



**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)
(Wales) Order 2012**

Application P/2014/0553 for Full Planning Permission

**Mr Ian Pick
Ian Pick Associates Ltd
Llewellyn House
Middle Street
Kilham
Drifffield
East Yorkshire YO25 4RL**

Applicant: Mr Martin Lawrence

In pursuance of its powers under the above-mentioned Act and Order Powys County Council (hereinafter called "the Council") as local planning authority hereby gives you notice that **FULL PLANNING PERMISSION** is **GRANTED** for the following development, namely:-

Full: Erection of an agricultural building for free range egg production with associated feed bins and hardstandings

Dolau Jenkin Farm, Penybont, Llandrindod Wells

In accordance with the application and plan submitted to the Council on 03/06/2014 subject to the conditions specified hereunder:-

1. The development hereby permitted shall begin not later than five years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos
3. No development shall take place until details of all external materials to be used in the construction of the poultry shed, feed silos and ancillary structures, including their colour and finish have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
4. No development shall take place until a landscape and planting scheme, including plant specifications, species, densities, methods of protection and maintenance, has been submitted to and approved in writing by the local planning authority. The approved landscape and planting scheme shall thereafter be implemented within 12 months of the completion of the development. If any tree, hedge or shrub planted as part of the approved

landscaping scheme on the site dies or is lost through any cause during a period of 5 years from the date of planting, it shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the local planning authority.

5. No development shall take place until full details of the finished floor levels of the building hereby permitted, including its relationship to the existing ground levels, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
6. No development shall take place until a scheme (to include a management plan) for the sustainable drainage of the site has been submitted to the Local Planning Authority and approved in writing. The sustainable drainage scheme shall be implemented in accordance with the approved details and be operated thereafter in accordance with the agreed management plan.
7. No development shall take place until details of all external illumination have been submitted to and approved in writing by the local planning authority. External illumination shall be implemented only in accordance with the approved details.
8. Notwithstanding the details submitted, the development hereby permitted shall not be brought into use until such time that a Waste Management Plan has been submitted to and approved in writing by the local planning authority. The Waste Management Plan shall include measures for the control of flies. Unless otherwise agreed in writing the development shall operate in strict accordance with the approved Waste Management Plan.
9. All vehicles used for the movement of manure shall be sheeted and/or fully covered.
10. No manure from the egg laying unit shall be spread on the holding without the prior written approval of the local planning authority. In no circumstances shall manure be spread within 200m of any watercourse or any Site of Specialist Scientific Interest on or near the application Site.
11. The bird ranging area associated with the building shall maintain a 10 metre buffer to any hydrological link (watercourse, ditch or similar) with the River Wye SAC and River Ithon SSSI.
12. The machinery, plant or equipment including air condition and ventilation systems ("machinery") installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not exceed 30dB during day and night time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [5 mins] during night time (night time 23:00-07:00 hours) On any day when measured within the boundary of the property known as Dolau Jenkin Bungalow. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:1997.

13. All noisy activities which are audible at the boundary of the holdings (including deliveries to and from, cleansing activities, etc).in connection to this application shall be carried out between the following hours Monday to Fridays from 07.00 to 18.00 hours on Saturdays from 07.00 to 13.00 hours and at no time on Sundays, Bank and public holidays.
14. All building construction operations (including landscaping) shall be carried out between the following hours: Monday to Fridays 07:30 to 18:00 hours; Saturdays from 07:30 hours to 13:00 hours and at no times on Sundays, Bank and Public Holidays.
15. Within 5 days from the commencement of the development the access shall be 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 0.26 metres above ground level at the edge of the adjoining carriageway and 70 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway and 15 metres distant from the edge of the adjoining carriageway and 15 metres in each direction. Nothing shall be planted erected or allowed to grow on the area(s) of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction thereafter.

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. In the interests of the visual amenity of the area and to ensure the satisfactory appearance of the building in accordance with policies GP1 of the Powys Unitary Development Plan (2010).
- 4.-5. To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment and visual amenity, in accordance with policies GP1 and ENV2 of the Powys Unitary Development Plan (2010).
6. To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with policies GP1 and DC13 of the Powys Unitary Development Plan (2010).
7. To ensure a satisfactory and well planned development and to preserve and enhance the quality of the environment and visual amenity, in accordance with policies GP1 and ENV2 of the Powys Unitary Development Plan (2010).
8. – 9. In the interests of the amenity of the area in accordance with policy GP1 of the Powys Unitary Development Plan (2010).
10. – 11. In the interests of protecting biodiversity in accordance with Powys Unitary Development Plan (2010) policies ENV3, ENV4 and ENV5.
12. – 14. To ensure adequate control of noise from the development in the interests of the amenity of the area in accordance with policy GP1 of the Powys Unitary Development Plan (2010).
15. In the interests of highway safety and the free flow of traffic on the public highway in accordance with policy GP4 of the Powys Unitary Development Plan (2010).

Notes

A Building regulations application may be required, please contact Building Regulations on 01874 612290.

The date on which this permission is **GRANTED** is 13/10/2014.



Sue Bolter

Pennaeth Adfywio, Eiddo a Chomisiynu /

Head of Regeneration, Property & Commissioning

Notes

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he/she may appeal to the National Assembly in accordance with Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of this notice. Appeals must be made on a form obtainable from the Planning Inspectorate, Cathays Park, Cardiff CF10 3NQ. The National Assembly has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The National Assembly is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any direction given under the order. It does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by it.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the National Assembly, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council in which the land is situated, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the National Assembly on appeal or on a reference of the application to it. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
4. Failure to adhere to the details of the approved proposals for development contained in this application or to comply with any conditions or limitations subject to which this permission was granted will constitute a breach of planning control which may result in the local planning authority serving an enforcement notice requiring the breach to be remedied under Section 172 of the Town and Country Planning Act 1990.

P/2014/0553

IMPORTANT – Please read carefully the notes below

Failure to comply could make the development hereby permitted unauthorised.

- 1) This consent is granted in strict accordance with the approved plans:
 - a) **ANY VARIATION** from the approved plans after commencement of the development, irrelevant as to the degree of variation, will be constituted as unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform the Case Officer immediately of any proposed variation from the approved plans and you or they will be informed as to the best method to resolve the matter.
- 2) This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond:
 - a) If there is a condition that requires work to be carried out or matters to be approved prior to the commencement of the development this is called a “condition precedent”.
 - b) If a “condition precedent” is not complied with, the whole of the development will be unauthorised, you may be liable to enforcement action
 - c) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the breach is the submission of a new application.
 - d) If any other type of condition is breached then you will be liable to a Breach of Condition Notice.

-