

**Application Number:** DM/2023/01198

**Proposal:** Erection of 2 No. additional poultry units and associated infrastructure on established poultry farm

**Address:** Coombe Farm, Cwm Mill To Shirenewton, Shirenewton, Chepstow

**Applicant:** Mr. Gareth Adams

**Plans:** Location Plan Drawing 2 Rev B - , Site Plan Drawing 3 Rev B - Proposed Site Plan, Site Sections Drawing 8 - Pond Sections, Other GI Statement - , Flood Consequence Assessment Surface Water Management - Lidar Ligit, Ecology Report PEA V3 - , Elevations - Proposed Drawing 4 - , Drainage Drawing 5 - Site Drainage, Section Plans (Building) Existing Drawing 6 - , Landscaping Plan Drawing 7 - , Site Plan Existing Site Plan - , Other Planning Statement - , Landscape Visual Impact Assessment LVIA - , Other Noise Impact - , Other Ammonia Report - , Other Manure and Dirty Water Management Plan - Ian Pick Ass., Other Odour Impact - , Other Pollution Prevention Plan - ,

## **RECOMMENDATION: REFUSE**

Case Officer: Kate Young Date  
Valid: 27.09.2023

**This application was presented to Planning Committee in October 2024 and was subsequently approved subject to conditions. The application was then the subject of a Judicial Review and it was decided that the proposal was EIA development under Schedule 2 criterion 1(c) of the EIA Regulations and that an Environmental Statement should have been submitted. The decision was therefore quashed and returned to the local planning authority to determine. The applicant has now submitted an Environmental Statement, all interested parties were reconsulted and the application was advertised accordingly. The previous report (October 2024) is attached below.**

### 1. Proposal Description

The applicants have submitted a planning application for the erection of 2 No. additional poultry buildings and associated infrastructure at Coombe Farm, Shirenewton. The existing poultry unit at Coombe Farm extends to four poultry sheds, and currently accommodates 220,000 birds in total. The two additional sheds will each accommodate 42,000 birds. As part of the proposals, the whole site (existing and proposed poultry houses) are to permanently adopt the new higher welfare, lower stocking density. As a result of this, the existing sheds will reduce from their current capacity of 220,000 birds, down to 168,000 birds. Following the development, the overall capacity of the site will be 252,000 birds.

## **2.0 REPRESENTATIONS received since the submission of the Environmental Statement.**

### 2.1 Consultation Replies

#### **MCC Ecology - Holding Objection**

Insufficient information has been provided for the Local Planning Authority to appropriately fulfil our duties under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and Environment (Wales) Act 2016. The proposals are not compliant with

### Scoping

A formal scoping opinion was not sought from the LPA. The ES does not identify aspects of the environment which could be affected by the proposal, hereafter referred to as key receptors. The ES has scoped in 'Ecology and Ammonia', and 'Amenity Issues', and has scoped out 'landscape and visual impacts' and 'manure and dirty water management'. These comments relate only to issues which impact on ecology and environmentally sensitive features.

The Biodiversity Officer disagrees it is appropriate to scope out impacts from mature and dirty water management. EIAs need to consider the potential likely significant effects regardless of location, local planning boundaries, or indeed national boundaries. There is potential for significant impacts on key receptors as a result of waste management and therefore it is necessary to consider these potential impacts, and how they will be mitigated as part of the EIA process.

Other key receptors which have not been identified in the scoping include impacts on ground water (the site is within the source protection zone), surface water features, air quality, and particulate matter. The impacts of climate change have not been identified. Scoping should also be used to consider alternatives to the project; the ES has stated that no other alternatives have been considered and offered no justification for this.

The forecasting methods identified in Section 2.10 have identified the survey methods used for habitat surveys, but has not identified how impacts have been assessed. A statement of the relevant expertise and qualifications of the consultants that have produced the report has not been provided with the application. The ES does not meet the requirements of Regulation 18 (5, a and b).

### Potential Environmental Effects

The potential environmental effects have not been adequately identified or assessed. The ES does not meet the requirements of Schedule 4 of the regulations. An ES is required to provide:

- A description of baseline scenario of the current status of the environment in and around the development, and evaluation of trends within the environment to consider how the environment would change without any development
- A description of key receptors likely to be impacted by the proposals
- A description of likely significant effects on key receptors as a result of construction, pollutants, etc. including direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development.

The ES refers to the original phase 1 habitat survey and ammonia report that were submitted with the application and are also included as appendices to the ES. As per the first biodiversity officer comments (dated May 2023), Preliminary Ecological Appraisal reports are not appropriate to inform planning applications unless it can be determined that the project would have no significant ecological effects. The PEA report only considers impacts on site and does not identify protected sites and environmentally sensitive areas within an appropriate buffer zone of the application. The ammonia report has identified receptors in protected sites but does not provide any impact assessment. The Environmental Statement does not include any additional assessment to rectify this issue.

CIEEM guidelines for Ecological Impact Assessment identify how potential ecological impacts should be considered for both EIA and non-EIA developments. These standards have not been met in any of the documents submitted.

### Mitigation

One of the key requirements of an EIA is that potential impacts, where identified, are avoided or reduced if at all possible. The application must demonstrate that it follows the mitigation hierarchy to avoid, reduce and abate impacts at source, abate impacts at receptor, followed by repairing impacts and finally compensation.

A revised Environmental Statement is required which demonstrates that a rigorous and systematic methodology has been followed in accordance with Regulation 18 and Schedule 4 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## Phosphates

The proposal will generate phosphates in the form of solid waste and dirty water arising from shed cleaning. The proposed manure management plan is to transport solid waste to an anaerobic digester plant near Lydney, and wastewater will be disposed of via a licensed WwTW (not specified). Natural Resources Wales are the statutory consultee for nutrient impacts and has the proper expertise to comment on whether this is satisfactory; it is out of the Biodiversity Officer's field of expertise which is not to say it is not an area of potential concern. NRW have raised concerns regarding control over the fate of phosphorus waste and the impact it might have on riverine habitats. As this has now been confirmed as EIA development, all likely significant impacts must be considered and further consideration of the onward fate of waste products is required.

## Ammonia

The proposal will generate ammonia from aerial emissions. Atmospheric ammonia and nitrogen deposition results in direct loss of species, habitat degradation and decrease in habitat resilience. The proposal includes heat exchangers on new buildings and retrofitting heat exchangers to the four existing broiler houses. The ammonia report states that heat exchangers can reduce ammonia emissions by up to 35% based on retrofitting to older style buildings. There is no data on how much difference they make to newer, more efficient style buildings.

There are five internationally designated Special Areas of Conservation within 10km and ten nationally designated Sites of Special Scientific Interest within 5km of the proposed development. Coombe Farm Woodland SSSI is less than 250m from the proposed development at its nearest point. Dinham Meadows SSSI is less than 750m away. There are 95 Sites of Importance for Nature Conservation (SINCs) and 1462 ha of ancient woodland (including ancient semi-natural woodland, restored ancient woodland, and plantation on ancient woodland) within 2km of the proposal.

The ammonia modelling report used seventy-three receptor locations in SACs, SSSIs, ammonia sensitive woodland and ancient woodland parcels in the site. Receptor locations in Coombe Valley Woodland SSSI indicate existing ammonia levels are already exceeding the upper threshold of critical load (>8%). Receptors at the other six SSSIs and ammonia sensitive woodlands are within significant critical load range (1-8%). The modelling shows a slight betterment as a result of the installation of heat exchangers, but all receptors either exceed the upper threshold or are within the significant critical load post development.

Following the NRW Guidance Note 20i (Assessing the impact of ammonia and nitrogen on designated sites from new and expanding intensive livestock units), where ammonia thresholds are between 1-8% or exceeds 8%, and existing background ammonia is exceeded, applications should look for control measures that can reduce levels to avoid exceedance. Where control measures are not available, the application could potentially be refused (G20, Table 1).

Woodland Trust have objected to the proposal and suggested that further control measures to reduce the ammonia emissions should be included in the proposal. However, NRW have not objected to the proposal on the basis of aerial emissions, citing the slight betterment in current conditions for their reasons.

The Council's Biodiversity Officer agrees with the comments from Woodland Trust that in accordance with PPW12 ancient and semi-natural woodland "are to be afforded protection from development which would result in their loss or deterioration unless very exceptionally there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss".

Further assessment of potential impacts is required and additional mitigation measures should be provided to reduce ammonia levels further, in accordance with NRW guidance.

The site is not within a nutrient sensitive catchment area for SAC rivers. The site does not fall within the Zone of Influence for major agricultural developments for any of the river or estuary SAC interest features (identified by MCC Review of Consents, JBA 2013). Should the onward fate of waste products form a consideration of the planning application, a Habitats Regulations Assessment may be required where those products enter nutrient sensitive SAC catchment. A zone of influence was not identified through the RoC for woodland habitat interest features (associated with Wye Valley Woodlands SAC). Hazards associated with this consent type are instead related to the specific development and would be assessed on a case by case basis. Pierce, Alcove And Piercefield Woods SSSI is the only component woodland of the Wye

Valley Woodlands SAC within 10km of the proposed development site. It is not an ammonia sensitive woodland listed by NRW. It was identified as a receptor in the submitted ammonia report which suggests that there would be no change between existing and proposed ammonia concentration at this receptor. Therefore, based on the information provided with the application, no pathway to affect the Wye Valley Woodlands SAC is identified and a Habitat Regulations Assessment is not required for this feature.

**Cadw** - The reports on odour and noise impacts referred to in our previous advice are now included in the environmental statement. Consequently, the submission of the environmental statement and the application area do not alter our previous advice.

**Highway Authority** - No Objection.

**MCC Public Rights of Way** - I have no further comment to make and refer to my original response dated 17th October 2023.

**Lead Local Flood Authority and SuDS Approval Body** - No Objection. SAB will be required.

### 3.1 Neighbour Notification

None Received

### 3.2 Other Representations

None Received

### 3.3 Local Member Representations

Councillor Brown – Made the following comments:

The original decision was made by the planning committee and in the light of the further information provided in the EIA then it would seem appropriate for this to go back to the committee. I have replied within the 14 day consultation for an amendment as instructed on the 15th of January but note that information on line shows that the consultation period has been subsequently extended.

In view of case law on the importance of the EIA for the consideration of planning matters in relation to poultry units, it would seem appropriate for all statutory consultees to be reconsulted prior to it going back to the planning committee in order to obtain an independent view of the EIA. Hence, this is a ward Councillor referral to the planning committee.

Also the Guide for Poultry Farms GN021 for both LPAs and NRW can be found at the following link which I mentioned when the application was being considered at the Planning Committee.

It is not just the River Wye area but includes ancient woodlands. It is important to note that this guide is not just for NRW but for Local Planning Authorities to consider as well. The consideration of a need for an EIA is listed as point 17 in the Appendix.

In addition, it would be helpful if both the Shirenewton Community Council were formally consulted as well as the Caerwent Community Council. Whilst the poultry units are in the Shirenewton ward, the other ward impacted by properties nearby are in the Caerwent ward area.

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

## 4.0 RECOMMENDATION: REFUSE

### Reason for Refusal:

Insufficient information has been provided for the Local Planning Authority to appropriately fulfil its duties under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and Environment (Wales) Act 2016. The proposals are not compliant with

Planning Policy Wales 12, in that the application does not demonstrate that wider ecosystem resilience will be maintained and enhanced as a result of the proposal.

Previous Report (October 2024)

**This application is presented to Planning Committee at the request of the local member, Councillor Louise Brown and because there are a number of unresolved objections.**

## **1.0 APPLICATION DETAILS**

### 1.1 Site Description

Coombe Farm an existing, established poultry unit is located approximately 1.7 km to the west of the village of Shirenewton and 1.4km to the north east of the village of Llanvair Discoed. The farm is approximately 400 metres to the west of the Cwm Valley. There is a Scheduled Ancient Monument to the south of the farm. The site is within a designated Source Protection Zone and a Minerals Safeguarding Area. The predicted Land Use classification of the site is 2.

The existing poultry units were granted planning permission on 2nd June 2016 under application reference DC/16/00094 and were developed during the course of 2016, they became operational in the summer of 2017. The existing poultry unit holds an Environmental Permit, issued by Natural Resources Wales to operate with up to 220,000 birds per flock.

### 1.2 Proposal Description

The applicants propose to expand their poultry farming operations on the site and this application seeks the erection of 2 additional poultry sheds, to be located adjacent to the existing poultry units on the south-eastern side. The proposed development will increase the capacity of the site from the existing 220,000 birds up to 300,000 birds (an increase of 80,000 birds). An Environmental Permit for this proposed expansion was granted by Natural Resources Wales on 21st October 2021

This application seeks full planning permission for the erection of 2 No. additional poultry houses and associated infrastructure at Coombe Farm. The proposed poultry houses each measure 102m x 24.69m the roofs and walls would all be clad juniper green profile sheeting. Each building would have a control room attached to the southwest elevation measuring 14.345m x 4m. Additional infrastructure proposed includes 4 feed bins, a feed blending room, heat exchangers, a concrete apron adjacent to the southwest elevation of the buildings, an underground dirty water tank, a drainage infiltration basin, an access road to link the development to the existing internal farm access and a new attenuation pond.

This is a major application and has been advertise as such. The application is supported by the following reports:

Pre Application Consultation Report (PAC)  
Design and Access Statement  
Ecological Report  
Landscape and Visual Impact Assessment  
Noise Impact Statement  
Ammonia Report  
Odour Impact Assessment  
Manure and Dirty Water Management Plan  
Pollution Prevention Report  
GI Statement  
FCA and Surface Water management Plan

## **2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2023/00578	Erection of 2 No. additional poultry units and associated infrastructure on established poultry farm.	Pending Consideration	

DM/2023/01198	Erection of 2 No. additional poultry units and associated infrastructure on established poultry farm	Pending Determination	
DC/2012/00531	Agricultural building for storage of machinery	Approved	31.01.2014
DC/2010/00131	Hedgerow removal	Approved	19.04.2010
DC/2016/00094	Erection of 4 no. agricultural buildings for broiler rearing together with associated feed bins, hard standings, access and attenuation pond. (accompanying Environmental Statement).	Approved	02.06.2016
DC/2012/00384	Erection of 1no wind turbine and associated works		25.01.2013

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

#### **Strategic Policies**

S10 LDP Rural Enterprise  
S12 LDP Efficient Resource Use and Flood Risk  
S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S15 LDP Minerals  
S16 LDP Transport  
S17 LDP Place Making and Design

### **Development Management Policies**

RE4 LDP New Agricultural and Forestry Buildings  
RE5 LDP Intensive Livestock/Free Range Poultry Units  
SD4 LDP Sustainable Drainage  
LC1 LDP New Built Development in the Open Countryside  
LC5 LDP Protection and Enhancement of Landscape Character  
NE1 LDP Nature Conservation and Development  
EP1 LDP Amenity and Environmental Protection  
M2 LDP Minerals Safeguarding Areas  
DES1 LDP General Design Considerations

### **Supplementary Planning Guidance**

Green Infrastructure April 2015:  
<http://www.monmouthshire.gov.uk/app/uploads/2015/07/GI-April-2015.pdf>

#### National Planning Policies (If Any)

Technical Advice Note 6 - Planning for Sustainable Rural Communities (2010):  
<http://gov.wales/docs/desh/policy/100722tan6en.pdf>

## **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 12**

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.

## **5.0 REPRESENTATIONS**

### 5.1 Consultation Replies

#### Shirenewton Community Council - Object

The Councillors' concerns expressed in their response to the pre planning application have not been fully met by the application as the Councillors seek reassurance by ongoing monitoring that ground and water sources are not being contaminated, and that a reduction in the escape of toxic chemicals and gases (particularly phosphates nitrates and ammonia) and noise and odour from the site as a whole will be addressed. Compliance with the Manure and Dirty Water Management Plan should be made a condition were MCC minded to grant consent together with ongoing regular monitoring of the stream water and aquifers, and of air pollution, and a condition limiting lorry movements to the working week both for construction works and operation of the facility.

#### Highway Authority - No objection

#### MCC Environmental Health No objection

Confirms that this department has received no complaints of noise or odour from the operation of the farm in recent years.

Cadw - Having carefully considered the information provided, we have no objection to the proposed development in regards to the scheduled monuments or registered historic parks and gardens.

#### GGAT -

The application is located within 160m of the Scheduled Monument of Llanmelin Wood Hillfort (Cadw reference MM024) of Iron Age date. There is potential for encountering archaeologically significant remains during the proposal, which will require mitigation.

Suggests a condition requiring the applicant to submit a detailed written scheme of investigation for the implementation of a programme of archaeological work to protect the archaeological resource.

#### NRW -

Concerns regarding the intention for all manure and contaminated water to be taken off site.

While the proposal to export manure to an AD facility and contaminated water to a licensed WwTW provides you with immediate details of the intended destinations for these materials, there does not appear to be any certainty about whether these arrangements can be secured for the lifetime of the development.

The inputs of manure from the proposed development will contribute to the phosphorus content of the digestate, as the phosphorus load from the manure will be retained in the resulting digestate, the onward fate of the digestate should be considered by your Authority as a material consideration.

We are not in a position to comment on the Regulations which govern spreading of digestate in England. However, with regard to the Control of Agricultural Pollution (Wales) Regulations 2021 (CoAPR), we are not satisfied that

the CoAPR currently have adequate controls to protect rivers (either within or outside river SAC catchments) from the risk of phosphorus loss from land spreading of manures / slurries or agricultural digestate.

As such, we remain concerned with the application as submitted. In our opinion, the regulatory controls which are relevant to the manures and contaminated water that would be generated by the proposed development are not sufficient to prevent inappropriate discharges of phosphorus to the river environment. To address these concerns, we would expect the applicant to demonstrate that a robust and enforceable chain of custody was in place for the fate of manures and contaminated water from the site, controlling the location, beneficial use and method of land spreading.

Ultimately, however, we acknowledge this is a matter for your Authority to address as the decision maker.

#### MCC Landscape and GI - No objection subject to conditions



The application is supported by a LVIA guided by the GLVIA ed 3.

The proposed built form will not significantly adversely change the underlying landscape character of the area or have a significant adverse visual impact.

Welsh Government- Agricultural Land Quality Department

The Department does not hold any information on detailed ALC field surveys for the site.

According to the Predictive ALC Map for Wales, part of site is at best Subgrade 3a, with the remainder of redline boundary within the existing farmyard.

Exceptionally in this case, due to the small size of the site, the Department does not recommend an ALC field survey is undertaken. It will be for the determining authority to take a view on this application in respect of BMV policy

Public Rights of Way - No objection

Public Footpath 72 in the community of Shirenewton which runs adjacent to the site.

MCC Ecology -

The biodiversity officer recommends that further detail on management of phosphorus waste is provided in accordance with NRW recommendations and additional control measures are required to reduce ammonia emissions.

The biodiversity officer maintains that the proposal as is submitted will result in a negative impact on ecosystem resilience and is therefore contrary to PPW12 and LDP Policy NE1. However, if you are minded to proceed with the application conditions will be required for:

- Construction Environmental Management Plan
- Lighting Strategy
- Ecological Enhancement Plan
- Green Infrastructure Management Plan

Lead Local Flood Authority and SuDS Approval Body -

The current design is unlikely to gain SAB approval, but I am confident that a design could gain SAB approval. This might however mean significant changes to the blue/green element of the site plan. The place to work this detailed design out is probably through the SAB approval process.

We have previously recommended that the applicant takes SAB pre-application advice.

## 5.2 Neighbour Notification

Letters of objection received from seven addresses

Increase in odour for residents, walkers, cyclists and riders

It is in an area surrounded by SSSI, Ancient Woodland and a CADW site

Run off could end up in the nearby Castrogi Brook.

It is not possible to time the operation to coincide with winds blowing in a favourable direction.

Neighbours were not consulted.

It is unlikely that the installation of heat exchangers at Coombe Farm will result in a 35% reduction in the emission factor.

I object to the manure/waste water plan

Intensive farming is detrimental to the waters, flora and fauna due to the way the waste is disposed of.

Discharges will exceed thresholds set by NRW this will no doubt also spread further afield and affect other areas negatively.

Ground water may be being compromised due to disposal of waste and the build-up of nitrates and antibiotic residue.

The four existing sheds already exceed the threshold guidelines

The proposals are not consistent with Local Development Plan policies which are to protect nature, the extra chickens will have an unacceptable adverse impact on biodiversity.

Intensive farming has a detrimental effect to the waters and environment in general.

Ammonia is a pollutant with adverse environmental impacts

Even with heat exchangers, it seems likely that the discharges from the four sheds alone will exceed NRW's tolerances

Although water and waste from the new sheds will be removed there are risks from spillage and the continued use and disposal of the manure and waste water produced by the existing sheds. Any run-off risks polluting the aquifers used by neighbours' bore holes and causes more general environmental harm.

Contrary to Local Development Plan policies EP1

The Background details to the ammonia report is incorrect there are more properties affected than specified

Pollution prevention methods should also be applied to the existing facility

Should the application be for 100,000 birds in addition to the existing permission for

200,000 Has any environmental monitoring been carried out and, if so, what is the result?

The size of the poultry facility is already as big as the local environment can reasonably be expected to bear.

A lot of surface water and seepage disappears into local sinkholes, and into the Chepstow Aquifer which is a source of drinking water

We have noted the amount of weed build up in Castroggi Brook has increased considerably since the chicken barns. We are convinced this is due to nitrate and other chemical build up in the ground water.

We object for our health, the health of the local land and the health of our planet.

### 5.3 Other Representations

Woodlands Trust-Objects

Potential deterioration of a number of ancient woods designated on Natural Resources Wales'

Ancient Woodland Inventory (AWI). We consider that an application must be able to demonstrate that any resulting increase in the levels of ammonia and nitrogen deposition will be insignificant (less than 1% of the critical level and load) at all ancient woodland sites.

### 5.4 Local Member

Representations Councillor

Louise Brown

The community council responded to the pre-application consultation and their concerns have not been fully met The management of manure and water only relates to the proposed new two additional units not the existing ones.

Public objectors have mentioned the smell and odour of the 4 existing units.

The modelling in the Ammonia report is contradictory in that it assumes a 35% reduction based on heat exchanges and does not take account of comments about this not being the case for modern housing.

There is concern about the local Brooks with the need for ongoing monitoring that ground and water sources are not being contaminated to stop the escape of toxic chemicals and gases.

The issue of the pollution of the River Wye with phosphates due to chicken manure poultry farming can be easily found by an internet search. Whilst this is not in that immediate area, the Brook is showing signs of increased weed build up in Cas Toggi Brook since the Chicken Barns.

In view of the number of objections, I wish the application to be considered by the planning committee.

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

Paragraph 5.6.8 says 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.

Paragraph 5.6.9 says Care should be exercised when considering intensive livestock developments when these are proposed in close proximity to sensitive land uses such as homes, schools, hospitals, office development or sensitive environmental areas. In particular, the cumulative impacts (including noise and air pollution) resulting from similar developments in the same area should be taken into account.

#### MCC Local Development Plan Policy

Policy S10 of the Local Development Plan refers Rural Enterprise and supports development that enables the diversification of the rural economy, provided that its scale and type are compatible with the surrounding area and it will cause no unacceptable harm to the surrounding landscape. The existing poultry unit has been operating from the site for many years, so the principle of a poultry unit in this location is already established.

Policy RE4 of the LDP refers to new agricultural and forestry buildings and says they will be permitted where they are reasonably required for agricultural purposes, where waste can be suitably disposed of and where they comply with policy LC1 (landscape). On the first point, it can be seen that the buildings are reasonably required to expand an existing agricultural enterprise. The effective management of the waste will be discussed in greater detail, later in the report. The principle of two new poultry sheds adjacent to the existing sheds on an established enterprise, is acceptable in policy terms.

Policy RE5 of the Local Development Plan seeks to achieve a balance between the economic production of food and the protection of amenity and the environment. The policy permits the principle of intensive poultry units providing the following criteria is met.:

Intensive livestock or free range poultry production units will be permitted subject to the following criteria:

- 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;
- 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;
- c) units that have serious implications for the surrounding highway systems network will be resisted;
- d) the unit is designed, and uses appropriate technology, to minimise the nuisance of smell, noise and water pollution;
- 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.

f) the proposal complies with Policy LC1

The proposed development has been designed to comply with the requirements of the Environmental Permitting Regime which imposes strict standards for the protection of the environment. The Environmental Permit for this development has already been granted by Natural Resources Wales.

Coombe farm is an isolated unit with no nearby neighbours. The nearest neighbours are over 400m away and therefore the proposal is not considered to cause unacceptable noise nuisance nor have an unacceptable impact on neighbours properties in terms of foul smells. The Councils environmental health officers have been consulted and offered no objection.

Although the footprint of the buildings are large the heights are low. The maximum ridge height of the buildings is only 6.5 metres. The two new buildings will be located next to the existing ones which will help to reduce their visual impact in the wider landscape. The proposed buildings will be set at a lower level than the existing ones with the land level of the application site being about 4.5m lower than the finished floor levels of the existing poultry units. The proposed units are sited so as to minimise their visual impact and are sited adjoining existing groups of buildings. The Highway Authority has no objection to the proposal. The highway impacts of the existing and proposed developments are managed through a routing strategy which enables HGV vehicles to access the site following the applicants internal farm roads which link to Crick Road. The design of the unit includes Best Available Techniques (BAT) to minimise nuisance, including high speed roof fans and heat exchangers. The site is designed with a sealed dirty water containment system to avoid the potential for water pollution. The proposed new units will form part of an established poultry unit and will not result in the need for a new Rural Enterprise Dwelling.

The above demonstrated that the proposal is compliant with the requirements of policy RE5 of the LDP.

## **6.2 Sustainability**

The proposed development incorporates sustainable technology in the form of heat exchanger units which reduce the heating demands of the building using heat recovery techniques and are also accredited for emissions reductions.

### **6.2.1 Good Design**

The proposed buildings are of very similar scale and design to the existing poultry buildings on the site. Each poultry building measures 102m x 24.69m with an eaves height of 3m and a ridge height of 6.437m. The attached control rooms on the southwest elevations measuring 14.345m x 4m. The total floor area of each building is 2485 sq m. The development also includes an additional building being a small feed blending room which measures 16 sq m. The design of the buildings reflects their function and are not visually prominent in the wider landscape. The sheds will be constructed in juniper green profile sheeting which is considered acceptable in this location and will match the colour of the existing sheds on the site. The proposal accords with policy DES1 of the LDP as the design is acceptable in this case.

## **6.3 Landscape**

The site and context is located in the open countryside and currently consists of an existing poultry farm complex and associated outbuildings, access and infrastructure set within a rural agricultural setting of fields, hedge and woodland. To the south of the site lies a PROW, to the east a buried gas main and within the site is an existing mature hedge. Further to the west the site lies NRW ancient semi natural woodland SSSI coombe valley wood, to the south of the site lies Llanmelin hillfort SINC and to the north further woodland with fields, mature trees and hedge to immediate site boundaries and to the east. The proposal seeks to include a replacement hedge. The application site is adjacent to existing similar structures in terms of architectural form, function size and colour. The application is supported by a LVIA and landscape plan.

The structures, although large are adjacent to an existing cluster of similar structures of similar architectural form, size and colour. The proposal is set at a floor level 4.5m below that of existing. This broadly reflects the changes in the landscape topography. The proposed structures although set a lower level to the existing will appear at ground / field level as seen from the south and southeast looking north within the context of a gently undulating foreground topography and

backdrop of existing structures creating a perceived taller elevation of overall development. A replacement native species hedge is welcome but would be considered to be insufficient to fully mitigate for the cumulative visual impact. Additional planting and detail are required to support the proposal to demonstrate a more effective integration of structures and feed bins into the landscape. It is suggested that a revision to the landscape plan should include new native species broadleaf trees such as oak within both the hedge and within the immediate area of the adjacent field with appropriate stock protection. This will add height and depth to the mitigation proposals as well as reflect both existing hedgelines within the local landscape and that of the existing former field boundary trees to the south and east of the site which are a characteristic of this localised landscape. This will be requested by condition.

From a policy perspective LC5 Protection and Enhancement of Landscape character highlights that development will be permitted provided it would not have an unacceptable adverse effect on the special character or quality of Monmouthshire's landscape in terms of its visual, historic, geological, ecological or cultural aspects.

It is considered from a Landscape and GI perspective that the proposed built form will not significantly adversely change the underlying landscape character of the area or have a significant adverse visual impact as assessed by the submitted LVIA and on-site assessment.

Policy LC1 allows for new build in the open countryside if it is justified for agricultural purposes. The two new buildings will be located close to an existing group of farm buildings and are of a form, bulk and size that respects the rural character of the area. The new buildings will satisfactorily assimilate into the landscape and will, with mitigation, not adversely impact on the landscape. The proposal therefore accords with the objectives of policy LC1 of the LDP.

The two new buildings will not cause a significant visual intrusion in the wider landscape due to their relatively low height and close proximity to existing poultry units on the site. The character of the natural landscape- will not be adversely altered and the proposal is to expand an existing enterprise and the new sheds will be located within the farm complex. The two new poultry shed and associated structures will accord with the objectives of policy LC5 of the LDP in that they will protect the landscape character of the area.

PPW12 (paragraph 6.2.12) requires a Green Infrastructure Statement (GI) to be provided with all planning applications. In this case a GI Statement has been submitted this concluded that

The development has been designed to maintain existing green corridors present around and within the site where possible and existing connectivity opportunities to the wider landscape are enhanced, negative impacts have been kept to a minimum and measures have been identified to compensate those which have been identified as unavoidable to deliver the necessary improvements at Coombe Farm.

The loss of 170m of hedgerow and a small area of dense, continuous scrub will be compensated through the planting of 270m of new native species-rich hedgerow. The new hedgerow has been positioned so that it will enhance the retained features and the species have been selected to provide increased benefits for biodiversity at the site.

The proposal involves a new attenuation pond which will be formed by building a earth embankment over 8 metres high on sloping ground. The pond is some distance from the main publicly access area i.e. on the road and has some trees in the foreground and undulating ground as viewed for the south however further along the lane there are clearer views across the undulating ground and a earth bund may provide an opportunity with additional planting to integrate structures set back within the cluster of buildings to be screened.

## **6.4 Historic Environment**

Scheduled Monuments MM001

Caerwent Roman City

MM024 Llanmelin Wood Camps

MM031 Grey Hill Stone Circle MM047

Llanvair Castle

MM152 Whitewall Brake Roman Site

MM153 Dinham Castle

MM179 Round Barrow 250m North East of Five Lanes MM289

Cewere Quarry and Limekiln, Llanvair-Discoed

MM341 Royal Naval Propellant Factory Guided Weapons Scheme Static Firing Bay

MM350 Five Lanes Roman Site

MM352 Royal Naval Propellant Factory Caerwent Nitro-glycerine Hill PGW(Gt)46(MON)

The above designated historic assets are located inside 3km of the proposed development, but intervening topography, buildings and vegetation block all views between them except for scheduled monument MM024 Llanemelin Wood Camps. Consequently, the proposed development will have no impact on the settings of these designated historic assets other than MM024.

The proposal is located some 100m north of scheduled monument MM024 Llanemelin Wood Camps at its nearest point: the annexe (see below).

MM024 Llanemelin Wood Camps comprises the remains of a hillfort, which probably dates to the Iron Age period (c. 800 BC - AD 74, the Roman conquest of Wales).

Situated near Caerwent (Venta Silurum), the site is a small multi-ramparted hillfort and was excavated in the early 1930s by VE Nash Williams. It is made up of two features: the main camp, an elliptical enclosure defined by multiple earthwork ramparts following the 100-metre contour and covering approx. 2.2 hectares, and a narrow rectangular 'annexe' butting onto the main camp and measuring approximately 120 metres by 70 metres. There is no direct communication between the two. The main camp has a single narrow in-turned entrance in the inner of the two angles formed by the junction of the camp and annexe. Entry into the annexe is via a gap in the bank furthest from the camp with no evident defensive features. The annexe is bounded by a multi-bank and ditch system on its longer side and by a single bank and ditch on the other. Inside it are a series of transverse banks and ditches that divide it into three separate bays, with the central one being twice the length of the others. The outermost is bisected by another bank and incorporates the entrance into the annexe. There are no obvious entry points into the other two bays. A track leads up to the annexe and a nearby earthwork enclosure that also shows evidence of Iron Age occupation.

Nash-Williams' excavation of the main camp entrance demonstrated two structural phases: the first in which the inturned bank was strengthened with timberwork with the addition of a timber revetment or possibly a defensive platform, and the second in which the timberwork was demolished, the bank heightened and revetting both sides around the inner end with dry-stone walling and the butt end of the opposite bank also revetted. A layer of trodden occupation soil and a few potsherds in the passageway suggest these alterations post-date the original creation of the entrance. It has been suggested that the restructuring may have occurred around AD 50 in possible response to threats from the Roman army at Caerleon.

The excavations in the annexe indicate that it was constructed slightly later than the main camp, and that the original settlement probably consisted of the camp and the separate 'outpost'. Occupation within the annexe shows two phases, with the transverse banks overlying hearths in two places. The apparently abrupt end of occupation circa AD 75 may indicate forcible relocation of the native population to establish the new Roman town of Venta Silurum (Caerwent), which under Roman control served as the administrative capital of the Silures. The remains of stone buildings within the camp with finds dating from the late 12th to the early 13th centuries point to a short-lived period of reoccupation during the Middle Ages.

The main camp was located to commanded wide ranging views in all directions. Significant views were to and from the main camp in a southward arc east to west over the Seven estuary coastal plain of the to the north linking the main camp with the annexe.

The proposal is for the erection of two additional poultry sheds to be located on the south-eastern side of four adjacent existing poultry units. The two proposed poultry houses will each measure 102m x 24.69m each also having an additional control room attached to the southwest elevation measuring 14.345m x 4m. Additional infrastructure also proposed includes; four feed bins, a feed blending room, two heat exchangers, a concrete apron adjacent to the southwest elevation of the buildings, an underground dirty water tank, a drainage infiltration basin, and an access road to link the development to the existing internal farm access.

The proposal lies within an identified significant view and will introduce additional and substantial built form closer to the monument than is currently present. However woodland cover on both the slopes of the main camp and within the annexe will significantly screen views of the proposed development which will also be seen set against the existing substantial complex of agricultural buildings. The pre-application is accompanied by an Odour Impact Assessment produced by AS Modelling & Data Ltd that concludes that odour exposure in the vicinity of the annexe at the nearest point

would be below accepted levels. The pre-application is also accompanied by a Noise Impact assessment produced by Matrix Acoustic Design Consultants which concludes noise levels modelled at a point close to the annexe will be negligible. As such whilst there may be a slight change in the view from the scheduled monument this and the modelled acceptable levels of odour and noise means the proposed development will not have any effect on the way that the monument is experienced, understood, and appreciated. Consequently, Cadw finds that the proposed development will have no impact on the setting of scheduled monument MG024.

GGAT consider that there is potential for encountering archaeologically significant remains during the proposal, which will require mitigation, they recommend that a condition requiring the applicant to submit a detailed written scheme of investigation for the implementation of a programme of archaeological work to protect the archaeological resource should be attached to any consent granted.

## 6.5 Waste Disposal

The proposed buildings will be used for the rearing of broiler chickens from day old chicks through to finished table weight. Chicks are delivered on day 1 of the flock cycle and reared within the building for up to 38 days, following which they are removed from the site for processing. At the end of the flock cycle, the buildings are empty for 10 days for cleaning and preparation for the next flock of birds. The site operates with 7.6 flocks per annum. The whole site of 6 poultry buildings (4 existing and 2 proposed) will operate on the same production cycle and will be filled and emptied at the same time.

At the end of each flock cycle, the buildings are cleaned out and prepared for the next batch of birds. The cleaning process involves the removal of the manure with a mechanical loader and the manure will be loaded into sheeted trailers and removed from the site for disposal via the Anaerobic Digester Plant at Plusterwine Farm, Woolaston, Lydney. A copy of the Manure Management Strategy has been submitted with the planning application. Following the removal of the manure, the buildings are power washed. The inside of the buildings have a smooth floated concrete floor, which is drained into a dirty water containment tank which will be located to the southwest of the concrete apron. The dirty water tank will be emptied by vacuum tanker following the cleanout process and disposed of via formal waste contract at a waste water treatment works. The poultry farm is a permitted installation by NRW. The site has a fully sealed dirty water containment system which is part of the Environmental Permit requirements. The site is also regularly inspected by NRW. The design of the site is such that there is no potential for contaminated materials to escape from the site.

NRW say in their consultation response of the 22nd March 2024 that they are satisfied with the proposal set out in the Management Plan stating that the method of disposing of dirty water is via a WwTW and the solid waste to a AD facility in England, but NRW have concerns about whether these arrangements can be secured for the lifetime of the development. Planning officers acknowledge that the current/proposed method of disposing of the waste from the sheds at the end of the flock cycle is considered to be acceptable by NRW but do not think that it is reasonable to require this for the lifetime of the development which could be many decades in an ever changing world. Instead planning officers are suggesting a condition which says the disposal of waste shall be carried out in accordance with the Management Plan and if at some time in the future the content of the plan changes the changes shall be approved by the LPA. This gives assurance that the management of waste is controlled by the existing management plan and allows for any unforeseen changes while still maintaining control over the disposal of waste.

NRW also have concerns with regards to the onward fate of the waste and downstream emissions once it has left the AD. Planning officers consider that it is within their remit to consider the waste process within the redline of the planning application but that once the waste has left the farm it is controlled by other regulations and permits, it is not appropriate for the planning system to consider it as a material planning consideration. The major concern from NRW- related to the fate of the solid waste once it has left the digester because they are aware that the Control of Agricultural Pollution (Wales) Regulations 2021 (CoAPR), are not adequate controls to protect rivers (either within or outside river SAC catchments) from the risk of phosphorus loss from land spreading of manures / slurries or agricultural digestate. However in this case the solid waste is going to a permitted AD in England and as NRW say in their letter of the 22nd March they acknowledge that they are not in a position to comment on the Regulations which govern spreading of digestate in England. That is for the Environment Agency in England to consider and

is controlled by its own permitting regulations. NRW would like the applicant to demonstrate that a robust and enforceable chain of custody was in place for the fate of waste but ultimately, they acknowledge this is a matter for the LPA to address. The LPA does not consider this to be a material planning consideration that should be addressed by this planning application.

The AD facility in Lydney is existing and has a permit to process a certain amount of waste per year. If the additional waste from Coombe Farm was not brought to the Lydney digester, presumably the equivalent amount of waste would be brought to the plant from other farms therefore by refusing this application, we would not be reducing the waste processed at the facility. The AD plant is a separate licensed waste facility with an Environmental Permit and is allowed to take up to 36,500 tonnes of waste per annum. The digestate that will be produced will not be produced as a consequence of the proposed development; digestate will be produced as a consequence of the operation of the AD Plant, with, or without, the proposed development. The manure from this development will simply be part of their permitted processing tonnage, and in the absence of this development, the AD plant will simply acquire their waste from elsewhere and produce the same amount of digestate. Planning Officers are of the opinion that consideration should only be given to the disposal of waste until it leaves the farm and not its ongoing destination, from there it is controlled by other regulations both in England and in Wales.

## **6.5 Biodiversity**

The application is supported by a Preliminary Ecological Appraisal (produced by Craig Emms and Dr Linda Barnett Consultant Ecologists, dated April 2023), the PEA is not informed by a biodiversity data search in accordance with best practice. An addendum to the PEA report has been provided to include further justification for the position on dormouse surveys. The habitat is considered suboptimal and unconnected. The biodiversity officer is satisfied that considering the type and scale of habitat affected which is suitable for dormouse, risks can be managed with a non-licensed method statement.

The proposal has included replacement hedgerow and some trees to provide net benefit. For this type of proposal we would expect more habitat creation and enhancement to be proportionate to the scale and nature of development. Part of delivering net benefit is securing long-term management, details of which should be provided in a Green Infrastructure Management Plan (or Landscape and Ecology Management Plan) which identifies retained and created features to be managed, supported by appropriate plans, and include appropriate management prescriptions that are site specific and achievable.

No additional information has been submitted to address concerns on wider ecosystem resilience as a result of phosphate and ammonia. The proposed application is located within the Nedern Brook catchment and a Drinking Water Protected Area (Source Protection Zone). NRW have raised concerns regarding control over the fate of phosphorus waste and the impact it might have on riverine habitats however all waste from the site, which is bio secure, will be removed from the site in sealed vehicles and will not be able to enter the local water course.

In October 2021 NRW granted a variation to Coombe Farm Environmental Permit to add two additional houses to increase the number of broilers by 80,000 to a total of 300,000. A copy of that permit, EPR/EP3232AD, has been submitted as part of this application in the Design Access and Planning Statement.

### **Aerial Emissions (Ammonia)**

An ammonia report was submitted in support of this application. NRW advise that in the absence of mitigation, there may be nutrient enrichment which could affect the surrounding SSSI' causing habitat degradation. As the report was published in 2021, NRW would normally advise that the air quality modelling is revised to include the most up-to-date data for background ammonia concentrations.

However in this case NRW say they are aware that the background ammonia concentrations have decreased since 2021. The ammonia report states that the background ammonia concentration is 1.64 µg-NH<sub>3</sub>/m<sup>3</sup>; the data now available on the APIS website states that the background ammonia concentration is 1.48 µg-NH<sub>3</sub>/m<sup>3</sup>. NRW conclude that, in this instance, in view of the reduction in background concentrations, they are satisfied that there is no need to update the modelling report.



The current poultry units are contributing to almost 25% of the Critical Levels for Coombe Valley Woods SSSI and Dinham Meadows SSSI. As concluded within the ammonia report (first bullet point, page 35), the exceedances of the Critical Levels for the SSSIs will be reduced only if heat exchangers are fitted across the farm in all poultry units. The EPR permit variation EPR/EP3232AD/V004, which was granted in 2021, stipulates that 'heat exchangers are installed to all six houses to mitigate emissions from the increase in bird numbers'. On this basis, NRW recognise that this will result in a slight betterment in terms of the existing air quality and therefore provided the heat exchangers are installed in accordance with the EPR permit, they raise no further concerns with regard to air quality matters.

## **6.6 Impact on Amenity**

There are ten residential properties within 1km of the site, the closest of these being The Cwm and the Cwm Annex approximately 440metres from the site.

### **Odour**

The odour impact study models data on emissions, meteorological conditions and topography, and predicts the impact at the nearest residential properties. The nearest property is approximately 340m away from the location of the proposed units. It indicates that the odour impact from the operation of the proposed poultry units will fall below the Environment Agency's H4 Odour Management guidance benchmark for odour exposure levels for odour producing activities such as poultry rearing. Furthermore, the operation will be subject to ongoing regulation including odour pollution controls under an Environmental Permit by Natural Resources Wales. Whilst some odour from the increased operation at the site may be discernible at the nearest residential properties from time to time, MCC Environmental Health Officers are not in a position to substantiate a level of problems on which to base an objection.

### **Noise**

The Acoustics Report predicts the noise impact at the nearest residential properties from plant, including the additional ventilation fans and heat exchangers, and transport noise from HGV's delivery/collection and loading/unloading using a diesel forklift. The report predicts that in a worst case scenario with all fans and heat exchangers operating at once on all sheds, and a stock/collection delivery occurring (considered an unlikely scenario) the noise impact during the day will be no more than 1dB above the typical background noise levels and 5dB below the typical background noise level in the evening. A 1dB change in noise level is considered to be imperceptible. Noise impact during the night-time is predicted to be significantly below the typical background noise level and significantly below the WHO guidelines for community noise, which recommend 30dB(A) in bedrooms during the night for a sleep of good quality. Noise from the increased operation is not predicted to result in an adverse impact. Whilst some noise may be audible from the site at the most impactive times of operation MCC Environmental Health Officer do not anticipate a level of problems on which to base an objection and they confirm that their department has received no complaints of noise or odour from the operation of the farm in recent years.

## **6.7 Access / Highway Safety**

The farm is accessed via a private track and joins the public highway along the unclassified C62.4. Under DC/2016/00094 permission was granted for the initial four sheds with a condition regarding the movement of HGVs in relation to the site, namely these being routed through a series of private tracks to bypass the nearby settlement of Shirenewton. The application has been considered as a continuation of this condition (7), which the applicant has considered as part of their access statement. The proposal represents an increase in the number of sheds from 4 to 6, a 50% increase, and an increase in the number of birds from 220,000 to 300,000, a 37% increase. The application includes a transport forecast to consider the impact of the proposal and concludes that annual movements generated will increase by 35%, 1276 to 1722, which represents ~1 additional movement per day per year. However, there will be peaks in the number of movements in relation to the flock cycle. All HGVs associated with the operation of the existing and proposed poultry units will be routed as per the approved routing plan. HGVs are routed to / from the site via the public highway and the applicants existing network of internal farm roads which link to Crick

Road, approximately 400m to the southeast of Shirenewton.

The development will result in an increase of 31 vehicles (62 movements) per flock cycle, with 7.6 flock cycles per annum, totalling an increase of 236 visits (472 movements) per annum. This represents an average increase in traffic of 0.65 visits (1.3 movements) per day which is not significant. During the normal operation of the flock, the site generates between 2 and 4 movements per day associated with feed delivery, carcass collection, gas delivery and shavings delivery. Peak movements are generated at certain times during the flock cycle, being day 1 for chick delivery, and for bird removal. Bird removal is done over 3 days, with a third at around day 30 for thinning (12 lorries/26 movements), and the remaining two thirds removed during days 37 and 38 for the flock (13 lorries per day / 26 movements). A further peak is generated when the manure is removed from the site.

The development has been designed to facilitate movement of HGVs within the site. HGVs can enter the site, turn around on the concrete apron in front of the proposed units and leave the site in a forward gear.

The highway Authority offer no objection to the proposal saying that, while the proposal does represent an increase in the number of traffic movement, the generated traffic is still directed away from the nearby residential areas. There are no highway grounds for an objection provided all HGV movements to and from the site are made in accordance with the approved HGV routing plan. That will be imposed by condition.

## **6.9 Flooding**

The site is not in a designated flood zone identified in the DAM maps of TAN 15 or the Flood Maps for Planning in the emerging TAN 15.

## **6.10 Drainage**

### **6.10.1 Foul Drainage**

At the end of each flock cycle, the buildings are cleaned out and power washed the water is drained into a dirty water containment tank which will be located to the southwest of the concrete apron. The dirty water tank will be emptied by vacuum tanker following the cleanout process and disposed of via formal waste contract at a waste water treatment works. Coome Farm has a contract with Biffa Waste Services Limited to remove poultry washing waste from site and transport to Nash Welsh Water Treatment facility, Newport.

There is also a contingency written into the Management Plan which reads as follows:

"Natural Resources Wales require a Manure Contingency Plan to demonstrate that there is contingency for storing any manure, slurry or dirty water produced at times when spreading may not be possible. Due to the proposed manure and dirty water management strategy, this issue is not relevant to this development, as the manure and dirty water are to be transported off site to licensed waste facilities. In the unlikely event that the manure cannot be moved immediately, the applicant has a concrete floor manure store on the site at Coombe Farm which can be used for temporary storage of the manure."

### **6.10.2 Surface Water Drainage**

The proposed development results in a need to remove the existing surface water drainage system (infiltration basins) for the existing development, and as a result, the proposed development includes a new drainage system for the whole site.

## **6.11 Source Protection Zone**

The site is located within Zone 1 of the Great Spring Source Protection Zone. Source Protection Zones (SPZ) are designated by Natural Resources Wales to identify the catchment areas of sources of potable water (that is high quality water supplies usable for human consumption) and show where they may be at particular risk from polluting activities on or below the land surface. All roof water down-pipes will be sealed against pollutants entering the system from surface run-off, effluent disposal or other forms of discharge. Drainage from the permit installation boundary will be regulated by NRW.

## **6.12 Public Right of Way**

Public Footpath 72 in the community of Shirenewton runs adjacent to the site of the proposed development. The footpath must be kept open and free for use by the public at all times. No barriers, structures or any other obstructions should be placed across the legal alignment of the path, and any damage to its surface as a result of works or private vehicular use must be made good. If the path needs to be temporarily closed to allow works, the applicant should apply for a temporary traffic prohibition order. The public foot path is outside the red line development boundary and the public Rights of Way officer offers no objection to the proposal.

## **6.13 Phosphates**

Under the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SAC's. NRW has set new phosphate standards for the riverine SAC's of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA. This application is outside of the SAC catchment and so will not have a detrimental impact on any protected SAC, and as a result no further assessment is required.

## **6.14 Response to the Representations of Third Parties and/or Community/Town Council**

The Local Member and Shirenewton Community Council have concerns that their representations made during the Pre application Consultation were not taken into account. Both are concerned about noise, odour and the escape of toxic chemicals. As have been explained in the main body of the report NRW have issued a permit for the proposed development to increase the capacity of the site from the existing 220,000 birds up to 300,000 birds (an increase of 80,000 birds). An Environmental Permit for this proposed expansion was granted by Natural Resources Wales on 21st October 2021. NRW are the appropriate body to control and monitor the emissions from the chicken shed. In addition, MCC Environmental Officers have reviewed the proposal and offer no objection. A robust Manure and Dirty Water Management Plan has been submitted as part of the application which shows that the solid waste is removed from the site at the end of each flock cycle by way of sealed lorries, it is then taken to an AD in England. The Dirty Water tank will be emptied by vacuum tanker following the cleanout process and disposed of via formal waste contract at a waste water treatment works. NRW have stated that they are satisfied that the Management plan is acceptable and compliance with the plan will be enforced by condition.

Local residents have also objected on the grounds of noise and odour and these concerns have been addressed in the main body of the report. The statutory authorities are satisfied that sufficient measures are in place. If the NRW thresholds were to be exceeded NRW could alter or revoke their permits.

Local residents have said that they were not consulted on the application. Letters were sent to .... Local residents and site notices were put up at the entrance to the site this complies with the statutory consultation requirements.

There have also been objections relating to the potential contamination of the ground water, aquifer and Castroggi Brook. The Management Plan in Place ensures that all waste products are removed from site in sealed vehicles there would be no possibility of the manure or dirty water entering the local water system.

Local residents have said that the proposal to expand the poultry business at Coombe Farm is contrary of policy EP1 and NE1 of the LDP, this has been discussed in the main body of the report. The proposal has included replacement hedgerow and trees to provide net benefit, in addition a condition has been imposed requesting a landscape plan which will ensure sufficient net benefit for ecology. There is no evidence to suggest that the build up of weed in the Castroggi Brook is related to the activities at Coombe Farm. There are strong environmental restrictions in place and the development is subject to an Environmental Permit therefore the proposal should not adversely affect the nearby SSSI and Ancient Woodland. One resident considers that the poultry sheds are too large. While their footprint is quite large their height is limited and they will be viewed in the context of existing farm buildings therefore their impact on the wider landscape is limited.

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

6.15.1 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.

## **6.16 Conclusion**

The existing poultry unit has been operating from the site for many years, so the principle of a poultry units in this location is already established. Policy RE4 of the LDP allows for new agricultural buildings where they are reasonably required for agricultural purposes, and where waste can be suitably be disposed of. The principle of two new poultry sheds adjacent to the existing sheds on an established enterprise, is acceptable in policy terms. The proposal complies with all of the criteria outlined in policy RE5 that relates to Intensive Livestock Units. The proposed development has been designed to comply with the requirements of the Environmental Permitting Regime which imposes strict standards for the protection of the environment. The design of the buildings reflects their function and are not visually prominent in the wider landscape. The finishing materials are acceptable in this location and will match the colour of the existing sheds on the site. The proposal accords with policy DES1 of the LDP as the design is acceptable. Policy LC1 allows for new build in the open countryside if it is justified for agricultural purposes. The two new buildings will be located close to an existing group of farm buildings and are of a form, bulk and size that respects the rural character of the area. The two new poultry shed and associated structures will accord with the objectives of policy LC5 of the LDP in that they will protect the landscape character of the area. A GI Statement has been submitted with the application.

A Manure and Dirty Water Management Plan has been submitted as part of the application. NRW are satisfied that this is adequate to control the waste at the present time. A condition will be imposed that the development complies with the Management plan and if circumstance change in the future an amended management plan will have to be approved by the LPA, this gives assurance that the management of waste is controlled by the existing management plan and allows for any unforeseen changes while still maintaining control over the disposal of waste.

Preliminary Ecological Appraisal was submitted with the applicant and amended in include dormice. Ecological net benefits are being provided in the form of additional plants a condition will be imposed to ensure that the landscaping plan contains sufficient planting of appropriate species. The proposal therefore accords with policy ME1 of the LDP.

Environmental Health Officers have consider the noise and odour assessments submitted as part of the application and offer no objection, the proposal complies with policy EP1 of the LDP.

The development has been designed to facilitate movement of HGVs within the site. HGVs can enter the site, turn around on the concrete apron in front of the proposed units and leave the site in a forward gear. The highway Authority offer no objection to the proposal saying that , while the proposal does represent an increase in the number of traffic movement, the generated traffic is still directed away from the nearby residential areas. All HGV movements to and from the site will be made in accordance with the approved HGV routing plan.

## **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 solid waste generated by the development hereby approved shall be exported to an appropriately licensed anaerobic digester facility, and all dirty waters to a licensed waste water treatment works. No solid waste or waste water, treated or untreated, shall be spread directly onto

any land. Documentary records demonstrating receipt of all exported material by the anaerobic digester facility shall be maintained by the operator of the development hereby approved and be made available to the LPA on request. The development shall comply at all times with the Manure and Dirty Water Plan submitted by Ian Pick Associated Ltd dated June 2023. If any elements of the Manure and Dirty Water Plan change in the future, in particular the final destination of any solid or water waste, a new manure and dirty water management plan must be submitted to the local planning authority and operations in sheds 5 and 6, hereby approved, shall cease until the new management plan is approved in writing by the local planning authority.

REASON: To ensure that the waste from the farm is properly disposed of both now and in the future so as to avoid pollution to the environment.

4 No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

5 All HGV movements to and from the site shall be made in accordance with the approved HGV routing plan

REASON: To ensure highway safety in accordance with policy MV1 of the LDP

6 Prior to the commencement of development full and comprehensive details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include: Detailed scaled plans, showing existing and proposed levels inclusive of proposed cross section. Proposed and existing utilities/services above and below ground.

Soft landscape details for landscaping to include planting plans, specifications including species, size, density, number and location, cultivation and other operations associated with hedge and tree planting and seeding establishment, inclusive of SUDS green engineering. Lighting strategy  
Reason: In the interests of visual and landscape amenity; in accordance with Policies DES1 & LC1/5 of the Local Development Plan

7 All soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. Planting of Trees shall be in accordance with BS8545:2014 Trees: from nursery to independence in the landscape. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and ensure the provision afforded by appropriate Landscape Design and Green Infrastructure LC5, DES 1, S13, and GI 1 and NE1.

8 A schedule of landscape maintenance for a minimum period of five years shall be submitted to and approved by the Local Planning Authority prior to works commencing and shall include details of the arrangements for its implementation inclusive of roles and responsibilities. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner, and 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.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and / or new landscape features.

9 Notwithstanding the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) 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.

10 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of "biodiversity protection zones";
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard habitats and species protected under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), and Environment (Wales) Act 2016.

11 No development shall take place until an Ecological Management Plan (EMP) providing ecological net benefit has been submitted to and approved in writing by the local planning authority. The EMP shall include the following.

1. Detailed design(s) and/or working method(s) to achieve stated objectives.
2. Extent and location/area of proposed works on appropriate scale maps and plans.
3. Type and source of materials to be used where appropriate, e.g. native species of local provenance.
4. Persons responsible for implementing the works.
5. Details of initial aftercare and long-term maintenance.

The EMP shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To provide net benefit in accordance with LDP policy NE1, Planning Policy Wales and Section 7 of the Environment (Wales) Act 2016.

12 The new poultry sheds hereby approved shall not become operational by housing any birds for any part of their life cycle until the proposed heat exchangers are fitted and are fully functional and operating across all six poultry sheds.

Reason: To safeguard habitats and species protected under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended), and Environment (Wales) Act 2016.

## **INFORMATIVES**

1 The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations and it is considered that an Environmental Statement is not required.

**NESTING BIRDS** - Please note that all birds are protected by the Wildlife and Countryside Act 1981 (as amended).

The protection also covers their nests and eggs. To avoid breaking the law, do not carry out work on trees, hedgerows or buildings where birds are nesting. The nesting season for most bird species is between March and September.