

Application Number: DM/2021/00340

Proposal: General purpose agricultural building (livestock housing and storage of machinery and fodder).

Address: Land to the north-east of Ty Freeman Road, Gwehelog, Monmouthshire

Applicant: Mr Michael Evans

Plans: Site Plan Site Plan - , Elevations - Proposed Elevations - , Floor Plans - Proposed Floor Plan - , Other Manure Management Plan by Williams Associates - August 2021,

RECOMMENDATION: Approve

Case Officer: Ms Kate Bingham
Date Valid: 02.03.2021

This application is presented to Planning Committee as there are five objections. The Community Council has also raised an objection

1.0 APPLICATION DETAILS

1.1 Site Description

This application relates to agricultural land lying to the north-east of Ty Freeman Road, Usk. The surrounding area is rural and agricultural, predominantly pasture with livestock including both cattle and sheep. Existing mature trees are located to the east of the proposed building which will not be affected by the development.

The site is within the Phosphorous Sensitive Catchment Area of the River Usk SAC.

1.2 Value Added

A Manure Management Plan has been provided.

1.3 Proposal Description

It is proposed to erect a new agricultural building measuring approximately 22.85m x 9.15m in area. The proposed building is effectively an extension to the existing farm building that is currently on site. The proposed building is of typical agricultural design with a steel portal frame with concrete panels/Yorkshire boarding sides. The roof will be corrugated fibre cement sheeting.

The proposed building will predominantly be used for livestock housing, as well as the storage of machinery and fodder. There is no overall increase in livestock numbers on the farming enterprise. There are no alterations proposed to the existing access.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
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3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S10 LDP Rural Enterprise
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design
S12 LDP Efficient Resource Use and Flood Risk

Development Management Policies

RE4 LDP New Agricultural and Forestry Buildings
RE5 LDP Intensive Livestock/Free Range Poultry Units
LC1 LDP New Built Development in the Open Countryside
LC5 LDP Protection and Enhancement of Landscape Character
EP1 LDP Amenity and Environmental Protection
EP5 LDP Foul Sewage Disposal
DES1 LDP General Design Considerations
NE1 LDP Nature Conservation and Development

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 11

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

Welsh Government Circulars

Welsh Government Circular 008/2018 - Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants

5.0 REPRESENTATIONS

5.1 Consultation Replies

Raglan Community Council - The primary concern/objection is relating to the impact on the open countryside and environment, and that it would be out of character with the open vista and several of the policies set out in the Planning Authority's LDP.

It would appear from the highway the current building has not been used since consent was granted, therefore the building is not of economic benefit for the farm.

Concern must be expressed regarding the extension, which will increase traffic movement on surrounding lanes. If the proposed use of the building is to house livestock and store machinery the traffic movement will be detrimental to the existing road structure. Currently the Highway Authority have increasing issues with maintenance due to banks which are being pulled onto the highway and ruts on the edge of the road surface.

The Planning Statement states that access to the land is directly from the public highway but doesn't indicate if a hard surface access will be laid from the highway to the building.

The current building received consent but extending the building would have a further detrimental to the open countryside.

In reference to section 6.2.1 of TAN6, the overall size of the building would be detrimental to the open vistas in open countryside, when the land has been accommodating pasture land for cattle, and sheep grazing along with fodder crops.

No information on drainage is provided nor slurry provision as per the proposed use as a livestock building. Concern as above on the effect on the environment of this plus the watercourse.

All applications for developments which are likely to have an impact on trip generation, be accompanied by a TA that includes a Transport Implementation Strategy. The Community Council accept this proposed application is not likely to create significant and unacceptable additional traffic growth in relation to the capacity of the existing road network, but there may be an impact on traffic and the safety of other road users, unless appropriate proposals for related improvements to the highway system or a contribution towards mitigating traffic management/reduction measures are made.

Will this application be considered in line with the new regulations in relation to phosphate levels entering water courses due to the proximity to a water course? Policy EP2 indicates that development, which may impact upon the water environment and associated land, will only be permitted where it:

a) would not harm or pose an unacceptable risk to the capacity or flow of groundwater, surface waters or coastal water systems.

The Planning Statement does not indicate how/where surface water or the containment of effluent from the livestock and the storage of any waste cleaned out of the shed during the year will be managed.

The previous and current applications are not supported by a SuDS report. Traditional drainage systems manage surface water run-off are designed to carry water away quickly, without treatment, and can rapidly transfer pollutants and large volumes of water to streams, rivers, etc. There is a lack of information regarding the discharge of rainwater from roofs and hard surfaces. A rural SuDS system will slow down or prevent the transport of pollutants to nearby watercourses by breaking the delivery between the pollutant source and the receptor. By intercepting run-off and trapping sediment before it leaves the field or livestock building, help maintain and manage the provision of good water quality by preventing chemicals, nutrients and faecal organisms entering the watercourse.

The proposed development will need sufficient internal and external lighting, and the application doesn't appear to have an appropriate lighting schedule showing a lighting scheme. The applicant will need to show the provision of glare and respect for the amenity of neighbouring properties and the open countryside. Provisional light pollution and a schedule showing how this can be minimised needs to be submitted.

The Planning Authority should have regard to the privacy, amenity, and health of occupiers of neighbouring properties. Consideration should also be given in relation to light and noise under

this policy and the impact to occupiers of neighbouring properties and the effect on the wider landscape.

Planning Policy Wales emphasises the importance of placemaking and good design of development in keeping with the surroundings. This is an important consideration under the Well Being of Future Generations (Wales) Act 2015 (WBFGA). The duty to improve the economic, social, environmental, and cultural well-being of Wales. In accordance with the sustainable development principle, Future Generations (Wales) Act 2015 (WBFGA). Strategic Policy S17 requires development to promote high quality design which respects local distinctiveness in order to protect and enhance historic and built environments. Raglan Community Council would recommend that this application does not meet the requirements set out in the Act.

Natural Resources Wales - We note the application site is within the catchment of the River Usk Special Area of Conservation (SAC). As you are aware, on the 21 January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales. As part of this package, we issued a Planning Position Statement, in which we advised that any proposed development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC.

We note that the following information has been submitted in respect of the proposed development:

- Email from Efon Morgan dated 29 July 2021 (email)
- Manure Management Plan prepared for H and JW and MH Evans, Goverra Farm, Mamhilad, Pontypool, NP4 8RD by Williams Associates, undated.

The content of the email received confirms that the development (an extension to an existing agricultural building) would not represent an increase in stock numbers. We have also reviewed the Manure Management Plan (Manure Management Plan prepared for H and JW and MH Evans, Goverra Farm, Mamhilad, Pontypool, NP4 8RD by Williams Associates, undated). If the manure is managed correctly then the application as submitted is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River SAC.

NATS Safeguarding - The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

MCC Biodiversity - New developments involving the storage, management and spreading of organic material within the catchment of a river SAC have the potential to contribute towards the amount of phosphorus entering the designated site and should be screened to determine if they are likely to have a significant effect.

The development is within 5km of the River Usk SAC (3.5km) so the process contribution (PC) of the livestock unit must not be above 1% of the appropriate ammonia critical level / nitrogen critical load.

Confirmation required from the applicant that "the structure is designed and built by a suitably qualified engineer to meet the standards set in the SSAFO Regulations and BS 5502 (Building and Structures for Agriculture Code of Practice for Design, Construction and Loading)."

SEWBREC Search Results - No significant ecological record identified.

5.2 Neighbour Notification

Five representations received. Object on the following grounds:

1. The application contains incorrect and misleading information and is incomplete.

2. This application for a livestock shed lays great stress on it being seen as an extension to the agricultural shed granted approval and constructed early in 2020. The impression given to the local planning authority in the previous application – DM/2020/00221 - was that the site is a part of a farm of 182 hectares that has been in agricultural use for 100 years.

This is not the case. The farm referred to is situated 10 miles away and has no physical link with the application site.

The proposed building is actually located on a mere 17 hectares of 'accommodation pasture' which, for the last 35 years, has been used by the current and previous owners only for summer grazing of cattle, winter grazing of sheep and taking of a fodder crop. It could, therefore, be suggested that the DM/2020/00221 approval was granted on the basis of incorrect information and that the applicant's justification of this new application as an extension to the current empty shed should carry no weight.

3. Although the application form refers to the proposal as a general-purpose livestock shed the Agent's report confirms that it will be used for livestock which under MCC Planning Policy requires that it is considered as intensive livestock housing.

This application clearly fails to demonstrate the exceptional circumstances required by MCC's Development Plan Policies for approvals in the countryside. It is contrary to the principal landscape, agricultural and environmental policies of the Development Plan and does not show material considerations why these should be overridden.

4. Policy LC1 New Built Developments in the Countryside states clearly that there is a presumption against development, apart from exceptional circumstances where all of the four listed criteria are met. The criteria have not been met.

5. No attempt has been made to assimilate the building into the landscape. On the contrary, in conflict with criterion a), it will be highly visible in the landscape.

6. Apart from the building referred to above constructed under the misapprehension created by DM/2020/00221, there are no other buildings in the vicinity. Nearest dwelling is 230m away.

7. In respect of criteria c) and d), the application contains no information to demonstrate that any attention has been paid at all to the character and appearance of the surrounding countryside or to impact on landscape and local amenity.

8. It will cause visual intrusion (criterion a) of Policy LC5) both from nearby properties and from public paths and roads in the wider area.

9. It is insensitively and unsympathetically sited in the landscape and will cause significant adverse change (criteria b) ,c) and e) of LC5).

10. Intensifies a use which is incompatible with its location. The site is not a working farm. It is merely a small area of accommodation pasture and there is no reason at all to justify the construction of such a substantial extension to an already substantial building in this location.

11. Contrary to LDP Policy RE3 (Agricultural Diversification).

12. Policy RE4 states, in criterion a): that new developments must show that the building is reasonably required for agricultural purposes. No attempt has been made at all to demonstrate this. The applicant simply relies on the agent's bland, unsupported, and completely inadequate, statement that there will be clear economic benefits for the farm.

13. If the benefits are intended to refer to the farm some 10 miles away, then the building should be constructed there.

14. Criterion b) requires adequate provision for the disposal of foul and surface water and any animal waste. Again, the application ignores this requirement entirely.

15. Policy RE5 Intensive Livestock units: Paragraph 6.2.23 makes it clear that "intensive livestock units" include buildings in which cattle are kept over the winter. Thus, the application falls to be considered against this policy.

RE5 states that intensive units will be permitted subject to six criteria. This application does not comply with five of these criteria:

- o The proposal does not even consider the impact of the building, slurry tanks or lagoons on nearby dwellings (criterion a).

- o There is no attempt to minimise visual impact. Therefore, as well as being contrary to the landscape protection policies of the Development Plan, the proposal also conflicts with criterion b) of RE5.

- o A livestock building such as this will need servicing, will require the movement of cattle and machinery and access to slurry pits and lagoons etc. This will most certainly increase the numbers and nature of vehicle movements on this quiet country lane, the creation of hard surfaced access, driveway and turning circles and works to prevent smell and water pollution. None of these are

detailed or assessed in the application, with the consequence that the proposal does not comply with the highway impact drainage and environmental nuisance requirements of criteria c) and d) of RE5.

16. LDP Policy EP1 states that developments and extensions should have regard to privacy, amenity, and health of neighbours - there are nine homes and holiday units within 400 metres of the proposed unit.

17. Potential for light pollution via any artificial light penetrating through the glazed roof panels.

18. Potential for pollution of two water courses.

29. Potential for noise pollution as power will require a generator.

30. LDP Policy EP2 states that development which may impact upon the water environment and associated land will only be permitted if three criteria are met. This proposal would not comply with paragraph b in that it constitutes the risk of harm to ground and surface water and contains no assessment or mitigation measures.

22. The site area listed of 209sqm is the area of the structure, but it does not include access, hard-standings, drainage, and ancillary works necessary for an intensive livestock shed.

23. Application incorrectly describes the proposal as a 'general-purpose agricultural building'. The Agent's report clearly states that the building is predominantly for livestock which the Development Plan defines as intensive livestock housing (6.2.23).

24. Application form states that the site is greenfield land of 0.02ha. This again omits the area necessary for any ancillary works.

25. Whilst there are no trees and hedgerows on the proposed development site itself, the applicant also states, incorrectly that there are no trees or hedges on land adjacent to the proposed development site that might be important as part of the local landscape character. There are many such trees and hedges, some of which the applicant relies on for screening. Since there will be a need for (as yet unspecified) access, hardstanding, engineering, and drainage works, it is possible that these hedgerows could be adversely affected.

26. Application form certifies that the new structure is not within 20 metres of a water course, but inspection indicates that it is within 20 metres of a water course to the south and another to the north-east.

27. The blue line on the application plan does not show the boundary of the applicant's total land holding in this vicinity. If it had done, then the local planning authority could see that the land extends to 17 hectares, not the 182 hectares that you were led to believe on the previous application.

28. Errors in the planning statement

o Para 2.1 - It is misleading to refer to the application as an extension to an existing farm building. It is true that a shed was built last year but it has never been used and it is not located on a 'farm'. This is simply an area of 'accommodation land'.

o Para 4.3 - The Agent's report places reliance on the existing trees along the stream to 'minimise the impact'. These trees afford partial screening only to one side of the development, but the existing shed already dominates from the Walks access road and it is abundantly clear that the new proposed extension will dominate even more. Furthermore, the existing trees along the stream do not afford any significant screening at all during the leafless winter months. This would have been very clear had the applicant carried out the landscape assessments required by the Development Plan.

o Para 6.1 - This statement is unsupported by any evidence. The Development Plan requires a full business case. This is doubly important since the recipient of any economic benefits from the two 'livestock sheds' appears to be a farm located 10 miles away.

o Para 6.2 - The statement that the proposal will not generate any additional traffic is clearly wrong. Out-wintered sheep only require a fodder delivery every 4 or so days and the fields are usually stock free for about 3 winter months. The proposal to house livestock will require daily visits to feed, water, manage and move the stock, to deliver feed to the store and to service the various drainage elements. This will all generate increased traffic throughout the year and will involve larger vehicles on this quiet country lane.

29. The proposed structure is sited between two water courses which join to form a stream which provides a water source for livestock on my land and other neighbours' grazing land downstream. There are no proposals for how animal waste will be handled and the measures necessary to stop the water courses from becoming polluted.

30. There is no information to minimise the nuisance of smell, noise and water pollution as required by RE5.

31. Information should be required on proposals for electricity and water supply needed for a livestock shed, as power lines and water supply network do not run along this part of the access road.
32. There is limited information on the colours of the proposed roofing and boarding so reference has to be made to what has already been constructed. The roofing and boarding material are very pale and do nothing to help it blend in with the landscape. Sunlight reflection from the rooflights is also a problem. If the local planning authority is minded approving this proposal, then a much darker roof and darker cladding as used on the sheds on the opposite side of the valley would be better.
33. Over intensification of the land. The land is currently pasture land, and the proposed use signals a significant intensification of the use in a non-sustainable manner. Due to this, there is a high likelihood of nuisance in terms of pollution of noise, light, water and further environmental concerns.
34. Overdevelopment of the site. There is already a new, and unused farm building at this location. As noted above had we been aware of this, we would have submitted an objection. This is a further development at the same site, with the current building underutilised.
35. Environmental pollution. The proposed development is close to a number of trees, hedgerow, and water habitats, and we are concerned of the risk to these habitats. We are also concerned about potential light pollution from the site which is situated in a greenfield location remote from other buildings.
36. Misleading map associated with the application. The map has been issued at such a scale that it does not show the various residential and holiday let properties in the immediate vicinity of the proposed development including The Cottage and Y Bethyn Bach, the holiday let located at our property less than 250m from the proposed development.
38. The site is currently a greenfield site. Development should therefore be presumed against. It is not a development in connection with an adjoining farm or farm buildings.
39. Concern that the proposed development is to create an "intensive livestock unit" whereby additional criteria would need to be met which we believe the development would fail. Should the applicant state that this is not the case, there is still no protection that this would not be the case further down the line once built.
40. There is no evidence that this development contributes to protecting and improving existing wildlife networks and corridors.
41. Intensive cattle based farming is associated with high greenhouse gas emissions. This proposal is an agricultural developments which will contribute to the burden of carbon emissions at a time when MCC has declared a climate emergency and is aiming to reducing greenhouse gas emissions.
42. The agent states that 'the development would not represent an increase in stock numbers. I would suggest this clearly is at odds with the proposal to over winter cattle in the new shed. Currently and for the last 20 plus years cattle have been grazed on this 17-ha parcel of accommodation land for 6 months a year and then been taken back to overwinter on the home farm some 10 miles away. If cattle are to be kept on the land throughout the year (6 months grazing and 6 months in the proposed new shed) there will be a relative 100% increase in annual stock numbers on the land, significantly increasing the risk of pollution and phosphate run off into the two water courses adjacent to the development.

5.3 Other Representations

None.

5.4 Local Member Representations

No comments received.

Please note all representations can be read in full on the Council's website:
<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

Policy RE5 of the LDP refers to intensive livestock or free range poultry production units which includes overwintering of cattle. It provides that development will be permitted subject to the following criteria which are assessed in turn:

a) new livestock units and associated slurry tanks and lagoons are sited so as not cause unacceptable nuisance to any non- agricultural dwelling or building;

There are no non-agricultural dwellings within a 200m radius of the proposed building.

b) new units are sited so as to minimise their visual impact by avoiding exposed locations and, where practicable, locating them within or adjoining existing groups of buildings;

The proposed building is an extension to an existing shed already located at the site and benefits from a mature tree screen to the east.

c) units that have serious implications for the surrounding highway systems network will be resisted;

The overwintering of cattle is unlikely to lead to any serious implications for the surrounding highway network due to the relatively small scale of the herd. Ewes will only be kept in the building while lambing.

d) the unit is designed and uses appropriate technology, to minimise the nuisance of smell, noise and water pollution;

A Manure Management Plan submitted with the application demonstrates that smell and water pollution will be minimised as far as possible. The holding has sufficient capacity to dispose of all manure produced by all enterprises in accordance with the relevant regulations and legislation.

e) if the operational requirements of the proposed enterprise require that a specialist agricultural worker be accommodated in close proximity to the livestock building, then the development should, where possible, be located to make use of existing and available dwelling accommodation. If, exceptionally, new dwelling accommodation is required then the acceptability of a new agricultural dwelling shall be material to the planning consideration for the unit.

Not applicable.

f) the proposal complies with Policy LC1

Policy LC1 relates to new buildings in the open countryside and provides that:

There is a presumption against new built development in the open countryside, unless justified under national planning policy and/or LDP policies S10, RE3, RE4, RE5, RE6, T2 and T3 for the purposes of agriculture, forestry, 'one planet development', rural enterprise, rural / agricultural diversification schemes or recreation, leisure or tourism. In such exceptional circumstances, new built development will only be permitted where all the following criteria are met:

- a) the proposal is satisfactorily assimilated into the landscape and complies with Policy LC5;
- b) new buildings are wherever possible located within or close to existing groups of buildings;
- c) the development design is of a form, bulk, size, layout and scale that respects the character of the surrounding countryside; and
- d) the development will have no unacceptable adverse impact on landscape, historic / cultural or geological heritage, biodiversity or local amenity value

These criteria are assessed below.

6.2 Visual and Landscape Impact

6.2.1 The proposed shed will be attached to the existing shed on the site and has been designed to match it in terms of appearance with a fibre cement roof and concrete panel walls with Yorkshire boarding above. It will measure 9.15m x 22.85m which gives a floor area of 209m². This type of building is appropriate for its proposed use for livestock/ fodder storage and would be an acceptable form of development in the open countryside.

6.2.2 All existing boundary hedges and trees are to be retained which will help assimilate the building into the wider landscape. As such it is considered that the proposed agricultural shed will not harm the character and appearance of the area and complies with the provisions of LDP Policies LC1 and LC5 in that it would not cause significant visual intrusion or adverse change in the character of the built or natural landscape. The building is insensitively or unsympathetically sited within the landscape and does not introduce or intensify a use which is incompatible with its rural location.

6.3 Impact on Amenity

6.3.1 It is proposed to house up to 500 breeding ewes in the building for approximately two months of the year and 80 cattle for approximately six months of the year. Clearly, any livestock building will result in some odour and noise from the animals but given the location of the application site in the open countryside, this should not be unexpected. There are no dwellings within a 200m radius of the building and as such, any noise or odour will be within tolerable limits.

6.3.2 Waste will be taken from the site and spread across the remainder of the holding as fertilizer. The total land available for spreading manure is 166 hectares. On this basis, the proposed use of the building to house livestock for 8 months of the year will not result in a loss of residential amenity for local residents and the proposal meets the provisions of LDP Policy EP1.

6.4 Biodiversity

6.4.1 The land on which the building is proposed to be sited is currently used for grazing and as a result has little quality in terms of biodiversity. No trees or hedgerows are to be removed as part of this application.

6.4.2 PPW11 requires that all new development provide net gain for biodiversity. As part of the development, it is proposed that a bat box and sparrow terrace will be erected on the west elevation of the proposed building. Provided that this is implemented, then this requirement will be met. A condition to ensure implementation can be added to any consent should Members be minded to approve the application.

6.4.3 On this basis of the above, LDP Policy NE1 is considered to have been complied with.

6.5 Foul Drainage (phosphates)

6.5.1 Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site previously (designated pursuant to EU retained law) the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new phosphate standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.

6.5.2 This application has been screened in accordance with Natural Resources Wales' interim advice for planning applications within the river Special Areas of Conservation (SACs) catchments (issued on 20th January 2021). It is considered that this development is unlikely to increase phosphate inputs as it falls within the following criterion in the interim advice:

No increase in phosphates as a result of the development. The total nitrogen produced on the farm has been calculated in accordance with Welsh Government guidelines as 15,280 kg while the total nitrogen capacity of the farm is (170kg N/ha) 28,308 kg N.

6.5.3 Subject to the manure being managed in accordance with the Manure Management Plan and the structure being designed and built by a suitably qualified engineer to meet the standards set in the SSAFO Regulations and BS 5502 (Building and Structures for Agriculture Code of Practice for Design, Construction and Loading), then NRW have advised that the development is unlikely to increase the amount of phosphorus entering the catchment. The applicant has confirmed that the structure will be designed and built to these standards and a condition to ensure compliance can be added should Members be minded to approve the application. Therefore, it can be concluded that the proposal is not likely to have a significant effect on the River SAC in terms of nitrogen levels as the farm has sufficient capacity to dispose of all manure produced by all enterprises in accordance with the relevant regulations and legislation.

6.6 Highway Safety

6.6.1 There is no increase in livestock numbers over and above the breeding ewes and suckler cows already held on the farm. Housing of this livestock on this part of the holding over winter and when lambing will not result in a significant increase in traffic using the local highway network and no new hardstanding or access is proposed as part of this application. On this basis it would be unreasonable to refuse the application in highway safety grounds.

6.7 Response to the Representations of Third Parties and/or Community Council

6.7.1 This application for a livestock shed is an extension to the agricultural shed granted approval and constructed early in 2020. Objections received state that the impression given to the local planning authority at the time of that previous application was that the site is a part of a farm of 182 hectares that has been in agricultural use for 100 years. This farm referred to is situated 10 miles away and has no physical link with the application site. The proposed building is located on a separate area of 17 hectares. As such the existence of the current empty shed should carry no weight.

6.7.2 For the purposes of the previous and current applications, there is no requirement for the holding to all be on the same connected site and the building can reasonably be required to assist with the farming of the wider site.

6.7.3 The proposed development includes a Manure Management Plan which has been assessed by NRW who are the Statutory Advisors on such matters. They have concluded that provided that the management plan is followed, there will be no risk to ground water and as such, no risk to local residential amenity.

6.7.4 All other objections have been addressed elsewhere in this report.

6.8 Well-Being of Future Generations (Wales) Act 2015

6.8.1 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 WCFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WCFG 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 WCFG Act.

6.9 Conclusion

6.9.1 The design and siting of the proposed agricultural shed is considered to be appropriate in terms of the potential impact on the character and appearance of the surrounding area which is open countryside.

6.9.2 The use of the building is unlikely to adversely affect the amenity of local residents that are over 200m away from the site.

6.9.3 Compliance with the Manure Management Plan will ensure that there is no adverse impact on the River Usk SAC or the wider area in general.

6.9.4 The proposed development meets the requirements of LDP policies RE5, LC1, LC5, DES1, EP1 and NE1.

7.0 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.

3 All animal waste shall be disposed of in accordance with the Manure Management Plan by Williams Associates (August 2021).

REASON: To ensure that there is no adverse impact on local amenity and to protect the River Usk SAC in accordance with LDP Policies EP1, RE5 and NE1.

4 The mitigation shown on approved drawing Proposed Elevations dated 2/3/21 shall be provided prior to the first beneficial use of the extension and shall be maintained as such thereafter.

REASON: In the interests of the ecological and biodiversity value of the site and to ensure compliance with PPW 11, the Environment (Wales) Act 2016 and LDP policies S13, and NE1.

5 No lighting or lighting fixtures shall be attached to or be positioned in the curtilage so as to illuminate the elevations of the building.

REASON: To ensure retention of roosting/foraging opportunities for Species of Conservation Concern and to ensure compliance with LDP Policy NE1.

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

REASON: To ensure that there is no adverse impact on local amenity and to protect the River Usk SAC in accordance with LDP Policies EP1, RE5 and NE1.

INFORMATIVES

1 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.

2 We advise you consider the requirements applicable to the holding which come into force under the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021. With regard to nutrient management requirements, phosphorus should be considered in addition to

nitrogen. Incorporating organic manures into the soil as soon as possible reduces odour, ammonia loss and the risk of run-off.