



be mindful of this, and to refer to best practice when operating such facility to ensure water quality is not compromised.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

## **PCC-(M) Highways**

**26th Apr 2019**

The County Council as Highway Authority for the County Class II Highway, B4358

Wish the following observations be applied

The Highway Authority note the revised plan, drawing no. IP/RP/07A dated April 2019, and wish for the below conditions to be included within any decision notice should the application be approved.

### Conditions

The proposed development shall be constructed in accordance with the details on drawing number IP/RP/07A.

No other development shall commence until the access has been constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to points 0.6 metres above ground level at the edge of the adjoining carriageway and 215 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the areas of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

Upon formation of the visibility splays as detailed above the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

Before any other development is commenced the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 20 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.

Before any other development is commenced the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 20 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.

Any vehicular entrance gates installed within the application site shall be set back at least 20 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of

construction for as long as the dwelling/development hereby permitted remains in existence.

Within 14 days from the commencement of the creation of the new access any existing means of access shall be stopped up, in materials to be agreed in writing by the Local Planning Authority and this shall be retained for as long as the development is in existence.

## **Environmental Health**

**26<sup>th</sup> Jun 2018**

### Noise

#### Mechanical plant

The noise data provided used BS4142:2014 for the mechanical fans and indicated that the cumulative effect of 16 fans at a distance of 400m & 450m (the nearest neighbouring properties not in the ownership of the applicants) will be 33dB (A) and below. Given that noise attenuation through a window will take levels below the WHO guideline for sleep disturbance, noise from the fans will not have a detrimental impact on amenity inside or outside of the nearest noise sensitive dwelling.

### Manure Management Plan

The process of spreading manure is controlled through legislation, being the Nitrate Pollution Prevention Regulations

2015 (the NVZ Regulations) and the DEFRA Code of Good Agricultural Practice – Protecting our Soil, Water and Air.

Spreading manure by its nature can be odorous however, it is a recognised farming practice and is subject to guidance as mentioned above, and so infrequent and time limited that it will not have a material impact on any properties located near to the spreadable areas as identified on the maps.

Our records do indicate that some missed private water supplies might be within close proximity of the development/manure spreading area and as such a condition has been added by the Planning Officer requesting that the maps/plans are amended accordingly.

Excess manure is to be transported off site to an Anaerobic Digester which holds an Environmental Permit to accept poultry waste,  
I would request the following condition be applied should permission be granted

“All vehicles used for the movement of manure if taken off site shall be sheeted and/or fully covered”.

### Odour.

The modelling data supplied predicts that at all nearby residences, the predicted 98th percentile odour concentrations would be below the Environment Agency's benchmark for moderately offensive odours so therefore no grounds for objection and no impact on amenity is likely.

### Dust

The application does not give cause for concern with respect to dust emissions. The nearest Properties not under the ownership of the applicants is 400m away and the proposed buildings include an air scrubbing system for dust abatement, along with odour and ammonia. The buildings will be ventilated through fans, which will blow air from the bird area through the air scrubber.

**PCC-Ecologist****3rd Apr 2019**

Thank you for consulting me with regards to planning application 19/0508/FUL which concerns an application for the Erection of 2 No. agricultural buildings for poultry rearing, together with associated infrastructure including a package treatment plant at Penpound, Newbridge-on-Wye, Llandrindod Wells, Powys.

I have reviewed the proposed plans and supporting information submitted with the application as well as aerial photographs of the site and surrounding habitats and local records of protected and priority species and designated sites within 500m of the proposed development.

The data search identified 39 records of protected and priority species within 500m of the proposed development, no records were for the site itself. The records identified within 500m were for white-clawed crayfish, otter, water vole, badger, bat species - Brandt's, noctule, common and soprano pipistrelle, long-eared bat species, a number of Environment (Wales) Act 2016 Section 7 list moth species and a number of Schedule 1 Wildlife & Countryside Act and Section 7 Environment (Wales) Act 2016 bird species.

The following statutory designated sites were identified within 500m of the proposed development:

- o Aberithon and Bedw Turbaries SSSI - approximately 384m west of the proposed development

No non-statutory designated sites were identified within 500m of the proposed development.

The River Wye SAC is approximately 834m from the proposed development, the Dyfnant watercourse a tributary of the River Wye SAC is located approximately along the western boundary of the proposed development. Given the proximity of the proposed development to a tributary of the River Wye SAC consideration has been given to the need for a Habitats Regulations Assessment to be undertaken. Having reviewed the proposed development, it was determined that there was potential for the proposed development to impact the SAC and/or its associated features. I have undertaken a HRA Screening of the proposed development for the River Wye SAC and its associated features. The Screening found that the proposed development would not result in Likely Significant Effects to the SAC and/or its associated features in light of the identified features and nature and scale of the proposed development. I have attached a copy of the Screening Assessments for your records.

A Preliminary Ecological Appraisal Report produced by Craig Emms and Dr Linda Barnett dated December 2018 has been submitted with the application. Desk studies and field surveys were carried out to inform the assessment of the potential for the proposed development to impact feature of biodiversity importance. I have reviewed the report and consider that the survey effort employed was in line with current best practice guidelines.

Field surveys were undertaken on the 12th December 2018, an assessment of the habitats present was undertaken and used to identify the potential for the site to support protected species. The report states that the site of the proposed development is situated within an agricultural landscape dominated by pasture and arable land. Habitats present on and adjacent to the proposed development site include grassland, hedgerow, woodland and a stream. No ponds are present within the proposed development site itself, however 5 ponds were identified within 500m.

The proposed development will utilise the existing access track off the B4358 which it has been

identified would be improved as part of the proposed development.

The report identifies that the majority of the site comprises improved grassland with the western half of the site was found to be dominated by soft rush. Plant species recorded in the improved grassland habitat were found to be widespread and common.

A native species-rich intact hedgerow is present along the site's northern boundary, the report identifies that the hedgerow was assessed according to the Hedgerow Regulations, 1997 as 'not ecologically important'. It has been judged to have negligible potential to support roosting bats as no potential roosting features were observed. The report identifies that this hedge will not be breached or damaged during the development and will remain in situ.

An area of broad-leaved semi-natural woodland is present adjacent to the site's southern boundary, species recorded within the woodland were found to be widespread and common species. The trees and bushes on the edge of the woodland have been judged to have negligible potential to support roosting bats as no potential roosting features were observed, apart from one partially dead oak tree which has been judged to have low potential to support roosting bats as it has lifting bark on the main stem and a hazard beam present. The report identifies that the woodland would not be affected by the proposed development and will remain in situ.

The report identifies that along the site's western boundary there is a narrow shallow stream. The report identifies that the stream will not be impacted during the development and will remain in situ. It is also identified that the stream will be protected from disturbance by the provision of a fenced 5m buffer zone.

An assessment of the proposed development site and adjacent habitats was carried out to determine the potential presence of protected or priority species including badgers, otters, bats, breeding birds, great crested newts and reptiles.

No great crested newts were observed on the site during the survey. No ponds are present within the development site itself, however 5 ponds were identified within 500m of the proposed development. The report states that two of the 5 ponds were not accessible during the survey. The other 3 ponds within 500m of the proposed development were assessed using the GCN Habitat Suitability Index (HSI), Pond 1 was assessed as having Excellent Suitability, Pond 2 was assessed as having Good Suitability and Pond 3 was assessed as having Poor suitability to support great crested newts. Pond 1 is approximately 136m from the proposed development site. The terrestrial habitats covering the majority of the proposed development site were considered to be unfavourable to support great crested newts due to management regime and lack of suitable features and cover. Whilst the terrestrial habitats were considered to be unfavourable further surveys were recommended due to the results of the HSI scores to establish whether great crested newts are present within these ponds and therefore the local area.

An Environmental DNA (eDNA) survey was carried out following the survey protocol stated in the technical report DEFRA WC1067 endorsed by NRW at pond 1, sampling of pond 2 was not possible due to it having dried up at the time of the survey and pond 3 was not surveyed due to its poor HSI score. The analysis of the samples collected from the pond did not detect great crested newt DNA. The report therefore concludes that great crested newts are not present and no further surveys were considered necessary. Whilst the eDNA survey of pond 1 was negative it must be acknowledged that of 5 ponds present within 500m this is the only pond identified within 500m of the proposed development that was surveyed for great crested newt DNA - although it is recognised that it was not possible to survey pond 2 due to it being dry at the time of the survey.

The decision to not survey pond 3 due to its low HSI score is questionable - eDNA samples taken by the ecological consultant at another similar site confirmed presence of great crested newt DNA in ponds with good and low HSI scores. Having reviewed biological records within 2km of the proposed development it is noted that great crested newts have been recorded within 1.5km of the proposed development. Taking into account the habitats affected by and adjacent to the proposed development and records of great crested newts within 1.5km it is considered that there is some potential for great crested newts to be present within the local area. Given the nature of the development and low favourability of the habitats directly affected it is considered that potential for impacts to great crested newts would be limited to the construction phase and that implementation of an appropriate Reasonable Avoidance Method Statement would ensure that there were no negative impacts. I therefore recommend that should you be minded to approve the application an appropriately worded planning condition to secure submission of a detailed Construction Phase Great Crested Newt Reasonable Avoidance Method Statement prior to commencement of any development is included.

The PEA determined that the habitats present at the site were of limited value to reptiles due to lack of potential features suitable for basking, refugia and hibernacula use. Whilst habitats present were considered to be of low suitability it was identified that there is potential for common species of reptile to be present in low numbers as such recommendations have been made with regards to construction activities to minimise risk of harm to any reptiles potentially present at the site. The measures proposed are considered to be appropriate and subject to their implementation it is considered that the proposed development would not result in negative impacts to reptile species.

Features present at the site were assessed for their suitability to support roosting bats. No buildings are present on the site. With the exception of a two mature trees which were considered to have low potential for roosting bats, all trees and bushes were considered to have negligible potential to support roosting bats due to lack of suitable potential roosting features. The trees identified as having low potential to support roosting bats will not be affected by the proposed development.

The hedgerow and adjacent woodland habitat were assessed as being of importance for foraging and/or commuting bats in the local area, these habitats will not be directly impacted by the proposed development and will remain insitu . Impacts from introduction of artificial lighting have been identified as having potential to negatively affect bat activity at the site, recommendations have been made with regards to artificial lighting at the site to ensure minimal impacts to nocturnal wildlife at the site and in the wider environment. No details have been provided regarding the need to install exterior lighting associated with the proposed development. Whilst it is recognised that at this time there may be no intention to install exterior lighting, in the future it may be deemed necessary to install external lighting e.g. for safety reasons. In order to ensure that any proposed external lighting at the site would not have a negative impact on local wildlife, I recommend that if planning permission is granted a planning condition is included requiring that any external lighting identified as required at the site is approved by the LPA prior to installation to ensure the development complies with the requirements of LDP policies DM2 and DM7 - should external lighting be proposed it will need to be demonstrated that the plans complies with the recommendations identified in the Bat Conservation Trust and Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series. It is therefore recommended that an appropriately worded condition is included to secure submission of a lighting design scheme to ensure compliance with the requirements of Powys LDP policies DM2 and DM7.

No otters or otter field signs were observed on the proposed development site or in the stream

adjacent to the western boundary. The report concluded that the stream is likely to be used as a route for otters to move within the wider landscape. No further otter surveys have been identified as required, however implementation of a permanent fenced off 5m wide buffer zone to the stream has been identified as a precautionary measure to prevent disturbance of otter. It is recommended that implementation and maintenance of this buffer zone is secured through an appropriately worded planning condition.

No water voles or field signs of water voles were observed on the site or in the adjacent stream. The report concludes that the stream has negligible potential to support water voles due to lack of suitable habitat for this species.

Features within the site were identified as having potential to support nesting birds, recommendations have been made regarding timing of works or pre-works checks with regards to vegetation removal to ensure compliance with relevant legislation.

No impacts to dormice are considered likely due to the hedgerow along the northern boundary being assessed as having low suitability to support this species. This conclusion is based on the lack of foraging resources to sustain populations of this species throughout the year. In addition the hedgerow is not affected by the proposed development.

No badger setts or evidence of badger activity were observed on the proposed development site or within 50m of the proposed development site's boundary.

No Invasive Non-Native Species of plants were observed on the site during the survey.

Subject to adherence to the recommendations identified in the Preliminary Ecological Appraisal Report produced by Craig Emms and Dr Linda Barnett and subject to inclusion of the identified conditions regarding a Construction Phase Great Crested Newt Reasonable Avoidance Method Statement, external lighting and buffer zone along the watercourse it is considered that the proposed development would not result in negative impacts to or loss of biodiversity at the proposed development site.

I have reviewed the information provided within the Report on the Modelling of the Dispersion of Ammonia from the Proposed Broiler Chicken Rearing Houses at Penpound, near Newbridge-on-Wye, Powys produced by AS Modelling & Data Ltd dated 17th October 2016 submitted to inform the application.

With regards to statutory designated sites the report states that the predicted process contributions to ammonia concentration and nitrogen deposition are below the thresholds applied by NRW to determine potential impacts to statutory designated sites - I note that the pre-April 2017 thresholds have been applied when undertaking this assessment, I understand that this is due to the fact an EPR application was made to NRW prior to introduction of the revised thresholds. The report identifies that the detailed modelling predicted exceedances of 4% of both the Critical Level of 1.0 µg-NH<sub>3</sub>/m<sup>3</sup> and the Critical Load of 10 kg/ha/y over parts of the River Wye SAC to the west and east of the site of the proposed poultry houses. The predicted exceedances of 4% of the Critical level of 1.0 µg-NH<sub>3</sub>/m<sup>3</sup>, extend along approximately 1.5 km of the River Ithon to the east and approximately 0.5 km of the River Wye to the west. In order to address the predicted ammonia deposition exceedances inclusion of an air scrubbing system within the proposed development has been identified to abate the predicted exceedances. A copy of the ammonia scrubber data sheet and the ammonia results with 90% abatement have been submitted to demonstrate the effectiveness of the proposed abatement measures. I note that an

Environmental Permit has been issued by NRW for 100,000 broiler places installation at the site of the proposed development. Included within the permit are requirements to adhere to the implementation of the ammonia reduction proposals i.e. installation of scrubbers to the units.

I recommend that you seek confirmation from NRW that they are satisfied that the assessment and measures proposed with regards to statutory designated site and ammonia and nitrogen deposition are acceptable.

With regards to Ancient woodland preliminary modelling was run to demonstrate the existing and proposed maximum annual mean ammonia concentration rate at the identified ancient woodland sites within 2km of the proposed development, this modelling indicated that that the process contribution to ammonia concentrations and nitrogen deposition rates would not exceed the Environment Agency's lower threshold (100% for non-statutory sites) of the precautionary Critical Level of  $1.0 \mu\text{g}/\text{m}^3$  and the Critical Load of 10.0 kg/ha. It is noted that the installation of the scrubbers (referred to above) to the proposed poultry units would also reduce the predicted process contributions to ancient woodland habitats within 2km.

A Manure Management Report produced by ADAS Ltd dated 19th November 2018 has been submitted to support the application, the plan identifies that there are insufficient land holdings available at the site to accommodate the spreading of all of the manure produced by the unit in accordance with DEFRA's CoGAP recommended upper limit of 250kg N/ha, therefore it has been identified that up to 200 tonnes of broiler litter - equating to 5600kg N - will be exported off the farm rather than being utilised on the land - details have been provided with regards to the requirements for exporting manure i.e. records of imports and exports will need to be maintained as evidence of compliance with this requirement, and should include as a minimum, the type of organic manure exported, volume, and date of movement and name/address of recipient. With regards to the manure that will be spread within the applicants holdings the MMP includes details of 'no-spread' zones i.e. buffers of 10m have been provided to all watercourses, 50m buffer from wells and boreholes and no spreading will take place in these buffers, the 'no-spread' zones are considered to be in line with current guidelines. The plan includes details of contingency measures when spreading of manure is not possible i.e. wet, waterlogged or frozen conditions; in these instances, manure, slurry and dirty water will be stored in the existing purpose built covered manure store at Upper Blaenmilo with a longer term intention to construct a covered manure store at Penpound. Plans indicate that dirty water including water from washdown will be stored in a dirty water tank below ground which will be compliant with SSAFO Regulations (Wales) 2010 standards. The measures identified are considered to be in accordance with current best practice guidelines and subject to their implementation it is considered unlikely that the proposed development would be unlikely to cause pollution to the wider environment. It is therefore recommended that an appropriately worded condition is included to secure adherence to the identified Manure Management Plan to ensure compliance with the requirements of Powys LDP policy DM2.

Details of drainage for the site have been identified in the Drainage Layout Plan drawing no. IP/RP/05 produced by Ian Pick Associates Ltd dated December 2018 these indicate that dirty and clean (surface) water will be kept separate. Dirty water from wash down will be collected in an underground sealed tank, which will be taken by vacuum tanker and spread on the applicants land in accordance with the manure management plan. The tank will be compliant with SSAFO Regulations (Wales) 2010 Standard. At the wash down stage the clean water system around the yard will be switched to the underground dirty water tank. Subject to implementation of the identified dirty water drainage proposals it is considered that the proposed development would not cause pollution to the wider environment. It is therefore recommended that an appropriately worded condition is included to secure adherence to the identified dirty water drainage plan to

ensure compliance with the requirements of Powys LDP policy DM2.

With regards to surface water management associated with the proposed development as the construction area of the proposed development would exceed 100m<sup>2</sup> the development will require approval from the SUDs Approval Body. Having reviewed the information provided with regards to surface water management it is considered that the proposals identified would not result in negative impacts to biodiversity - detailed consideration of implications with regards to biodiversity in relation to the surface water management proposals will be undertaken during the SAB approval process.

A Method Statement and Pollution Prevention Plan for Proposed Broiler Unit at land forming part of Penpound, Newbridge on Wye has been submitted with the application. I have reviewed the submitted information and considered that the measures identified are appropriate and in line with current guidelines - it should be noted that GPP5 (January 2017) has now been replaced by GPP5 Version 1.2 February 2018 which can be found at [https://www.netregs.org.uk/media/1418/gpp-5-works-and-maintenance-in-or-near-water.pdf?utm\\_source=website&utm\\_medium=social&utm\\_campaign=GPP5%2027112017](https://www.netregs.org.uk/media/1418/gpp-5-works-and-maintenance-in-or-near-water.pdf?utm_source=website&utm_medium=social&utm_campaign=GPP5%2027112017) , I have reviewed the information and consider that if the construction works and site operations are undertaken in accordance with this plan, the proposal would be unlikely to adversely impact the surrounding environment. It is therefore recommended that an appropriately worded condition is included to secure adherence to the identified Pollution Prevention Plan to ensure compliance with the requirements of Powys LDP policy DM2.

A Soft Landscape Proposals Plan drawing no. IPA1009SL produced by LVIA Ltd dated 15.01.09 has been submitted to support the application, I have reviewed the proposed planting specification and management and maintenance measures and consider that the identified landscaping is acceptable with regard to ecological qualities of the landscape in accordance with LDP policy DM4. In addition it is considered that the identified landscaping has potential to provide benefits to biodiversity - biodiversity enhancements - through the proposed development in accordance with the requirements of the Environment (Wales) Act 2016. It is therefore recommended that an appropriately worded condition is included to secure adherence to the Soft Landscape Proposals to ensure compliance with the requirements of Powys LDP policies DM2 and DM4.

Therefore should you be minded to approve the application I recommend inclusion of the following conditions:

No development, earth moving or vegetation clearance shall take place or material or construction machinery brought onto the site until a minimum 5m fenced buffer zone has been established along the eastern bank of the Dyfnant watercourse. The buffer zone shall be maintained in perpetuity.

Reason: To comply with Powys County Council's LDP Policy DM2 in relation to the Natural Environment and meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016

Prior to commencement of development a detailed Construction Phase Great Crested Newt Reasonable Avoidance Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The RAMS shall be implemented as approved.

Reason: To comply with Powys County Council's LDP Policies DM2 in relation to the Natural Environment and DM4 in relation to ecological qualities of the landscape and meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016

The development shall be carried out strictly in accordance with the details and measures identified in the following documents:

- i. Method Statement and Pollution Prevention Plan for Proposed Broiler Unit at land forming part of Penpound, Newbridge on Wye;
- ii. Manure Management Report produced by ADAS Ltd dated 19th November 2018;
- iii. Drainage Layout Plan drawing no. IP/RP/05 produced by Ian Pick Associates Ltd dated December 2018 - with regards to dirty water management.

The measures identified shall be adhered to and implemented in full and maintained thereafter.

Reason: To comply with Powys County Council's LDP Policy DM2 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

The development shall be carried out strictly in accordance with the mitigation and enhancement measures identified in the Preliminary Ecological Appraisal Report produced by Craig Emms and Dr Linda Barnett dated December 2018. The measures identified shall be adhered to and implemented in full and maintained thereafter.

Reason: To comply with Powys County Council's LDP Policy DM2 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

No external lighting shall be installed unless an external lighting plan is submitted to and approved in writing by the Local Planning Authority. The scheme shall be produced in accordance with the recommendations of Bat Conservation Trust and Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series corridors and shall be implemented as approved.

Reason: To comply with Powys County Council's LDP Policy DM2 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

The development shall be carried out strictly in accordance with the details and measures identified in the Soft Landscape Proposals Plan drawing no. IPA1009SL produced by LVIA Ltd dated 15.01.09. The measures identified shall be adhered to and implemented in full and maintained thereafter.

Reason: To comply with Powys County Council's LDP Policies DM2 in relation to the Natural Environment and DM4 in relation to ecological qualities of the landscape and meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016

In addition I recommend inclusion of the following informatives:

Great Crested Newts - Wildlife & Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017

Great Crested Newts are known to be present in the vicinity of the proposed development site. The great crested newt is fully protected under schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2017.

It is therefore an offence to:

- o Deliberately capture, injure or kill a great crested newt;
- o Deliberately disturb a great crested newt in such a way as to be likely to significantly affect the local distribution, abundance or the ability of any significant group of great crested newts to survive, breed, rear or nurture their young;
- o Damage or destroy a great crested newt breeding site or resting place;
- o Intentionally or recklessly disturb a great crested newt; or
- o Intentionally or recklessly obstruct access to a breeding site or resting place.

If a great crested newt is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist. This advice may include that a European protected species licence is sought.

Birds - Wildlife and Countryside Act 1981 (as amended)

All nesting birds, their nests, eggs and young are protected by law and it is an offence to:

- o intentionally kill, injure or take any wild bird
- o intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- o intentionally take or destroy the egg of any wild bird
- o intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist.

Protected Species

Work should halt immediately and Natural Resources Wales (NRW) contacted for advice in the event that protected species are discovered during the course of the development. To proceed without seeking the advice of NRW may result in an offence under the Conservation of Habitats and Species Regulations 2017 and/or the Wildlife & Countryside Act 1981 (as amended) being committed. NRW can be contacted at: Tel: 0300 065 3000

**PCC- (S) Land Drainage**

**4th Apr 2019**

Thanks for the opportunity to comment on this application. Having considered the information

which has been submitted, the Lead Local Flood Authority (LLFA) would make the following comments/recommendations.

Comment: The watercourse flowing/adjacent to this site is deemed an ordinary watercourse.

The Authority holds no historical flooding information relating to this greenfield site.

However, from the surface water flood mapping in our possession, there is a risk of surface water flooding to the site. This flood risk information can be seen on NRW's flood risk mapping webpage, in particular, flooding from surface water, where it shows an area with a medium chance of flooding from surface water. Development should not be permitted within an area at risk from flooding unless it can be demonstrated that the consequences of any flooding would be acceptable for the development proposed and that it would not give rise to any unacceptable flooding impacts elsewhere.

Advisory: It is presumed that Riparian rights and responsibilities exist in respect of the open watercourse (this will apply to any culverted sections of watercourse). The Applicant (or subsequent owners) are advised that they will be responsible to maintain any section of the watercourse that passes or abuts their property.

Any proposed alterations, interference or erection of any structure that affects an ordinary watercourse will require prior consent from Powys CC (as Lead Local Flood Authority), in accordance with Section 23 of the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010). Further information can be sought at: <https://customer.powys.gov.uk/article/4661/Ordinary-Watercourses-Applying-for-consent-for-works>

### **Natural Resources Wales (North) DPAS**

**18th Apr 2019**

NRW does not object to the proposal. In our opinion, as explained below, the proposal is not likely to adversely affect any of the interests listed.

#### **Protected Sites and aerial emissions**

Intensive agricultural units have the potential to impact protected sites through aerial emissions (ammonia and nitrogen deposition). This proposal has been assessed under the thresholds introduced on 1st of April 2017. NRW assesses the air quality impact a unit may have on European protected sites and Sites of Special Scientific Interest (SSSIs) within a screening distance of 5km of the unit.

The detailed atmospheric modelling report submitted in support of the proposal ('A Report on the Modelling of the Dispersion of Ammonia from the Proposed Broiler Chicken Rearing Houses at Penpound, near Newbridge-on-Wye, Powys at Forrest View, near Llanbister in Powys by AS Modelling & Data Ltd. dated 17th October 2016).

The background ammonia concentration (annual mean) in the area around Glangwden and the wildlife sites is 1.20 µg-NH<sub>3</sub>/m<sup>3</sup>. The background nitrogen deposition rate to woodland is 24.64 kgN/ha/y and to short vegetation is 16.38 kgN/ha/y. The source of these background figures is the Air Pollution Information System (APIS)

The report predicts that the process contribution to ammonia concentration and nitrogen deposition are above the thresholds we apply in our assessment of potential impacts on protected

sites.

This led to discussions between NRW and the agents for the applicant and then to amendments to include ammonia scrubbing of emissions to substantially reduce the emissions (minimum 90% reduction). The exhaust air scrubbing plant is a means to treat the air ventilation from the poultry houses by wet scrubbing, including use of acid.

NRW also note the submission of the the updated modelled impacts of ammonia on the nearest SSSI's (Penpound results with 90% abatement) that includes the installation and operation of exhaust air scrubbers to greatly reduce the aerial emissions of ammonia.

Your local authority may consider that a pre-commencement condition with regards to the installation of the ammonia air scrubbers will be appropriate.

### Manure Management Plan

We have reviewed the manure management plan ('Manure Management Report' for RW Powell by Farming Connect, dated 19th November 2018) submitted in support of the proposal.

The plan includes no-spreading buffers of 10m to watercourses and 50m to wells and boreholes, which are marked on plans. We are satisfied with the figures used for Nitrogen.

All wash water and manures arising from poultry units must be collected and stored in accordance with The Water Resources (Code of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (Wales) Regulations 2010 and spread according to the Welsh Government's Code of Good Agricultural Practice.

Provided the site operates in accordance with this plan and follows the guidance of the documents referenced above, the proposal is unlikely to adversely impact its surrounding environment.

### Drainage Plan

We have assessed the drainage plan ('Drainage Layout Plan', drawing number IP/RP/05 dated Dec 18) submitted in support of this proposal.

The plan shows the dirty water and clean water will be drained separately. Two dirty water tanks will be installed built to comply with the SSAFO regulations. The clean surface water will drain to an attenuation pond, before being discharged to a small river.

Provided the proposal is built in accordance with this plan, the development would be unlikely to cause pollution to the wider environment.

### Ecology Report

We have reviewed the ecology report ('Preliminary Ecological Appraisal' by Consultant Ecologists dated December 2018) submitted in support of the proposal.

- Bats Bats and their breeding and resting places are protected under the Wildlife and Countryside act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (SI 2017 No. 1012), and they are a material consideration for planning.

The report states it considers most of the trees on site to be of negligible bat importance. Two trees are classified as having 'low' potential, but these aren't to be impacted by the proposal.

Care should be taken in the type and location of any external lighting proposed with the new development to ensure the trees and hedgerows are not illuminated. Should any external lighting be proposed, a light spillage scheme should be agreed to the satisfaction of the Local Authority.

- Great Crested Newts Great Crested Newts (GCN) and their breeding and resting places are protected under the Wildlife and Countryside act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (SI 2017 No. 1012), and they are a material consideration for planning.

The report has assessed the ponds near the proposal and concludes it is not likely GCN are present at the site. No further surveys are required.

The recommendations made in the report should be adhered to

#### Pollution Prevention Plan

We have assessed the pollution prevention plan ('Method Statement and Pollution Prevention Plan for Proposed Broiler Unit at land forming part of Penpound, Newbridge on Wye', unreferenced) submitted in support of this proposal.

Should any contaminated water or materials enter or pollute the watercourse or groundwater, Natural Resources Wales must be notified immediately on our incident hotline, 03000 65 3000.

Provided the construction works and site operations take place in accordance with this plan, the proposal is unlikely to adversely impact the surrounding environment

Please do not hesitate to contact us if you require further information or clarification on any of the above.

Our comments above only relate specifically to matters that are listed in our 'Consultation Topics' document (September 2018) which is published on our website: (<https://cdn.naturalresources.wales/media/686847/dpas-consultationtopics-august-2018-eng.pdf?mode=pad&rnd=131819256840000000>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

Advice to Developer/Applicant:

#### Environmental Permitting Regulations

The current advice relates to a proposed unit for rearing 100,000 broilers.

We note the Applicants have already been granted an Environmental Permit for the operation of this proposal under reference EPR/AB3691ZB which was issued 16/11/2017. The permit includes limits on the emissions and also monitoring and reporting. The updated modelled impacts of ammonia on the nearest SSSI's were satisfactory following the inclusion of the scrubbing. The modelled impacts of the potential ammonia emissions on the SAC were considered in combination and found to not exceed the screening threshold. This was carried out before the

introduction of ammonia scrubbing into the application which will have greatly reduced these emissions, removing the need for "in combination" considerations.

The permit has been conditioned accordingly to reflect the operation of these scrubbers and to limit within the permit the emissions of ammonia.

#### Advice on Poultry Units

Advice on poultry units can be found in NRW's guidance documents: Guidance Note 21: Poultry Units: planning permission and environmental assessment and Guidance Note 20: Assessing the impact of ammonia and nitrogen on designated sites from new and expanding intensive livestock units

#### Abstractions

Applicants intending to supply new units from ground or surface waters are advised to check the abstraction limits and apply for a permit to abstract if required. <https://naturalresources.wales/apply-for-a-permit/water-abstraction-licences-andimpoundment-licences/?lang=en>

**Discharges** The written consent of NRW or registration for exemption by the developer will be required for any discharge from the site (e.g. foul drainage to a watercourse) and may also be required for certain categories of discharges to land. All necessary NRW consents, or exemptions must be obtained prior to works progressing on site. <https://naturalresources.wales/apply-for-a-permit/water-discharges/discharges-tosurface-water-and-groundwater/environmental-permitting-for-discharges-to-surfacewater-and-groundwater/?lang=en>

#### Groundwater

We refer the developer to the Environment Agency (2017) 'Approach to groundwater protection' position statements which have been adopted by Natural Resources Groundwater

We refer the developer to the Environment Agency (2017) 'Approach to groundwater protection' position statements which have been adopted by Natural Resources Wales. In particular the developer should be aware of the position statements in Section G "Discharge of liquid effluents into the ground" and H "Diffuse (rural) sources of pollution"

#### Silage, Slurry and Agriculture Fuel Oil) (Wales) Regulation 2010

The SSAFO built storage facilities must be built to comply with CIRIA, document C759a.

A WQE3 form must be filled for each SSAFO built structure - The Water Resources (control of pollution) (Silage, Slurry and Agriculture Fuel Oil) (Wales) Regulation 2010 "the SAFFO Wales Regulations" The applicant will need to contact the NRW 14 days before they bring the new SSAFO structure into use. NRW will visit the site and bring a WQE3 form which will assist in the process.

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

**PCC-Countryside Services Manager**

No response received.

**Cadw**

No response received.

**C P A T**

**3rd Apr 2019**

Thank you for the consultation on this application.

I can confirm that there are no archaeological implications for the proposed development at this location.

**WG - Planning Division**

No response received.

**Representations**

None received.

**Planning History**

<b>App Ref</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
P/2012/0334	Householder: Extension alterations to existing building	and Consent	30th May 2012

**Principal Planning Constraints**

SSSIs

SAC

Minerals safeguard area

B4358

**Principal Planning Policies**

<b>Policy</b>	<b>Policy Description</b>	<b>Year</b>	<b>Local Plan</b>
PPW	Planning Policy Wales (Edition 10, December 2018)		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN6	Planning for Sustainable Rural Community		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN15	Development and Flood Risk		National Policy
TAN18	Transport		National Policy

TAN23	Economic Development	National Policy
TAN24	The Historic Environment	National Policy
SP7	Safeguarding of Strategic Resources and Assets	Local Development Plan 2011-2026
DM2	The Natural Environment	Local Development Plan 2011-2026
DM4	Landscape	Local Development Plan 2011-2026
DM6	Flood Prevention Measures and Land Drainage	Local Development Plan 2011-2026
DM7	Dark Skies and External Lighting	Local Development Plan 2011-2026
DM8	Minerals Safeguarding	Local Development Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
DM14	Air Quality Management	Local Development Plan 2011-2026
E2	Employment Proposals on Non-Allocated Employment Sites	Local Development Plan 2011-2026
E6	Farm Diversification	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG (2018)	
SPG	Landscape	

### **Other Legislative Considerations**

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

### **Officer Appraisal**

## ***Town and Country Planning (Environmental Impact Assessment) Regulations 2017***

Part 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 lists types of development and thresholds to define where a development proposal is EIA development. These are contained in Schedule 1 and 2 of the Regulations; Schedule 1 of the regulations lists where EIA is mandatory and Schedule 2 where development must be screened to determine if it is EIA development.

The proposed development falls within the definition of Schedule 1 (17a) – ‘*Installations of the intensive rearing of poultry and pigs*’ as it exceeds the threshold of 85000 broilers. Therefore an Environmental Statement is mandatory to accompany this planning application which has been processed as EIA development in accordance with the 2017 Regulations.

### ***Environmental Permitting Regulations***

The operations at the site require an environmental permit issued by Natural Resources Wales under the Environmental Permitting (England & Wales) Regulations 2010 (as amended). This is required on the basis that the amount of broilers to be reared on site passes the threshold for an environmental permit. It is Natural Resources Wales’ role to determine if the operation can be managed on an ongoing basis to prevent or minimise pollution.

It is noted that the applicant has already been granted an Environmental Permit for the operation of this proposal under reference EPR/AB3691ZB which was issued 16/11/2017. The permit includes limits on the emissions and also monitoring and reporting. The updated modelled impacts of ammonia on the nearest SSSIs were satisfactory following the inclusion of the scrubbing. The modelled impacts of the potential ammonia emissions on the SAC were considered in combination and found to not exceed the screening threshold. This was carried out before the introduction of ammonia scrubbing into the application which will have greatly reduced these emissions, removing the need for “in combination” considerations. The permit has been conditioned accordingly to reflect the operation of these scrubbers and to limit within the permit the emissions of ammonia.

### ***Habitats Regulations Assessment***

Under the Conservation of Habitats and Species Regulations 2010 (as amended) any competent authority, before deciding to undertake, or give consent, permission or other authorization for a plan or project which is likely to have a significant effect on a European Site (either alone or in combination with other plans or projects) and is not directly connected or necessary to the management of the site, must make an appropriate assessment of the implications of the proposed development in relation to the site’s conservation objectives.

A Habitats Regulations Assessment Screening has been undertaken by the Council’s Ecologist for the River Wye SAC which is located 834 metres from the proposed development.

The Screening Assessment has concluded that the proposed development will not result in Likely Significant Effects to the SAC and/or its associated features in light of the identified features and nature and scale of the proposed development.

### ***Section 38 (6) of the Planning and Compulsory Purchase Act 2004***

Members are advised to consider this application in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

### ***The Scheme***

The development relates to the erection of two broiler rearing units accommodating 100,000 birds in total. Each of the two buildings will measure 104m by 24.7m with a ridge height of 6.282m. The development will also include the provision of associated feed bins, hardstanding areas, a ground source heat pump, plant room, underground dirty water tank, water tank, dead bird shed, gate house, 5 gas tanks, a treatment plant and an attenuation pond. Access will be taken from the B4358 via a newly created access.

### ***Site Location***

The development will be located south of the existing dwelling and farmstead at Penpound and will be an isolated form of development in the open countryside. The site is currently an agricultural field and is surrounded on all sides by agricultural land. To the south of the site, the B4358 runs between Newbridge on Wye and Llandrindod. The application site is approximately 1.4 kilometres north east of Newbridge on Wye and approximately 4 kilometres south west of Llandrindod Wells.

### ***Principle of Development***

Policies E2 and E6 of the Powys Local Development Plan as well as Technical Advice Notes 6 and 23 accept the principle of appropriate agricultural development within the open countryside.

Policy E2 supports proposals for developments that are appropriate in scale and nature to their location and are supported by a business case which demonstrates that its location is justified. It is accepted that poultry rearing is a land based business that requires purpose built buildings on farms that propose to run them.

In addition, policy E6 states that development proposals for farm diversification will be permitted where the proposed diversification will be of an intensity of use appropriate to the location and setting as well as not having a significant detrimental effect on the vitality and viability of any adjacent land uses. Planning Policy Wales (2018) and Technical Advice Note 23 (2014) emphasise the need to support diversification and sustainability in such areas, recognising that new businesses are key to this objective and essential to sustain rural communities. Local Authorities should therefore look to facilitate appropriate rural developments. This support should be balanced against other material considerations, such as impact of proposals on the quality of the landscape and environment.

It is generally accepted that poultry units on existing farm enterprises are an appropriate form of diversification. The applicant currently operates a traditional beef and sheep farming enterprise within Powys which extends to 685 acres and includes 2000 breeding ewes.

The application has also detailed the benefit of the scheme to the local economy though the £1.3 million investment in the construction of the site. Actual job creation has not been detailed

but it has been noted that employment will be created both via the construction and operational phases of the development.

Therefore, subject to all other material planning matters being acceptable, the principle of development at this location is acceptable.

Having considered the details submitted in respect of the proposed broiler meat production unit, the principal matters considered relevant to determination are as follows;

- The effect of the proposed development on the character and appearance of the area;
- The effect of the proposed development on the local amenity;
- The effect of the proposal on nature conservation interests and the environment;
- The effect of the proposal upon highway safety; and
- The effect of other considerations on the overall planning balance.

### ***Landscape and Visual Impact***

Guidance within policy DM4 of the Powys Local Development Plan, indicates that development proposals will only be permitted where they would not have an unacceptable impact on the environment and would be sited and designed to be sympathetic to the character and appearance of its surroundings. Policy DM4 requires a Landscape and Visual Impact Assessment to be undertaken where impacts are likely on the landscape and proposals should have regard to LANDMAP, Registered Historic Parks and Gardens, protected landscapes and the visual amenities enjoyed by users of the Powys landscape and adjoining areas.

The Environmental Statement includes a Landscape and Visual Impact Assessment which has accompanied the application. Officers considered that the methodology employed is in line with best practice. The assessment has identified that the site is currently a field in agricultural use which is defined by hedgerows and trees with pockets of woodland in the local landscape. The site sits in an undulating landform. The proposed scheme would not be out of character with its surroundings when considered as part of the wider landscape and mitigation measures have been suggested to aid the integration of the development. The assessment of visual impact concludes that there would be a negligible effect to visual receptors from the development. Therefore, with the implementation of a successful mitigation strategy, the overall impact on the landscape is considered to have a minor overall effect on the surrounding landscape character and a negligible effect on visual impact.

LANDMAP has designated the landscape as follows

Geological Landscape – Llanyre – Undulating lowland hill terrain - Moderate

Landscape Habitat – Mosaic - High

Visual and Sensory – Lower Ithon Valley – Open/Wooded Mosaic Upland Valleys - Moderate

Historic Landscape – Trecoed – Irregular Fieldscapes - High

Cultural Landscape – Uplands and Lowlands – Agricultural - High

Within the visual and sensory layer of LANDMAP, the landscape has been described as a quiet area in a wide open and broad valley. The topography is gently undulating with mixed farmland including some arable fields enclosed by managed hedges, woodlands and scattered trees. The application site and immediate surrounding area fits the description of the aspect area well in terms of its characteristics. Officers concur with the conclusions of the LVIA and raise no objection with regards to landscape and visual impact.

A Soft Landscape Proposals Plan drawing no. IPA1009SL produced by LVIA Ltd dated 15.01.09 has been submitted to support the application. Having reviewed the proposed planting specification and management and maintenance measures, it is considered that the identified landscaping is acceptable with regard to its screening qualities from visual receptors in accordance with LDP policy DM4. In addition it is considered that the identified landscaping has potential to provide benefits to biodiversity through biodiversity enhancements in accordance with the requirements of the Environment (Wales) Act 2016. It is therefore recommended that an appropriately worded condition is included to secure adherence to the Soft Landscape Proposals to ensure compliance with the requirements of Powys LDP policies DM2 and DM4.

In light of the above observations and notwithstanding the scale of the proposed development, it is considered that the proposed development is in accordance with planning policy. Should Members be minded to grant planning permission it is recommended that any consent is subject to appropriate conditions restricting materials as well as securing the implementation and retention of existing and proposed landscaping. Subject to the above, Officers consider that the visual and landscape impact associated with the proposed broiler development can be appropriately managed and thereby safeguard the Powys landscape in accordance with policies SP7, DM4, DM13 and E6 of the Powys Local Development Plan.

### ***Amenity***

LDP policy DM13 states that development proposals will only be permitted where the amenities enjoyed by the occupants of nearby or proposed properties are not unacceptably affected. Officers acknowledge that intensive livestock units have potential to generate noise impact from plant/equipment (extractor fans) and general operational activities whilst odour impact may potentially arise from the spreading of manure and cleaning of the unit at the end of the bird cycle.

In order to inform the assessment of potential impact on local amenity, the planning application is accompanied by the following documents;

- Manure Management Plan (with revisions);
- Noise assessment
- Odour assessment
- A Report on the Modelling of the Dispersion and Deposition of Ammonia;

The closest dwellings not in the applicant's ownership are located approximately 400 metres and 445 metres from the centre of the proposed development.

### ***Noise***

The only plant associated with the development will be the 8 roof mounted extract fans per shed (16 total) and 16 gable end extract fans from scrubbers (32 total). The gable end fans and air scrubber system will provide sufficient extraction for the poultry units on their own, the roof extract fans are for emergency use only.

The noise assessment submitted within the environmental statement has concluded that the noise emissions of the extract fans on the proposed poultry units will result in a low to very low

noise impact during the day and evening, and a negligible impact during the night. The noise emissions have been assessed in accordance with BS4142:2014 at the nearest dwellings.

The development will generate increased traffic to and from the application site. However, given the nature of the existing highway and the distances from the receptors, the development is not considered likely to affect the amenity of neighbouring properties either by increased traffic or operations at the application site.

#### *Odour*

The application has been supported by an odour assessment for the rearing houses. Odour emission rates from the proposed poultry houses have been assessed and quantified based upon an emissions model that takes into account the likely internal odour concentrations and ventilation rates of the poultry houses. The emission rates are then used as inputs to an atmospheric dispersion model which calculates odour exposure levels in the surrounding area. The modelling predicts that at all the nearby residences, the odour concentrations would be below the Environment Agency's benchmark.

In addition, the application has been accompanied by a manure management report in which it is detailed that manure from the units can be stored within a covered manure store at Upper Blaenmilo (applicant's farm holding). Manure will then be used on that holding as a fertiliser. Taking into account the applicant's existing livestock numbers, holding area and the CoGAP guideline that livestock manure spreading should not exceed 250Kg/ha of total nitrogen per year, there will be an excess of approximately 200 tonnes of chicken manure produced by the development. It has been detailed that this will be exported to an anaerobic digester which holds an Environmental Permit to accept poultry waste.

Members are advised that the potential impacts of manure spreading both on and off the applicant's land is a material planning consideration. The fact that manure spreading for agricultural purposes does not require planning permission is also a material consideration in the planning balance but cannot be a substitute for a proper assessment of the impacts of manure spreading.

Following review of the submitted manure management plan, whilst acknowledging the proximity of the spreading area to residential properties, it is considered that the frequency of spreading is relatively low. Fields will be spread no more than twice per annum which although odorous during this period, given the frequency, it is not considered that this will result in unacceptable impacts on the amenity enjoyed by residents.

#### *Dust*

Given the distances from sensitive receptors, it is considered unlikely that existing residents will be affected by dust from the development.

#### *Private Water Supplies*

The Environmental Health Department have highlighted a number of private water supplies in proximity to the spreading areas within the submitted manure management plan that may not be accounted for. The principle of spreading on the applicant's land with excess manure being sent to an anaerobic digester is acceptable and it is considered a condition for the submission and agreement of spreading maps should be attached to any permission granted. This will ensure

that manure spreading complies with CoGAP guidelines and safeguards all existing local private water supplies from pollution. Subject to the inclusion of such condition, the proposal will comply with the achievement of the Water Framework Directive's overarching objectives as detailed within policy DM2 of the Local Development Plan and will ensure that existing amenity can be maintained in accordance with policy DM13.

#### *Amenity Conclusion*

In light of the above, it is considered that the proposed development will not have an unacceptable adverse impact on the amenities enjoyed by occupants of nearby properties by reasons of noise, odour or dust or upon the quality of existing private water supplies. Therefore, Development Management considers the proposal to be in accordance with planning policy, in particular LDP policies DM13 and DM14 and DM2.

#### ***Biodiversity, Ecology & The Environment***

Policy DM2 of the Powys Local Development Plan seeks to maintain biodiversity and safeguard protected important sites. Policy DM2 states that proposed development should not unacceptably adversely affect any designated site, habitat of species including locally important site designations.

#### *SSSIs and SAC*

Intensive livestock installations have the potential to impact protected sites through aerial emissions (ammonia and nitrogen deposition). In their consultation response, Natural Resources Wales (NRW) confirm that an assessment of the potential air quality impact of a unit on a European site and Sites of Special Scientific Interest (SSSIs) is undertaken in accordance with 2017 thresholds within a screening distance of 5km of the proposed unit. The application is accompanied by an ammonia dispersion and deposition modelling report which identifies the protected sites and the potential impact from the proposed development.

It is acknowledged by NRW and the Council's Ecologist that subject to the use of air scrubbers, no objection is offered in respect of individual or cumulative impact. It is noted that an Environmental Permit has been issued by NRW for 100,000 broiler places installation at the site of the proposed development. Included within the permit are requirements to adhere to the implementation of the ammonia reduction proposals i.e. installation of scrubbers to the units.

On the basis of the responses received, it is not considered that the proposed development will have an unacceptable impact on designated and protected sites subject to the use of scrubbers and a condition of consent has been recommended at the end of this report to ensure installation prior to first use of the buildings. The proposal is therefore considered to be compliant with policy DM2 of the Powys LDP, Technical Advice Note 5 and Planning Policy Wales.

#### *Protected Species*

Policy DM2 of the Powys Local Development Plan, TAN5 and PPW seek to safeguard protected species and their habitats. Policy DM2 states that proposed development should not unacceptably adversely affect any habitat or protected species.

Great Crested Newts (GCN) and their breeding and resting places are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (SI 2017 No.1012). Biological records within 2km of the proposed development detail that great crested newts have been recorded within 1.5km of the proposed development. Taking into account the habitats affected by and adjacent to the proposed development and records of great crested newts within 1.5km it is considered that there is some potential for great crested newts to be present within the local area. However, given the nature of the development and low favourability of the habitats directly affected it is considered that potential for impacts to great crested newts would be limited to the construction phase and that implementation of an appropriate Reasonable Avoidance Method Statement would ensure that there were no negative impacts.

The ecological assessment submitted with the application determined that the habitats present at the site were of limited value to reptiles due to lack of potential features suitable for basking, refugia and hibernacula use. Whilst habitats present were considered to be of low suitability it was identified that there is potential for common species of reptile to be present in low numbers as such recommendations have been made with regards to construction activities to minimise risk of harm to any reptiles potentially present at the site. The council's Ecologist considers the measures proposed to be appropriate, and, subject to their implementation, that the proposed development would not result in negative impacts to reptile species.

Features present at the site were assessed for their suitability to support roosting bats. No buildings are present on the site. With the exception of a two mature trees which were considered to have low potential for roosting bats, all trees and bushes were considered to have negligible potential to support roosting bats due to lack of suitable potential roosting features. The trees identified as having low potential to support roosting bats will not be affected by the proposed development.

The hedgerow and adjacent woodland habitat were assessed as being of importance for foraging and/or commuting bats in the local area, these habitats will not be directly impacted by the proposed development and will remain in situ. Impacts from introduction of artificial lighting have been identified as having potential to negatively affect bat activity at the site and recommendations have been made with regards to artificial lighting at the site to ensure minimal impacts to nocturnal wildlife. No details have been provided regarding the need to install exterior lighting associated with the proposed development. Whilst it is recognised that at this time there may be no intention to install exterior lighting, in the future it may be deemed necessary to install external lighting e.g. for safety reasons. In order to ensure that any proposed external lighting at the site would not have a negative impact on local wildlife, it is recommended by the Ecologist that if planning permission is granted a planning condition is included requiring that any external lighting identified as required at the site is approved by the planning authority prior to installation to ensure the development complies with the requirements of LDP policies DM2 and DM7.

No water voles or field signs of water voles were observed on the site or in the adjacent stream. The report concludes that the stream has negligible potential to support water voles due to lack of suitable habitat for this species.

Features within the site were identified as having potential to support nesting birds, recommendations have been made regarding timing of works or pre-works checks with regards to vegetation removal to ensure compliance with relevant legislation.

No impacts to dormice are considered likely due to the hedgerow along the northern boundary being assessed as having low suitability to support this species. This conclusion is based on the lack of foraging resources to sustain populations of this species throughout the year. In addition the hedgerow is not affected by the proposed development.

No badger setts or evidence of badger activity were observed on the proposed development site or within 50m of the proposed development site's boundary.

No Invasive Non-Native Species of plants were observed on the site during the survey.

Subject to adherence to the recommendations identified in the Preliminary Ecological Appraisal Report and inclusion of the identified conditions regarding a Construction Phase Great Crested Newt Reasonable Avoidance Method Statement, external lighting and buffer zone along the watercourse, it is considered that the proposed development would not result in negative impacts to or loss of biodiversity at the proposed development site.

#### *Ancient Woodland*

With regards to Ancient woodland preliminary modelling was run to demonstrate the existing and proposed maximum annual mean ammonia concentration rate at the identified ancient woodland sites within 2km of the proposed development, this modelling indicated that that the process contribution to ammonia concentrations and nitrogen deposition rates would not exceed the Environment Agency's lower threshold. It is noted that the installation of the scrubbers to the proposed poultry units would also reduce the predicted process contributions to ancient woodland habitats within 2km.

In light of the above, it is not considered that the proposed development will have an unacceptable impact on Ancient Woodland.

#### *Pollution Control*

Officers acknowledge that the proposal has the potential to pollute the environment through the spreading of manure, surface water run off together with associated construction and operational activities unless suitable control/mitigation measures are implemented.

The application is accompanied by a Manure Management Plan which confirms both spreading practices and contingency measures. The measures identified are considered to be in accordance with current best practice guidelines (subject to inclusion of all local private water supplies) and subject to their implementation it is considered unlikely that the proposed development would cause pollution to the wider environment or individual water supplies. It is therefore recommended that an appropriately worded condition is included to secure adherence to an appropriate Manure Management Plan to ensure compliance with the requirements of Powys LDP policy DM2.

Details of the proposed site drainage are identified and indicates that dirty and clean water will be kept separate. Dirty water e.g. from wash down will be collected in an underground sealed tank (compliant with SSAFO Regulations (Wales) 2010 Standards), before being tankered out as necessary and applied to the land in accordance with the manure management plan. At the wash down stage the clean water system around the yard will be switched to the underground dirty water tank. Subject to implementation of the identified dirty water drainage proposals it is considered that the proposed development would not cause pollution to the wider environment.

It is therefore recommended that an appropriately worded condition is included to secure adherence to the identified dirty water drainage plan to ensure compliance with the requirements of Powys LDP policy DM2.

A Method Statement and Pollution Prevention Plan has been submitted with the application. It is considered that the measures identified are appropriate and in line with current guidelines. The Ecologist has reviewed the information and considers that if the construction works and site operations are undertaken in accordance with this plan, the proposal would be unlikely to adversely impact the surrounding environment. It is therefore recommended that an appropriately worded condition is included to secure adherence to the identified Pollution Prevention Plan to ensure compliance with the requirements of Powys LDP policy DM2.

The application includes the provision of a gatehouse with WC facilities and a shower. The application form states that foul sewage will be dealt with via a treatment plant. No details have been provided with regards to the outfall but it is noted that there is a watercourse at the edge of the application site boundary into which the outfall could flow subject to a permit from NRW. To ensure that the proposal would not lead to issues with pollution to the environment, a condition will be attached to the consent to ensure that this means of foul sewerage disposal is adopted.

Having carefully reviewed the information submitted, both NRW and the County Ecologist have confirmed that subject to appropriate conditions being attached securing adherence to the submitted documents, it is not considered that the proposed development would have an unacceptable adverse impact on the surrounding environment by reasons of pollution.

#### *Biodiversity, Ecology & the Environment Conclusion*

Having carefully considered the proposed development, Development Management does not consider that the proposed development will have an unacceptable adverse impact on designated sites, protected species or the environment both in terms of individual and cumulative impact. As such, the proposal is considered to be in accordance with policies DM2 and DM13 of the Powys LDP, Technical Advice Note 5 and Planning Policy Wales.

#### ***Flood Risk and Surface Water Drainage***

The application has been accompanied by a Flood Consequence Assessment. The development is shown to be within Zone A on the Development Advice Map i.e. beyond the 1:1000 year fluvial flood extent (not at risk from fluvial flooding).

With regards to surface water drainage, NRW mapping indicates a low flood risk from the north east could affect the buildings. A surface water management plan has been devised which includes the use of French drains around each building with outfall to an attenuation pond located to the south west of the sheds. With the implementation of these measures, surface water run off can be kept below greenfield rates and will ensure that the development of the site will not increase risk elsewhere.

With regards to surface water management associated with the proposed development, as the construction area of the proposed development would exceed 100m<sup>2</sup>, the development will require approval from the SUDs Approval Body. In addition, any proposed alterations, interference or erection of any structure that affects an ordinary watercourse will require prior consent from Powys CC (as Lead Local Flood Authority), in accordance with Section 23 of the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010).

Based on the information available, the development would accord with the provisions of the Local Development Plan, in particular, policies DM5 and DM6 as well as Technical Advice Note 15 and Planning Policy Wales.

### ***Highway Safety and Movement***

Policy DM13 confirms that applications must demonstrate that the development has been designed and located to minimise the impacts on the transport network - journey times, resilience and efficient operation - whilst ensuring that highway safety for all transport users is not detrimentally impacted upon.

In accordance with policies DM13 and T1, development proposals are expected to meet all highway access requirements, (for all transport users), vehicular parking standards and demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development.

Vehicular access to the proposed poultry unit will be via a newly created access track from the B4358. A concrete apron will be laid around the perimeter of the building providing parking and turning provision for delivery vehicles. The application has been supported by a transport statement that details the total volume of commercial traffic generated per annum equates to 645 movements. This includes shaving delivery, chick delivery, feed delivery, bird removal, casualty bird removal, manure removal and dirty water removal.

The Highway Authority have been consulted on the application and offer no objection to the proposed development subject to conditions which are detailed at the end of this report.

Given the comments received from the Highway Authority, it is not considered that the proposed development will have an unacceptable adverse impact on highway safety and movement. Development Management is therefore satisfied that the proposed development is in accordance with policies T1 and DM13 of the Powys Local Development Plan, Technical Advice Note 18 – Transport and Planning Policy Wales.

### ***Minerals Safeguarding***

Policy DM8 seeks to ensure that mineral resources are not needlessly sterilised by other development, so that they remain accessible to future generations in accordance with PPW and MTANs. The identified mineral safeguarding areas carry no presumption that the resource will be worked, merely that the location is known and that the presence of the resource should be adequately addressed and effectively considered within planning decisions.

In this instance, approximately half of the development site (north and west section) is within the mineral safeguarding area for sand and gravel (category 2). The supporting text for the policy does state that proposals to reuse the mineral resource within the proposed development are supported as it minimises the need to import materials over long distances. The agent has confirmed in writing that the mineral will be re-used within the development and as such, the development is considered to be acceptable in accordance with policy DM8 of the Powys Local Development Plan.

## RECOMMENDATION

The application is in respect of a development to accommodate 100,000 broilers at the site in Penpound near Newbridge on Wye. Having been assessed by Development Management and taking into account the comments of consultees, the development is not considered likely to unacceptably affect the environment subject to adherence of the information submitted with the application which will be controlled via the conditions detailed below. The development is considered to be compliant with local and national planning policy and it is for that reason that the development is recommended for approval.

**The information submitted within the Environmental Statement has been considered in full in reaching the recommendation made on this application.**

### *Conditions*

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.
2. The development shall be carried out strictly in accordance with the approved plans and documents: IP/RP/01, IP/RP/02, IP/RP/03, IP/RP/04, IP/RP/05, IP/RP/07A, IPA1009SL, Method Statement and Pollution Prevention Plan for Proposed Broiler Unit at land forming part of Penpound, Newbridge on Wye, Manure Management Report produced by ADAS Ltd dated 19th November 2018 with the additional information submitted within the email from Ian Pick to Louise Evans dated 21<sup>st</sup> June 2019, the mitigation and enhancement measures identified in the Preliminary Ecological Appraisal Report produced by Craig Emms and Dr Linda Barnett dated December 2018. The measures identified within the documents shall be adhered to, implemented in full and maintained thereafter.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or alterations to the unit shall be erected without the consent of the Local Planning Authority.
4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 as amended or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the premises shall not be used for any purpose other than that hereby authorised.
5. The poultry units hereby approved shall be limited to occupation by 100,000 broilers.
6. The air scrubbing units detailed within the document Poultry Air Scrubber by FarmAir luchtwassers submitted on the 21<sup>st</sup> March 2019 and shown on plan IP/RP/03 shall be installed and fully operational prior to the first use of the buildings for the housing of poultry.
7. The external cladding of the building and the feed silos shall be olive green in colour for the lifetime of the development. The external elements of the mechanical fans shall also be olive green or black in colour for the lifetime of the development.
8. All proposed planting as detailed on plan IPA1009SL must be carried out in the first planting season following the commencement of development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
9. No other development shall commence until the access onto the B4358 has been constructed so that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 2.4 metres distant from the edge of the adjoining carriageway, to

points 0.6 metres above ground level at the edge of the adjoining carriageway and 215 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the areas of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction for as long as the development hereby permitted remains in existence.

10. Upon formation of the visibility splays as detailed in condition 9 the centreline of any new or relocated hedge should be positioned not less than 1.0 metre to the rear of the visibility splay and retained in this position as long as the development remains in existence.

11. Before any other development is commenced the area of the access to be used by vehicles is to be constructed to a minimum of 410mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material for a distance of 20 metres from the edge of the adjoining carriageway. Any use of alternative materials is to be agreed in writing by the Local Planning Authority prior to the access being constructed.

12. Prior to the first use of the buildings hereby permitted for the housing of poultry, the area of the access to be used by vehicles is to be finished in a 40mm bituminous surface course for a distance of 20 metres from the edge of the adjoining carriageway. This area will be maintained to this standard for as long as the development remains in existence.

13. Any vehicular entrance gates installed within the application site shall be set back at least 20 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway and shall be retained in this position and form of construction for as long as the dwelling/development hereby permitted remains in existence.

14. Within 14 days from the commencement of the creation of the new access any existing means of access shall be stopped up, in materials to be agreed in writing by the Local Planning Authority and this shall be retained for as long as the development is in existence.

15. No development, earth moving or vegetation clearance shall take place or material or construction machinery brought onto the site until a minimum 5m fenced buffer zone has been established along the eastern bank of the Dyfnant watercourse. The buffer zone shall be maintained in perpetuity.

16. Prior to commencement of development a detailed Construction Phase Great Crested Newt Reasonable Avoidance Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The RAMS shall be implemented as approved.

17. No external lighting shall be installed unless an external lighting plan is submitted to and approved in writing by the Local Planning Authority. The scheme shall be produced in accordance with the recommendations of Bat Conservation Trust and Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series corridors and shall be implemented as approved.

18. Notwithstanding the submitted Manure Management Report produced by ADAS Ltd dated 19th November 2018, revised maps to detail the no spread areas to take into account all local private water supplies shall be submitted to and approved in writing by the local planning authority prior to the first use of the buildings for the housing of poultry. Manure produced from the development hereby permitted must be spread in accordance with the approved maps and any excess manure not spread on the land shall be sent for disposal to an anaerobic digester in accordance with the email submitted by Ian Pick to Louise Evans on the 21<sup>st</sup> June 2019.

19. Prior to the first use of the Gate House shown on plan IP/RP/02A, a treatment plant of sufficient capacity with outfall to a watercourse must be installed and fully operational to deal with the foul drainage requirement of the building.

20. All manure exported off site (Penpound, Newbridge On Wye, LD1 6HP) must be sheeted or fully covered.

## Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
- 3 to 6. In order to control the development which has the potential to have adversely affect the amenity of the area and local biodiversity in contradiction to Policy DM13 and DM2 of the Powys Local Development Plan and Planning Policy Wales (2018).
- 7&8. In the interests of amenity and a satisfactory development in accordance with policies DM4 and DM13 of the Powys Local Development Plan (2018), Technical Advice Note 12 and Planning Policy Wales (Edition 10, 2018).
- 9 to 14. In the interests of highway safety in accordance with policies DM13 and T1 of the Powys Local Development Plan (2018), Technical Advice Note 18 and Planning Policy Wales (Edition 10, 2018).
15. To comply with Powys County Council's LDP Policy DM2 in relation to the Natural Environment and meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016
16. To comply with Powys County Council's LDP Policies DM2 in relation to the Natural Environment and DM4 in relation to ecological qualities of the landscape and meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016
17. To comply with Powys County Council's LDP Policy DM2 and DM7 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 10, December 2018), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.
18. To ensure that the development does not pollute any private water supplies with the spreading of waste produced by the unit in accordance with policies DM2 and DM13 of the Powys Local Development Plan (2018) and Planning Policy Wales (2018).
19. To ensure that sewerage treatment works will be provided in time to serve the development to avoid any risk of polluting the environment in accordance with policy DM13 of the Powys Local Development Plan.
20. In the interests of amenity and a satisfactory development in accordance with policy DM13 of the Powys Local Development Plan (2018) and Planning Policy Wales (Edition 10, 2018).

## Informative notes

Great Crested Newts - Wildlife & Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017

Great Crested Newts are known to be present in the vicinity of the proposed development site. The great crested newt is fully protected under schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2017.

It is therefore an offence to:

- o Deliberately capture, injure or kill a great crested newt;
- o Deliberately disturb a great crested newt in such a way as to be likely to significantly affect the local distribution, abundance or the ability of any significant group of great crested newts to survive, breed, rear or nurture their young;
- o Damage or destroy a great crested newt breeding site or resting place;

- o Intentionally or recklessly disturb a great crested newt; or
- o Intentionally or recklessly obstruct access to a breeding site or resting place.

If a great crested newt is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist. This advice may include that a European protected species licence is sought.

Birds - Wildlife and Countryside Act 1981 (as amended)

All nesting birds, their nests, eggs and young are protected by law and it is an offence to:

- o intentionally kill, injure or take any wild bird
- o intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- o intentionally take or destroy the egg of any wild bird
- o intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist.

### Protected Species

Work should halt immediately and Natural Resources Wales (NRW) contacted for advice in the event that protected species are discovered during the course of the development. To proceed without seeking the advice of NRW may result in an offence under the Conservation of Habitats and Species Regulations 2017 and/or the Wildlife & Countryside Act 1981 (as amended) being committed. NRW can be contacted at: Tel: 0300 065 3000

### Advice on Poultry Units

Advice on poultry units can be found in NRW's guidance documents: Guidance Note 21: Poultry Units: planning permission and environmental assessment and Guidance Note 20: Assessing the impact of ammonia and nitrogen on designated sites from new and expanding intensive livestock units

### Abstractions

Applicants intending to supply new units from ground or surface waters are advised to check the abstraction limits and apply for a permit to abstract if required. <https://naturalresources.wales/apply-for-a-permit/water-abstraction-licences-and-impoundment-licences/?lang=en>

### Discharges

The written consent of NRW or registration for exemption by the developer will be required for any discharge from the site (e.g. foul drainage to a watercourse) and may also be required for certain categories of discharges to land. All necessary NRW consents, or exemptions must be obtained prior to works progressing on site. <https://naturalresources.wales/apply-for-a-permit/water-discharges/discharges-to-surface-water-and-groundwater/environmental-permitting-for-discharges-to-surface-water-and-groundwater/?lang=en>

## Groundwater

We refer the developer to the Environment Agency (2017) 'Approach to groundwater protection' position statements which have been adopted by Natural Resources Wales. In particular the developer should be aware of the position statements in Section G "Discharge of liquid effluents into the ground" and H "Diffuse (rural) sources of pollution"

## Silage, Slurry and Agriculture Fuel Oil) (Wales) Regulation 2010

The SSAFO built storage facilities must be built to comply with CIRIA, document C759a.

A WQE3 form must be filled for each SSAFO built structure - The Water Resources (control of pollution) (Silage, Slurry and Agriculture Fuel Oil) (Wales) Regulation 2010 "the SAFFO Wales Regulations" The applicant will need to contact the NRW 14 days before they bring the new SSAFO structure into use. NRW will visit the site and bring a WQE3 form which will assist in the process.

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

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