

**Application Number:** DM/2018/00733

**Proposal:** Agricultural farm building to house farm animals

**Address:** Kemeys House Farm, Church Lane, Kemeys Commander, Usk

**Applicant:** Mr Beverly Baker

**Plans:** All Proposed Plans 0204/8 -

**RECOMMENDATION: APPROVE**

Case Officer: Ms Kate Bingham  
Date Valid: 02.05.2018

**1.0 APPLICATION DETAILS**

1.1 This is an application for a new agricultural building to house cattle at an established farm in Kemeys Commander. The farm has some 80 hectares of pasture land and several existing farm buildings. Two other similar free-standing buildings are also proposed. These have been submitted under separate concurrent planning applications.

1.2 The application is presented to Planning Committee because the applicant's agent is related to a member of the Development Management Team.

**2.0 RELEVANT PLANNING HISTORY**

| <b>Reference Number</b> | <b>Description</b>                               | <b>Decision</b>       | <b>Decision Date</b> |
|-------------------------|--|-----------------------|----------------------|
| DM/2018/00817           | Agricultural Farm building housing farm animals. | Pending Determination |                      |
| DM/2018/00818           | Agricultural farm building housing farm animals. | Pending Determination |                      |
| DC/2013/00722           | Agricultural Building housing farm animals.      | Approved              | 27.09.2013           |
| DC/2013/00025           | Agricultural building                            | Approved              | 19.06.2013           |
| DC/2013/00026           | Agricultural building                            | Approved              | 19.06.2013           |

|               |   |          |            |
|---------------|---|----------|------------|
| DC/2012/00255 | To build a new nutrient store of circular pre-cast concrete construction - 35m x 5m high, gross capacity of 1,045,000 gallons. Installation to be 3m below ground level, 3m above ground set on a 150mm base. | Approved | 15.06.2012 |
| DC/2016/00289 | Agricultural building housing farm animals  | Approved | 12.05.2016 |
| DC/2016/00464 | Agricultural building for housing farm animals.   | Approved | 08.06.2016 |
| DC/2013/00161 | Retention of Nutrient Store in different location to previously approved under DC/2012/00255  | Approved | 05.07.2013 |

### **3.0 LOCAL DEVELOPMENT PLAN POLICIES**

#### **Strategic Policies**

S10 LDP Rural Enterprise  
S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S17 – Place Making and Design

#### **Development Management Policies**

RE5 – Intensive Livestock/Free Range Poultry Units  
DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
LC5 LDP Protection and Enhancement of Landscape Character

### **4.0 REPRESENTATIONS**

#### **4.1 Consultation Replies**

Gwehelog Fawr Community Council – the Council note the concern raised by local residents and share some sympathy with the points raised.

#### **4.2 Neighbour Notification**

One representation received from no. 1 Kemeys Cottages. Objects on the following grounds;

- We are very near neighbours to this farm, and already it is a huge operation creating a lot of noise and odour. We have lived here for almost twenty years and have seen this farm grow hugely. Almost every year a new barn is built and a subsequent increase in cattle numbers now at nearly 1000.
- There is a permanent very strong and foul ammonia odour all the time and early morning loud barn scraping, and effluent pumping which is almost a continuous operation from the tank (that has not been sited in accordance with approved plans) so now we suffer a loud pumping engine on many days which runs all day.
- In the application it states that it is due to TB movement restrictions that this is being built. This was said on the last application, but the owner was then prosecuted for illegally moving cows anyway. It is just an excuse to increase this mega dairy at the expense of the surrounding land and community.

- What is the maximum permitted size of a dairy in this location? There seems to be no limits for this farm.

## **5.0 EVALUATION**

### 5.1 Principle of the proposed development

5.1.1 Policy S10 of the Local Development Plan supports the rural economy and the principle of a new building adjacent to the main farm yard is acceptable.

### 5.2 Design

5.2.1 The building will be a free standing dual pitched steel framed building with a floor area of approximately 416m<sup>2</sup>. It will have steel walls and a fibre cement roof. It is considered that the building will be in keeping with those adjacent to it and the rest of the buildings on the farm and has been sited so as to minimise its impact on the wider landscape. The development therefore complies with Policies RE5 and DES1 of the Local Development Plan.

### 5.3 Residential Amenity

5.3.1 The building will be located on an established dairy farm and on its own would have little impact on residential amenity in the locality. A near neighbour has stated that the farm is now of such a size as to be creating noise and odour. However, the building proposed in this application is relatively small and on its own is unlikely to lead to a noticeable increase in noise or odour. The building will be over 100m away from the nearest neighbouring property and on this basis it is considered that it has been sited so as not to cause unacceptable nuisance to these properties which complies with Policy RE5 of the LDP.

### 5.4 Well-Being of Future Generations (Wales) Act 2015

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

### 5.5 Other Issues

5.5.1 There is no prescribed limit to what size a dairy farm can be under planning legislation. Any future expansion of the farm would be considered under Policy RE5 of the LDP which relates specifically to intensive livestock.

## **6.0 RECOMMENDATION: APPROVE**

### **Conditions:**

1. This development shall be begun within 5 years from the date of this permission.  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the list of approved plans set out in the table below.  
REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

