

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT
1 February 2016

APPLICATION NO:
P/2015 /0838

LOCATION:
MAELOR CREAMERY PICKHILL
LANE CROSS LANES WREXHAM
LL13 0UE

DATE RECEIVED:
02/11/2015

COMMUNITY:
Sesswick

CASE OFFICER:
MP

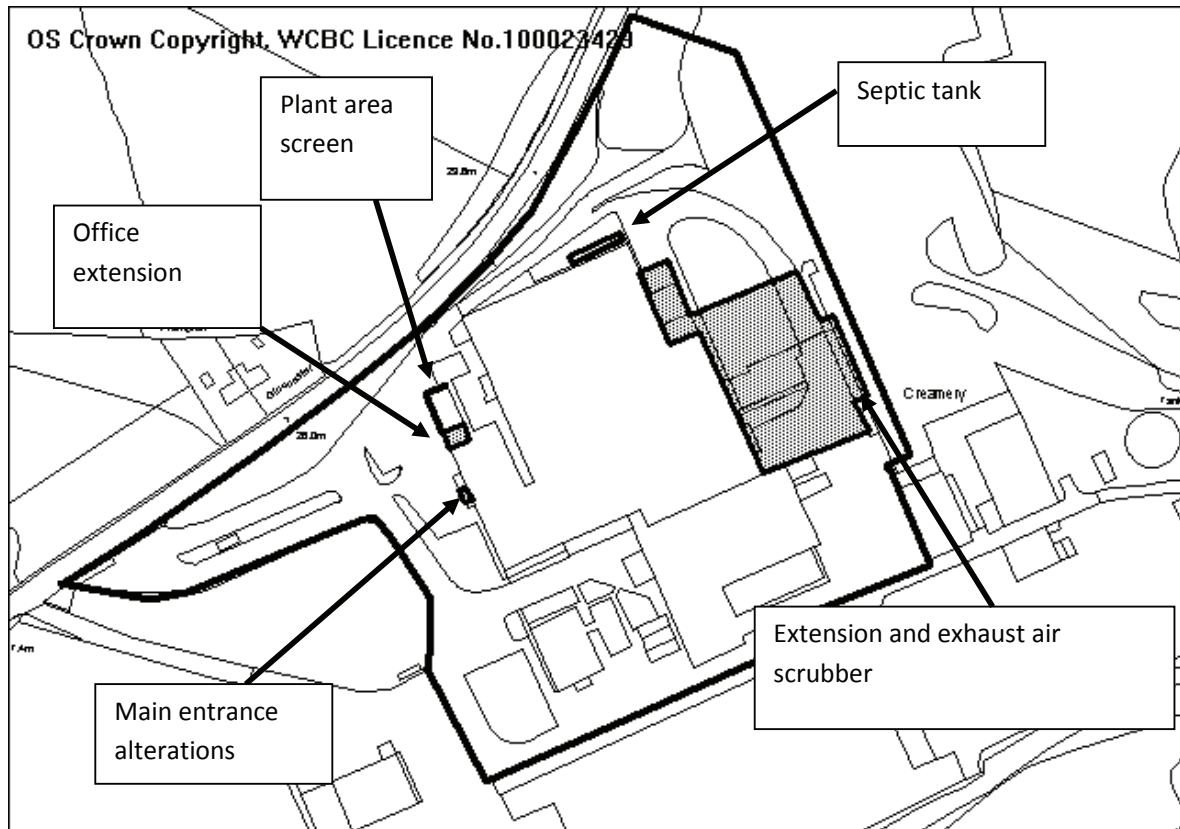
WARD:
Marchwiel

DESCRIPTION:
EXTENSION, ALTERATION AND
UPGRADING OF EXISTING
FACILITIES AND BUILDINGS
INCLUDING:-
- EXTENSION FOR COVERED
DELIVERY / LAIRAGE
- EXTENSION FOR COVERED
WASTE REMOVAL AREA
- FIRST FLOOR OFFICE
EXTENSION
- RECLADDING OF KEY BUILDING
EXTERIOR (INCLUDING MAIN
BUILDING, OFFICE BLOCK AND
TRAINING BLOCK)
- PLANT AREA SCREEN
- EXHAUST AIR SCRUBBER (EMMI)
- INSTALLATION OF PACKAGE
TREATMENT PLANT FOR
DOMESTIC FOUL SEWAGE
- ALTERATIONS TO ENTRANCE

AGENT NAME:
CASSIDY AND ASHTON
MR GUY EVANS

APPLICANT(S) NAME:
MAELOR POULTRY LTD

THE SITE



PROPOSAL

The development comprises the following:

- An extension of 2,331 sq.m to provide a covered area for deliveries and lairage;
- An extension of 370 sq.m to provide a covered area for waste removal;
- A first floor office extension (145 sq.m)
- Recladding of the building;
- A screen enclosure for plant equipment;
- An exhaust air scrubber system;
- A package treatment plant for domestic (i.e. site offices etc) foul drainage;
- Alterations to the entrance to the buildings.

HISTORY

P/2011/0750

Demolition of existing factory buildings and construction of new cheese cutting and packing plant including offices together with new chill storage warehouse. Granted 4.12.12

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P/2014/0781 Change of use to poultry processing facility. Granted
2.3.2015

DEVELOPMENT PLAN

Outside of a settlement limit. Policies PS1, PS2, PS3, GDP1, EC6, T8 and T10 apply.

CONSULTATIONS

- Community Council: Has grave reservations about the application for the following reasons:
- 1) Access on to the A525 from Pickhill Lane, even with the new 40mph speed limit, continues to be very dangerous. HGV's need to occupy both lanes of Bangor Road to turn out slowly when heading south towards Whitchurch;
 - 2) An application of this nature is more suited to the Industrial Estate rather than an exclusively rural setting;
 - 3) Planning application P/2014/0781 gave permission for a maximum of 400,000 birds to be processed each week. The council has concerns that local residents (some of whom live very near to the site) will suffer from excessive noise and smells. Also, environmental concerns such as pollution of water and land may occur with such a large throughout of chickens and their remains.
- Local Member: Notified 9.11.15
- Public Protection: No further comments to those made regarding application P/2014/0781.
- Highways: Have made the following comments:
- Understand that 150 staff will be employed, parking for 150 cars will be provided, all access arrangements will be as previously agreed under planning consent P/2014/0781 and the proposed development will not result in additional vehicular movements;
 - The previously approved poultry processing facility included a condition limiting the number of birds that could be processed each week at the site. This should in turn restrict the number of vehicles movements that will be generated at the site;
 - Provision that the previous conditions relating to the approved poultry facility are

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- implemented, no objections on highways grounds.
- Welsh Water: The applicant should contact NRW regarding the utilisation of a septic tank. If circumstances change and a connection to the public sewerage system/treatment works is preferred, Welsh Water must be re-consulted.
- NRW: No objection to the application, but have the following comments:
- Environmental Permitting*
- Natural Resources Wales has not yet received a permit application but have held pre-application permit discussions with the operator. The applicants should be in this regard;
 - The plan that forwarded, although labelled "septic tank", shows a treatment plant, and if the applicants have confirmed is the same system as permitted, we would be satisfied with this and would have no concerns;
 - We have no issues based on the drawings submitted. It is a positive to see the applicants have relocated the odour abatement unit as that will minimise the risk of noise/odour nuisance to the adjacent occupiers;
 - If the site is subject to an application under the Environmental Permitting Regulations for an installation permit, Natural Resources Wales will assess (amongst other matters) whether the control measures for the prevention and minimisation of odour emissions constitute Best Available Technique (BAT);
 - BAT for the storage of Animal By-products (feathers, eviscerate etc.) is likely to constitute the full enclosure of trailers and associated plant and equipment with fast acting doors to allow rapid access and egress. Buildings where odorous operations are carried out may require odour abatement;
 - The lairage shall be treated similarly to Animal By-Product areas allowing for animal welfare requirements;
 - Where buildings are extended over existing yard areas, foul and surface water drainage arrangements must be carefully considered. Drainage within 'dirty' process areas such as the lairage and animal by-products handling areas must not discharge to surface water and should be treated as process effluent. Where

- possible, clean uncontaminated roof water may be re-used to reduce raw water consumption;
- Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily in accordance with duty of care requirements under section 34 of the Environmental Protection Act 1990;
 - Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund;
 - Foul and surface water manhole covers should be marked to enable easy recognition, convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced;

Protected Sites

- The proposed development is to take place approximately 130 metres away from the River Dee SAC and SSSI;
- a test of likely significant effects under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) is carried out by the competent authority. We can help you reach a conclusion on likely significant effects. If that assessment concludes there is likely to be a significant effect, we can also advise on the further, appropriate assessment that would be required under the Regulations;

Flood Risk

- Parts of the site are at risk of surface water flooding, as shown by Natural Resources Wales' Flood Map for Surface Water. The proposed development has potential to increase flood risk to developments offsite, because it will increase the surface area of impermeable ground, thus reducing percolation and increasing rapid surface water runoff. In accordance with Section 8 of TAN 15, in all zones, development should not increase flood risk elsewhere;
- We recommend that a condition is imposed to ensure that a scheme to dispose of surface water is submitted to and approved in writing by

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your Authority, to ensure effective management of surface water run-off resulting from the proposed development.

National Grid: Notified 9.11.15

Wales and West Utilities: Our apparatus may be affected or at risk during construction works. Should the planning application be approved, we require the promotor of these works to contact us directly to discuss our requirements before any works commence on site.

Site Notice: Expired 3.12.15

Neighbours: The owners/occupiers of 7 nearby properties were notified on 13.11.15. No representations received.

SPECIAL CONSIDERATIONS

Background: Planning permission for the change of use of the site to a poultry processing facility was granted in March of last year. Prior to that it had been in use for over 60 years having first being developed by Cadburys and was last used as a cheese cutting and packing plant. Proposal for the comprehensive redevelopment of the site were also previously granted in December 2012.

The site has not yet been put to use as a poultry processing facility however the planning permission remains extant, indeed the submission of this application indicates that applicant is intent on implementing it. The principle of the use is therefore established and it is therefore outside of the scope of this application to the merits of it.

The application proposes:

- i) A covered delivery area;
- ii) A covered area for waste removal;
- iii) Improvements to the entrance to the building;
- iv) Improvements to the appearance of some buildings via the use of external cladding;
- v) Screening of plant equipment;
- vi) The installation of equipment for exhaust air purification;
- vii) Improved facilities for domestic foul drainage via the installation of a package treatment plant.

The application initially proposed installing the exhaust air scrubber system on the north facing elevation of the existing buildings but this was subsequently amended. The exhaust air scrubber system will now be fitted to the east elevation of the proposed extension in order to minimise the risk of disturbance to nearby residents by way of noise or any residual odour from treated exhaust air.

Policy: The UDP has no specific policies dealing with extensions to established business premises located in the countryside therefore provided

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proposals are acceptable with regards to design and visual impact and do not adversely impact upon highway safety, residential amenity or ecology there is no planning policy objection in principle to this type of proposal. Furthermore, Planning Policy Wales (Chapter 7) advises that the *“expansion of existing businesses located in the open countryside should be supported provided there are no unacceptable impacts on local amenity”*.

Amenity:

Noise

Noise issues regarding the operation of the site as a poultry processing facility development were considered when planning permission was granted for the change of use of the site (reference P/2014/0781). That planning permission is subject to three planning conditions that will control noise levels:

- i) Condition 06 requires the submission of a noise management plan for approval and its subsequent implementation;
- ii) Condition 12 imposes a specific noise limit, as measures from the nearest noise sensitive properties;
- iii) Condition 14 imposes a limit on the maximum number of birds that can be processed each week at the site. This will have the effect of limiting the heavy goods vehicles that travel to/from the site and in turn limit the amount of traffic noise.

The only part of the current proposals that has the potential to generate noise is the installation of an exhaust air scrubber system. However this will be located on the east elevation of the covered delivery area/lairage extension over 150 metres from the nearest dwellings with the extension and existing buildings lying in between. This will ensure the risk of noise nuisance is minimised.

Whilst the development will increase the floor area of the poultry processing facility the applicant has not sought to vary condition 14 of the previous permission and nothing has been submitted to suggest that they intend to increase production over and above the existing restrictions. Subject to similarly worded conditions to those referred to above being imposed on the current proposals I am satisfied that the development will not result in an increase operational noise than were the extant permission implemented by itself.

Odour

The proposals will allow deliveries to be made and waste to be collected in completely enclosed spaces and together with the provision of an exhaust air scrubber system are intended to assist with the control of odour. The exhaust air scrubber system will be installed in a position that minimises the risk of any residual odour in exhaust air causing disturbance to the occupiers of the nearest dwellings to the site.

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Condition 04 of the extant planning permission requires the submission of an odour management plan for approval and its subsequent implementation. The details submitted with the application do not, by themselves, constitute an odour management plan. I therefore intend to impose a similarly worded condition to the one imposed on the extant permission to require one to be submitted and implemented. Provided the site is well managed and the odour control measures employed I consider the risk of the development giving rise to significant odour to be low.

Members are reminded that the site will also be to subject to environmental permit issued by Natural Resources Wales. The permit, if granted, will require the operator to put in place measures to prevent or minimise both noise and odour. A permit is only issued if NRW are satisfied that the development will not cause a significant impact on the local environment. NRW can also take enforcement action if a site operator fails to comply with the requirements of a permit, including revocation of the permit.

Impact of the proposed buildings

Distances from the proposed buildings to the nearest dwellings are between 50 metres to the proposed plant enclosure screen and around 125 metres to the proposed enclosed delivery/lairage extension. I am satisfied that all parts of the development are far enough away they will not adversely impact upon the standard of amenity afforded to the occupiers of that or any other nearby dwellings by way of loss of light or by proving visual overbearing.

Visual Impact: The extension to provide the covered waste removal area, the office extension, the entrance alterations and the proposed plant area screen will be in keeping with the appearance of the existing buildings at the site and will not be prominent within the wider landscape.

Recladding the existing offices and a plant room will improve their appearance. The plant area screen will be faced with matching materials.

The extension to provide the covered delivery/lairage area is by far the biggest addition to the site and will increase the floor area of the existing buildings by 17%. At 8 metres in height it will be 1.5 metres lower than the highest existing buildings and its front elevation will be set back 20 metres behind that of the building it adjoins. It will match the industrial character of that building.

Despite its size, the extension will not fundamentally alter the character of the site or its immediate environs. Longer distance views of the site are possible from the wider landscape particularly from vantage points to the south however the delivery/lairage area extension will not make the site significantly more prominent and therefore I am satisfied it will not detract from the rural landscape.

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Highways: The development will not give rise to any additional vehicular movements to/from the site – particular as I intend to impose a condition worded similarly to condition 14 attached to the extant planning permission. The submitted plans also make adequate provision for parking and for the loading, unloading and manoeuvring of heavy goods vehicles within the site. I am therefore satisfied the development will not prejudice highway safety.

Drainage: The proposed package treatment plant will provide foul water drainage for non-trade effluent, for example from the site office. This will be located beneath ground in front of the existing building and will be around 85 metres from the nearest dwelling.

Treated foul water will be discharged via an existing sewer into the River Dee. The package treatment plant already benefits from an environmental permit issued by NRW.

I am satisfied that the proposals will provide an acceptable means of foul drainage. Given its distance to the nearest dwellings and the fact that it will be installed beneath ground I consider the risk of significant noise or odour nuisance to be low.

A new treatment plant is to be installed to treat effluent are treated on-site. Treated clean water will then be discharged from the site and ultimately flow into the River Dee. The previous planning permission includes a condition requiring that the site not be made operational until the treatment plant has been installed. The same condition will be imposed upon this development. A condition requiring a surface water drainage scheme will also be imposed.

Ecology: The development will take place within the established curtilage of the site with the nearest new building will be some 250 metres from the River Dee, a designated SSSI and SAC. I am satisfied that is far enough to ensure the development will not directly impact upon the protected site.

The applicants have already obtained an environmental permit for the discharge of water from the proposed package treatment plant into the River Dee and in light of this I am satisfied it does not pose a significant pollution risk.

CONCLUSION

The proposed development is unlikely to give rise to significant or unacceptable impacts with regards to noise, odour, traffic, visual impact and ecology and as such accords with the relevant UDP policies.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered c3697 L03, Revision P1: Proposed Site Plan, c3697 L05 Proposed Floor Plans, c3697 L07 Revision P1: Proposed Elevations, the approved EMMI Exhaust Air Scrubber System details, the approved Package Treatment Plant details and contained within the application documentation.
3. No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.
4. The development hereby granted permission shall not be used until an odour management plan has been submitted to and approved in writing by the Local Planning Authority. All odour control measures set out in the plan shall be installed prior to first use of the development hereby granted permission and the site shall thereafter be operated in strict accordance with the odour management plan as approved.
5. The development hereby granted permission shall not be used until a system for the treatment of trade effluent has been provided on site and made operational in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The system for the treatment of foul water and effluent shall thereafter be retained and maintained in an operational condition.
6. The development hereby granted permission shall not be used until a noise management plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the measures and procedures that will be put in place to ensure noise emissions accord with the requirements of condition 09. All measures and procedures set out in the plan as approved shall be installed/put in place prior to first use of the development hereby granted permission and the site shall thereafter be operated in strict accordance with the noise management plan as approved.
7. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
8. The vehicular parking and turning areas as shown on approved drawing(s) No(s). c3697 L02 Revision P1 shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
9. The rating level of any noise generated by reason of this development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

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10. No more than 400,000 birds shall be processed each week at the site subject to this permission. For the avoidance of doubt 'the site' is the area edged in red on approved drawing no. c3697 L01 Revision P1: Location Plan.
11. The site owner(s)/operator(s) shall at all times maintain an up to date log of the number of birds processed each day. The log shall be made available at all reasonable times for inspection by officers of the Local Planning Authority.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure that the development fully complies with the appropriate policies and standards.
3. To protect the amenities of the occupiers of nearby properties.
4. To protect the amenities of the occupiers of nearby properties.
5. To prevent pollution of the water environment.
6. To protect the amenities of the occupiers of nearby properties.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
8. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
9. To protect the amenities of the occupiers of nearby properties.
10. To protect the amenities of the occupiers of nearby properties.
11. To protect the amenities of the occupiers of nearby properties.

NOTE(S) TO APPLICANT

All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday.
