
Alternative Sites – Additional Information

Full planning application for the
erection of a poultry unit and all
associated works

Prepared for Gwyn Jones & Partners



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Introduction

As part of the planning application, we have explained the position as to the consideration of alternative sites. This is a case where the application has demonstrated that there are no significant effects on the environment. Case law is clear that a council should only consider whether a proposed development should be located on an alternative site if there is a statutory or policy obligation on an applicant to do so, or it is so obviously material that this should occur. In this instance the application is required to consider alternative sites or 'reasonable alternatives' under the EIA regulations.

The issue for consideration is whether the availability of an alternative site is a material consideration and the case law (Dignity Funerals and Derbyshire Dales being the leading case on the subject) is clear. We reiterate that the Council should not seek to prefer a potential alternative site to a chosen site unless a factor is 'so obviously material' as to make this a material planning consideration. The development plan policies that are applicable do not require an applicant to demonstrate consideration of alternatives and in fact say that a chosen site 'will be permitted unless the development is materially detrimental in terms of its impact'. The only reference to alternative sites is as to them being required in a consideration of an 'isolated building' proposal. This is not such a case, and indeed one factor as to why Site 4 is a good site in that it is closely related to the existing farmstead.

Site Assessments


A list of site assessment criteria was defined to test the appropriateness of selected sites for a poultry unit. These criteria can be described as key issues representing material planning considerations. They also give due regard to practical issues associated with the nature of the existing farm and compatibility of surrounding land uses. The criteria are presented and described in detail below and have been assessed on a 'traffic light' basis where a green light applies where no constraints occur and a red light applies where constraints preclude development at that site.

-  Planning Status;
-  Accessibility;
-  Site Conditions;
-  Landscape / Visual;
-  Water Resources;
-  Ecology;
-  Air;
-  Communities / Nuisances;
-  Heritage; and
-  Flood Risk.

Planning Status

Planning policy considerations are central to constraint issues, in particular the relevant planning policies and designations contained within the Local Development Plan. It is necessary to consider how any proposal will relate to existing planning policy designations, for example whether sites are allocated as greenbelt or other types of development such as

housing or recreation. The relevant plans consulted during this part of the assessment included:



-  Powys County Council Local Development Plan.

In assessing the sites, regard has been given to relevant planning policies on and in close proximity to the site.

	Where the poultry unit is consistent with land use designations in the core strategy plans.
	No specific planning policy constraints designated on-site or in close proximity to the site.
	The development of a poultry unit has the potential to be contrary to existing or proposed planning policies related to the site or environs.
	The site is located within a specific plan designation such that development of the site for waste related activities would be a significant departure from existing planning policies.

Accessibility

In assessing each of the potential sites, regard has been given to the degree to which the site is accessible to HGV traffic. The impact of the site on the transportation network and the suitability of its access relates to the following:

-  Approach roads and their current or proposed character and width must be suitable to accommodate the proposed development;
-  Accessibility of the site to the primary road network.

The accessibility of a site also needs to be considered with respect to the effect of the proposed use of the local road infrastructure on residential amenity and site neighbours.

The significance of the impact of each potential site on the transportation network has been categorised under one of the following significance criteria depending on the likely effects.

	Very good access and direct connection to the primary transportation network with capacity to accommodate the proposed development and/or potential for road improvements as part of the proposal.
	No specific access constraints either locally or on the wider transport network.
	Potential access/road junction/highway capacity constraints, subject to detailed assessment but with good potential for improvement works.

	Poor junction layout and/or access roads unsuitable for HGVs with little possibility of improvement.
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Site Conditions

The existing nature and state of a potential site is a key assessment issue. Typically, new sites for poultry units should have no detrimental effects on existing economic use of the land. For example, sites with the most versatile agricultural land should be avoided. Also, land stability and contamination may influence the construction of plant etc.

Site condition has been categorised under one of the following significance criteria, depending on its likely effects.

	The site is of sufficient size, general setting and condition (no contamination or stability issues) to accommodate a poultry unit.
	Minor uncertainties regarding site size and condition.
	The site area constrained to accommodate a large scale waste facility. Requires significant engineering costs to remediate and or prepare site.
	The site of insufficient size and/or inappropriate condition to accommodate large scale waste development.

Landscape / Visual

Landscape constraint areas within Powys include land contained within nationally designated areas. Land within locally designated areas of landscape importance is also considered a key constraint, given the inclusion within local planning policies relating to the protection of the landscape character and landscape improvement areas.

Assessment of visual impact needs to consider the proposed site when viewed from neighbouring properties, main transport routes and sensitive public vantage points.

Visual impact should be assessed against the nature of the local landscape and how any new structure or landform created by the proposed poultry unit would integrate into the local landscape. It is also appropriate to consider both short and long distance views of the site and the effect hedgerows and other features may have in limiting views.

The landscape and visual impact of each potential site has been categorised under one of the following significance criteria, depending on its assessed likely effects.

	Existing landscape and visual characteristics of the site are poor and associated works will not have a significant adverse affect within the existing context (e.g. site within areas of agricultural development such as large existing farm buildings etc. Where a new major
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	agricultural development would not be out of context) or is very well screened.
	The proposal, whilst not out of place within its setting, would potentially be intrusive through its scale or character. Does not lie in or close to a designated area and is well screened.
	The proposal does not integrate, and is out of scale with the landscape or is at odds with the local landscape pattern or landform. The development will impact on views into and across the site, as little screening is available and will have an adverse impact on a landscape of recognised quality or on vulnerable and important characteristic features or elements.
	The proposal would be very damaging to the landscape in that it is at complete variance with the landform, scale and patterns of the landscape (e.g. significant industrial development within an entirely rural context) and is highly intrusive, destroying fine and valued views both into and across the area and screening is not present. The development would irrevocably damage or degrade, diminish or destroy the integrity of characteristic features and elements and their setting. The site lies within or close to areas designated for their landscape quality.

Water Resources

The proximity of the proposed site to surface water courses has been considered in terms of environmental sensitivity. The Environment Agency could raise concerns particularly if the proposal could result in pollution to water courses of good quality and / or in close proximity to abstraction points for residential or industrial use. Land underlain by permeable deposits, major aquifers or areas, which if developed, are likely to be in conflict with Groundwater Protection Zones (as defined by the Environment Agency) is considered a key constraint. Also, land in close proximity to abstraction points is a consideration when assessing the suitability

of a site for a poultry unit. The significance of the potential effects on surface and groundwater of developing a poultry unit on each potential site are categorised under one of the following criteria.

	The site is remote from any sensitive water resources.
	The site lies within or close to low quality water resources (e.g. unpotable aquifers, already polluted streams etc).
	The site is situated in close proximity to good quality sensitive resources, such as potable water supplies.
	The site lies adjacent to or on high quality water supplies.

Ecology

Ecological constraints include areas categorised as being of European or National importance with statutory protection such as National Nature Reserves, Special Areas of Conservation and Sites of Special Scientific Interest and others. Important local nature conservation issues include non-statutory designations or areas including Sites of Importance for Nature Conservation, County Wildlife Sites and Local Nature Reserves etc. All these areas are considered key constraints on account of the importance attached to them by local planning policies. It should also be noted that certain individual species benefit from statutory protection and that these will often be found outside protected areas. The presence of such species can only be confirmed from assessments on a site by site basis. The impact of developing a poultry unit on the ecological importance of the site has been determined with reference to the integrity of the site and potential loss of features. The significance of the potential effects are categorised under one of the following criteria.

	There are no known sites or species of ecological interest on or near the site.
	The site lies close to locally designated areas of conservation importance and may provide foraging habitat only for protected species.
	The site comprises a site of local interest or lies close to a site of more than local interest. Protected species may use the site for shelter or breeding purposes.
	The proposal could have a significant direct impact on a site of acknowledged national/European importance, or populations of highly endangered species breed on the site.

Air Quality

A key environmental impact of agriculture related activities relates to the effects of particulate matter generated on the site or as a result of manure production and disposal activities. The effects of future emissions and traffic emissions from the site during operation could have an effect on the amenity of the surrounding land-use, and potential adverse effects on flora and fauna.

	The site is remote from any sensitive receptors (e.g. residential areas) or Air Quality Management Areas (AQMAs) where air quality is already compromised.
	The site is remote from large numbers of sensitive receptors.
	The site lies close to an AQMA or close to significant numbers of sensitive receptors.
	The site is situated adjacent to neighbouring land uses that are very sensitive to air quality impacts.

Communities / Nuisance

A key environmental impact of agricultural related activities relates to the perceived effects of noise, odour, and dust.

The significance of effects on the community due to nuisances associated with agricultural activities are categorised under one of the following criteria.

	The site is remote from any sensitive receptors.
	The site is near to few sensitive receptors.
	The site is near to significant numbers of sensitive receptors.
	The site is situated adjacent to neighbouring land uses that are very sensitive to nuisance related impact.

Heritage

Areas of cultural significance, in particular areas of archaeological and / or historic importance, require consideration when assessing the suitability of a site to accommodate a waste management facility. Potential affects may arise directly or indirectly, either through direct physical impact or intrusion into the visual and / or historical setting of a feature. The assessment has looked at the proximity of features of cultural and archaeological interest, or the potential for the presence of features such as archaeological remains, and the degree to which visual intrusion or other disturbance may affect historical significance. Sites of National importance include Listed Buildings, Historic Parks and Gardens, Scheduled Monuments, or other areas nationally or locally designated as historically important.

	The site is remote from any sensitive receptors and as disturbed land has no potential for archaeological remains.
	The site lies within view of few designated sites of relatively low importance and within the local context is unlikely to contain significant archaeological deposits on-site.
	The site may have the potential for significant archaeology or lies very close to existing designated features whose setting could be significantly compromised.
	The site lies within an area of acknowledged archaeological/heritage importance.

Flood Risk

Areas susceptible to flooding are considered unsuitable for a poultry unit. Each of the sites was assessed for flood risk and has been categorised under one of the following criteria.

	The site is not within a flood risk zone and/or development would have no effect on a flood risk zone due to the introduction of significant hard areas by virtue of distance.
	The site is in proximity to a flood risk zone.
	The site is partially within a flood risk zone.
	Much or all of the sites are within a flood risk zone.

Site 1 - Land at Top Gate Farm – Grid Ref: SO189923



A 56.6 acre (22.9 hectares) holding comprising of land and agricultural buildings. The land consists of permanent pasture. No other alternative sites at Top Gate Farm have been considered as they would be located close to other residential properties not within ownership of the applicant and due to the topography of the land, there would be a much greater landscape and visual impact.

SITE ASSESSMENT

Issue	Site Specific Comments	Pre mitigation assessment	Ease of Mitigation	Post mitigation assessment
Planning Status – EC9 locating development adjacent to existing buildings	The proposed development would be located adjacent to the existing agricultural buildings at Top Gate Farm.		N/A	
Accessibility	The site would use an improved existing agricultural access. This would improve amenity at the residential receptors.		None required.	
Site Conditions	The site is of sufficient size. No contamination issues. Potential for minimal sterilisation of agricultural land.		None required	
Landscape / Visual	The surrounding landscape is similar surrounding the site being low lying, flat land.		The site is located within a low valley adjacent to existing agricultural buildings. The existing mature hedgerows will provide adequate screening.	
Water Resources	Site is located on a non aquifer.		The proposed development would be constructed on suitable non-porous materials. A sustainable drainage	

Issue	Site Specific Comments	Pre mitigation assessment	Ease of Mitigation	Post mitigation assessment
			scheme would also be incorporated into design of development.	
Ecology	No designations directly relating to the site. A number of SSSIs located within 5km of the site, nearest is 3.9km away.		Allowing existing hedgerows to thicken and grow in height plus planting of new trees.	
Air	There are two SSSIs and an SAC located within 5km and several areas of remnant Ancient Woodlands within 2km of the proposed site.		Effective management of the Poultry Unit. A less than 1% contribution of Nitrogen and Ammonia, in line with the new NRW guidance.	
Community/ Nuisance	The nearest sensitive receptor is Great Gate at approximately 258m away.		Best Available Technique practices would be employed to limit occurrences of nuisance causing activities. Incorporated mitigation will be part of the design to limit emissions.	
Heritage	A development at this location is unlikely to affect listed buildings.		Landscaping measures are proposed so that the visual impact of the development would be mitigated.	
Flood Risk	The site is not located within a flood risk zone.		The site is not located within a flood risk zone.	

CONCLUSIONS AND RECOMMENDATIONS

Site 1 – Land at Top Gate Farm is considered to be a suitable site due to the proximity of the existing agricultural buildings which adheres to the policies of the local authority, together with suitable improved existing access and surrounding existing landscapes.

From a practical business point it is a property owned by the applicant and is in most need of modernisation as a poultry unit. This location would also allow the business to succession plan for the future of the business by operating two farmsteads as per TAN6 with regard to Welsh Government Advice and complies with diversified income. However, the highways is not suitable for HGVs that would be leaving and accessing the site.

Site 2 – Land at Cefn Maenllwyd – Grid Ref: SO157920



A 27.7 acre (11.25 hectares) holding comprising of land. The land consists of arable land. No other alternative sites at Cefn Maenllwyd have been considered as they would be located close to other residential properties not within ownership of the applicant. There are also public rights of way in close proximity to the development.

SITE ASSESSMENT

Issue	Site Specific Comments	Pre mitigation assessment	Ease of Mitigation	Post mitigation assessment
Planning Status – EC9 locating development adjacent to existing buildings	The proposed development would not be located adjacent to existing buildings.		N/A	
Accessibility	The site would use a new agricultural access. This would improve amenity at the residential receptors.		None required.	
Site Conditions	The site is of sufficient size. No contamination issues. Potential for minimal sterilisation of agricultural land.		None required	
Landscape / Visual	The surrounding landscape is similar surrounding the site being low lying, flat land. There would be a visual impact due to the development being located in close proximity to the unclassified road.		The site is located within a low valley. Through landscape planting it would screen the site from views towards it.	
Water Resources	Site is located on a non aquifer.		The proposed development would be constructed on suitable non-porous materials. A	

Issue	Site Specific Comments	Pre mitigation assessment	Ease of Mitigation	Post mitigation assessment
			sustainable drainage scheme would also be incorporated into design of development.	
Ecology	No designations directly relating to the site. A number of SSSIs located within 5km of the site, nearest is 1.9km away.		Allowing existing hedgerows to thicken and grow in height plus planting of new trees.	
Air	There are three SSSIs located within 5km and several areas of remnant Ancient Woodlands within 2km of the proposed site.		Effective management of the Poultry Unit. A less than 1% contribution of Nitrogen and Ammonia, in line with the new NRW guidance.	
Community/ Nuisance	The nearest sensitive receptor is Hollybush at approximately 325m away.		Best Available Technique practices would be employed to limit occurrences of nuisance causing activities. Incorporated mitigation will be part of the design to limit emissions.	
Heritage	A development at this location is unlikely to affect listed buildings.		Landscaping measures are proposed so that the visual impact of the development would be mitigated.	
Flood Risk	The site is not located within a flood risk zone.		The site is not located within a flood risk zone.	

CONCLUSIONS AND RECOMMENDATIONS

The site is not considered as suitable as the site is located within the open countryside with no existing agricultural buildings within close proximity. There is not enough ranging area that is required under RSPCA Welfare Standards for 32,000 free range hens. The land would support 22,500 free range birds.

Site 3 – Land at Upper Maenllwyd – Grid Ref: SO167923



A block of agricultural land equating to 35.5 acre (14.4 hectares).

SITE ASSESSMENT

Issue	Site Specific Comments	Pre mitigation assessment	Ease of Mitigation	Post mitigation assessment
Planning Status – EC9 locating development adjacent to existing buildings	The proposed development would not be located adjacent to existing buildings.		N/A	
Accessibility	The site would use a new access to the development.		Mitigation would be required to provide the setting back of access gates.	
Site Conditions	The site is of sufficient size. No contamination issues. Potential for minimal sterilisation of agricultural land.		None required	
Landscape / Visual	The surrounding landscape is similar surrounding the site being low lying, flat land. The site would be located within close proximity to a public footpath and the B4368, therefore having a visual impact.		Through the planting of a woodland planting area and allowing the hedgerow to grow and thicken would screen the site from views towards it.	
Water Resources	Site is located on a non aquifer.		The proposed development would be constructed on suitable non-porous materials. A sustainable drainage scheme would also be incorporated into design of development.	

Issue	Site Specific Comments	Pre mitigation assessment	Ease of Mitigation	Post mitigation assessment
Ecology	No designations directly relating to the site. A number of SSSIs located within 5km of the site, nearest is 2.5km away The ecological interest of the site is minimal due to the intensive use of the land.		Allowing existing hedgerows to thicken and grow in height as indicated on Site Plans plus planting of new trees.	
Air	There are two SSSIs and one SAC located within 5km.		Effective management of the Poultry Unit. A less than 1% contribution of Nitrogen and Ammonia, in line with the new NRW guidance.	
Community/ Nuisance	The site is situated approximately 289 metres from the closest receptor – Dolerw.		Best Available Technique practices would be employed to limit occurrences of nuisance causing activities. Incorporated mitigation will be part of the design to limit emissions.	
Heritage	A development at this location is unlikely to affect listed buildings.		Landscaping measures are proposed so that the visual impact of the development would be mitigated.	
Flood Risk	The site is not located within a flood risk zone.		The site is not located within a flood risk zone.	

CONCLUSIONS AND RECOMMENDATIONS

The site is not considered as suitable as the site is located within the open countryside with no existing agricultural buildings within close proximity. There is not enough ranging area

that is required under RSPCA Welfare Standards for 32,000 free range hens. The land would support 28,500 free range birds.

Site 4 – Land at Upper Maenllwyd – Grid Ref: SO170923



A 14.4 acre (5.86 hectares) holding comprising of land and agricultural buildings. The land consists of permanent pasture.

SITE ASSESSMENT

Issue	Site Specific Comments	Pre mitigation assessment	Ease of Mitigation	Post mitigation assessment
Planning Status – EC9 locating development adjacent to existing buildings	The proposed development would not be located adjacent to existing buildings.		N/A	
Accessibility	The site would use a new agricultural access to the development.		Mitigation would be required to provide the setting back of access gates.	
Site Conditions	The site is of sufficient size. No contamination issues. Potential for minimal sterilisation of agricultural land.		None required	
Landscape / Visual	The surrounding landscape is similar surrounding the site being low lying, flat land. The development would be located adjacent to the non-classified road, therefore having a visual impact.		Through the planting of a woodland planting area and allowing the hedgerow to grow and thicken would screen the site from views towards it.	
Water Resources	Site is located on a non aquifer.		The proposed development would be constructed on suitable non-porous materials. A sustainable drainage scheme would also be incorporated into	

Issue	Site Specific Comments	Pre mitigation assessment	Ease of Mitigation	Post mitigation assessment
Ecology	No designations directly relating to the site. A number of SSSIs located within 5km of the site, nearest is 2.6km away. The ecological interest of the site is minimal due to the intensive use of the land.		design of development. Allowing existing hedgerows to thicken and grow in height as indicated on Site Plans plus planting of new trees.	
Air	There are two SSSIs located within 5km and an SAC.		Effective management of the Poultry Unit. A less than 1% contribution of Nitrogen and Ammonia, in line with the new NRW guidance.	
Community/ Nuisance	The site is situated approximately 268 metres from the closest receptor – Ty Nant.		Best Available Technique practices would be employed to limit occurrences of nuisance causing activities. Incorporated mitigation will be part of the design to limit emissions.	
Heritage	A development at this location is unlikely to affect listed buildings.		Landscaping measures are proposed so that the visual impact of the development would be mitigated.	
Flood Risk	The site is not located within a flood risk zone.		The site is not located within a flood risk zone.	

CONCLUSIONS AND RECOMMENDATIONS

The site is considered suitable as the site is located in close proximity to existing agricultural buildings. The land would support a poultry unit that does not require birds to range on the adjacent land.

OVERALL CONCLUSION

Alternative sites are limited to the three holdings, in close proximity to the agricultural unit at Top Gate Farm, in open countryside at Land at Cefn Maenllwyd and Land at Upper Maenllwyd.

Land at Top Gate Farm

Positives:

- 1) Low Lying flat land, so low impact on landscape
- 2) In close proximity to the agricultural buildings at Top Gate Farm.
- 3) Nearest sensitive receptor for odour and noise is Great Gate at approximately 258m away
- 4) Closest Ancient Woodland is 256m away with 43% contribution of Nitrogen and Ammonia, in line with NRW guidance.

Negatives:

- 1) Closest Site of Special Scientific Interest is Montgomery Canal at 3.9km away, with a 5.3% contribution of Nitrogen and Ammonia, in line with NRW guidance.

Land at Cefn Maenllwyd

Positive:

- 1) Nearest sensitive receptor for odour and noise is Hollybush at approximately 325m away.
- 2) Low lying flat land, so low impact on landscape
- 3) Closest Ancient Woodland is 463m away with 57% contribution of Nitrogen and Ammonia, in line with NRW guidance.

Negatives:

- 1) Not located adjacent/in close proximity to existing buildings
- 2) Ranging area for 22,500 birds
- 3) Closest Site of Special Scientific Interest is Montgomery Canal at 1.9km away with 2.3% contribution of Ammonia and 12% contribution to Nitrogen, in line with NRW guidance.

Land at Upper Maenllwyd (1)

Positives:

- 1) Low lying flat land, so low impact on landscape
- 2) Nearest sensitive receptor for odour and noise is Dolerw at approximately 289m away

- 3) Closest Ancient Woodland is 470m away with 56% contribution of Nitrogen and Ammonia, in line with NRW guidance.

Negatives:

- 1) Not located adjacent/in close proximity to existing buildings
- 2) Visual impact from the B4368 and public footpath
- 3) Ranging area for 28,500 birds
- 4) Closest Site of Special Scientific Interest is Montgomery Canal at 2.5km away with 1.6% contribution of Ammonia and 8.6% contribution of Nitrogen, in line with NRW guidance.

 Land at Upper Maenllwyd (2)

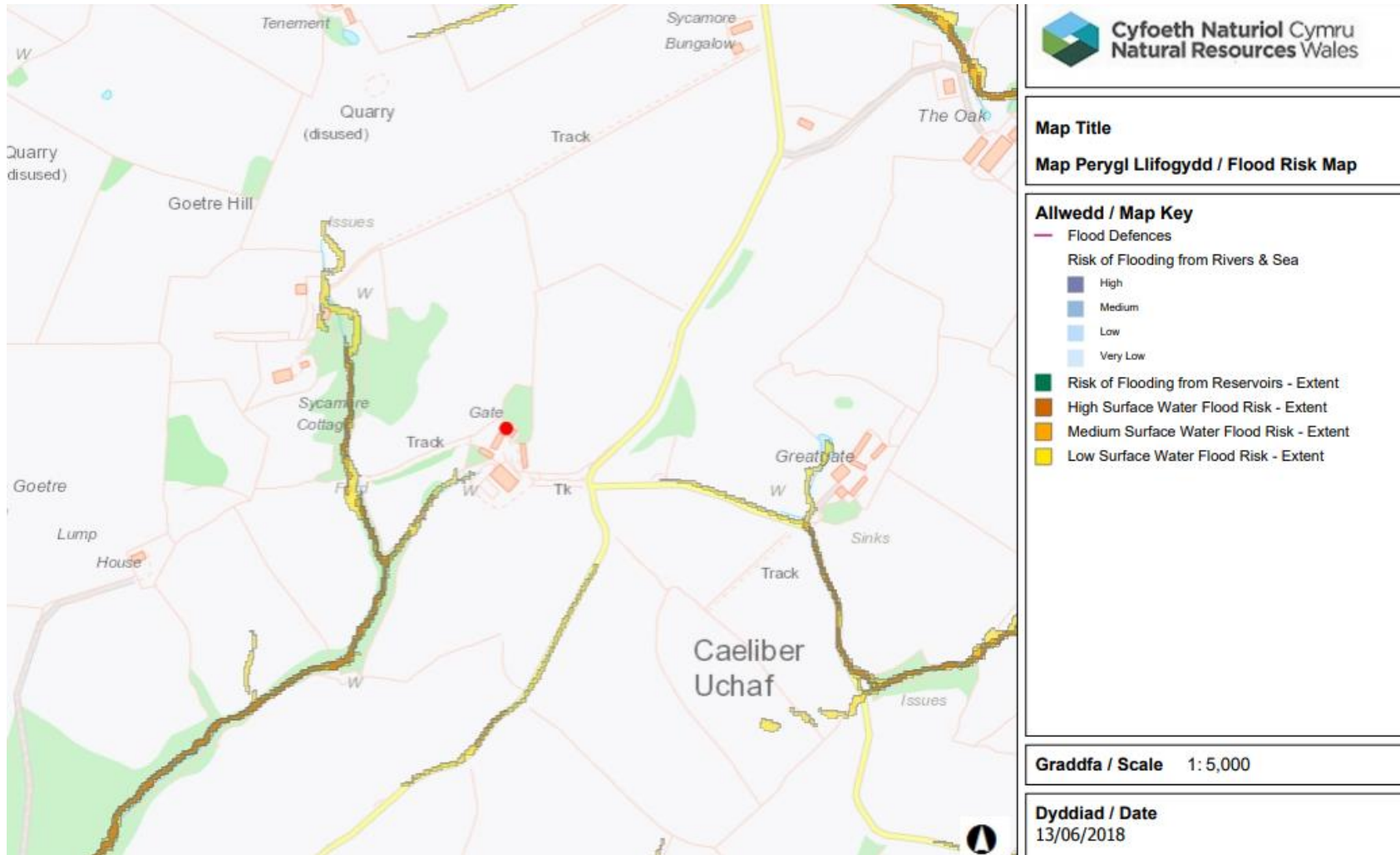
Positives:

- 1) Low lying flat land, so low impact on landscape
- 2) Nearest sensitive receptor for noise and odour is Ty Nant at approximately 268m away
- 3) Located adjacent/in close proximity to existing buildings
- 4) Ammonia and Nitrogen contribution is below 1% threshold, in line with NRW guidance.

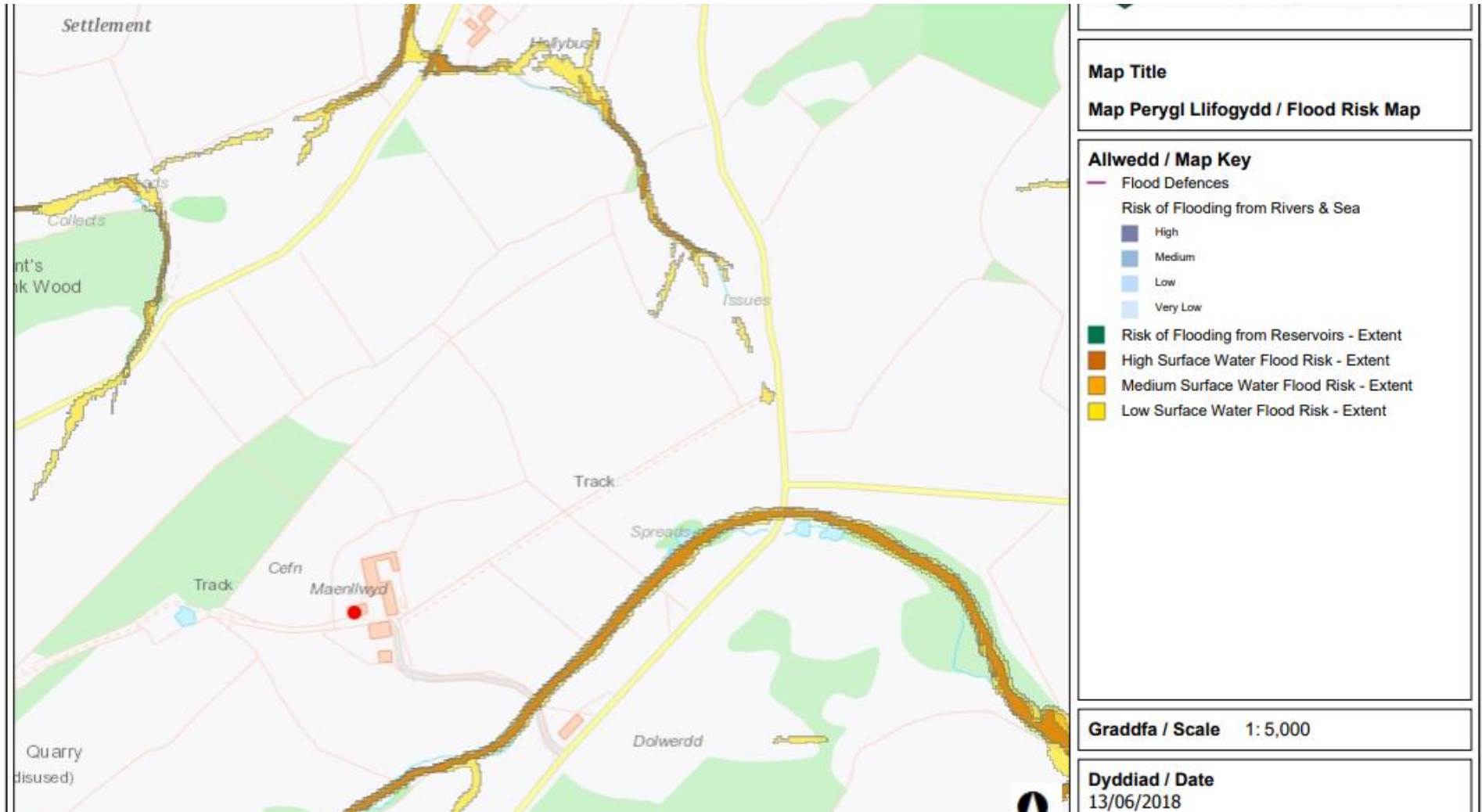
There are a number of positives for each site as detailed within this report. However, the deciding factor in favour of the site at Upper Maenllwyd (2) would be its distance from the closest residential receptor and low visual impact.

To conclude this is why Land at Upper Maenllwyd (2) is thus the preferred site.

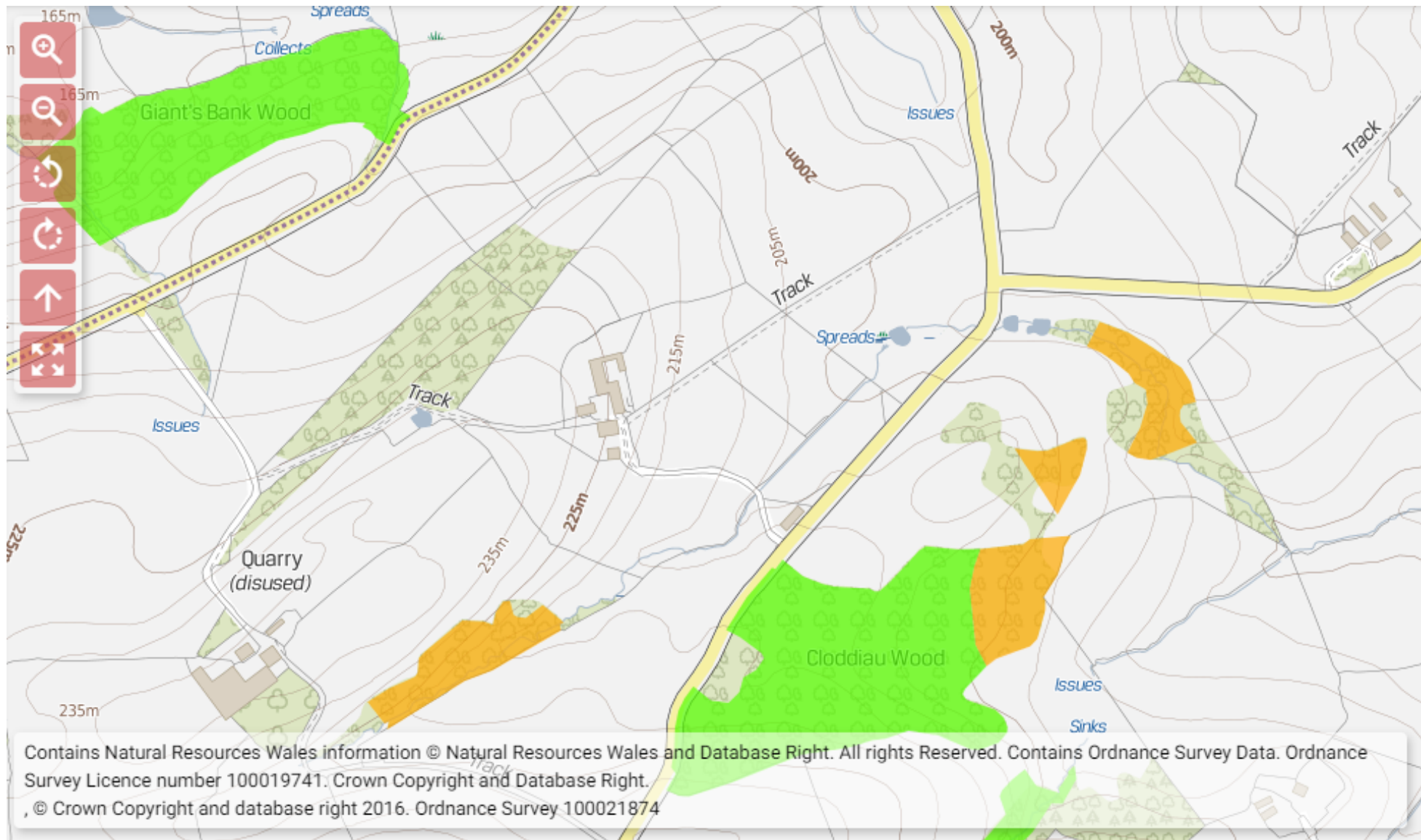
Flood Risk at Top Gate Farm



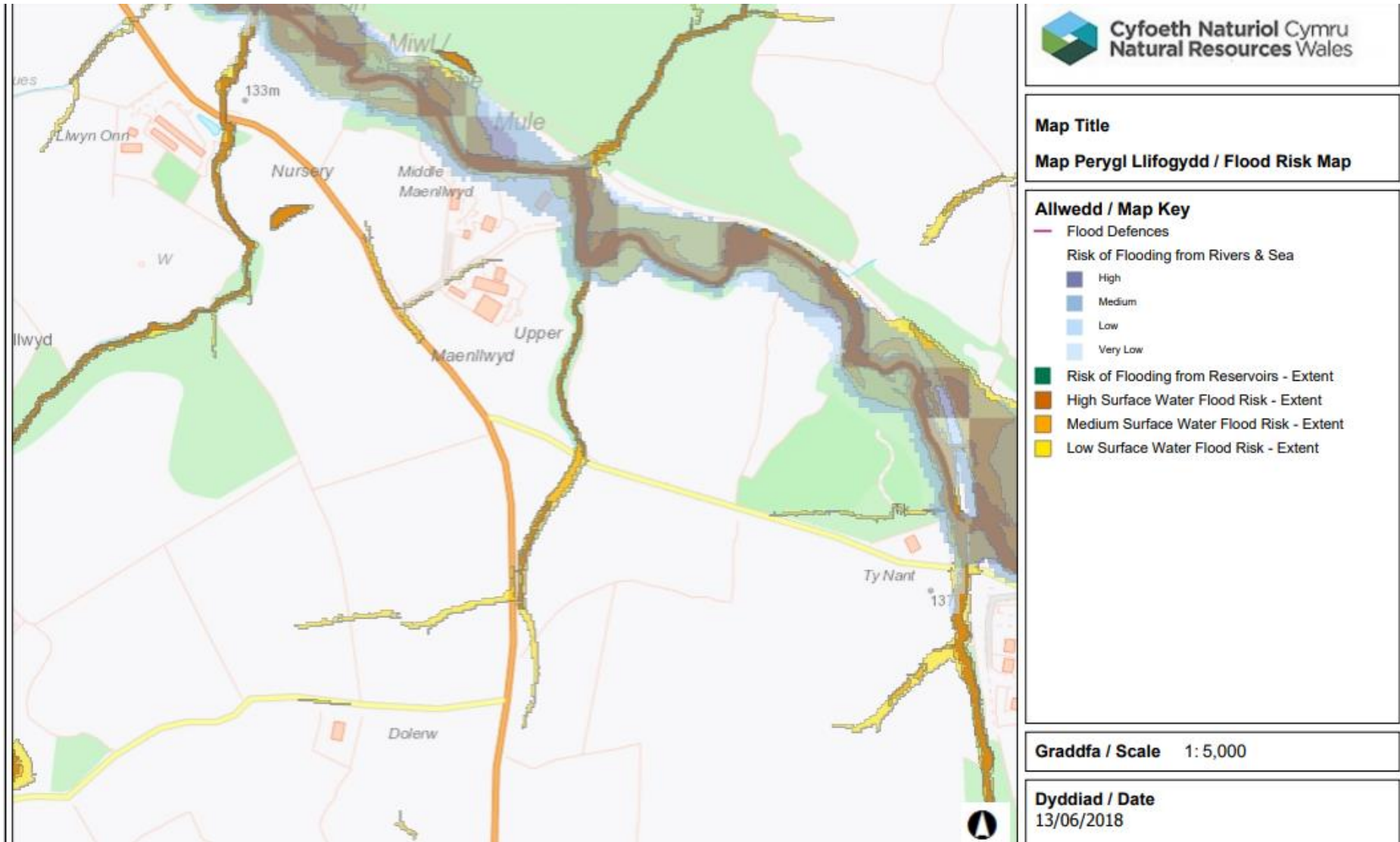
Flood Risk at Land at Cefn Maenllwyd



Ancient Woodlands at Cefn Maenllwyd



Flood Risk at Land at Upper Maenllwyd



Ancient Woodlands at Upper Maenllwyd

