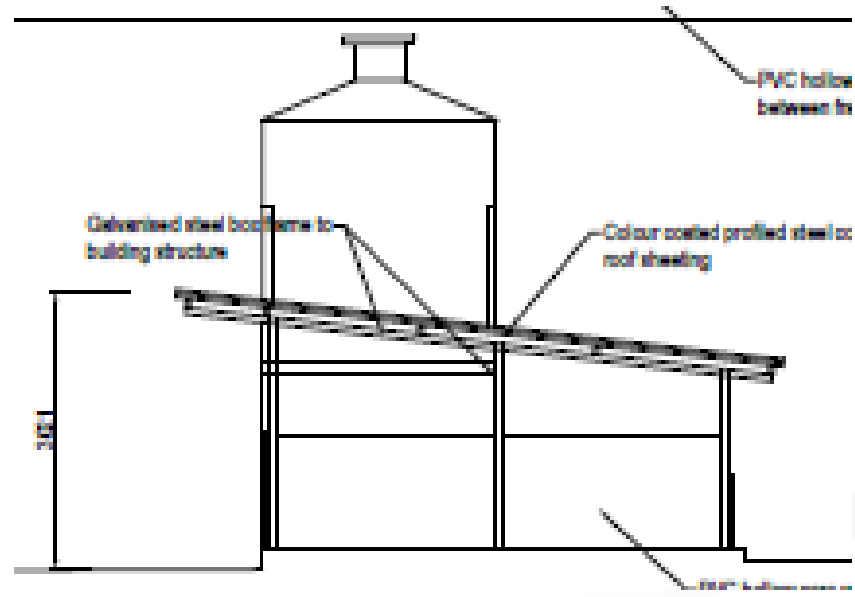
View to the north showing location of attenuation pond



Proposed site plan showing buildings and attenuation pond



Proposed side elevation of calf building



Proposed side elevation of calf building including silo



Proposed side elevation
of youngstock building

WARD : Llandyrnog

WARD MEMBER(S): Cllr Merfyn Parry

APPLICATION NO: 18/2021/0533/ PF

PROPOSAL: Erection of 2 agricultural buildings for the housing of livestock. Installation of feed silo and under ground effluent tank. Formation of hardstandings and surface water attenuation pond, landscaping and associated works

LOCATION: Glan Y Wern Farm Whitchurch Road Llandyrnog Denbigh LL16 4HL

APPLICANT: Huw JonesA & M Evans Farms Co. Ltd.

CONSTRAINTS: PROW

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

CONSULTATION RESPONSES:

LLANDYRNOG COMMUNITY COUNCIL
'Support the application'

NATURAL RESOURCES WALES

'We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding pollution prevention and air quality. If this information is not provided, we would object to this planning application'.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

Public Protection Officer –

Informally commented that no details had been provided of the bore hole that is known to the Authority at the site. Plans were submitted showing the location of the bore hole and no objections were raised by the Public Protection Officer.

Conservation Officer-

The proposed outbuildings are adequately screened from the listed hall and cottage by the existing woodland and will not impact the setting of the LB.

County Ecologist-

Raised concerns regarding the ammonia impact on woodlands and surface water contamination with animal waste. The nitrogen levels at the site are likely already having an impact to the ancient woodland sites around the farm

Flood Risk Engineer-
Awaiting response.

RECONSULTATION RESPONSES:

Additional information provided on pollution prevention, manure removal, field heaps, borehole location, air quality in relation to the SAC and impacts to protected species.

NATURAL RESOURCES WALES

Continue to have concerns as inadequate information has been provided in support of the proposal. Further consideration is required by the Authority regarding air quality.

Other sources of ammonia contributions could alter the findings of the report, and we advise that your Authority investigates, in line with Guidance Note 020, if there are other sources of ammonia emissions to consider that could affect the sensitive sites.

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES –

County Ecologist-

From an ecological perspective, a woodland ground flora dominated by nettles indicates a nitrogen issue which is harming that habitat. The woodland trust propose that all ancient woodlands should be considered in assessments, but NRW are conveying the message that it's only specific sites containing specific lichens and bryophytes are susceptible. I still believe that this development will further harm those ancient woodland ecosystems, but I suspect that on the grounds of the email below, we cannot object.

RECONSULTATION RESPONSES:

Additional information provided by agent in response to NRW's previous concerns.

NATURAL RESOURCES WALES

Air Quality

The process contribution of the development alone is below 1%, and therefore believe that the risk to the designated site is low. However, other sources of ammonia contributions could alter the findings of the report, and we advise that your Authority investigates if there are other sources of ammonia emissions to consider that could affect the sensitive sites.

NRW consider the proposals have the potential to impact upon several SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

Pollution prevention

Satisfied that the developer has submitted information to address the concerns regarding pollution prevention previously raised.

RECONSULTATION RESPONSES:

Screening exercise of existing ammonia producers within 3km of the SAC boundary provided

NATURAL RESOURCES WALES

Previous response remains valid. From the additional information submitted, the in-combination contribution would still be below the 1%, and therefore we are still of the opinion that risks to designated sites are low.

RESPONSE TO PUBLICITY:

In objection

Representations received from:

Mark Griffiths, Glan y Wern Hall, Llandyrnog
David and Margaret Jones, Hafan Dawel, Llandyrnog
James Scott, Glan y Wern Cottage, Llandyrnog
Emyr Morris, Penisa'r Waen, Llandyrnog

Summary of planning based representations in objection:

Visual amenity

The woodland will provide little screening in winter and are not maintained by the Hall or Farm so there is no control over their maintenance.

Impacts on the views from the AONB and Offa's Dyke Path

Pollution

Surface water from the cattle yard will be contaminated and will enter the river Clwyd and impact on ecology

No mention on how slurry and manure generated will be handled.

Impacts if the river floods- cross contamination

Flood risk

The discharge to the River Clwyd and land is low lying and within high risk flood zone. Risks of cross contamination.

Odour

Intensive cattle rearing will cause odour issues, attract flies and raise methane levels.

No evidence of potential ammonia emissions impacts on neighbouring properties

No details of how waste is to be stored or disposed of.

Noise

Additional highways movements on drive and over old cattle grid causing noise issues

Highways

Additional traffic using the lane by Pony Club events

The driveway is a PROW and old Roman Road which should have an archaeological survey done on it before any further development is permitted.

Principle

Intensive farming of cattle in buildings should not be allowed.

RECONSULTATION RESPONSE TO PUBLICITY:

In objection

Emyr Morris, Penisa'r Waen, Llandyrnog

James Scott, Glan y Wern Cottage, Llandyrnog

Summary of planning based representations in objection:

Inaccurate site plans not showing the location of the manege which could have in-combination impacts on drainage and the River Clwyd

Flood risk concerns regarding contamination and dirty water tank sited on the land and manure storage locations

The proposed site for the field heaps does not show the location of the agricultural workers dwelling and its proximity to neighbouring properties impacting on air quality.

The existing woodland trees do not screen the site during the winter and the buildings are in full view of property

EXPIRY DATE OF APPLICATION: 29/07/2021

EXTENSION OF TIME AGREED? Yes 11/02/2022

REASONS FOR DELAY IN DECISION (where applicable):

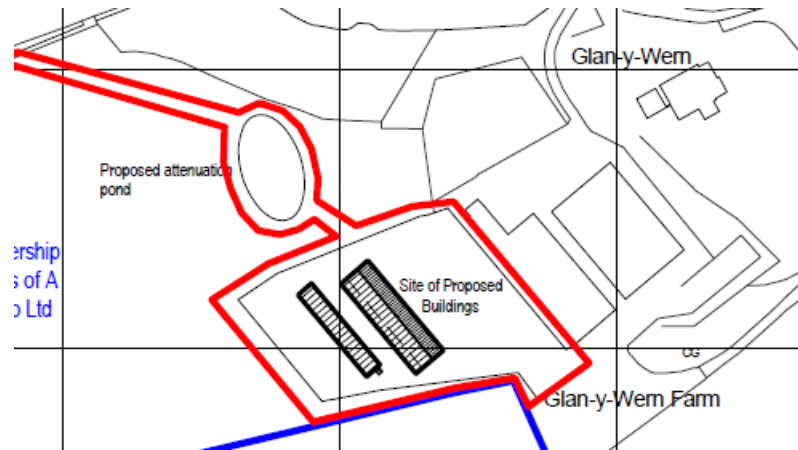
- delay in receipt of key consultation response(s)
- additional information required from applicant
- protracted negotiations resulting in amended plans
- re-consultations / further publicity necessary on amended plans and / or additional information
- awaiting consideration by Committee

PLANNING ASSESSMENT:

1. THE PROPOSAL:

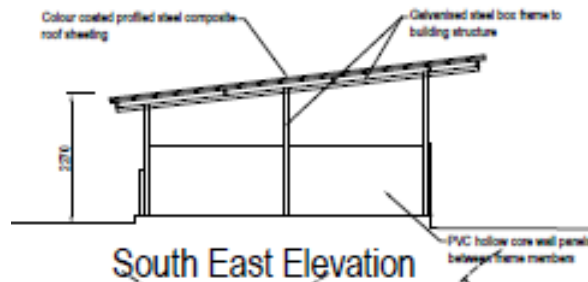
1.1 Summary of proposals

- 1.1.1 The application seeks permission for the erection of 2 agricultural buildings for the housing of livestock. Installation of feed silo and under ground effluent tank. Formation of hardstandings and surface water attenuation pond, landscaping and associated works at Glan y Wern Farm, Llandyrnog.
- 1.1.2 The 2 new buildings are proposed to be oriented so they are parallel to the existing buildings within the north eastern portion of the farm complex.



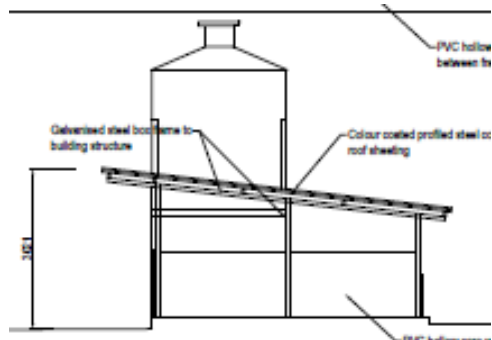
Proposed site plan

- 1.1.3 The first building is a proposed calf building and would measure 6.4m x 38.5m and would be arranged into 12 bays. 8 of the bays would accommodate 48 calves and 2 would be isolation pens. The gross external floor area would measure 248sqm (including canopy).



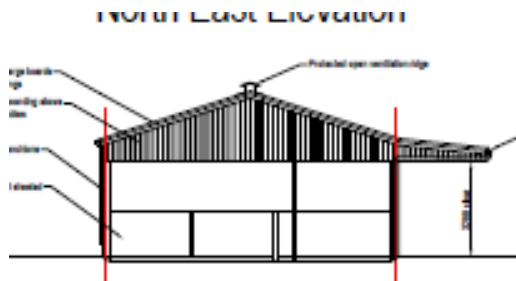
Proposed side elevation of calf building

- 1.1.4 The building would be finished in pvc hollow core wall panels in mid grey colour.
- 1.1.5 The building is proposed to have a mono-pitch roof of slate blue box sheeting with a height of approximately 2.270 metres on its south western elevation and a height of just approximately 3.021 metres on its north eastern elevation.
- 1.1.6 A galvanized steel feed silo would be positioned adjacent to the south eastern elevation.



Side elevation including silo

- 1.1.7 The second building is proposed to be for young stock and would externally measure approximately 42.300 metres x 12.953 metres (including roof overhang covering the external feed fence) arranged in 7 bays. Overall, the building would have a gross external floor area (including roof overhang) of approximately 548 sqm.



Proposed side elevation of youngstock building

- 1.1.8 The building would be finished in vertical spaced stained timber boarding with a natural grey coloured fibre cement sheeting.
- 1.1.9 The building is proposed to have a pitched roof with an eaves height of 3.9m on the north east elevation and 3.6m on the south west elevation and ridge height of 5.8m. The floor area (including roof overhang) would measure 548sqm.
- 1.1.10 A surface water attenuation pond is proposed to be located on lower lying land to the north of the farmstead with a controlled outfall discharging to an existing watercourse which flows to the west. It is proposed to have a capacity of 454 cubic metres to facilitate the attenuation of flows arising from the proposed and existing buildings.

1.2 Other relevant information/supporting documents in the application

- 1.2.1 Design and Access Statement, Ecology report and Drainage Assessment, Supplementary Planning Note, Field Heap Locations, Borehole Location, in-combination Ammonia Impacts, response to NRW and response to Ecologist.

1.3 Description of site and surroundings

- 1.3.1 The site is located approximately 3km to the east of Denbigh and comprises of an agricultural unit of 109 ha with a further 123ha of rented land.
- 1.3.2 The business has entered into an agreement with Genus Plc which involves the rearing of cattle of high genetic value and commercial value with technical support. This has replaced the conventional beef cattle enterprise formerly at the site.
- 1.3.3 The site slopes up to the north east and there is a large area of woodland to the south known as the Rookery and an area of woodland to the north of the site.

- 1.3.4 The site is currently bare ground used for storage. A concrete yard separates the site from the existing modern cattle buildings

1.4 Relevant planning constraints/considerations

- 1.4.1 The site is located outside of any development boundaries defined in the LDP. There is a PROW to the north east of the site.
- 1.4.2 There are 2 non-statutory protected wildlife sites within 1km of the site- Pont Clawdd Ddu 623m away and Garn Clwyd Bella, 865m away.
- 1.4.3 There are two residential dwellings, one a Grade II* listed building within 250m of the site.
- 1.4.4 The Predictive Agricultural Land Classification is Grade 3a Good to moderate quality agricultural land

1.5 Relevant planning history

- 1.5.1 A prior notification application for the construction of a building for the accommodation of calves under Schedule 2, Part 6, Class A of the Town and Country Planning General Permitted Development Order 2015 (as amended) was determined that the proposed building would be located within 400 metres of the curtilage of a protected building and as such, would not constitute permitted development and accordingly planning permission would be required.

1.6 Developments/changes since the original submission

- 1.6.1 Details of location of the bore hole, field heap locations, pollution prevention and air quality information, Supplementary Planning Note, information on in- combination ammonia impacts, response to Ecology comments on ammonia impacts to woodlands and surface water contamination. Updated landscaping scheme including submission of Hedgerow Establishment Specification.

1.7 Other relevant background information

- 1.6.2 The submitted Planning Statement sets out that the business is seeking to improve its cattle accommodation at Glan y Wern Farm through providing building environments that are specifically designed for the age of cattle being housed. The main aims will be to:
- Improve bio-security;
 - Reduce the risk of disease transmission (both via direct contact and airborne) between cattle of different age groups;
 - Reduce the age range of cattle accommodated within each building, so that youngstock of disparate ages do not share the same airspace;
 - Optimise group sizes in accordance with current research;
 - Improve the environments within buildings;
 - Ensure the ratios of bedded areas to feed fence meet industry standards for the feeding systems employed;
 - Provide more loafing and bedding space per head; and
 - Facilitate the ability to improve animal husbandry and management (e.g. through the installation of locking head yokes in feed fences to enable efficient routine testing of the larger cattle for bovine TB)
 - Improvements in biosecurity, animal health, mortality rates, animal welfare, animal husbandry, operational efficiency and staff health & safety.

2. DETAILS OF PLANNING HISTORY:

2/11238 Demolition of Existing Farmhouse and erection of replacement Granted 25/05/1990
28/11689 Erection of sheep shed Granted 21/12/1990

18/962/97/PF Erection of an extension to sheep shed Granted 07/01/1998
18/2017/1225 Development of 0.09ha of land by erection of a rural enterprise dwelling, installation of a new septic tank Granted 14/03/2018
18/2017/0232 Erection of stables and secure plant store, GRANTED 03/05/2017
18/2020/0763 Prior Notification for the erection of an agricultural building for the housing of calves- REFUSE TO CERTIFY due to being within 400m of a protected building.

3. RELEVANT POLICIES AND GUIDANCE:

The main planning policies and guidance are considered to be:

3.1 Local Policy/Guidance

Denbighshire Local Development Plan (adopted 4th June 2013)

Policy PSE5 – Rural economy

Policy VOE1 - Key areas of importance

Policy VOE5 – Conservation of natural resources

Policy VOE6 – Water management

Supplementary Planning Guidance

Supplementary Planning Guidance Note: Conservation and Enhancement of Biodiversity

3.2 Government Policy / Guidance

Planning Policy Wales (Edition 11) February 2021

Development Control Manual November 2016

Future Wales – The National Plan 2040

Technical Advice Notes

TAN 5 Nature Conservation and Planning (2009)

TAN 6 Planning for Sustainable Rural Communities (2010)

TAN 15 Development and Flood Risk (2004)

TAN 24 The Historic Environment (2017)

3.3 Other material considerations

None.

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 11 (February 2021) 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 Ecology
- 4.1.5 Drainage (including flooding)
- 4.1.6 Impact on listed building

4.2 In relation to the main planning considerations:

4.2.1 Principle

Planning Policy Wales 11 (PPW 11) 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. In addition authorities are encouraged to adopt a positive approach to the conversion of rural buildings for business re-use.

TAN 6 Appendix 1 sets out the general considerations for planning authorities when dealing with agricultural prior notification applications. TAN 6 2.1.1 states the planning system must also protect and enhance the natural and historic environment and safeguard the countryside and open spaces.

Policy PSE 5 states that development, including agricultural diversification, will be supported throughout the County subject to detailed criteria, which include making a significant contribution to sustainable development and recognising any special status of the Area of Outstanding Natural Beauty/Area of Outstanding Beauty.

Given the nature of the two agricultural buildings outside of the development boundary, the main issue is considered to be whether there is sufficient justification for the buildings and whether the siting and visual impact are appropriate.

In terms of justification provided, the proposed development of the calf and youngstock buildings at Glan y Wern represents a capital investment which would deliver a boost to the local economy.

The management and labour inputs associated with the rearing of cattle of high genetic and commercial value under the agreement with Genus is proposed to result in the need to employ three additional stockpersons at Glan y Wern who are local Welsh speakers.

The proposed development is also proposed to have added benefits to the wider rural economy including:

- Agricultural machinery manufacturers and suppliers;
- Agricultural machinery and equipment servicing and repairs;
- Livestock feed / supplement suppliers;
- Straw suppliers;
- Contractors;
- Veterinary surgeons; etc.

The application states that the link with Genus will serve to enhance the status of the farm business and the livestock sector generally, helping to further develop the reputation of Denbighshire as an internationally recognised location for excellence in bovine breeding and rearing.

Having regard to the information provided in the submission, it is considered that the proposals are acceptable in principle subject to an assessment of the localised 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 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'.

Representations have been received raising visual amenity concerns including the fact that the woodland will provide little screening in winter and the impacts on the views from the AONB and Offa's Dyke Path.

The siting of the proposed buildings are to be located to the south west of the existing livestock buildings with the attenuation pond to the north of the site on lower ground within a field. The buildings would be viewed in the context of an existing range of utilitarian farm buildings. The proposed buildings would be relatively small in terms of their individual and overall footprint, height and mass, particularly when considered in the context of the larger existing buildings to the east. The materials to be used in the construction of the buildings are typical of those used for modern agricultural buildings in rural locations and are considered to be in compliance with the guidance contained in TAN6 A14.

The site benefits from large areas of mature woodland immediately to the north and south and by the existing farm buildings and rising topography to the east. With respect to the comments received, it is considered that long distance views of the buildings from public viewpoints and neighbouring properties would be limited and the buildings would not occupy a prominent skyline location. As the site is on land which is elevated above the field to the north, it is considered that the proposals could have an impact on the visual amenity of the area when viewed from the Public Right of Way to the north and it is considered reasonable to seek further landscaping details through the provision of supplementary hedgerow planting to the fence boundary to the north and south of the site to help it to blend more successfully into the surrounding landscape. Overall, it is not considered that the buildings when viewed within the context of the farm would have an unacceptable impact on visual amenity, more than what already exists at the site.

Having regard to the design, siting, scale, massing and materials of the buildings in relation to the character and appearance of the locality and the wider landscape, it is considered that the proposals would not have an acceptable landscape and visual impact despite being located on the periphery of the main farm complex.

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.

Policy PSE5 (i) of the LDP states appropriate employment proposals outside of development boundaries will be supported providing the proposal is appropriate in scale and nature to its location.

The June 2018 Welsh Government Dear Chief Planner letter states:

“Intensive agricultural units particularly pig and poultry farms, can affect both sensitive habitats and the local population. This is largely through the release of pollutants, including: ammonia; nutrients from manure, litter and slurry; effluent discharges; dust; odour; and noise.

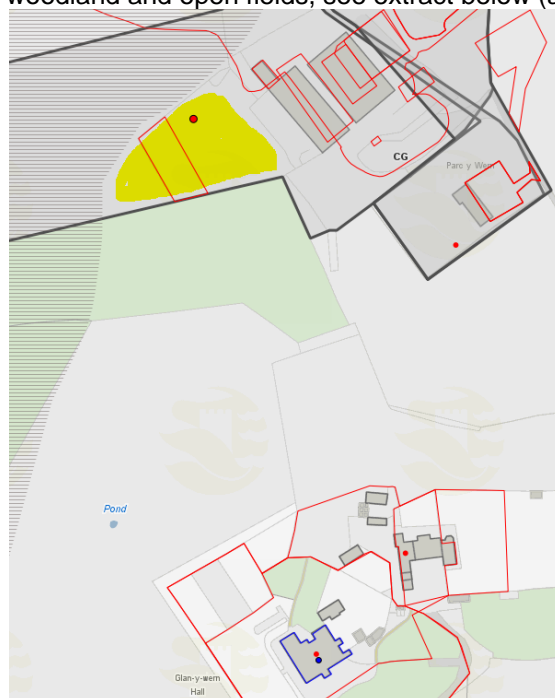
There is the need to exercise particular care when considering developments which would bring livestock units within close proximity to sensitive land uses such as homes, schools, hospitals, office development or sensitive environmental areas. Importantly, while an individual intensive livestock development may be acceptable, the cumulative impacts resulting from similar developments nearby should also be taken into account.”

“While environmental permitting and local controls, such as statutory nuisance, may manage the ongoing effects of development, the planning system should consider the relationship between neighbouring and potentially conflicting land uses in the first instance.”

It is recognised that intensive livestock units therefore have the potential to impact on the living conditions of residents living nearby through a number of factors, in particular emissions of noise, odour and dust / airborne pollution.

Representations have been received raising residential amenity concerns including noise from the track by vehicles going over the cattle grid and odour concerns from the intensive rearing and field heap manure locations.

The nearest non-related residential properties are Glan y Wern Cottage and Glan y Wern Hall located approximately 230m and 250m away respectively from the proposed new agricultural buildings. They are separated by an area of ancient woodland and open fields, see extract below (application site marked in yellow).



Extract of map showing distance between site and residential properties to the south

Comments have been received regarding the poor efficiency of the woodland at screening the site from views from Glan y Wern Hall and Cottage to the south. With respect to comments received, a right to a view is not a material planning consideration. Officers consider that a 60m wide area of woodland and an additional 200m separation distance across farmland would provide an adequate screening distance of the proposed sheds from the properties and are of the opinion that development would not have a detrimental impact on the residential amenity of the occupiers of these dwellings.

The proposed buildings would be accessed via the existing track to the farm complex and as such it is not expected that the proposal would result in a significant increase in traffic movement to and from the building and therefore would not impact unacceptably on neighbouring property.

Having regard to the odour concerns raised, it is proposed to construct an underground effluent tank and field heaps on the wider land approximately 300m and 450m away from the Glan y Wern Farm complex.

NRW have reviewed the information and have advised that they are satisfied with the details relating to pollution prevention. Officers are of the opinion that the buildings form part of the existing farm complex and are proposing an increase of 48 cattle on the farm. It is considered that the increase in numbers of animals at the farm is relatively small and consider that the underground effluent tank to be sufficient to deal with the manure and should not result in any significant increases to odour more than what already exist at the farm. The proposed field heaps are considered to be of a suitable distance away to not raise any significant odour concerns. However, should odour become a nuisance to nearby properties, the Public Protection Section of the Council can investigate accordingly and this is covered by separate legislation to Planning.

Having regard to the location of the proposed development, it is considered that the proposals would have limited impact on residential amenity. The proposals therefore comply with the policies and guidance listed above.

4.2.4 Ecology

Policy VOE 5 requires due assessment of potential impacts on protected species or designated sites of nature conservation, including mitigation proposals, and suggests that permission should not be granted where proposals are likely to cause significant harm to such interests.

This reflects policy and guidance in Planning Policy Wales (PPW 11) Section 6.4 'Biodiversity and Ecological Networks', current legislation and the Conservation and Enhancement of Biodiversity SPG, which stress the importance of the planning system in meeting biodiversity objectives through promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable.

Planning Policy Wales (PPW 11) sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (Section 6.4.5). PPW also draws attention to the contents of Section 6 of the Environment (Wales) Act 2016, which sets a duty on Local Planning Authorities to demonstrate they have taken all reasonable steps to maintain and enhance biodiversity in the exercise of their functions. It is important that biodiversity and resilience considerations are taken into account at an early stage when considering development proposals (Section 6.4.4).

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 ecological impacts of development should therefore be regarded as a potential material consideration.

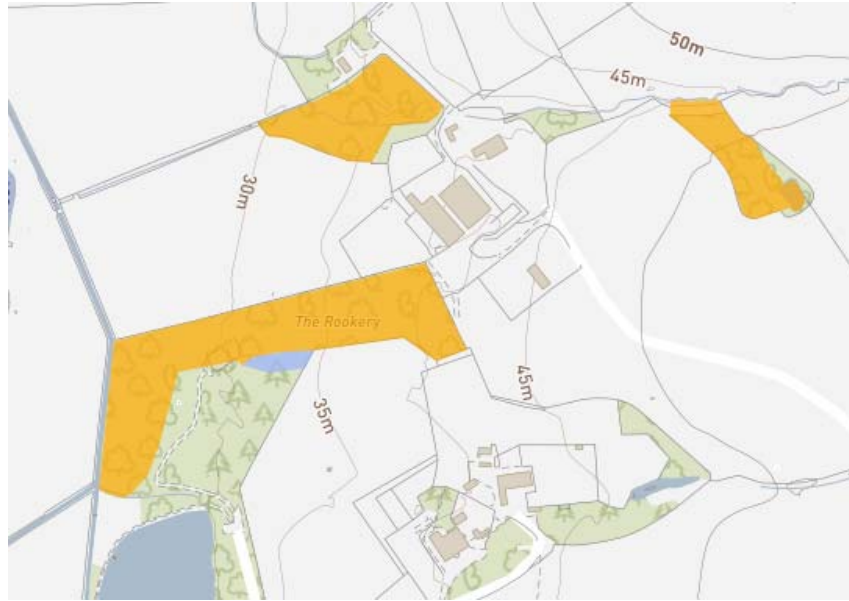
The Preliminary Ecological Appraisal submitted with the application states that there are no statutory protected sites within 1 kilometre of the site; the nearest SSSI is Llwn, located approximately 1.9 kilometres to the south west. There are however two non-statutory wildlife sites within 1 kilometre of the application site: Pont Clawdd-ddu located 623 metres away; and Garn Clwyd Bella located 865 metres away.

The proposed development involves the construction of two buildings to be used for the accommodation of livestock and the site is located within 5 kilometres of a number of designated ecological sites. Accordingly, an ammonia impact assessment for the proposed development was conducted and demonstrated that all process contributions from the baseline, existing and proposed development at Glan y Wern are insignificant and that there is no requirement to consider further in-combination sources.

However, NRW responded to state that the process contribution of ammonia from the development alone is below 1% of the critical level of ammonia contributions, and believed that the risk to the designated site is low. However, other sources of ammonia contributions could alter the findings of the report, and advised that the Local Planning Authority investigates if there are other sources of ammonia emissions to consider that could affect the sensitive sites.

A screening exercise was carried out by the Local Planning Authority and potential sites which could provide another source of ammonia emissions were sent to the agent for further assessment. The results found 1 development was relevant which was the free range egg production unit (24/2018/0206) in Llanynys which had an Ammonia Impact Assessment submitted and approved. An in-combination assessment was then conducted and the agent has confirmed that the in combination contribution with the proposed development at Glan y Wern would still be below 1% critical level. NRW also confirmed that they were of the opinion that risks to designated sites are low.

The County Ecologist initially raised concerns regarding the impacts to ancient woodlands from the existing development and increasing the nitrogen levels which can have an impact on specific species in the woodland. He had advised that the Woodland Trust propose that all ancient woodlands should be considered in assessments, but NRW are conveying the message that it's only specific sites containing specific lichens and bryophytes are susceptible. The County Ecologist is of the opinion that the development will further harm those ancient woodland ecosystems, but that he cannot object as NRW do not have any records of any ammonia sensitive ancient woodlands close to Glan Y Wern and accordingly, there is no requirement for them to be included within the Ammonia Impact Assessment. The ancient woodlands around Glan y Wern are considered to be 'restored ancient woodlands' due them having suffered such significant disturbance during past afforestation that they no longer function as natural ecosystems and no ammonia impact assessment is required.



Lle.gov map of restored ancient woodlands around Glan y Wern Farm

4.2.5 Drainage (including flooding)

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 drainage and flood risk impacts of development should therefore be regarded as a potential material consideration.

Planning Policy Wales (PPW 11) 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'.

Planning Policy Wales (PPW 11) Section 6.6.22 to 6.6.29 identifies flood risk as a material consideration in planning and along with TAN 15 – Development and Flood Risk, which provides a detailed framework within which risks arising from different sources of flooding should be assessed. TAN 15 advises that in areas which are defined as being of high flood hazard, development proposals should only be considered where:

- new development can be justified in that location, even though it is likely to be at risk from flooding; and
- the development proposal would not result in the intensification of existing development which may itself be at risk; and
- new development would not increase the potential adverse impacts of a flood event

Flood risk and contamination concerns have been raised as an objection by neighbours.

The application site is not within an area of known flood risk according to the Development Advice Maps from TAN15: Development and Flood Risk, nor in the more up to date Flood Risk for Planning maps produced by NRW for the release of the new TAN 15.

The proposed attenuation pond is located to the north of the site and would have a total depth of 1m and is proposed to have a meadow seed mixture for wetlands planted within it. Given the location of the attenuation pond within the field location

away from existing development, it is not considered that it would raise any significant drainage concerns as it is away from existing development and is not in an area of flood risk.

As the new buildings would result in a surface area over 100sqm, SUDs approval is required from the SUDs Approval Body prior to the commencement of development. Officers consider that drainage concerns can be dealt with under the SUDs legislation during the separate SAB approval process and it would be unreasonable to condition this on any planning decision. It is therefore considered that, subject to the SAB approval being obtained, the development would not have an unacceptable impact on the drainage of the site.

4.2.6 Impact on Listed Building

Local Development Plan Policy VOE 1 seeks to protect sites of built heritage from development that would adversely affect them. PPW refers specifically to the need to ensure the character of historic buildings is safeguarded from alterations, extensions, or demolition that would compromise their special architectural and historic interest.; and indicates that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building or its setting, and any features of special architectural or historic interest which it possesses.

Concerns have been raised regarding impacts to the listed buildings as a result of the development.

There is a listed building located approximately 250m to the south of the site at Glan y Wern Hall. Given the separation distances between the site including the stretch of existing woodland it is considered that the site would be adequately screened from the listed hall and would not result in any unacceptable impacts to the setting of the listed buildings. The Conservation Officer has also raised no objection to the proposals.

Officers consider the proposed buildings would be seen in the context of other agricultural buildings on the complex and as such it would not adversely impact on the setting of the Listed Buildings.

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 is acceptable and is recommended to be granted.

RECOMMENDATION: GRANT- subject to the following conditions:-

1. The development to which this permission relates shall be begun no later than 9th February 2027
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) Location Plan (Drawing No. H0260-05-A3-PL-01) - Received 19 May 2021
 - (ii) Existing Site/Topographical Survey Plan (Drawing No. H0260-05-A3-PL-02 Rev A) - Received 6 June 2021
 - (iii) Proposed Site/Block/Roof Plan (Drawing No. H0260-05-A3-PL-05 Rev A) - Received 6 June 2021
 - (iv) Proposed Landscaping Plan (Drawing No. H0260-05-A3-PL-06) - Received 6 June 2021
 - (v) Calf Building Proposed General Arrangement and Elevations (Drawing No. H0260-05-A1-PL-03 Rev A) - Received 6 June 2021
 - (vi) Youngstock Building Proposed General Arrangement and Elevation (Drawing No. H0260-05-A1-PL-04) - Received 19 May 2021
 - (vii) Stock Fencing (Drawing No. H0260-05-A1-PL-07) - Received 6 June 2021
 - (viii) Planning, Design and Access Statement (Dated May 2021) - Received 19 May 2021
 - (ix) Preliminary Ecological Appraisal - Received 19 May 2021
 - (x) Drainage Strategy (Dated April 2021) - Received 19 May 2021
 - (xi) Ammonia Emissions: Impact Assessment (Dated April 2021) - Received 19 May 2021
 - (xii) Existing Site/Borehole Location (Drawing No. H0260-05-A3-PL-08 Rev A) - Received 28 October 2021
 - (xiii) Additional information from agent in response to Ecologist - Received 18 October
 - (xiv) Additional information from agent in response to NRW - Received 28 October 2021
 - (xv) Magic Map - Received 28 October 2021
 - (xvi) Temporary Field Heaps Location Plan - Received 28 October 2021
3. The buildings hereby approved shall not be brought into use until the proposed drainage systems have been installed and are operational, strictly in accordance with the approved Drainage Strategy (Waterco, April 2021) received 19 May 2021.
4. All planting comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding season following the commencement of development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing.
5. No external lighting shall be permitted to be installed or operated, including emergency / security lighting, until the written approval of the Local Planning Authority has been obtained to details thereof, including a light mitigation strategy, with measures to reduce light spillage onto foraging habitats for bats. The scheme shall be carried out strictly in accordance with the approved details.
6. Should the use of the buildings for agriculture cease, the structures shall be removed from the land within 6 months of the date of the cessation of the use and the land shall be restored to the satisfaction of the Local Planning Authority.
7. The buildings hereby approved shall not be brought into use until the written approval of the Local Planning Authority has been obtained to an Odour Management Plan. The development shall then be implemented strictly in accordance with the approved details.

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. To ensure adequate drainage facilities are provided to serve the development.

4. In the interests of landscape and visual amenity.
5. To ensure the favourable conservation status of protected bat species.
6. In the interest of landscape and visual amenity.
7. In the interests of protecting amenity of occupiers of nearby residential properties.