

**TOWN AND COUNTRY PLANNING ACT 1990  
SECTION 78 APPEAL**

**Land at Cae Mor, Llwynmawr, Llangollen, LL20 7BE**

**COUNCIL'S STATEMENT OF CASE**

**PLANNING REF: P/2015/0810**

**PINS REF: APP/H6955/A/16/3154472**

## **1.0 THE SITE**

1.1 The application site is located due south of the farmstead known as Cae Mor. The site consists of a field parcel bounded to the south and west by highway.

1.2 Cae Mor and its immediate surrounding land holding is located some 1 km south of the settlement of Llwynmawr.

## **2.0 PROPOSAL**

2.1 The proposal is described as 'Erection of free range egg production unit (16,000 birds) including silos and associated works (including ground level alterations and alterations to existing vehicular access).

2.2 Planning permission was refused on 7<sup>th</sup> March 2016 for the following reason:

*Notwithstanding the agricultural purpose of the proposed building, insufficient information has been submitted to justify the exceptional need for such a large scale isolated building at this particular location, which will be located on an exposed area of sloping land, which is within a Special Landscape Area which is described to be scenic and tranquil. To allow the development will cause long term detrimental visual harm to the character area, contrary to Policies EC3 and EC5 of the Wrexham Unitary Development Plan.*

## **3.0 PLANNING HISTORY**

3.1 The planning history is detailed below:

P/2015/0513 - Erection of free range egg production unit, access improvements and associated works (16,000 birds). Withdrawn

## **4.0 LOCAL PLANNING CONTEXT**

3.1 The site lies outside any settlement limit as defined in Wrexham Unitary Development Plan. Policies PS2, GDP1, EC3, EC5, EC6 and T8 apply. Copies already contained in questionnaire bundle.

## **3.0 THE COUNCIL'S CASE**

4.1 The Council's case has been fully assessed in the report which was presented to Members on 7 March 2016 along with an associated addendum report.

4.2 The conclusions of this report, to found at appendix 1 and 2 is considered to be pertinent, and forms the basis of the Council's case.

## **5.0 GROUNDS OF APPEAL**

5.1 The Council has considered the comments raised by the appellant. It is noted that the case as presented by the appellant has introduced some additional evidence which has not been available prior to the appeal submission, essentially seeking to justify the scale of the proposed building as well as the proposed location.

5.2 The comments made in relation to the financial viability of smaller flock sizes and splitting of flocks within smaller building are noted.

5.3 Despite the extra information the Council contends that the additional information does not overcome the concerns of relating to the visual impact of the development.

## **6.0 SUGGESTED CONDITIONS**

6.1 It is common practice to provide the Inspector with a list of suggested conditions should they be minded to allow any appeal. A list of suggested conditions can be found at appendix 3.

## **CONCLUSION**

6.1 Despite the extra information, the Council is still concerned about the impacts of the proposed development upon the special character of the immediate and wider landscape, and therefore respectfully requests that this appeal is dismissed.

## **Appendix**

1. Copy of Report of The Head of Community Wellbeing and Development (*now Head of Environment and Planning*) dated 7<sup>th</sup> March 2016
2. Copy of addendum report to the report attached at appendix 1.
3. Suggested conditions.

**Appendix 1**

**REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –**  
**Date 7<sup>th</sup> March 2016**

**APPLICATION NO:**  
P/2015 /0810

**LOCATION:**  
CAE MOR LLWYN MAWR  
PONTFADOG LLANGOLLEN  
WREXHAM  
LL20 7BE

**DATE RECEIVED:**  
27/10/2015

**COMMUNITY:**  
Glyntrian

**CASE OFFICER:**  
JS

**WARD:**  
Ceiriog Valley

**DESCRIPTION:**  
ERECTION OF FREE RANGE EGG  
PRODUCTION UNIT (16,000 BIRDS)  
INCLUDING SILOS AND  
ASSOCIATED WORKS (INCLUDING  
GROUND LEVEL ALTERATIONS  
AND ALTERATIONS TO EXISTING  
VEHICULAR ACCESS

**AGENT NAME:**  
ROGER PARRY &  
PARTNERS LLP  
MR RICHARD CORBETT

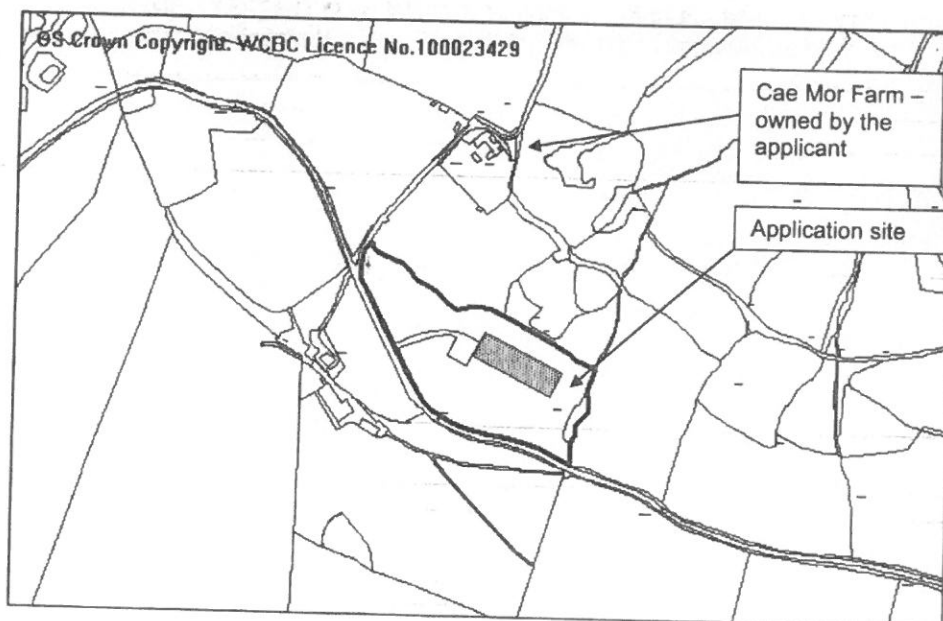
**APPLICANT(S) NAME:**  
E & J MORRIS

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**THE SITE**

The site (2.26 hectares) is located with the Glyn Ceiriog valley area, and the site is located high above the valley area, on the south side.

The site is adjacent to B4579 Selattyn Road.



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**PROPOSAL**

As above.

This is a revised application following the withdrawal of an earlier application made last year.

The proposed agricultural building will measure 19.8m wide and 76m long and 3.35m high to eaves and 6m high to central ridge. The roof will contain ventilation chimneys and some of these will sit above the ridgeline. The roof pitch is shown as 15 degrees, and building will require two feed silos, which are indicated to be no higher than the ridgeline of the building.

The existing sloping field is intended to be 'cut and filled' to give a level area for the building, and the access road and turning area will also cut into the existing slope. The footprint of the building requires the ground alterations over a 45m width to accommodate the different ground levels – which is over double the width of the actual building.

Further information has been submitted by the applicant since the submission, comprising a Landscape and Visual Assessment, an environmental geological report (to consider local water quality), and some further comments to consider

The applicant(s) have also stated that they have lived in the valley all their life, including parents and grandparents, and that the proposal invests a considerable amount of money and time. It is considered that huge efforts have been made to engage with the community, but this has been declined. It is considered that the Community Council has failed to consider the key positive facts and benefits of the scheme, namely:

- Creation of employment. The eggs will go to Oakland's Eggs in Plas Madoc, which will support employment for that area, as well as 2 full time people on the farm, and part time staff for egg packing, the feed mill in Powys, and construction workers and maintenance works for the next 20 years.
- The first building of its kind in Ceiriog Valley, designed to meet the changing face of modern agriculture, and it is considerably smaller than units that are being constructed in other authorities.
- There is little flat land in the valley, and future agricultural development will have to take place on the hillside.
- The valley is a farming community and therefore agricultural expansion and investment should be supported.
- Welsh eggs, which are packed in Wales, will provide support to the Welsh economy.
- Poultry processing plants are being granted in Wrexham, and therefore it should consider the network of producer farms in the locality to support them.
- The unit will have direct access from B classified road to avoid narrow lanes.

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- Free range egg production is less intensive compared to chicken meat production which involves higher vehicle movements and larger buildings.

**HISTORY**

Application site

P/2015/0513 Erection of free range egg production unit, access improvements and associated works (16,000 birds) Withdrawn 7.9.15

Cae Mor – land within control of applicant

The farmstead house is a Grade 2 listed building. The farmstead has been subject to various planning permissions and listed building consents – see below:

|             |                                                                                                                                                                                           |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| P/2006/0008 | Erection of agricultural buildings for storage of machinery, fodder and lambing shed. Granted 20.4.06. (The buildings measured 13.5m and 19.1m long, and 5.5m and 6.1m wide, and 4m high) |
| P/2006/0941 | Conversion of barn to part dwelling, extension to existing dwelling and alterations, removal of bathroom extension to existing dwelling and erection of garage. Granted 8.2.07            |
| P/2006/0942 | Listed Building Consent for conversion of barn to part dwelling, extension to existing dwelling and alterations. Granted 21.2.07                                                          |
| P/2011/0038 | Erection of garage / store in revised location (amendment to permission P/2006/0941) Granted 28.2.11                                                                                      |
| P/2013/0262 | Erection of swimming pool. Withdrawn 12.6.13                                                                                                                                              |
| P/2013/0263 | LBC for swimming pool. Withdrawn 12.6.13                                                                                                                                                  |
| P/2013/0754 | Erection of detached swimming pool. Granted 8.1.14                                                                                                                                        |

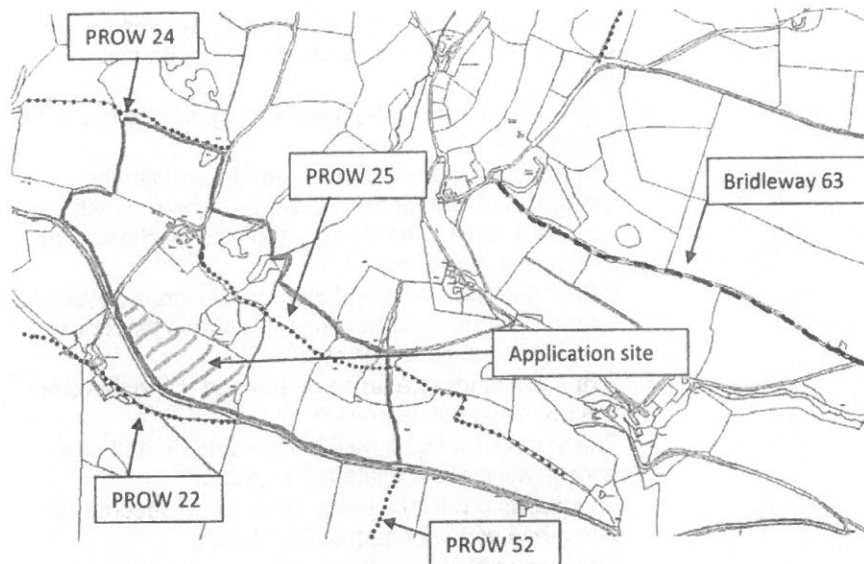
**DEVELOPMENT PLAN**

The site is outside any settlement limit, and within a special landscape area. Policies PS2, GDP1, EC3, EC4, EC5, EC6, EC13, EC14, and T8 apply.

The site is within an identified as sub area 4: Ceiriog Valley in the Council's adopted LANDMAP Special Planning Guidance.

The site is near to two public footpaths – PROW 25 is about 75m to the north of the site (below the site), and PROW 22 is located south of the site (above the site), and this leads towards Cae Mor Ucha (the nearest residential property and farm). Below is a map to show the position of public footpaths and bridleways which are located close to the site.

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**CONSULTATIONS**

Community Council: Objects (letter 8.12.15).

The main objections are:

- 1) visual impact caused by large industrial scale building which would be foreign within a landscape of natural beauty;
- 2) possible contamination of drinking water for neighbouring properties which rely upon wells;
- 3) the distance of the site from existing buildings;
- 4) possible erosion of land where chickens range;
- 5) no economic benefit to community;
- 6) security lighting would be intrusive in a dark valley; and
- 7) lack of information about solar gain, range area and underground water tank.

The following has also been raised:

- Cae Mor was run as a small farm until 20 years ago, and some of the land was sold on, and buildings converted, and land has been let out for grazing to local farmers.
- The applicants also own Pentre Clawdd Farm on outskirts of Oswestry (approx. 7 acres). Here they have diversified the land with a caravan site, camping pods and growing and selling Christmas trees. Chicken manure from the proposal will be transported here.
- A smaller egg production business in Tregeiriog ceased business after on a few years. The owner confirmed that the chickens are noisy and smelly, and

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chicken manure should be stored 12 months before spreading on the land because of high ammonia content.

- There are no other intensive farming businesses in the Ceiriog Valley.
- Several discrepancies have been found with the application documents, and there relate to questions 13, 14b and 16. The Design and Access Statement also raises questions.
- It is unclear how a field of 5.5 acres is large enough to support 16,000 birds because it is stated that flocks should be 800 birds per acre.
- Extensive land excavation is required – and therefore it is not a level plateau area.
- The site will be highly visible from B4579, and new access will make the site more visible.
- Landscaping will take many years to become tall enough to provide adequate screening.
- 18 tonne vehicles will have difficulty accessing the site, as the roads are very narrow and twisty in places, and inclement weather can be experienced, and no information has been stated to say what will happen to 11 tonnes of manure every 10 days if a collection cannot be made.
- 86m of hedging will need to be removed to provide splays for the access, and this will make the building very visible from the road.
- An underground tank is shown but not shown on the plans.
- 400 tonnes equates to 11 tonnes of manure every 10 days. Chicken manure has high content of phosphorous, nitrogen, and potassium, and it is unlikely that all the manure can be spread on the land at Pentre Clawdd.
- The ecology report is not factually correct regarding bats. There are at least 3 roosting sites within 2 km of the site. Security measures are not indicated, and this has potential to cause light pollution.
- Smell and noise will be caused from the fans. This could impact other local businesses.
- Contrary to several UDP policies (GDP1, EC3, and EC4). . It will offer little to the local economy which relies heavily on tourism. It does not involve the conversion of existing buildings for diversification. Not close to public transport. It will be detrimental to environment and landscape. 86m of hedgerow will be removed. Existing bluebell woodland might be damaged if included within ranging area. The adjacent

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wildlife area will be affected if range is not large enough. The building is not close to Cae Mor.

- Contrary to Landscape Character (see SPG).
- Site security will not be good – 200m from house and screened from that house.
- Solar gain features are not shown as part of the plans.
- Surface water drainage information limited.
- The building will not be unobtrusive. An isolated building should not be permitted.
- The Ceiriog valley is a place of beauty and tranquillity, and many small businesses in the area are trying to promote this.
- Visual character of area will be affected. Tree planting will no impact for a number of years, and will do nothing to hide the site from many viewpoints. The submitted photos are not representative of the impacts.
- The field slopes at 1:20, and this will be increased in order to take the planned excavation work. The steeper slopes will be more at risk from erosion, and if the thin soils are continually scratched up, and the plants and roots destroyed, there will be nothing to prevent the soil from washing down and silting up the streams below the site.
- The development could harm any prospects of the valley getting AONB status in the future.
- Whilst farm diversification is supported, this is farming on an industrial scale.
- Local road infrastructure is not good.
- The building is not located close to the existing farmstead to accord with TAN6.
- Information is lacking re impacts on local water supplies.
- Local roads can be blocked with snow. In 2013, 1m of snow fell over 2 days and left many roads blocked for 2 weeks. The bird range will also not be accessible for that same time scale.
- Acoustics of the valley are unique, and fans will create noise nuisance, particularly at night.
- Lighting will have an impact because the site is within a dark area.
- The range is not large enough, and other adjacent areas will need to be used.
- During damp misty weather, fumes and odours do not escape and can build up.
- The letter also contains a number of photographs to indicate some of the above impacts.

Re-notified 23.2.16

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- Local Member(s): Notified 30.10.15  
Re-notified 23.2.16
- NRW: No objection in principle. The proposed wash down tank must comply with the SSAFO Regulations. The proposal is not likely to affect any protected ecology sites or species, but recommendation of section 4.3 of the ecology report should be adhered to with regards to the lighting scheme, in order to avoid disturbance to bats. A suitable lighting scheme should be submitted. Importation of waste must be registered with NRW. Any waste excavation material must be disposed of satisfactorily.
- Welsh Water: There is no public sewerage system in the area, and satisfactory alternative provision for foul sewerage will be required.
- Public Protection: No objection subject to conditions to control construction and operation phase.
- Highways: The access onto B4579 is subject to national speed limit, but it is considered that the 85<sup>th</sup> percentile speed is no more than 30mph due to the geometry of the road. The new access should provide visibility splays of 2.4m x 56m in both directions.  
Adequate vision splays can be achieved by removing approximately 20m of hedgerow on either side of the access, or by lowering the height of the hedgerow. The access is design with 15m radii, and the 1:30 gradient for first 10m is considered appropriate for delivery lorries.  
The preferred route for delivery vehicles is along B5479 from the east via Selattyn. The road varies in width along its length with some areas being narrow for simultaneous passage of vehicles. The road is clearly below current design standards and not ideal for use by HGVs. The traffic associated with the development would include one rigid commercial lorry twice a week for egg collection, and one every 9 days for delivery of feed. Whilst there are sections where two HGVs approaching at same time would need to take special measures to pass, the probability of this occurring is very limited due to the very low level of traffic being generated by the use. The local highway network is substandard, and although the development will increase HGVs, it is not considered that this will significantly affect the flow of traffic on this network.  
No objections are raised subject to conditions.
- Press Notice: Expired 4.12.15
- Site Notice: Expired 23.11.15
- Other Representations: 3 neighbours notified and **17 letter(s) received raising the following concerns:**

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- Visual impact. Although cladding will be green – it should be observed that its location is at the top of a hill, and it will have impact on surrounding area, particularly in winter.
- External lighting might make it more visible at night. It will impact current tranquillity and non-urbanisation of the area.
- The building will be the largest in the valley, with exception of Chirk Castle, and it is 38% longer than St Asaph Cathedral. Both are prominent landmarks.
- The proposal would be contrary to Policy GDP1 – as it will not accord with the scale of the area, or makes a positive contribution.
- It will be contrary to EC3 due to impact on the landscape.
- It will be contrary to E5 because it would result in loss of visual quality and landscape character. This will be the biggest building in this part of the valley and is not in character with the site. Landscaping will take a long time (10 years plus) to be effective. Section 5.6 of UDP confirms that within the County there are areas of particularly high landscape value, and these include the Ceiriog valley. Development is often inappropriate. Maintenance and enhancement of the landscape is important. This will offer little. Visual impacts have not been appraised from relevant locations.
- Impact of ammonia emissions from the site. Wet droppings and faeces will emit ammonia when it is wet. Heavy rain will flush pollutants towards the natural springs. The water will travel down to the lower valley area, and some of the springs supply existing households as a private water supply. The NRW letter makes no reference to the Dee Valley Catchment as being a Protected Drinking Water Safeguard Zone. Private water supply will be affected by additional antibiotics and nitrate infiltration. Concerned that planning rules may not protect potential pollution of current supply.
- Poultry waste must be stored 40m from natural water courses, issues of seeping; 50m from spring or well (used for human consumption) and 250m from borehole used for public water supply. It should be observed that the adjacent wildlife interest field is a water supply / spring which supplies two private households and the applicant's own property is affected by the 50m distance.

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- Fly infestations associated with the build-up of bird droppings and faecal matter. This could be considerable.
- Noise from the 4 ventilation fans which will become more distinct in low dense cloud levels.
- Dust from windblown matter from the site.
- Environmental impact on flora and fauna. The deposit of ammonia has a harmful effect on a variety of ecosystems including the over-enrichment of nitrogen in more sensitive ecosystems, e.g. eutrophication of surface waters, acidification of soils, oxidation of nitrates, extra nitrate into water courses and streams. The manure management plan is very insubstantial.
- The high concentration of birds will lead to high concentration of aerial pollutants – from faecal matter, airborne dust, bactericidal toxins, viruses, moulds, feed particles. These will have devastating effect on wildlife, small birds, mammals – which would include the local bat population. There is significant bat activity in the area. There are badger sets below the site, and they roam up towards the upper moorlands of Llechyddau. Cofnod survey which was undertaken in April states there are bat roosts. Both roosts and foraging bats (pipistrelles and long-eared) are within close radii of the building.
- The ecology report is inadequate because it does not take account of every season, and there is a huge and local bat population. The area also supports nesting owls and raptors. NRW's response is based upon their consideration of the submitted ecology report, but that is not entirely valid.
- No habitat management plan has been submitted. The area is rich in wildlife.
- Lighting can cause an issue for bats.
- Noise will have an impact for the wildlife. Background noise levels for the area will be low, and the fans will impact on this quietness. It is unclear whether the noise levels have been measured. Noise has not been addressed adequately. Noise travels over a long distance in the valley.
- The access is dangerous. The approach from B4579 is off a blind bend. Numerous cyclists use this route, and they descend the valley at considerable speed, as do vehicles. There is potential for a serious accident.
- There is potential for approximately 43m of hedging to be removed in order to allow suitable visibility. Hedgerows are now regarded as one of the most valuable sites for biodiversity in farmed landscape. Birds, butterflies, moths, bats, dormice and refuge for

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woodland and farmland plants and animals.

Hedgerows have statutory protection. It is an important visual component of the landscape

- The comments of NRW are noted, but would question the long term integrity of tanks and the possibility of seepage into the watercourse.
- Low level lighting for the unit would be totally impractical when having to load / unload lorries and therefore bats will not be afforded protection.
- The applicant has no experience of this line of business, but is expected to comply with strict legislation. Environmental and ecological issues could easily arise, and who will be accountable, and why should the immediate neighbours have to put up with it.
- The proposal has been objected to previously, and it should still not go ahead.
- It is questionable as to whether this is a diversification project. The application describes Cae Mor as a former farm, and most land is grazed by other farmers. The farmhouse and associated buildings have been converted into a substantial private dwelling, and the other part of the business is several miles away near Oswestry. That other farm cannot be considered as part of this farm complex. The existing farm land has been tenanted to others and the family does not live at Cae Mor in the winter. The other (flat) fields should not have been tenanted to others to be used as grazing. Their other farm is located near Oswestry and this is not tied in planning terms with the site. It is stated that this development is required to provide a sustainable smallholding to retain employment for the 2 owners, but their main employment is at a smaller site at Oswestry. Sustainability is questionable, and it might be driven by the grants that are given for production of free range eggs. If more profit is required this should be as a result of less intrusive means. No evidence has been supplied to suggest that this will be sustainable in the long term.
- The proposal is contrary to Policy EC3. The building will be situated some distance from the dwelling. It will not be part of the farm complex. It will be isolated building, and these should only be allowed in exceptional circumstances – where essential and no reasonable alternative. The document showing alternative sites is somewhat misleading. There is an alternative site (between sites A and D) which could be considered. It would not interfere with overhead

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cables, and it would no longer be an isolated building. The 'essential' argument is weak.

- Energy generation is stated on the diversification statement, but the details of this are unclear.
- The extent of the flock range is not clear, and if the area is involving public footpaths, it is not clear how those areas will be predator proof whilst maintaining access. RSPCA welfare standards for laying hens indicate that some element of rotation is required, and depending upon the ground, the stocking should be no more than 2,000 birds per hectare (or 800 birds per acre). The site area (edged red) is not large enough for this stocking density. The EU regulations state that maximum stocking densities for new units is 9 birds per m<sup>2</sup>. The size of the building would limit this to a maximum stocking density of 11,758 birds. There is no information to confirm likely biohazards for the development.
- The lorry movements will impact the road because it does not carry a great deal of that type of traffic. Road is narrow and dangerous bends. Heavy snowfall can block the road. It is suggested that increased feed storage can be built in to take account of that possibility but if the birds are not able to go outdoors – this may cause welfare issues for the birds.
- It is unclear as to where water will be sourced for the building. This may not be sufficient. Non caged birds require 0.22 litres per day (Defra), and the stocking density would require 352 litres per day, but this could rise if temperatures are higher. Surrounding properties rely on private water supplies.
- The site is within a Special Landscape Area (SLA).
- Use of photovoltaic will increase visual impact of building.
- Despite referring to a similar proposal at Talwrn Farm near Legacy, that proposal is next to Scottish Power industrial complex and the Legacy National Grid substation is nearby, etc. It is entirely different, and the conclusions should be disregarded. The birds for that site will be contained totally inside the building, and therefore noise and smell are also contained.
- If the setting of listed building (Cae Mor) is affected, then traditional materials are required – TAN 6 (A.21).
- Odour impacts have not been addressed.
- A smaller development of between 5,000 to 8,000 birds may significantly reduce the impacts.
- Other industrial scale developments will be encouraged to locate in the area. This will have a serious and negative impact on the Ceiriog valley to

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maintain and enhance its status as a well-respected place of peaceful and natural beauty. Cumulative impacts will erode the special qualities of this area.

- What happens to the building if the business fails? It will get converted into light industrial uses.
- What happens if the business is sold? It will be claimed that a dwelling is required to support that business.
- The position of the building for the range is not good, and it should be located more centrally and away from borders with dense woodland because they can cause fox problems.
- The visibility splays for the access is not long enough. Tourism is also important for the valley area and visitors come because of the visual qualities of the area.
- This work will blight the existing excellent work carried out on Cae Mor building.

Neighbours and objectors re-notified 23.2.16

**5 letters of support** have also been received, raising the following:

- Cae Mor will create necessary employment (construction and long term management of the site) for the local community and economy for the area, and should be an inspiration for other land owners and farmers as dairy beef and sheep farming is becoming more unsustainable or increasingly difficult. Without this approach, farming in the valley will disappear along with its shops, pubs and eventually its community.
- The scale will not affect the local community.
- The proposal will be developed in a sustainable manner.
- It will help sustain farming within the Ceiriog Valley for future generations.
- The entrance will be served from a main road and it will be a good safe access.
- The size and scale is small in comparison with modern day units.
- Consumption of free range eggs is increasing
- The investment should be praised.
- The objections are based upon no knowledge of modern day farming methods.
- The application conforms to welfare and Defra regulations for the size of the unit.

Two local businesses (which will be connected with the development) have also raised support for the scheme. One is

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from the egg packing station (Oaklands) in Ruabon, and they support the application, and the station is only 10 miles from the farm. The other is a supplier of agricultural feed (Wynnstay) and it is likely that a weekly delivery of (18 tonne) could be delivered by a 8 wheeled rigid body vehicle, and these deliveries take place during daily working hours. They are aware that local farmers are being encouraged to diversify as milk, beef and sheep is experiencing a down turn. Retention of employment at Wynnstay is be aided by this development.

**SPECIAL CONSIDERATIONS**

**Background:** An earlier planning application for the same development was submitted last year, and that application was subsequently withdrawn by the applicant just before it was reported to Planning Committee. As a result the officer recommendation to refuse the earlier application was not examined by your Committee.

**Details:** The revised application is a bit more comprehensive, and the submission confirms that Cae Mor (as owned by the applicant) is currently a sheep farm, predominantly, covering 41 acres (17 hectares) of owner occupied agricultural land. It is confirmed that Cae Mor house operates as a homestead farm (where the applicants live) and they are also connected to another farm in Shropshire (Pentreclawdd) which has diversified into tourism and Christmas trees.

The Cae Mor holding as shown by the red and blue lines of the application, and full size of both areas is 11.27 hectares (as measured from Council maps).

The proposed egg farm production element is intended to supplement income for the current farm, and a farm diversification statement has been submitted to help explain the business intentions and reasoning for the project. It has been submitted that traditional farming practices such as beef and sheep are not viable, and this is aiming to provide a holding that becomes fully productive unit that will in turn be self-sustaining and viable business. The diversification statement mentions energy generation and free range egg production as being important for the on-going business, but it also states that it is also important for efficiency and profitability.

The proposed free range egg facility will have 4 separate colonies of birds within the new building.

It is unclear from the submitted diversification statement as to whether it is wholly essential for the farm to have the chosen scale of the new egg production unit i.e. to contain 4 colonies of 4000 birds; or whether it could work as a smaller unit with fewer colonies, or whether the scale could be divided into smaller buildings. Whilst financial implications is not always important from a planning perspective, but in situations where other acknowledged harm might be caused, it seems reasonable to understand the

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essential need in greater detail in order to see if policy exceptions can be justified in this instance.

**Policy:** Policy EC3 of Wrexham UDP confirms that new agricultural buildings in the countryside are acceptable in principle, but they must not be materially detrimental in terms of their impact upon the landscape. Isolated buildings are only allowed for *exceptional circumstances* where there is an essential agricultural need and no reasonable alternative.

In this instance, the building will not be directly adjacent to the existing farmstead building, and it will have separate and independent access to the adjoining road network. Accordingly the exceptional circumstances need to be investigated.

UDP Policy EC5 also confirms that within areas of special landscape value, although the principle of agricultural development is allowed, buildings are required to conform to a high standard of design and landscaping, and special attention must be paid to minimising visual impacts from both nearby and distant viewpoints.

In addition to the UDP policies, PPW Edition 8 is also a relevant document, and this should also be considered together with their guidance from TAN 6: Planning for Sustainable Rural Communities.

PPW8 confirms that the priorities for rural areas are:

- sustainable rural communities with access to affordable housing and high quality public services;
- thriving and diverse local economy where agriculture-related activities are complemented by sustainable tourism and other forms of employment in a working countryside;
- an attractive, ecologically rich and accessible countryside in which the environment and biodiversity are conserved and enhanced

Para 4.11.10 of PPW recognises the importance within areas which have an established and distinctive character, that new development should promote this or reinforce the character.

The Council has adopted a SPG called Wrexham LANDMAP, and this document describes this area as: *"scenic, tranquil and steep-sided valley enclosed by spurs of the Berwyn mountains, with hillside farms, wooded and farmed slopes, and small villages along the River Ceiriog"*. The SPG also explains the visual character of the area – e.g. upland pastoral valley with small mosaic of fields with hedgerows and woods, and scattered stone built farms reached by steep winding lanes, and high quality landscape, sense of peace and tranquillity as well as the scenery. In terms of management, the guidance recognises the need to retain its distinctive rural character, and to avoid visually intrusive development which is not in keeping.

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Para 7.6.5 of PPW also confirms that the Council is required to adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices.

Para 3.1.2 of TAN 6 confirms that Planning authorities should support the diversification of the rural economy as a way to provide local employment opportunities, increase local economic prosperity and minimise the need to travel for employment. However para 3.1.3 confirms that expansion of businesses that are currently located in the open countryside can only be provided if there are no unacceptable impacts on local amenity.

Para 3.7 of TAN 6 refers to farm diversification projects and the need to take a proportionate approach to public transport and the need for improvements to the local highway network. Buildings are required to be sensitively located and new buildings can be considered. Para 3.10 also states that farm plans can be useful to help support applications for farm diversification.

As a result of the above, it is considered that there are a number of matters that are relevant, and these are raised below under separate headings.

It is considered that this application has been submitted as an agricultural diversification project rather than a non-agricultural one, and therefore the issues for this application is principally the position of the building, its scale (size of new building and associated work), and how this impacts the visual character of the area, and any other material planning considerations, including those raised by policy GDP1.

**Isolated position:** As mentioned above, UDP Policy EC3 confirms that new isolated buildings require special justification based on essential need, and that alternative sites have been examined.

This essential need has been partly explained, but information is a bit lacking because the chosen flock size of the venture seems to be determining the scale of the building and the range size. The need does not investigate or explain why the flock must be 16,000 for the farm as opposed to a smaller number – which could result in a smaller building(s) within the landscape; or why the flock size cannot be divided – to allow separated ranges by smaller buildings. This option may or may not be possible for a variety of justified reasons, but scope to have smaller farm building(s) closer to the existing farmhouse should not be ruled out without clear evidence.

It should be noted that Cae Mor does not have many farm buildings associated with the agricultural holding at this location, and earlier ones (which was nearer the house) were removed when renovation works to the house were undertaken.

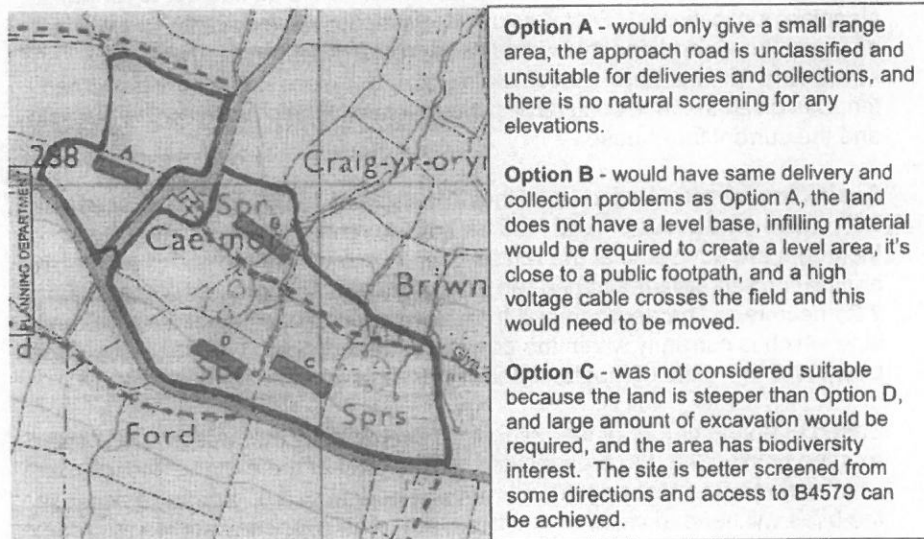
It has been confirmed by the applicant that the use of nearer locations around the house are not good for this agricultural use because of the geometry of the approach roads, and other constraints.

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Importantly, it should be noted that Cae Mor is a Grade 2 listed building, and that status would need to be carefully assessed if any new buildings were to be allowed closer to the building. But suitable buildings associated with the historical use of the land seems a possibility.

In terms of alternative sites, it is understood that a total of 4 sites were examined (including the current application site) by the applicant. On the basis of a single building and a flock size of 16,000, these alternatives were listed as Options A to D.

Option D has been submitted as the favoured option – causing the least disturbance, and because it has direct access to B 4579 and allows the greatest screening from further afield. The others were ruled out for various reasons – see below:



As stated, these alternatives only considered the same sized building, and no other alternatives. However it should be noted that Option A is located alongside an existing fence line which contains some mature trees, and therefore this is not totally devoid of natural screening. But that area is also partly occupied with a smaller timber building – which is not mentioned as an issue. Furthermore I am not certain that no deliveries or collections can be made to Cae Mor location since this is an existing house – particularly if smaller vehicles were involved, if a smaller farming egg production activity was essentially required.

Likewise, the list of alternatives has not considered the possibility of using part of the field between the areas shown as Options B and D – particularly if a smaller building unit was proposed.

Also it is unclear whether there is any scope for egg collection to involve a separate egg collection area next to the B road, etc.

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As a further item of concern due to its isolated nature of the building, it is noted that this large farm building will have no on-site linkage / operational link with Cae Mor farmhouse – other than land ownership, and there is only a very informal pathway leading up to the site from Cae Mor house. The proposed livestock building will have its own independent access, and in physical terms the building can operate quite separately. Given this lack of useful connectivity, and if all matters concerning the application are deemed acceptable, there would be nothing to prevent Cae Mor farmhouse from being sold and occupied separately from the remaining land holding. Possibly this could then lead to requests to have new residential accommodation to be built near to the large agricultural building. In the absence of suitable interdependence with the existing farmhouse, there is a genuine concern that this could happen, particularly because the current owners are not reliant with this one farming location. Although that matter would be subject to further planning application(s), TAN 6 acknowledges the need to justify a dwelling for an agricultural need and this would need to consider former dwellings associated with the farm; those linking considerations could be viewed as tenuous given the lack of suitable physical relationship between the building and the current farmhouse.

**Scale/Size of site:** Based upon the flock size of 16,000 birds, the applicant will require 8 hectares of land for this flock to range outdoors. As a result, Members are advised that the range area is not just limited to the area of the application site area (as edged red) because that field area only measures 2.25 hectares. The applicant will therefore need to use adjacent agricultural land which is currently within the control of the applicant (i.e. the areas edged blue), and the scale of that land holding is large enough for the flock size.

Based upon the nature of the holding, it seems likely that western part of the existing holding (i.e. the area located to the west of the existing access road which serves Cae Mor house) will not be used as part of the range because the birds will need to cross to and from that area every day across the road; and that will require a higher degree of supervision. As a result it seems that a non-statutory wildlife site designated areas (which is given to some of the fields to the east and the north of the site) will become used as part of the range. The use of that wildlife area is not prevented by current planning controls. The impacts to this area will be examined below under the ecology heading.

**Landscape and visual impacts:** The application has been amended, and it includes a Landscape and Visual Impact Assessment report (dated January 2016) and this provides some useful additional information regarding the potential landscape impacts.

The report does not examine alternative sites or smaller buildings, but focuses upon the location and scale of the proposed building.

The report considers a number of viewpoints (12 no.), at various points along public roads, and bridleways and footpaths. The sensitivity of some

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viewpoints has been assessed in relation to receptors, to assess whether the current experience of the landscape will be significantly altered by this development. A matrix to assess the magnitude of change has been used to judge this, to see if the effects are ranging between high to low degrees of sensitivity.

Based on the LVIA report, receptors such as LANDMAP, motorists and walkers/horse riders have been identified, and a number of relevant viewpoints have been considered.

The results are shown below:

***Receptors***

**Landmap** – all viewpoints were seen to have impacts of high/medium sensitivity. Some had a magnitude of moderate adverse, and others had a magnitude of between slight adverse/negligible adverse. The individual effects were either moderate adverse/moderate/minor adverse

**Motorists** – all viewpoints had medium sensitivity, and a magnitude of slight/negligible, medium or moderate. The individual effects were minor or moderate

**Walkers and horse riders** – all viewpoints had high / medium sensitivity. The magnitude was slight / negligible, and individual effects were moderate / minor.

The LVIA also confirms that these impacts do not consider the proposed landscaping scheme or any potential screening that this may provide.

Accordingly the applicant has confirmed that some of the visual impacts will be off-set by carrying out some tree planting at various locations within the site, to reinforce the long established planted northern edge to the field, and also by the new areas by the turning area/building. It is also proposed to allow existing roadside hedgerows to be supplemented, and/or allowed to grow higher.

External walls and roofing materials has been indicated to be dark green, but this choice of colour does not appear to have been informed by any assessment of the colour pallet of the area when viewing the site from any relevant viewpoints, and this potentially requires further examination to consider seasonal variation. This could be examined further if all other matters regarding the scheme are acceptable.

The assessment acknowledges that there will be some adverse on landscape fabric during the construction phase. This is principally seen as the result of trimming back and/or removal of up to 86m of field boundary hedgerow to improve visibility; and it is considered that those impacts might be less because this might be achieved by trimming back the existing hedge. Additionally the lack of vegetation within the field area to be disturbed is also a benefit for the existing landscape.

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For the operational phase it is considered that there will be no further alterations to the landscape fabric.

In relation to the LVIA, it is observed that these viewpoint locations do not consider the possibility of cyclists or walkers using some of the surrounding highways. Not all persons visiting this area are limited to cars along the roads. Some will use the roads for walking, particularly if they are used to connect between existing public footpaths or bridleways. Cyclists will also visit the area since the valley area is promoted for outdoor recreation and it has a high scenic value.

It is also noted that not all the viewpoints have been assessed for their sensitivity to the receptors, but this is not thought to be significantly different.

The LVIA also does not directly consider the impact of changes to the existing landform from the proposed 'cut and fill' method of construction. The building will have a very large footprint, and given the need for the building and operational areas to have a level platform area, those areas will result in the existing field slope being disturbed over a wide area. Whilst it is useful that the development will utilise a 'cut and fill' method of construction to minimise some impacts (e.g. waste material), the submitted cross sections indicate that existing land levels will be vertically altered by between 3 to 4m on either side of the building, and the existing sloping ground will be adjusted from its current 10 degree slope (mostly) to allow proposed sloping ground sections between 25 to 35 degrees. As a result the extent of land that will be reformed by this one building will involve about a third of the existing field area, and it is unclear how those slopes will be managed as they might be more sensitive to erosion, particularly if used as part of the range.

It is further noted that the proposed track leading to the building from the B road will also require a degree of 'cut and fill' work because the track will need to be more level than the current slope in order to allow HGVs near the building.

It is also difficult to gauge how much of the existing hedge will be affected by the visibility splays, and their on-going maintenance. Removal of the hedge could potentially involve the loss / reduction of 86m length of hedgerow, and new tree planting and or any replacement hedgerows (behind the visibility splays) will take a long time to become more effective landscaping measures if the scale and colour of the building is more significant than thought by the LVIA. It will remain hard to soften visual impacts of such a large scaled building on sloping ground, particularly within an area that is not typically containing large agricultural buildings.

The LVIA mentions that this building will be similar to other farm buildings in this immediate area, and therefore the landscape character is not considered to be dissimilar. However, the proposed building will be significantly larger, and those buildings have a different form, and their context is different - see below:

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**Plas-onn** is a well-established farm within 700m of the site, and its main agricultural building is measuring 41 x 24m, and together with an attached structure, this has a floor area of 1170m<sup>2</sup>. However this building is still 20% smaller than the proposal, and the ridgeline is just over half the length of the proposed ridgeline for the proposed agricultural building.

**Cae Mor Ucha** farm is located directly above the site, and this is the closest farm (just 70m away), and their main farm building is 38 x 18m, representing a floor area of 550m<sup>2</sup>. This is two thirds smaller than the proposal, and the ridgeline of the building is about 50% shorter than the proposal

The LVIA also indicates a photo of Caedicws Farm, and this property is located further up the valley past Glyn Ceiriog. The farm has a range of different buildings associated with the farm, and these are located around the farmhouse. The combined size of the farm is larger than the proposal, but the length of the longest building is still only just over half the length of the proposed development, and the site has grown (evolved) over a period of time, and the visual appearance is not seen as one large farm building in isolation of others.

External walls and roofing materials has been indicated to be dark (juniper) green, but this choice of colour does not appear to have been informed by any assessment of the colour pallet for the area based upon further examination to consider seasonal variation. This matter could be resolved by planning condition if all other matters are acceptable.

It has been mentioned that the scale of this particular egg production unit is quite a bit smaller when compared to other egg production units. Whilst this might be the case, however this particular proposal must be examined in context with the general character of this local area. The character of this valley area is not represented with large industrial scaled farm buildings. Although the principle of new agricultural development is supported within areas of Special Landscape, the impacts of those buildings still require careful consideration.

Despite the justification as submitted, there are still concerns regarding the likely visual impact of the building upon the established landscape character of the area. Whilst some visual impacts can be controlled or mitigated, this will take time. The issue of smaller buildings has also not been fully explored, or why the building is essentially required. There is also concern that if this type of development is allowed, the same visual arguments could be used and it will have potential to erode the character of the area. Whilst the building alone is currently representing an extremely small part of the Council's defined landscape character for the Ceiriog Valley, e.g. Area 4 of Wrexham's LANDMAP, the significance of this one building could become more substantial if repeated at other locations within the valley. It is important to understand why an exception should be made in this particular instance.

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The application has made some comparisons with a recent appeal decision for Talwrn Farm at Legacy (P/2014/0372) which also allowed a large egg laying unit within a Special Landscape Area (SLA). Members are advised that any comparison with Talwrn Farm appeal is not justified in this instance. The visual character of that particular site/area is quite different. That building shared the existing access for the farm, and that site is next to existing industrial buildings, and the large Legacy sub-station site. The context was different in terms of visual impact.

**Amenity concerns:** A number of residents have raised a number of amenity concerns regarding the development, and these are raised below:

**a) Odour:** Although this has been raised as an issue, odour impacts are not likely to be significant, and this can be effectively managed if other matters are acceptable.

**b) Noise:** Noise is not likely to be significant subject to appropriate controls. It is not necessary to have motorised fans on the outside of vents, and typically they can sit well within the building to prevent external noise from machinery. Further details of mechanical equipment can be controlled by planning condition, if required.

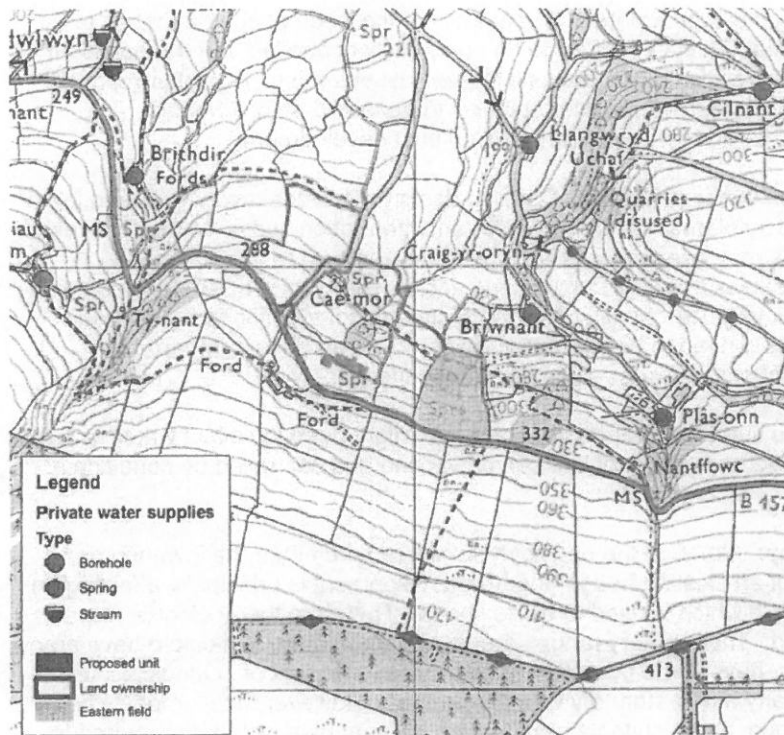
**c) Manure management:** Manure management for the building will be controlled by Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 (SSAFO Regulations). This will control on-site disposal and storage, including capacity of the wash down tank facility. It is confirmed that dirty water will be collected within an underground tank, no information regarding its size, or precise position has been submitted, and further information could be required to confirm this by condition if all other matters regarding the proposal is acceptable. It is also noted that NRW has not raised any objections to the principle of development, and this is despite the use of land externally for the birds to scratch. The management of those outside areas could have implications for ecology and existing drinking water supplies, and more details will be required to firm up those arrangements.

If manure exceeds the amount that can be accommodated on-site or at the adjacent farm – alternative off-site disposal is subject to separate controls. Planning can only be concerned if the disposal needs to be more frequent than that confirmed by the application because this could have traffic implications. This will be examined in the highway section below

**d) Contamination of existing private water supply:** Some residents have raised concern regarding on-going water quality of private supplies if the development is allowed because their properties are located below the site.

It has been confirmed that up to 10 supply locations within 1km of Cae Mor, and the submitted environmental geologist report confirms that there is potential for only two water supplies to be affected (e.g. those serving Langwryd Uchaf and Briwant) – see extract of map below

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It is also confirmed that sources of possible contamination to those water supplies are likely to be from: i) contaminants leached from imported fill materials used in construction; ii) spillage of fuel, disinfectant, other chemicals or washdown water; and iii) poultry manure (ammonia / oxygen demand / antibiotics).

The geologist report confirms that the water supply for Llangwryd Uchaf is described as a spring, and given its position in relation to Cae Mor farm, the springs are likely to be fed from higher ground immediately to the east of this property, and not from Cae Mor farm area. The supply for Brwnant is also described as a spring, and the likely catchment area for this property is the sloping ground to the south, and it is conceivable that its catchment extends into the easternmost part of the Cae Mor.

As a result, it is proposed that mitigation measures are carried out to avoid any issues. Accordingly it has been confirmed that all imported fill materials will need to be inert, and all storage for fuel and chemicals should be contained in bunded areas and there should be safe disposal of liquids. It is also proposed that manure on external scratching areas is controlled, and a specific field area (at eastern edge of the farm holding) should only have 'low-moderate' intensity scratching. Further assessment may reveal that higher intensity scratching might be possible, but further assessment(s) would be required to prove this.

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Based upon this information, it appears that the issue of contamination to private water supplies is likely to be adequately controlled, but the applicant will need to rectify any problems if 3<sup>rd</sup> party issues arise. Potentially it might be important for existing water supplies to be tested before work is commenced, and for this to be checked post development.

**e) Surface water drainage:** Detailed design of the soakaway will need to be controlled by planning condition. Current information suggests that the design of the tank may need to be large enough to deal with up to 70m<sup>3</sup> to allow combined flows from the building and access road. Its precise design and on-going maintenance of this soakaway system is not mentioned, and those details would need to be submitted for approval, and this is important to ensure that private water supplies are not affected.

Part of the surface water drainage system might need to collect water for use by the flock, and details of this can be verified and controlled by condition if required.

**f) Ecology:** Although the development will require either the lowering or removal of an existing hedge, the built development is principally affecting an existing field which is used to graze sheep. Therefore the ecological impacts are limited. The ancillary ranges areas, as required for the flock to have areas to scratch, have some potential to affect areas adjacent of ecological interest – particularly a non-statutory wildlife site area. However those impacts could be managed, and a suitable habitat management plan would be required to consider the sensitive areas, and it could help ensure that those areas are maintained in an ecology friendly way, including details of times of the year when those areas are used. This might also be necessary because of the need to protect private water supplies – see below.

The need for external lighting is not anticipated to be significant and information has confirmed that this will be on passive PIR sensor, with a time limit of no more than 15 minutes. The building is not operation during the night, and no other external lighting is required, and CCTV will be infrared rather than floodlights. However no precise details have been submitted and therefore a scheme of lighting will need to be controlled by planning condition.

**g) Highways:** The application confirms that the preferred route for delivery vehicles is along B5479 from Selattyn. The road varies in width, and there is the possibility that 2 HGVs approaching each other may need to take special measures to pass, but this will not frequently occur and the development will not generate very much traffic e.g. one rigid commercial lorry twice a week for egg collection and one every nine days for feed delivery. This is considered to be insignificant in highway terms, and Highways have not objected to the development.

Although a number of objectors are concerned about this possible impact, it is noted that the development will be directly served from a B road, which serves other farms and other properties in the locality. The scale of use is not significant, and adverse weather issues will need to be examined as a

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potential risk for the operator, and might require extra feed to be delivered during those likely periods.

Eggs will be collected and delivered to the packing station of Oaklands which is locally based in Ruabon, and therefore the distances are limited.

**Other matters:** In addition to the matters raised above, the following items have also been raised:

**On-site drainage culvert:** The Council's flood officer has identified the possibility of a culverted watercourse that crosses the site according to records; and this might become affected by the development.

The submission acknowledges the possibility, and the submission verifies that as a precautionary measure, the applicant will construct a slit trench across the proposed line of the culvert, and if an old land drain is encountered, the drain can be diverted around the poultry unit.

It is noted that there is no immediate evidence on the ground to show a possible watercourse, and further advice regarding this matter is being sought from the flood officer, and this will be reported in the addendum. However it appears that the trench would help establish its possible presence and further detailing of any diversion would need to be submitted before any further development takes place, if all other matters are acceptable.

**CONCLUSION**

The principle of new agricultural buildings in the countryside is supported, but there is concern that the scale of this isolated building at this location is not fully justified at this time, and it is important to minimise visual impacts since these will be long lasting for this area. Wrexham LANDMAP has identified this area as being scenic and tranquil, and this special character is not respected by the large scale of the building. Other matters cannot be specifically raised as issues because those matters can be controlled by planning conditions if the visual impacts of this very large building could be supported. I therefore recommend accordingly.

**RECOMMENDATION:** That permission be REFUSED

**REASON(S)**

1. Notwithstanding the agricultural purpose of the proposed building, insufficient information has been submitted to justify the exceptional need for such a large scale isolated building at this particular location, which will be located on an exposed area of sloping land, which is within a Special Landscape Area which is described to be scenic and tranquil. To allow the development will cause long term detrimental visual harm to the character area, contrary to Policies EC3 and EC5 of the Wrexham Unitary Development Plan.

## Appendix 2

- b) It is noted that there are number of other existing refuge island crossings to the other side of the Ruthin Road carriage before this narrow section of pavement on the south west side of Ruthin Road, and therefore this localised widening is deemed unnecessary in this instance. Also the re-alignment of the highway at this point could result in vehicle kerb strikes.

### **Observations**

The issues and feasibility of the items as raised by the Community Council has been assessed by the applicant, and they do not believe that any further alterations are necessary, and Highways has confirmed that they are also not necessary in order to secure an appropriate degree of pedestrian safety.

### **Recommendation**

Unaltered.

**Pages 62 – 85 GLY P/2015/0810**

*Cae Mor, Llwyn Mawr, Pontfadog, Llangollen*

**SPEAKER:** AGAINST – Mr Ed Rayner (*Representing Local Objectors*)  
FOR – Mr Julian Morris (*Applicant*)

### **Consultations**

In respect of possible culvert within the site:

|               |                                                                                                                                                                                                                                                                                            |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Flood Officer | Satisfied that investigations are undertaken prior to commencement of construction on site, to identify if a culverted watercourse is present. Suitable condition would be required. If a culvert is found, any diversion would require additional consent from the Local Flood Authority. |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **Representations**

In respect of the additional information, 3 further letters have been received raising the following:

- Part of the adjacent field (west of the road leading to Cae Mor) could be used as a new road to serve the existing farm if the existing highway is too steep.
- The failure to locate the farm building close to the house will allow the current house to be sold off, and therefore it should be tied to the poultry unit.
- There is no mains water, and where will the water be sourced.
- Within 10 years, the original fields that were connected with the farm were sold, and these contained flatter areas.
- Whilst the principle of a chicken unit is not objected to, the location of this unit is not suitable.
- The assessment into the impacts on private water supplies does not consider the impacts on all properties that are below the site. Nantgwryd Uchaf uses a private water supply and it does not use the same supply as stated for Llangwryd Uchaf. Also the assessment does not consider the property of Craig Yr Oryn. The abstraction points for properties below the site are not fully known, and the report does not identify those positions, and therefore it cannot be assumed that only property is affected. Not reassured by the submitted documentation.
- The impact of manure on water supplies is not assessed. Although it is stated that the manure on scratching land is unlikely to exceed risks from other livestock use, no evidence has been provided to support this. At an average stocking density of 8 ewes per acre, the 20 acre site would support grazing for 160 ewes. 16,000 hens will produce more waste than a flock of sheep, and the manure will have a higher nitrogenous content, and could result in higher use of antibiotics. The area directly around the building will be subject to a higher build-up of manure, and this has not been considered, even if the hens will be moved around various paddocks. The report does not address previous concerns.
- No mention has been made of the substantial groundworks that will be necessary, and this might have both short and long term effects for springs and groundwater.

*Despite the points raised by their landscape consultant, the full content of the LVIA has been examined as part of the report, and the extra information still does not alter the conclusions regarding the development.*

*The photo from an objector does not show the site area of the proposed building, but seems to include part of the range area to the east of the proposed building.*

### **Recommendation**

Unchanged.

**Pages 86 – 100      WRR   P/2015/0812**

*Land North of Total Fitness, Stansty Road, Wrexham*

**SPEAKER:**    **AGAINST – Mr Ian Carson (Objector)**

### **Consultations**

**Community Council:** Whilst the Community Council agrees that residential development of this site would be an appropriate use of this under used area of land, unfortunately, the access and adjacent roads and road layout would make it impractical without major Highway improvements. The Council, therefore **OBJECT** to the Planning Application on Highway Grounds as follows:-

1. The proposed access is too close to the New Road / Rhosddu Road and Stansty Road junction.
- There is insufficient visibility from the development site access of traffic coming from the Town Centre along Rhosddu Road into Stansty Road. The speed limit is 30 MPH and traffic frequently travels at this speed into Stansty Road.
- At peak times, Stansty Road by the site access is grid-locked; traffic on Stansty Road cannot exit onto Rhosddu Road / New Road because that road is busy with traffic, so the traffic on Stansty Road can back up to the railway underpass. Because the underpass is not wide enough for normal two way traffic, the backed up traffic holds back the traffic coming from Rhosddu Road / New Road, so the road in front of the site access is blocked in both directions.
2. Local Members are extremely concerned that Stansty Road has reached saturation point. As noted above, the junction of Stansty Road with Rhosddu Road / New Road is frequently grid-locked, and the underpass of the railway bridge is not two way, and causes a back-up of traffic.

There are 2 local Primary Schools close by (Ysgol Plas Coch, and Rhosddu C P School) The Glyndwr University, and the Wrexham Football Ground which hosts Wrexham F C, the Crusaders Rugby Club, and International Football and Rugby matches both have main accesses to their Car Parks and facilities from Crispin Lane off Stansty Road. Stansty Road also provides direct access from the East side of Wrexham to the Plas Coch Retail Park which has Sainsbury's, Currys / PC World, Sports Direct, Boots, Aldi, Homebase, Argos, and other smaller establishments.

No highway improvements have been carried out to Stansty Road despite the increased traffic flows generated by the Plas Coch Retail Park.

3. The underpass under Stansty railway bridge has already been identified by the Highway Department as being sub-standard, and that view was endorsed by the Welsh Assembly who gave a grant to the Highways Department. However, no improvements were made to the underpass which still remains sub-standard. The erection of houses on this site would only exacerbate the situation.
4. A recent Housing Development on the former Remploy site nearby has also added to the traffic problems, with no improvements to the highway.
5. Whilst the Application Site has been laid out as a Car park for visitors to Total

## Appendix 3

### Suggested Conditions

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.  
**Reason:** To comply with Section 91(3) of the Town and Country Planning Act.
2. The development shall only be carried out in strict accordance with the details within the application documentation and as shown on the approved drawing(s) listed as follows:  
RJC/MZ/1845/01A Location Plan  
RJC/MZ/1845/01B Landscaping Plan  
RJC/MZ/1845/01C Drainage Plan  
RJC/MZ/1845/02 Block Plan  
RJC/MZ/1845/03 Elevations and Floor Plan  
RJC/MZ/1845/04 Site Sections  
RJC/MZ/1845/05 Highways  
**Reason:** To ensure that the development fully complies with the appropriate policies and standards.
3. No part of the development shall commence until samples of all external facing and roofing materials including the colour(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.  
**Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. The building hereby approved shall only be used as a barn type egg laying unit, as described in the application documentation.  
**Reason:** To control the type of livestock that uses the building because the environmental amenity impacts has been considered in relation to this type of livestock use, and the type of use requires careful control due to its location in relation to existing residential property.
5. No part of the development shall be commenced until a detailed site layout plan of the access point onto the B4579, including existing and proposed levels, has been submitted to and approved in writing by the local planning authority. The plan shall show the full extent of visibility splays measuring 2.4m x 56m in either direction of the access point. Within the splays shown on the plan, there shall be no obstruction in excess of 1m above the level of the nearside edge of the highway, and the splays shall thereafter be permanently retained clear of any such obstruction to visibility. In addition the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5m from the adjoining highway. The access shall be constructed in accordance with the approved details and shall be fully completed prior to the development being brought into use.  
**Reason:** To ensure that adequate visibility is provided and maintained at the access point onto Talwrn Road, in the interests of highway safety.

6. No part of the new egg laying unit shall commence until a Construction and Operational Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the local planning authority. The plan as approved shall be fully implemented and maintained for the duration of the use hereby permitted.  
**Reason:** In the interests of highway safety.
7. Subject to the exceptions detailed separately in this condition, all works in relation to the implementation of this permission, including deliveries to or from the site shall be undertaken only between the hours of 07:30 and 18:00 Monday to Friday, and 08:00 to 14:00 on a Saturday and at no time on a Sunday, Bank or Public Holiday. Vehicles associated with the delivery or collection of the birds shall be allowed to be on site from 06:30 hours with loading and unloading taking place from 07:00 hours. The removal of manure from the site shall not take place on Saturdays, Sundays, and Bank or Public Holidays.  
**Reason:** To protect the amenity of the nearby residential occupiers of the site.
8. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background levels 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 Methods for Rating and Assessing Industrial & Commercial Sound.  
**Reason:** To protect the amenity of the nearby residential occupiers of the site.
9. No part of the development shall commence until a scheme for the comprehensive and integrated drainage and water disposal of the site indicating provision for foul water (including washdown), surface water and land drainage has been submitted to and approved in writing by the local planning authority. The building shall not be occupied until the drainage scheme has been completed and shall thereafter be managed and maintained in accordance with the agreed details.  
**Reason:** To protect the integrity of the groundwater in the locality in the interests of the environment and public health.
10. Prior to the submission of the details required under condition 10, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable Urban Drainage Systems (SUDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment shall be submitted in writing to the local planning authority. Where a SUDS scheme is to be implemented, the submitted details shall:
  - i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
  - ii) Specify the responsibilities of each party for the implementation of the SUDS scheme, together with a timetable for that implementation; and

iii) Provide a timescale for implementation of the management and maintenance plans for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

**Reason:** In order to ensure that surface water can be satisfactorily dealt with on site or in a manner that does not increase the risk of flooding elsewhere.

11. No part of the development shall commence until details of all earthworks, excavation, and land regrading and retaining structures and ancillary walls, fences or bunding has been submitted to and approved in writing by the local planning authority. The details shall include existing and proposed levels and contours, cut and fill lines, existing vegetation and site features of the development. Details of soil stripping, storage and replacement shall be included where appropriate. The development shall be carried out in strict accordance with the approved details.

**Reason:** To ensure that the works are carried out in a manner to minimise impact upon existing landscape features and enhance the biodiversity of the site.

12. The odour minimisation measures as contained in the submitted Odour Management Plan of Roger Parry and Partners LLP dated October 2015 shall be fully implemented and maintained thereafter.

**Reason:** To ensure that the development does not result in a nuisance to the amenity of the neighbouring occupiers of the site.

13. No part of the development shall commence until a scheme detailing the protection of existing planting to be retained and the provision of new tree and shrub planting has been submitted to and approved in writing by the local planning authority. The scheme shall include details of species, number, size of plants at time of planting etc., of all trees and shrubs to be planted in connection with the development and details for its management.

**Reason:** In the interests of the visual amenity of the area.

14. The planting scheme to be approved in connection with condition 13 shall be fully implemented within the first planting season following the first use of the building hereby permitted, and the scheme shall be retained permanently in association with the management plan to be also submitted as part of condition 13. If within a period of two years from the date of the planting of any tree or shrub, that tree and shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written approval to any variation.

**Reason:** In the interests of the visual amenity of the area.

15. Notwithstanding the requirements of Conditions 13 and 14, no part of the egg laying barn shall commence until details of a new native hedgerow planting scheme for the road frontage (B4579) as identified

on drawing no. RJC/MZ/1845/01B of the site behind the visibility splays as required in connection with Condition 5 has been submitted to and approved in writing by the local planning authority. The planting scheme as approved shall be fully implemented within the first planting season following the decision, and it shall be permanently retained.

**Reason:** In the interests of the visual amenity of the area.

16. No part of the development shall be used until an external lighting scheme has been implemented in accordance with details that have been first submitted to and approved in writing by the local planning authority. External lighting at the site shall thereafter only be provided in accordance with the approved scheme.

**Reason:** In order to ensure that the operational phase of the development will not cause harm to the foraging activity of bats which are afforded statutory protection.

17. Prior to the commencement of development an ecological habitat management plan shall be submitted to and approved in writing by the local planning authority. The plan shall include actions to achieve biodiversity enhancements in relation to the adjoining Wildlife Site in accordance with the threats identified in section 4.1 of the submitted Ecological Appraisal of QUANTS environmental Ltd dated June 2015. The scheme shall be implemented in accordance with a timescale to be approved as part of the plan and shall be maintained in accordance with the plan thereafter.

**Reason:** To ensure that the development does not cause undue harm to the special ecological interests of the neighbouring land.