

PLANNING COMMITTEE	DATE: 11/04/2022
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	

Number: 8

Application Number: C21/0931/23/LL

Date Registered: 22/09/2021

Application Type: Full

Community: Llanrug

Ward: Cwm y Glo

Proposal: Erection of extension to existing poultry unit to accommodate 16,000 additional hens (for the production of free-range eggs) together with associated work

Location: Plas Tirion, Llanrug, Caernarfon, Gwynedd, LL55 4PY

Summary of the Recommendation: APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This is a full application to erect an extension to an agricultural unit to accommodate free range egg-laying hens and associated work at Fferm Plas Tirion, Llanrug. The proposed shed would be linked to the rear of the existing shed and of the same design. The extension would measure approximately 36.5 metres long, 31.55m wide, 5.93m high to the apex and in a green 'juniper' coloured box profile finish. The extension would have a floor area of 1,151.57m² and would accommodate up to 16,000 egg-laying hens.
- 1.2 It is proposed to use the existing feed silo, located parallel to the existing shed, and the site is served off the existing track. Plas Tirion is an agricultural holding of 521 acres of land with a total of 200 herd of beef cattle, and poultry and the proposed unit would add 16,000 additional egg-laying hens to the enterprise, a total of 48,000 hens.
- 1.3 This extension will be an addition to the existing unit and will be operated in exactly the same way as the existing system. As this is an extension to the existing unit, the required mechanism already exists within the existing building and only internal supplementary additions are required and it is anticipated that extensive engineering work will not be required. Nevertheless, an element of engineering work will take place with the installation of ground water tanks and levelling the site to construct the extension. In order to reduce its visual impact from the west, it is proposed to plant native trees.
- 1.4 The site is located in the countryside between the villages of Waunfawr and Llanrug and on the agricultural holding of Fferm Plas Tirion. The site is served from a private drive which also serves the existing farm and a junction is located further to the east which joins a class III county road. The area nearby has not been designated for any statutory designation although a non-statutory designation in the form of a Wildlife Site is located approximately 155m to the north of the application site with public footpath number 82 Llanrug located approximately 150m to the west.
- 1.5 The application is submitted to the Planning Committee as it is a major development of over 1,000m². The developer was required to undertake a Pre-application Enquiry process, and to consult with relevant bodies and the community and a Pre-application Enquiry Report has been submitted. The following documents were also submitted:
- Design and Access Statement
 - Manure Management Plan
 - Noise Assessment
 - A Report on the Modelling of the Dispersion and Deposition of Ammonia from the proposed Free Range Egg Laying Chicken houses
 - Method Statement Pollution Prevention
 - Habitat Regulation Assessment
 - "In-combination Assessment"
 - Impact Assessment of odour from the proposed Free Range Egg Laying Chicken Houses
 - Drainage Plan
 - Ranging Plan
- 1.6 In addition to the above, the application has been screened by the Local Planning Authority in accordance with the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 and it was confirmed that an Environmental Impact Assessment is not required in relation to this development.

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2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017

PS 1 - The Welsh Language and Culture

ISA 1: Infrastructure provision

TRA 1: Transport network developments

TRA 4: Managing transport impacts

PS 5: Sustainable Development

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and Landscaping

PCYFF 5: Carbon Management

PCYFF 6: Water Conservation

AMG 3: Protecting and improving features and qualities that are unique to the character of the local landscape

AMG 5: Local Biodiversity Protection

CYF 6 - Re-use and adapt rural buildings or a residential unit for business use or construct new units for business/industry.

Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities

2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note (TAN) 6 Planning for Sustainable Rural Communities (2010).

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Technical Advice Note (TAN) 11 – Noise (1997)

Technical Advice Note (TAN) 12: Design (2016)

Technical Advice Note (TAN) 18: Transport (2007)

3. Relevant Planning History:

3.1 C17/1023/23/SC – Screening opinion for a poultry unit - confirmation that no environmental impact assessment is required for this proposal.

C17/1022/23/LL - Erection of poultry unit for the production of free-range eggs, driveway, turning space, landscaping, manure storage area and two silos.

C21/0773/23/LL - Erection of agricultural building to be used to store manure and all other associated work - Approved with Conditions - 03-02/2022

4. Consultations:

Community/Town Council: No comments received

Transportation Unit: I refer to the above application and wish to state that I do not intend to submit a recommendation as it is assumed that the proposed development will not have a detrimental impact on any road, or proposed road.

Natural Resources Wales: Observations 26.10.2021

Thank you for consulting us on the above application, which we received on the 5th October 2021.

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 water quality and your Authority should consider protected sites further. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, the documents identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of these documents we would object to this planning application.

Approved plans/documents:

- Manure Management Plan

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- Ranging Plan (RJC-AZ170-15)
- Method Statement and Pollution Prevention Plan

Protected Sites

Agricultural units have the potential to impact protected sites through aerial emissions (ammonia). We assess the air quality impact a unit may have on European protected sites and Sites of Special Scientific Interest (SSSIs) within a screening distance of 3km of this unit.

We welcome the Ammonia Emissions: Impact Assessment Report, Isopleth Ltd, July 2021 Report Ref: 01.0223.001 v2. The report has compared existing and proposed ammonia levels. The report has assessed the existing building, operational since Nov 2018, deemed part of the background level. The report has assessed the additional 16,000 hens, which is within the 1% additional ammonia level. However, the report has identified the need to assess In-combination effects with slurry lagoon, Gwynedd Council planning application reference C19/1169/14/LL at Pengelli Isaf Bethel Road, Caernarfon, Gwynedd, LL55 1UH - Creation of slurry lagoon and construction of agricultural structure. This source is 5.6km away from Llwyn y Coed SSSI and 3.7km from Pant Cae Haidd SSSI.

Taking the above into consideration, we advise that the proposal is not likely to have direct significant effects on any site alone. However, we advise that the relevant competent authority should record an in-combination assessment for any other plans and projects that could act in combination. In light of the Wealden judgement, we advise that (even when the Process Contribution is less than 1%), consideration of other relevant projects may be required to ascertain whether there are possible indirect effects.

Water Quality

- Drainage Plan

The addition of 16,000 hens on to the existing 32,000 hens on site, has the potential to generate an additional 50% more dirty water at the shed. The Drainage Plan, Roger Parry & Partners, RJC-AZ170-14, refers to the Dirty Water tank meeting the SSAFO Standards. However, further justification and calculations will be required to demonstrate that the tank has been installed and sized to meet The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021, or that a new, suitably-sized tank is to be installed.

The structure will need to be designed and built by a suitably qualified engineer to meet the standards set in the Regulations and BS 5502 (Building and Structures for Agriculture Code of Practice for Design, Construction and Loading).

- Manure Management Plan

We are generally satisfied with the Manure Management Plan and Spreading Maps, and not that further to our previous response (CAS-

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161775-X4Y9) to the pre-application that data sheets 2 and 6 have been omitted from the plan.

We note the commitment not to spread manure during winter months and advise that the application of spreading should be in accordance with the Welsh Government's Code of Good Agricultural Practices (CoGAP) and the Water Resources (Control of Agricultural Pollution) Regulations 2021 (CoAP).

We note that a Manure Contingency plan has been submitted and that manure can be also be exported to Gamber Logistics Ltd. It is important that operators take responsibility to ensure the manure or slurry exported is being managed appropriately by others. We note that the manure management plan includes a contingency plan for the storage of manure when spreading to land is not possible. If manures produced are not able to either be spread or stored in field heaps, then the applicant must ensure that the hard-standing areas used comply with CoAP 2021 regulations. All wash water and manures arising from poultry units must be collected and stored in accordance with CoAP 2021 regulations and spread according to CoGAP.

We advise that the manure management plan must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Ranging Plan

We have reviewed the Ranging Plan (RJC-AZ170-15) are satisfied with the plan.

We advise that the ranging plan must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

- Pollution Prevention Plan

We are satisfied with the submitted "Method Statement and Pollution Prevention Plan".

We advise that the pollution prevention plan must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Protected Species

We note that there is no information about protected species with the application, and therefore are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

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Observations 3/12/21

Thank you for forwarding the HRA justification report, which we received on the 15th November 2021 in support of the above application. The report has not address our concerns, and therefore our previous response, dated 26th October 2021 is still valid.

Observations 4.01.2022

Thank you for consulting us on the amended drainage plan in support of the above application, which we received on the 16th December 2021.

We continue to have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, your Authority should consider protected sites further. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, the documents identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of these documents we would object to this planning application.

Approved plans/documents:

- Drainage plan (Roger Parry & Partners, RJC-Z170-14, 16/12/2021)
- Manure Management Plan
- Ranging Plan (RJC-AZ170-15)
- Method Statement and Pollution Prevention Plan

Protected Sites

Agricultural units have the potential to impact protected sites through aerial emissions (ammonia). We assess the air quality impact a unit may have on European protected sites and Sites of Special Scientific Interest (SSSIs) within a screening distance of 3km of this unit.

We welcome the Ammonia Emissions: Impact Assessment Report, Isopleth Ltd, July 2021 Report Ref: 01.0223.001 v2. The report has compared existing and proposed ammonia levels. The report has assessed the existing building, operational since Nov 2018, deemed part of the background level. The report has assessed the additional 16,000 hens, which is within the 1% additional ammonia level. However, the report has identified the need to assess In-combination effects with slurry lagoon, Gwynedd Council planning application reference C19/1169/14/LL at Pengelli Isaf Bethel Road, Caernarfon,

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Gwynedd, LL55 1UH - Creation of slurry lagoon and construction of agricultural structure. This source is 5.6km away from Llwyn Y Coed SSSI and 3.7km from Pant Cae Haidd SSSI.

Taking the above into consideration, we advise that the proposal is not likely to have direct significant effects on any site alone. However, we advise that the relevant competent authority should record an in-combination assessment for any other plans and projects that could act in combination. In light of the Wealden judgement, we advise that (even when the Process Contribution is less than 1%), consideration of other relevant projects may be required to ascertain whether there are possible indirect effects.

Water Quality

- Drainage Plan

The applicants have now provided an amended drainage plan that shows that the additional effluent from the proposed extension will be draining to an additional dirty water tank. We are satisfied that additional dirty water capacity will be provided as part of the proposed development.

We remind the applicants that the structure will need to be designed, sized and and built by a suitably qualified engineer to meet the standards set in the Regulations and BS 5502 (Building and Structures for Agriculture Code of Practice for Design, Construction and Loading).

We advise that the amended drainage plan (Roger Parry & Partners, RJC-AZ170-14, 16/12/2021) must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Manure Management Plan

We are generally satisfied with the Manure Management Plan and Spreading Maps, and not that further to our previous response (CAS-161775-X4Y9) to the pre-application that data sheets 2 and 6 have been omitted from the plan.

We note the commitment not to spread manure during winter months and advise that the application of spreading should be in accordance with the Welsh Government's Code of Good Agricultural Practices (CoGAP) and the Water Resources (Control of Agricultural Pollution) Regulations 2021 (CoAP).

We note that a Manure Contingency plan has been submitted and that manure can also be exported to Gamber Logistics Ltd. It is important that operators take responsibility to ensure the manure or slurry exported is being managed appropriately by others.

We note that the manure management plan includes a contingency plan for the storage of manure when spreading to land is not possible. If manures produced are not able to either be spread or

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stored in field heaps, then the applicant must ensure that the hard-standing areas used comply with CoAP 2021 regulations. All wash water and manures arising from poultry units must be collected and stored in accordance with CoAP 2021 regulations and spread according to CoGAP.

We advise that the manure management plan must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Ranging Plan

We have reviewed the Ranging Plan (RJC-AZ170-15) are satisfied with the plan.

We advise that the ranging plan must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Pollution Prevention Plan

We are satisfied with the submitted "Method Statement and Pollution Prevention Plan".

We advise that the pollution prevention plan must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Protected Species

We note that there is no information about protected species with the application, and therefore are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

Observations 27.01.2022

Your authority will need to check for any other sources that have been constructed or applying for permission to be constructed that may impact sensitive sites within your screening distance. In order to conduct this assessment every sensitive site needs to be placed in the centre of the search area.

Therefore, our previous response dated 4 January 2022 remains valid, i.e. your Authority will require an in-combination assessment.

Observations 8.02.2022

Thank you for consulting us on the amended drainage plan in support of the above application, which we received on the 16th December 2021.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome if

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the documents identified below are included in the approved plans and documents condition on the decision notice:

Approved plans/documents:

- **Drainage plan (Roger Parry & Partners, RJC-AZ170-14, 16/12/2021)**
- Manure Management Plan
- **Ranging Plan (RJC-AZ170-15)**
- Method Statement and Pollution Prevention Plan

Please note, without the inclusion of these documents we would object to this planning application. Further details are provided below.

Protected Sites

Agricultural units have the potential to impact protected sites through aerial emissions (ammonia). We assess the air quality impact a unit may have on European protected sites and Sites of Special Scientific Interest (SSSIs) within a screening distance of 3km of this unit.

We welcome the Ammonia Emissions: Impact Assessment Report, Isopleth Ltd, July 2021 Report Ref: 01.0223.001 v2. The report has compared existing and proposed ammonia levels. The report has assessed the existing building, operational since Nov 2018, deemed part of the background level. The report has assessed the additional 16,000 hens, which is within the 1% additional ammonia level.

We have assessed the In-combination effects with slurry lagoon, Gwynedd Council planning application reference C19/1169/14/LL at Pengelli Isaf Bethel Road, Caernarfon, Gwynedd, LL55 1UH - Creation of slurry lagoon and construction of agricultural structure. As that slurry lagoon was an improvement to an existing lagoon, and therefore would not have contributed to any further ammonia emissions, we are satisfied that any in-combination effects with that lagoon would not increase any potential impacts upon protected sites.

We therefore no longer have any protected sites concerns.

Water Quality

- Drainage Plan

The applicants have now provided an amended drainage plan that shows that the additional effluent from the proposed extension will be draining to an additional dirty water tank. We are satisfied that additional dirty water capacity will be provided as part of the proposed development.

We remind the applicants that the structure will need to be designed, sized and built by a suitably qualified engineer to meet the standards set in the Regulations and BS 5502 (Building and Structures for Agriculture Code of Practice for Design, Construction and Loading).

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We advise that the amended drainage plan (Roger Parry & Partners, RJC-AZ170-14, 16/12/2021) must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Manure Management Plan

We are generally satisfied with the Manure Management Plan and Spreading Maps, and not that further to our previous response (CAS-161775-X4Y9) to the pre-application that data sheets 2 and 6 have been omitted from the plan.

We note the commitment not to spread manure during winter months and advise that the application of spreading should be in accordance with the Welsh Government's Code of Good Agricultural Practices (CoGAP) and the Water Resources (Control of Agricultural Pollution) Regulations 2021 (CoAP).

We note that a Manure Contingency plan has been submitted and that manure can be also be exported to Gamber Logistics Ltd.

It is important that operators take responsibility to ensure the manure or slurry exported is being managed appropriately by others.

We note that the manure management plan includes a contingency plan for the storage of manure when spreading to land is not possible. If manures produced are not able to either be spread or stored in field heaps, then the applicant must ensure that the hard-standing areas used comply with CoAP 2021 regulations. All wash water and manures arising from poultry units must be collected and stored in accordance with CoAP 2021 regulations and spread according to CoGAP.

We advise that the manure management plan must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Ranging Plan

We have reviewed the Ranging Plan (RJC-AZ170-15) and are satisfied with the plan.

We advise that the ranging plan must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

- Pollution Prevention Plan

We are satisfied with the submitted "Method Statement and Pollution Prevention Plan".

We advise that the pollution prevention plan must be included in the 'approved list of plans / documents' condition within the decision

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notice should consent for the project be granted.

Protected Species

We note that there is no information about protected species with the application, and therefore are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

Welsh Water: No observations

Public Protection Unit: Observations 16.11.2021

The service has considered the above planning application, and our observations are as follows:-

The application refers to an extension to include an additional 16,000 hens and 6 additional ventilation units on the proposed building. The DAS refers to noise, however, there are no details regarding the noise levels that will derive from the additional units. The applicant refers to the fact that the units will operate in hot weather and this will entail less noise impact. We have to remember that in hot weather residents tend to open house windows and are out more in their gardens than in the winter. Therefore, any noise has the potential to cause a nuisance.

I suggest that the applicant conducts a noise assessment to establish what the noise levels will be from the new ventilation units to see if there is any increase that will have an adverse impact on local residents. The noise assessment should include low frequency levels from the unit, details of the units and the noise level of each unit (if they are different units), and the location of each unit. The area's current background noise levels should be included. No development should raise the background noise level, the service does not want creeping background levels, therefore any new unit should be a minimum of 5-10dB less than existing background noise, that includes low frequency noise.

Odours can cause problems, however, with good site management this can be controlled with a plan in place. It should be ensured that an alternative waste disposal arrangement is in place (where required) for the manure produced in the shed if complaints are received.

Although the manure management plan indicates that the farm has land to dispose of chicken manure, this may be limited due to the fact that manure from other stock on the farm is disposed in the same manner. When spreading manure on the land, it should be ensured

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that odours do not cause a nuisance and that a correct procedure is followed to reduce odours. The applicant should not spread manure close to residential properties in the area.

Although the Agent notes that no complaints have been received, the proposal increases the number of hens and therefore there is a potential for more noise/odours to arise.

The applicant should have provided an odours assessment as part of the planning application to demonstrate there will be no increase in odours that may have an impact on nearby residents. Such a report will have to be provided to apply for a licence from NRW.

The site will be required to apply for a licence from Natural Resources Wales (NRW) and noise and odours are part of the operational licence.

Observations 18.01.2022

Erection of extension to existing poultry unit to include 16,000 additional hens (for the production of free-range eggs) together with associated work

Thank you for consulting with us on the additional information regarding the noise and odours assessment.

Generally, we are satisfied with the noise assessment that concludes there will be no noise impact from the new units on residents in the area. We have compared the background levels that have been used in the report with the background levels in the report for the existing unit back in 2017. Although the report concludes that the assessed units will not have a noise impact on nearby residents, I suggest that a condition is included with any permission to ensure that such units (with noise emission levels similar to Big Dutchman FF091, Big Dutchman EM50 that include the three-eighths noise levels) are installed and authorised by the local authority.

Odour dispersion modelling has been undertaken and anticipates that no sensitive receptors will experience a concentration of odours above the benchmark recommended for fairly offensive odours. I am satisfied with the conclusions of this report. With odour control measures in place, odours from the unit will not affect the area's residents, an odour control document will be required as part of the application for a permit from Natural Resources Wales.

As part of an application for a permit from Natural Resources Wales, the applicant must provide noise and odours control document as part of the application. The reports refer to the type of documents and that the site will be controlled under permit by Natural Resources Wales.

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I suggest that condition 7, that relates to dust on the existing permission, is transferred as a condition onto any new permission for this application.

I continue to give the following note for the applicant;

It should be ensured that an alternative waste disposal arrangement is in place (where required) for the manure produced in the hen shed.

Although the manure management plan assessment indicates that the farm has land to dispose of chicken manure, this may be limited due to the fact that manure from other stock on the farm is disposed in the same manner. The act of spreading manure on land should not cause an odour nuisance to the residents of the community. DEFRA guidelines should be adhered to, and manure should not be spread close to residents' houses. A sprinkler irrigation system should be used wherever possible to reduce odours.

Land Drainage Unit

No observations

Rights of Way Unit

I refer to the above application. It does not appear that there are any Rights of Way recorded that will be affected by this proposal.

Biodiversity Unit

An extension to the existing building is proposed. The new facility would therefore consist of 1 extended building housing a maximum of 16000 free range layers in addition to the 32000 birds already at the site (for a maximum of 48000 birds in total).

The applicants has provided the following documents:

Isopleth Ltd produced Plas Tirion: Ammonia Impact Assessment July 2021 (Report Ref: 01.0223.001 v2) – this appears to be a comprehensive and clear report.

NRW state “However, the report has identified the need to assess In-combination effects with slurry lagoon, Gwynedd Council planning application reference C19/1169/14/LL at Pengelli Isaf Bethel Road, Caernarfon, Gwynedd, LL55 1UH - Creation of slurry lagoon and construction of agricultural structure. This source is 5.6km away from Llwyn Y Coed SSSI and 3.7km from Pant Cae Haidd SSSI.”

Following this, the applicant has provided this: *In-Combination Assessment Erection of a poultry unit extension to accommodate 16,000 free range chickens together with associated works Prepared for D C & H Mackinnon Plas Tirion, Llanrug, Caernarfon, LL55 4PY* The Ammonia In-combination Assessment by Roger Parry and Partners is undated and lacks information.

Gareth Thomas NRW comment on 4th January 2022 regarding the

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ammonia assessment (Isopleth Ltd. July 2021) state "..., we advise that the proposal is not likely to have direct significant effects on any site alone." And goes on to say that Gwynedd LPA should consider this development for in-combination assessments for other relevant development proposals.

I would like to add that the prevailing wind is south westerly, which indicates that the majority of ammonia aerial emission are likely to travel away from the SSSIs: Cae Pant Haidd & Llwyn y Coed & Llyn Padarn, therefore reducing the likelihood of impact due to ammonia. These SSSI contain plants that are sensitive to ammonia pollution such as Wilson's filmy fern in Llwyn y Coed.

The ammonia assessment by Isopleth Ltd in July 2021 concludes:

"The assessment shows that impacts at all designated ecological sites will be below 1% of the relevant critical level and nutrient nitrogen critical load and are therefore below the thresholds NRW apply in their assessment of potential impact on protected sites. The impacts of ammonia from the proposed development site are therefore predicted to be acceptable either alone or in-combination with other schemes according to Gwynedd and NRW assessment criteria. As such the development is unlikely to adversely impact protected sites."

I consider it unlikely that this development will have a direct impact on protected sites. In-combination with other ammonia pollution producing developments it is also unlikely to have an impact on protected sites (due to wind direction, landform and distance). However, I would like to point out that I do not currently have enough knowledge to make a full assessment of the ammonia impact and to look at it critically. In general development applications for chicken farms and slurry pits and large cattle sheds highlight how industrial and intensive farming is still becoming and producing more pollution and waste, which all have environmental issues.

As NRW have requested we should keep a record of all developments producing ammonia aerial pollution.

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Public Consultation: A notice was placed in the press and on the site and nearby residents were informed.

The notification period has expired on 17/11/2021 and no responses were received from the public to the proposal following the statutory notification period.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 The site is located outside any development boundary as defined by the Local Development Plan (LDP) and is therefore a site in open countryside. Policy PCYFF 1 states that outside the development boundaries, proposals will be refused unless they are in accordance with specific policies in the Plan or national planning policies or that the proposals demonstrate that its location in the countryside is essential. There is no specific policy in the LDP regarding agricultural development, therefore the main consideration is Planning Policy Wales (PPW) and Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities.
- 5.2 Paragraph 5.6.6 of Planning Policy Wales states that whilst the protection of the open countryside should be maintained wherever possible, the expansion of existing businesses located in the open countryside should be supported provided there are no unacceptable impacts. It expands on this in paragraph 5.6.8, and states 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.
- 5.3 Technical Advice Note (TAN 6): Planning for Sustainable Rural Communities to promote a sustainable and profitable future for farming families and businesses by producing and processing farm produce at the same time as protecting the environment, health and welfare of animals and adapting to climate change and mitigating its impacts, contributing to the vitality and prosperity of rural communities. The Guidance notes, that usually new buildings should be part of a group and a relationship should be secured between their colour and size and existing buildings.
- 5.4 In this case, the proposed shed is an expansion of an existing family business of approximately 521 hectares of land and have been dairy farming since 2021 but have diversified to keeping beef cattle, and more recently egg-laying hens. The proposed shed would be attached to the existing chicken shed, and the extension would be smaller in size and scale and of the same design as the existing shed. It is considered that the shed is reasonably necessary for agricultural purposes to expand the business and there is no doubt that its countryside location is essential within the established farmyard. Therefore, the proposal is in accord with policy PCYFF 1 and the principles of PPW and TAN 6 as long as there are no unacceptable impacts as a result of the proposal.

Visual amenities

- 5.5 Although the site is located in the countryside between the village of Llanrug to the north and the village of Waunfawr to the south, its setting in the landscape means that only intermittent views can be seen of it from the nearby landscape. The coppice located directly adjacent to the east of the unit along with the hill which is a prominent physical feature of the landscape to the east and

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south of the site, along with the buildings of the existing agricultural holding to the north of the application site, reduce any visual impact experienced from locating the unit on this parcel of land. Although a public footpath runs towards the west of the site, there is a distance of approximately 150m between the unit itself and the public footpath. In order to reduce the visual impact of the proposal from the west and the public footpath, it is proposed to plant native trees along the site's boundary that continues to run adjacent to the existing bund that was installed when the existing shed was constructed. This bund or '*clawdd*' by now has been restored naturally with vegetation together with native trees planted along this '*clawdd*' that measures 1.6m high, 8m wide and 60cm long.

- 5.6 It is believed that the combination of the form, scale, elevations (dark-green coloured covering), along with the setting of the extension in the landscape that has been hidden behind the existing shed that will mean that any visible impact would be from close vistas only and any views of it from a distance will be intermittent, if at all, from the north, south and east. To this end, therefore, it is believed that the proposal is not an unusual development in the countryside and it is considered acceptable based on the requirements of Policies CYF 6, PCYFF 3 and PCYFF 4 of the LDP.

General and residential amenities

- 5.7 Although the site is located in the countryside and near a working agricultural holding, residential dwellings are located in the catchment area of the site itself. The dwellings known as Plas Tirion and Plas Tirion Lodge are located approximately 240m to the north of the application site with other dwellings/cottages located over 400m from the application site. The proposal will involve using six extractor fans (on top of the 10 existing extractor fans) on the unit's roof to control the temperature within the unit itself. The normal industry noise level for the 10 fans would be 27dB (A) 400m from any residential dwelling. In rural areas such as this, background levels can be between 42dB (A) deriving from agricultural activities. Bearing in mind the existing noise levels, the proposal will involve installing four fans (Big Dutchman Fan Em50 fan type units) in addition on the unit's roof will increase the noise levels by 2dB creating a total of 29dB. Taking these noise levels into account, along with the results of the Noise Assessment submitted with the application, the Public Protection Unit recommends that a condition should be imposed on any planning permission that ensures that such fan units (with noise emission levels similar to the Big Dutchman FF091, Big Dutchman EM50) includes three-eighths noise levels.
- 5.8 The unit would operate a multi-tier system that will enable manure to drop down onto the conveyor belt and the conveyor belt would be operated once every 5-7 days in order to dispose of the manure. In turn, this will mean that only very little manure will be stored within the unit which will lead to a reduction in pest activity. Together with the proposed increase in the number of hens on this site, for the site to conform to the new requirements of the Control of Agricultural Pollution Regulations (Wales) 2021 where agricultural holdings are required to include buildings or additional areas to store manure indoors during the Winter; permission (application number C21/0773/23/LL) was given to erect an additional manure shed storage adjacent to the existing chicken shed at the start of 2022.
- 5.9 There is potential for the accumulated manure to be mitigated as a result of the hens' freedom to access the nearby fields. The Public Protection Unit was consulted about the proposal and a response was received from them regarding the content of the Dust and Odour Assessment which states that the manure will have to be disposed of on the land in accordance with DEFRA requirements under the Good Practice Code and the need to impose a condition restricting the accumulation of particulates should this application be approved. To this end, therefore, it is

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believed that the proposal is acceptable based on its impact on the residential and general amenities of nearby residents and complies with Policy PCYFF2 and ISA1 of the LDP.

Transport and access matters

- 5.10 It is proposed to use the existing access to serve the unit with the access and associated driveway also serving the agricultural holding. This development will also lead to a small increase in the number of 8-wheeled lorry traffic with an additional two HGV lorries presenting and moving birds from the site every 14 months. Lorries will serve the unit by transferring feed to the hens and this will occur twice a month and a 7.5 tonne lorry will collect the eggs twice a week. A response was received from the Transportation Unit to the application stating that they had no objection to the proposal as it is assumed that the proposal itself will not have a detrimental impact on any road or proposed road. Considering the above, it is believed that the proposal is acceptable on the basis of the requirements of Policy TRA4 of the LDP.

Biodiversity matters

- 5.11 The extension would be situated on part of an agricultural field that is improved grassland. There are SSSI designations (Llwyn y Coed) 5.6km away and the SSSI area (Pant Cae Haidd) 3.7k away from the site and therefore the initial comments of Natural Resources Wales state that the Council's Biodiversity Unit should be consulted to assess if there will be any harm to them. Also, additional information was requested in the form of Manure Management Plans, Ranging Plan and a Method Statement on Pollution Prevention. Following a period of re-consultation based on the additional information neither Natural Resources Wales or the Biodiversity Unit had no concerns regarding this application; however, a condition should be imposed stating that there will be a need to comply with the content of the plans and documentation submitted as part of this application. It is therefore deemed that the proposal is acceptable on the grounds of the requirements of Policy AMG5 of the LDP.

Linguistic Considerations

- 5.12 A language statement was received from the applicant stating that the proposal would promote the use of the Welsh language as the existing owners are employed as part of this enterprise and the intention to employ local residents who are Welsh speakers, both part-time and permanently. A response is awaited from the Language Unit on the content of the statement prior to the committee date, however, from the information to hand, it is not considered that the proposal would cause harm to the language and therefore it is considered that the proposal conforms to the requirements of policy PS1 and the Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities.

6. Conclusions:

- 6.1 Having considered the above and all the relevant matters, including local and national policies and guidance, together with the observations received following the consultation process, it is deemed that the proposal as submitted is acceptable subject to the inclusion of the following conditions .

7. Recommendation:

- 7.1 To approve subject to the following conditions:

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1. 5 years
2. In accordance with the plans
3. Dark-green colour for the external elevation of the unit
4. Agricultural use of the building only
5. Public Protection conditions relating to the restriction of noise levels from the temperature control fans and concentration of particulates.
6. Complete the landscaping plan in accordance with the details submitted with the application and the time-scale for completing this.