

Development Management Report

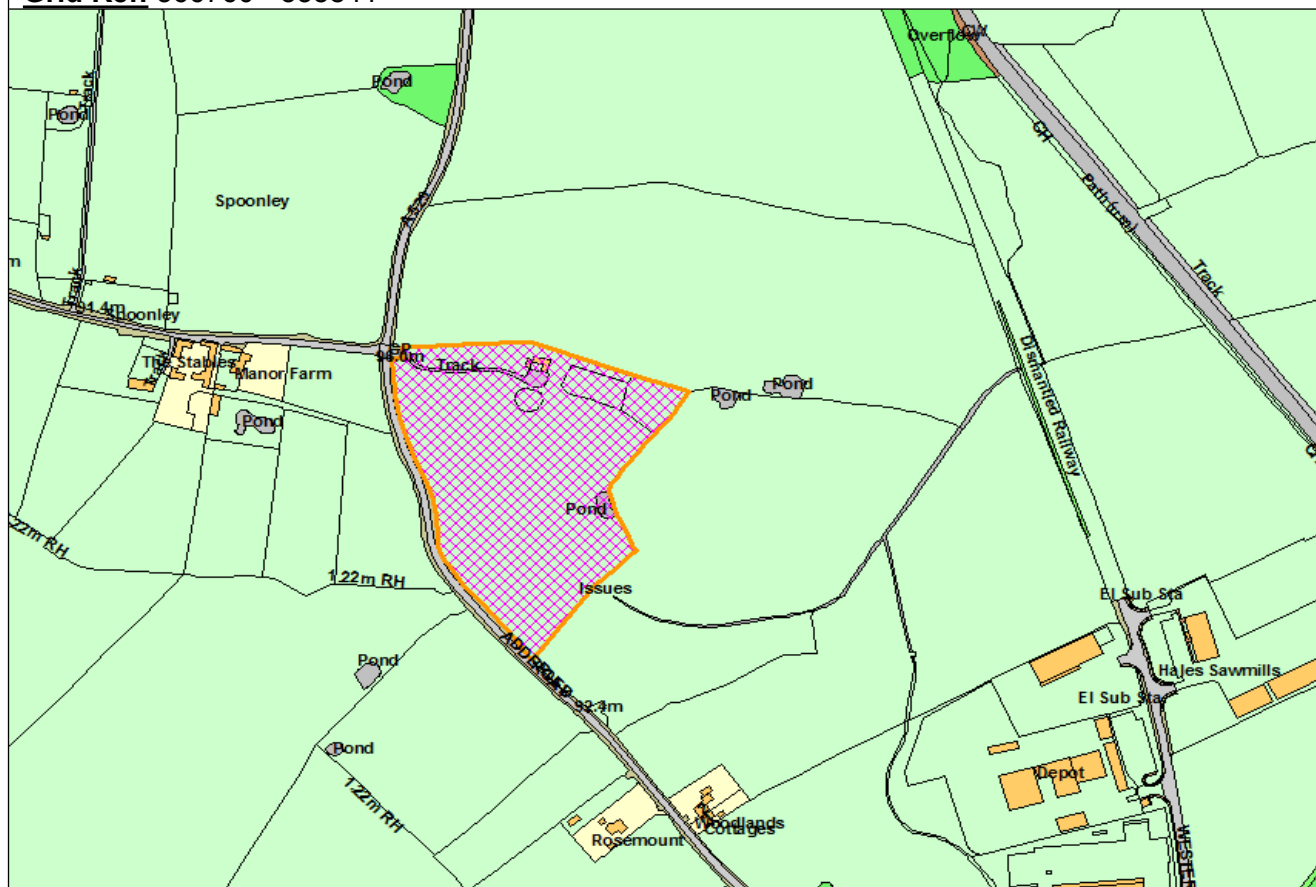
Responsible Officer: Tim Rogers

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Summary of Application

<u>Application Number:</u> 16/01821/FUL	<u>Parish:</u> Adderley
<u>Proposal:</u> Erection of two agricultural buildings, feed bins and hardstanding for pig rearing enterprise to include new highway access	
<u>Site Address:</u> Land At O.S.7882 And 7968 Adderley Road Market Drayton Shropshire	
<u>Applicant:</u> Mr L Gilbert	
<u>Case Officer:</u> Richard Denison	<u>email:</u> planningdmne@shropshire.gov.uk

Grid Ref: 366760 - 335841



Recommendation:- Granted subject to the conditions set out in Appendix 1.**REPORT****1.0 THE PROPOSAL**

- 1.1 This application relates to the erection of two agricultural buildings with associated feed bins to provide a contract pig rearing enterprise approximately 1km north of Market Drayton adjacent to the main A529. The proposed buildings measure 15.2 metres wide by 61 metres long with a ridge height of 6.6 metres and will each include a feed bin 7 metres tall. The application will also include the construction of a new vehicular access and driveway, together with a detailed structural landscaping scheme including an attenuation pond for surface water drainage.
- 1.2 The applicant is seeking to establish a new farming business in the Shropshire countryside and has been offered a contract to rear pigs for supply to Stockcroft Ltd, The contract requires that the applicant rears pigs in batches of 1,980. The pigs will be delivered to site as 28 day old weaned piglets at about 7kg and will be removed from the site from week 15 over a five week period in batches of 400 based on a finished weight of 110kgs. Once the final batch are removed the site will be cleaned and disinfected prior to the delivery of the next batch. On this basis the enterprise will rear 2.2 batches per year which includes the necessary time for thorough cleaning and washing of the building and surrounding hardstanding. The cleanliness of the site is critical to maintain bio-security for the health and welfare of the pigs and ensures the site is returned to a newly built state every 23-24 weeks.
- 1.3 The applicant has grown up in the local area and has worked on farms during his childhood and teens and is now seeking to set up his own farming enterprise (L G Farms Ltd). The applicant has managed to secure a 5 year contract with Stockcroft who works with over 80 farmers to contract finish pigs. Stockcroft owns the pigs and pays for the feed, haulage, vet bills and provides field staff to offer technical assistance. The applicant will provide the buildings, labour, equipment and straw to raise the pigs before they are processed through the Tulip abattoirs which supplies outdoor bred pork to major retailers. Stockcroft pays the farmer to raise the pigs on a daily rate in the farmers own buildings and each month farmers receive an income.
- 1.4 This is a new farming enterprise which the applicant has invested a substantial amount of money and time into establishing. The applicant has the knowledge and background to enable the business to succeed, whilst Stockcroft is one of the largest producers of outdoor bred pigs in the UK and have been operating for in excess of 20 years.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The proposed site covers an area of 4.38 hectares and lies 600 metres north of the A53 bypass and 300 metres from the edge of the Protected Employment Site for Market Drayton. The site falls within the Parish of Adderley and consists of former pasture land for horses. The proposed land is graded as '3 Good to Moderate', although not classified as excellent or very good agricultural land. The A529 road runs along the western boundary of the site and provides vehicular access to the main A53 bypass around Market Drayton. The site is enclosed with a mixture of native hedgerows and trees with a small pond located along the eastern boundary.

The nearest residential property to the proposed pig rearing buildings is Manor Farm which is located 300 metres to the west on the opposite side of the main A529 road. Rosemount and Nos.1 and 2 Woodlands Cottages are located directly to the south and are over 340 metres away and separated by adjoining farm fields and hedgerows. Springs Farm is located to the north and is 520 metres away and separated by open fields. The site currently consists of a 'U' shaped arrangement of stables, together with a portal framed storage building. A vehicular access is located towards the north west corner of the site along a dirt track to the existing buildings which are located along the northern boundary.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The Parish Council have submitted a view contrary to officers based on material planning reasons which cannot reasonably be overcome by negotiation or the imposition of planning conditions. The Principal Planning Officer in consultation with the Committee Chairman and Local Member agrees that the Parish Council has raised material planning issues and that the application should be determined by committee.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

4.1.1 **Shropshire Council, Highways Development Control** - It is considered that this proposed pig rearing enterprise at this location can be acceptable in highway safety terms subject to the creation and use of the proposed new access as detailed within this planning application. It is noted that the existing access serving the site does not meet current guidance. Given the local conditions it is unlikely that the additional HGV traffic movements associated with this development will severely compromise highway safety. No objection is raised from the Highway Authority.

4.1.2 **Shropshire Council, Trees & Woodland Amenity Protection Officer** - Having regard to the submitted Buckland Arboriculture Ltd Phase Two Arboricultural Impact Assessment, Tree protection Plan and Method Statement this scheme will not result in the loss of amenity. No objection is raised subject to a safeguarding condition regarding the protection of tree and hedgerows being retained.

4.1.3 **Shropshire Council, Planning Ecologist** - Having regard to the Phase 1 Ecological Appraisal and HIS Assessment Report including the Modelling of the Dispersion and Deposition of Ammonia and Great Crested Newt Survey the proposed development will not result in any impact on wildlife or protected species subject to a number of safeguarding conditions and informatives.

4.1.4 **Shropshire Council, Flood & Water Management Team** - The proposed drainage details, plan and calculations should be conditioned if planning permission is recommended for approval. The proposed drainage strategy in the FRA is acceptable in principle. Drainage details, plan and calculations should be submitted for approval this is to ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner. Information on the proposed maintenance regime for any sustainable drainage system proposed should be provided, including details of who will take responsibility to ensure that the drainage system remains in good working order throughout its lifetime. This is to ensure that the drainage system remains in good working order throughout its lifetime. The

applicant should submit details and plan on how the contaminated water in the yard from spillages or cleaning of buildings will be managed/ isolated from the main surface water system. Considerations should be made: all dirty water from washing down of the buildings and yards should be collected in an appropriate sized tank. Valves should be provided in the system to prevent dirty water entering the main surface water drainage system. All dirty water collected from washing down should be collected in tankers and transported and spread on the farmlands. This is to ensure that polluted water does not enter the water table or watercourse.

4.1.5 **Shropshire Council, Public Protection (04/05/16)** - The odour assessment has indicated that the installation is unlikely to result in a significant odour impact on the area and therefore no objection is raised on these grounds. The noise assessment and management plans notes that worst case noise can be limited to ensure minimal impact. It is proposed by the applicant that no pig movements will take place in night time hours and therefore safeguarding conditions are proposed. It is also noted that feed deliveries can have a noise impact and this is known to be a potentially disruptive noise source. As a result safeguarding conditions are also proposed. It is noted that silencers are specified on the ventilation units and can be conditioned.

4.1.6 **Shropshire Council, Public Protection (20/06/16)** - Public Protection placed comments recommending a range of conditions suggested to be relevant and necessary in order to ensure that the proposed application does not have a significant detrimental impact on the amenity of the area and particularly any residential properties in the vicinity. Having considered the report once again and viewed a selection of objection comments I have not found anything which would change my opinion. In relation to noise assuming the conditions recommended are in place and adhered to I do not expect to find any significant detrimental impact from this installation. This is not stating that certain operations will not be heard but does suggest that the noise audible will not be for sufficient length of time or at a time of day that has a significant impact.

In relation to odour an odour assessment has been provided with this application. Having reviewed the document previously I have no further comments on its contents. However having noted some objections relating to odour I would like to provide further comment. One objection comment made suggests that the modelling should have included additional receptors. The receptors suggested are further away than those closest to the proposed application and therefore will be impacted less than those already taken into account. I therefore do not consider the assessment to be lacking.

Objection has been raised as to the classification of manure as moderately offensive. As noted the objection comment states this is partly down to personal preferences to odour. It is stated that the classification as moderately offensive is not appropriate and that this should be upgraded however I do not agree with this position and can confirm that pig manure is generally considered as a moderately offensive odour in a predominantly rural setting. I therefore do not consider that the odour assessment requires any further work. I conclude that odour is not likely to cause a significant detrimental impact on amenity and therefore have no objection on ground of potential odour. As above, this is not stating that residents will not detect odour from time to time. It does however suggest that odour events will not

have a significant impact on nearby residents.

Finally it is noted that a series of management methods to reduce odour and noise are specified in the document submitted with this application titled Pig Rearing Enterprise, Land At Spoonley compiled by Wharfe Rural Planning Ref: 1080/143 dated April 2016. I would recommend that a condition is placed to require the applicant to comply with all recommendations in this report. This will help to ensure that noise and odour will be carefully managed so as not to cause significant issues to those in the locality.

4.1.7 **Adderley Parish Council** - Adderley Parish Council objects to this planning application. The Council is very concerned about the increase of heavy farm traffic on this road and also turning in and out of the access as detailed in the proposal. The Council's concern is that the amount of farm traffic has been considerably underestimated on the proposal and would ask that this matter be revisited. The Council were also concerned that the access itself would not, in reality, have the sight lines that are envisaged due to the topography of the road. Further concerns are the smell and the noise of the operation itself within the locality. Both this application and 16/01822/OUT were considered together due to their integrated nature.

4.1.8 **Market Drayton Town Council** - To support this application as long as all legal and correct requirements are met.

4.2 **Public Comments Objection**

4.2.1 Seventeen letters of objection have been received raising the following concerns:-

- Animal welfare
- Human health issues from flies
- Odour
- Noise from pigs
- Pollution into water sources
- Loss of trees and hedgerow
- Pigs should not be overbred
- Increase in traffic
- No employment opportunities

4.2.2 One letter has been received from Viva! An organisation 'Campaigning for Animals, Fighting for Change' and hundred and twenty eight identical letters from members of the public raising the following objections:-

- Animal welfare
- Risk to human health
- Environmental impact
- Increase traffic
- Limited jobs for local people

4.2.3 One letter has been received from Knights Professional Services Limited on behalf of the occupiers of Manor Farm who indicated the development requires screening for an Environment Impact Assessment.

4.2.4 One letter has been received from Barbers Rural on behalf of the occupiers of

Manor Farm raising the following concerns:-

- Inaccuracy and reliability of information submitted.
- Development requires screening for an Environment Impact Assessment.
- Storage of manure and dirty water.
- Increase in vehicle movements.
- Highway safety due to restricted visibility splays.
- Inadequate noise impact assessment.

4.2.4 One letter has been received from Lufton & Associates 'Chartered Planning Consultancy' on behalf of the occupiers of Manor Farm raising the following concerns:-

- The applicant is not a farmer and does not own an agricultural holding.
- The development does not demonstrate that there are no unacceptable adverse environmental impact.
- No justification as to why the development is sustainable.
- The proposed buildings do not enhance the natural environmental or respect the distinctive or valued character.
- The proposed enterprise will detract investment to the allocated employment land adjoining Market Drayton.
- The Odour Impact Assessment does not take into account groups of houses, canal mooring points, residents in Milton Drive, Market Drayton and employment estate north of the A53.
- Pig muck is more than 'moderately offensive'.

4.2.5 One letter has been received from Turley on behalf of Greene King PLC who one The Gingerbread Man Farmhouse Inn 600 metres to the south east of the application site. Objection is raised on the following grounds:-

- Visual impact upon the open countryside
- Impact upon ecology including Great Crested Newts
- Impact upon amenity including odour
- Suitability of access

4.2.6 One letter has been received from Market Drayton Road Safety Committee who have raised objection on the grounds of the access off the A529 and the proximity to Shropshire Union Canal and the outer limits of the residential area of Market Drayton town.

4.3 **Public Comments - Support**

4.3.1 One letter of support have been received raising the following comments:-

- The road will be enhanced with improved visibility.
- Young farmers should be welcomed and encouraged into farming.
- An offer of 1,350 acres of land has been made for the manure to be spread.
- The design of the building is designed with the welfare of pigs.
- British home grown food should always be encouraged.
- Local work will be created which will bring money into the local economy.

4.3.2 One letter of support has been received from a farmer who became a place pig farmer for British Quality Pigs and has raised the following support comments:-

- Farmers take pride in the welfare and quality of their livestock.

- Significant objection is raised to pig rearing which is mainly based on old style housing which was dark and poorly ventilated.
- Modern buildings have significant daylight, ventilation, straw bedding (not slats) that enable pigs to thrive and grow in a healthy and cared for environment.
- The British Quality Pigs standard of animal welfare and management of the environment inside and out is high.
- There are many slatted farms abroad.

4.3.2 One letter of support has been received from the National Pig Association raising the following comments:-

- The National Pig Association (NPA) is the representative trade association for British commercial pig producers, is affiliated to the National Farmers Union (NFU) and represents the pig interests of NFU members who produce pigs
- The UK is only 45% self-sufficient with regards to pig meat the remaining is imported.
- The proposed development at Market Drayton is considered to be a medium sized enterprise which will conform to high welfare and management standards as dictated by an independently audited farm assurance scheme which includes quarterly additional monitoring of herd health and welfare by a veterinarian.
- In addition, as an industry we do not recognise the term 'factory farming'. There is no accepted definition of either a 'mega' or 'factory' farm. Size or scale of farm does not dictate animal welfare; it is the treatment of the individual animal that is important. Well managed farm management practices, suitable housing, good stockmanship/animal husbandry and continuous employee training is ultimately responsible for ensuring high animal welfare standards.
- The proposed pig unit will be straw based, therefore producing farmyard manure, straw will be used in abundance on a daily basis which will help to bind ammonia and reduce any odour issues. Unfortunately all farms, regardless of their size may emit odour at certain points however this can be minimised via best practice and management protocol. Farm Yard Manure exported off the unit to fields regularly will also mitigate odour issues and is frequently used to recycle valuable nutrients which subsequently reduces reliance on imported oil based artificial fertiliser.
- In addition farmers must abide by strict legislation with regards to slurry and manure management and face significant penalties if found to be responsible for any local pollution incidents. Both odour and traffic intensity will be limited to short periods at the beginning and end of each batch of pigs; this does not differ from many other farming enterprises.
- Animal rights organisations, by their own admission, share the common objective of stopping meat eating altogether and therefore employ any approach necessary to achieve this. In their online campaigns and petitions, they may use vegan propaganda, misinformation and highly emotive and sensationalist language which is deliberately misleading. We therefore request that if you receive information relating to or have a pig planning application that is subject to animal rights activity, it is not permitted to impact on the planning process.
- Living onsite where ever possible, due to the close proximity to the livestock, always enables an increased level of animal husbandry and welfare. This also demonstrates a compelling commitment to the success of the business.
- We welcome Shropshire Council's core strategy policies which support

agriculture and its development and contribution to the rural economy within the county, specifically strategic objective 7 and policy CS5.

- There is increasing pressure on our pig producer members and the industry as a whole from orchestrated campaigns and new residents moving into the countryside and who regard it as a place of leisure and aesthetic appeal and fail to appreciate that it is a modern working environment and the vital role that it plays both economically and in food production. Furthermore complaints frequently focused on animal welfare concerns should be dismissed immediately as this is not a planning concern.
- I would also take this opportunity to offer advice to the planning committee in that they should consider the accurate and robust information provided as per the planning process i.e. the number of extensive reports prepared by professional consultants and the local plan policies, and not misinformed opinion or blatant animal rights propaganda.

5.0 THE MAIN ISSUES

- Policy & Principle of Development
- Environmental Impact Assessment
- Design, Scale and Character
- Visual Impact
- Impact on Residential Amenity
- Highways
- Impact on Trees
- Ecology
- Drainage
- Other Matters

6.0 OFFICER APPRAISAL

6.1 Policy & Principle of Development

6.1.1 This application was subject to a detailed pre-application enquiry which indicated that the principle for a new farming enterprise in the rural area would be acceptable. However, this would be based upon a detailed application examining the layout and design, visual impact and impact on local residents, together with examining the highways implications, ecology and drainage. Whilst a detailed consultation exercise would be required with the local community, ward member and Parish Council.

6.1.2 National Guidance in policy 3 'Supporting a Prosperous Rural Economy' of the National Planning Policy Framework promotes the development of agricultural rural business. Policy CS5 'Countryside and Green Belt' of the Shropshire Core Strategy relates to development being strictly controlled in accordance with national planning policy to protect the countryside from inappropriate development. Agricultural related development would be supported subject that it does not result in an unacceptable adverse environmental impact and that the design and use of materials is appropriate to the location and does not lead to isolated and sporadic development. The pigs would be wholly housed within the building and so the building is not a structure that would be ancillary to the use of the land, however, the keeping of livestock is an activity that needs to be carried out in rural area and is an agricultural operation.

6.1.3 Policy MD7b 'General Management of Development in Country' of the recently adopted Site Allocations and Management Development (SAMDev) Plan indicates that planning applications for agricultural development will be permitted where it can be demonstrated that the development is of a size, scale and type which is consistent with its required agricultural purpose and the nature of the agricultural enterprise or business that it is intended to serve; is well designed and located; it is functionally and physically closely related to existing farm buildings; and there will be no unacceptable impacts on environmental quality and existing residential amenity.

6.1.4 Having regard to the above national and local planning policies it is acknowledged that there is policy support, in principle, for the erection of new agricultural buildings subject to satisfying other general development control criteria. With regard to the proposed pig rearing buildings it is accepted that there are no suitable buildings on the site to serve the new enterprise. Further, it is officer's opinion that the new buildings are appropriately sited adjacent to existing farm development and of an acceptable scale and design to suite their intended agricultural purpose for pig rearing.

6.2 **Environmental Impact Assessment**

6.2.1 Comments have been received indicating that the proposed development requires a screening opinion in relation to whether the development requires an Environmental Impact Assessment.

6.2.2 The development does not fall within Schedule 1 development of The Town and Country Planning (Environmental Impact Assessment) Regulations 2015. The Schedule 1 threshold in relation to the intensive rearing of pigs for when an Environmental Impact Assessment becomes mandatory is if the installation exceeds 2,000 fattening pigs. The maximum number of pigs reared in the two buildings would be 1,980 and therefore in the opinion of this Authority the proposal is not Schedule 1 EIA development.

6.2.3 Under Schedule 2 the Local Planning Authority must consider whether a proposed development would be likely to have the potential for harmful effects upon the environment by reason of matters such as its nature, size or location and whether an Environmental Impact Statement needs to be submitted prior to the determination of the application. For Schedule 2 development an Environmental Impact Assessment can still be required for intensive livestock installations if the floor area of the building(s) is over 500sqm. The proposed total floor area of the buildings is 1,858sqm (15.24m x 60.96m x 2 buildings) and therefore an assessment is required as to whether the development has a significant adverse environmental impact.

6.2.4 The selection criteria for screening Schedule 2 development is set out in Schedule 3 of the Regulations. The NPPG provides Environmental Impact Assessment Guidance which indicates that the development will require consideration whether any significant effects are likely and hence whether an assessment is required. The Council consideration is as follows:-

- a) Major Development of more than Local Importance: The proposed site would be located in open countryside in a rural farming area. It would be similar in design and appearance to the buildings in the local area and would be visually

contained within the curtilage of the site with provision of additional landscaping. It is not considered that the proposals would amount to major development which is of more than local importance.

- b) Developments in Environmentally Sensitive Locations: The site is not located within or immediately adjacent to an environmentally sensitive area as defined by Regulation 2 of the EIA Regulations and is not within or adjacent to any flood plain. The planning application has been accompanied by a full and detailed Ecological Assessment of the land surrounding the proposed development and issues relating to protected species in the local area.
- c) Development with Particularly Complex and Potentially Hazardous Effects: The proposal would not give rise to any significant increase in emissions or vehicle movements relative to the levels of local existing farming enterprises. The details supplied demonstrate that the proposal would not be a complex development or pose potentially hazardous environmental effects.

6.2.5 Under Regulation 5 of the 2015 Regulations it is determined that the development for which this screening opinion is sought does not constitute EIA development. The Council has undertaken a Screening Opinion and has confirmed that the application does not require an EIA. No statutory Environmental Statement will be required with this planning application.

6.3 **Design, Scale and Character**

6.3.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. This is reiterated in policy MD2 of the SAMDev Plan which indicates the development should contribute and respect the locally distinctive or valued character and existing amenity value. The development should also safeguard residential and local amenity and ensure sustainable design and construction principles are incorporated within the new development.

6.3.2 Policy MD7b 'General Management of Development in the Countryside' of the SAMDev Plan indicates that agricultural development will be permitted where it is of a scale and type which is consistent with its required agricultural purpose and the nature of the agricultural enterprise that it is intended to serve. The policy also indicates that where possible it should be sited so that it is functionally and physically closely related to existing farm buildings.

6.3.3 The proposed buildings measure 15.2 metres wide by 61 metres long with an eaves height of 4.3 metres and ridge height of 6.6 metres. The buildings will be constructed with a 1 metre high concrete panel with green box profile sheeting on both gable elevations, whilst 2 metre high concrete panels will be provided on the side elevations. Above the panels on the side walls is a curtain system which rolls up and down according to the weather conditions. The interior of the buildings will be divided into 24 pens with each pen providing a dunging area which is scraped out daily and a bedded area which is topped up with fresh straw each day. Each building can accommodate 990 pigs. The roof will be constructed from fibre cement roof panels in a natural grey finish with 20 clear roof panels on each roof slope. Access into the buildings will be provided in each corner of the building with a green steel

clad door. Each building requires a feed bin to hold the feed for the pigs which will be 7 metres tall and can accommodate 16 tonnes of feed. The bins will be positioned directly adjacent to the south west facing gable elevations.

- 6.3.4 The proposed buildings will be built from materials which are characteristic and similar in appearance to modern agricultural farm buildings and will not result in the loss of any versatile agricultural land. The proposed buildings will be positioned directly adjacent to an existing portal framed building which has recently been constructed (application reference 15/04581/AGR). This building measures 15 metres wide by 31 metres deep with an eaves height of 6.1 metres and ridge height of 8.5 metres. This building is 1.9 metres taller than the two proposed pig rearing buildings and was indicated it was set back from the highway and away from residential properties. Officers considered it would be in keeping with the surrounding area and deemed not to have a visual impact on the site.
- 6.3.5 The proposed buildings will be sited towards the eastern corner of the site and positioned directly adjacent to the existing stables and modern portal framed building. The applicant does not own any other agricultural land on which the proposed buildings could be sited. Officers consider that the proposed layout, design and scale of the building would be acceptable and would not cause any detrimental impact on the character of the rural landscape.

6.4 **Visual Impact**

- 6.4.1 Objection has been received regarding the visual impact of the buildings on the rural landscape. A detailed Landscape Assessment has been carried out which has indicated that the site consists of an open field and comprises of rough semi-improved grassland which is relatively flat. There are no landscape designations within or in the immediate vicinity of the site, although the existing vegetation and mature trees to the field boundaries make a strong contribution towards the setting and visual amenity of the area. The proposed assessment covers an approximate radius of 0.75km from the proposed site and extends to Springs Farm to the north, the Shropshire Union Canal to the east, the edge of Market Drayton to the south and the small hamlet of Spoonley to the west.
- 6.4.2 The proposed site is classified as Countryside under policy CS5 of the Shropshire Core Strategy and is unaffected by any statutory ecological, heritage or landscape designation, there are no buildings in the vicinity of the site which are statutorily listed, none of the trees are listed under a Tree Preservation Order and there are no public rights of way or public access to this site. The nearest public footpath runs parallel with the western boundary over 700 metres away.
- 6.4.3 The Landscape Assessment has undertaken a detailed assessment of the potential views from public vantage points and neighbouring properties and considered the sensitivity of the view.
- 6.4.4 A view of the site will be achieved from Manor Farm which is located 100 metres from the site boundary to the west on the opposite side of the main A529 and 300 metres from the proposed pig rearing buildings. This property has two windows at ground, first and second floor. The views from the ground floor will be limited due to the existing intervening boundary hedgerows. It is acknowledged that views of the upper section/roofs of these buildings will be visible from the first and second floor

windows. However, these will be viewed in context with the existing steel portal frame building on the site and the large buildings beyond this on the industrial estate (approximately 700 metres away) on the edge of Market Drayton. The magnitude of the change has been assessed as low. The proposed buildings are typical of modern agricultural buildings and will be set within an agricultural landscape.

- 6.4.5 Views have been assessed from the properties to the south of the site which are some 340 metres away from the proposed pig rearing buildings. Rosemount is the most likely of these properties to be visually affected by the proposed development which has a number of side windows orientated north towards the site. The views at ground and first floor level will be filtered by the properties own boundary hedge and garden (including a number of poplar trees) as well as the site boundary and intervening hedgerows. The upper section/roofs of the proposed buildings will be partially visible, although these are also seen in context with the existing taller portal framed building.
- 6.4.6 Views from the A529 of the upper section/roof of the pig rear buildings will be partially visible as glimpsed views. Therefore, in relation to passing traffic it is considered that the speed and nature of the views are short lived and the proposed development will have no special significance.
- 6.4.7 The proposed application includes a detailed landscape mitigation plan which includes the retention and management of the site boundary trees, together with allowing the existing hedgerow on the eastern site boundary directly adjacent to the buildings to grow its height to reach the eaves level of the building (4.3 metres). Two contoured earth bunds will be provided which will be landscaped to the west and south west of the proposed buildings. These will be to a maximum height of 2 metres and will help to reduce the scale and mitigate visual impact. The existing access will be closed up with a hedgerow and the north west corner of the site will be planted with a woodland buffer. The new realigned hedgerow adjacent to the proposed new access will be planted up with native species, whilst a row of trees will be planted along the access driveway leading up to the proposed buildings.
- 6.4.8 In terms of layout and visual impact it is not considered that the proposed buildings will cause any significant harm to the locality. They are of a functional size, design and appearance which reflects modern agricultural buildings in the countryside and will be sited adjacent the existing buildings on the site. Therefore, having regard to their layout, scale, design and limited height (6.6 metres high to the ridge) it is not considered they will appear unduly obtrusive in the landscape. Furthermore, their visual impact can be mitigated against with appropriate landscaping, secured through a planning condition attached to any approval issued.
- 6.5 **Impact on Residential Amenity**
- 6.5.1 Policy CS5 'Countryside and Green Belt' of the Shropshire Core Strategy indicates that agricultural development for large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts. Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that development should safeguard the residential and local amenity. Policy MD7b 'General Management of Development in the Countryside' indicates that the changing needs and effects of agricultural and other related businesses in the countryside are a particular local issue, in particular the impacts of

large scale agricultural buildings. General sustainable design criteria and development management considerations are as relevant to this type of development as other proposals in the countryside and the Plan seeks to balance the needs of the countryside as a working environment with its role as a place to live and enjoy. The policy also indicates that where appropriate, planning conditions can be attached to a permission to control the quality of the development and to ensure the scheme incorporates appropriate agreed mitigation measures such as coloured external cladding, landscaping and waste management.

Odour

- 6.5.2 Local objection has been received in relation to odour from the site which will impact on the residential amenity of neighbouring properties. A detailed Odour Dispersion Modelling Study has been undertaken to assess the impact of odour emissions from the proposed pig rearing buildings. Odour is grouped into three categories 'Most Offensive', 'Moderately Offensive' and 'Less Offensive'. Intensive livestock rearing is classified as moderately offensive.
- 6.5.3 Odour emission rates from pig buildings depend on many factors and are highly variable. At the beginning of a growth cycle then the pigs are smaller litter/flooring is clean and only minimum ventilation is required and the odour rate is small. Towards the end of the growth cycle odour production with the pig building will increase, the pigs are larger and ventilation requirements are greater. Therefore, emission rates are greater. Odour emission rates are likely to occur when the building is cleared of manure and spent litter and/or stored slurry is removed. In relation to the scale of this building the time taken to perform such clearing and removal is usually less than an hour and there is usually discretion as to when this operation can be carried out i.e. to coincide with winds blowing in a favourable direction. The wind pro-dominantly blows in a south westerly direction across open fields away from residential properties.
- 6.5.4 Odour concentration is expressed in terms of European Odour Units per metre cubed of air (ou_E/m^3). $1.0\ ou_E/m^3$ is defined as the limit of detection in laboratory conditions, at 2.0 to $3.0\ ou_E/m^3$ is defined as an odour which will usually be recognisable but would be described as faint, whilst $10.0\ ou_E/m^3$ would be describe the intensity of an odour as moderate or strong if persistent. At below $5.0\ ou_E/m^3$ complaints are relatively rare. The odour study has modelled the proposed rates at 23 locations surrounding the site with the highest level being at Manor Farm at $1.72\ ou_E/m^3$. The Environment Agency has published Odour Management Guidance and indicated a benchmark for odour levels. For moderately offensive odours such as the proposed pig rearing enterprise the level is set at $3.0\ ou_E/m^3$. The proposed development will comply with the Environment Agency guidance and the Council Public Protection Team consider that the proposed development will not lead to any adverse odour issues.

Manure Storage

- 6.5.5 Concerns have been raised regarding the storage of manure. The agent has indicated that in order to achieve the higher welfare status manure must be removed from the pig rearing buildings on a daily basis and will include a high percentage of straw bedding. The manure will be scraped to the northern end of the building onto a concrete manure pad. The pad is enclosed by a catchment drain and sealed tank to collect any dirty water from the pad. The tank will be emptied regularly to Nitrate

Vulnerable Zone guidelines. All manure produced from the sheds will be used as natural fertiliser on agricultural land in the local area. The manure will be managed in accordance with the Manure Management Plan submitted with this application. It is proposed that no pig manure will be spread on the application site which would conflict with the straw swap arrangement and due to the relatively small area of the application site would be very limited to receive manure. It is the intention of the enterprise to establish a 'straw swap' arrangement with an arable farmer whereby straw is delivered to the site and the farm yard manure removed from the site. The manure will be removed on a weekly basis and transported away from the site for field heap storage prior to the spreading to land. The third party storing and spreading of the manure will be subject to the same statutory legislation and codes of practice.

6.5.6 For planning purposes officers are therefore satisfied that the applicant has demonstrated that adequate measures will be in place for dealing with waste disposal from the proposed pig rear buildings. Full compliance with the Nitrate Vulnerable Zone Regulations is separate legislation enforced by the Environment Agency and it is not the role of the Local Planning Authority to duplicate other legislative controls.

Noise

6.5.7 Local objection has been received in relation to noise from the site which neighbours consider will have a negative impact on the residential amenity of neighbouring properties and that an inadequate noise assessment has been undertaken.

6.5.8 A detailed Noise Impact Assessment has been submitted by a qualified specialist noise consultant to determine the noise impact of the proposed pig rearing enterprise on the local environment. Background noise levels were recorded over a 24 hour period at the position of the proposed temporary dwelling which indicated a level of 31dB. To calculate the predicted change in the noise environment measurements were recorded at a similar pig rearing facility in the local area (Bradley Farm, Market Drayton) to provide an accurate representation of the noise from the pigs within the proposed building. The noise of the pigs was combined with the noise from the three ridge fans and HGV's accessing the site to produce a noise map which visualises the impact of the noise sources on the local area.

6.5.9 The report indicates that the proposed noise level from the pig rearing buildings itself will only marginally be increased to 32dB at the point of the proposed temporary dwelling. However, the greatest noise source is from HGV's accessing the site and these are forecast at less than three per week on average. Although the agent has indicated that because of the noise level of these vehicles it is proposed to restrict the times they access the site to 08:00hrs to 18:00hrs Monday to Friday. The proposed temporary dwelling is predicted to be subject to noise level of 34dB.

6.5.10 Having regard to the proposed noise levels and the distance away of neighbouring properties the proposed development will not have a significant adverse impact on the local amenity in terms of noise. However, notwithstanding this conclusion a Noise Management Plan has been submitted with the application to provide reassurance that the unit will be operated to a high standard and all reasonable measures taken to ensure that the risk of noise emissions are minimised.

6.5.11 Sources of increase in noise can arise when pigs become hungry, although all the pigs will have access to food continuously and there will be no set feeding times. Noise can also arise from the delivery of feed by HGV's and the blower units which feed the silos. However, delivery times are going to be restricted and vehicles are now fitted with low noise blower units. The unloading and loading of pigs can act as a potential noise source, although pigs are only moved during the day to minimise disturbance. Ventilation fans from the roofs can cause noise disturbance if not regularly maintained and cleaned and will be fitted with variable speeds with automatic controls.

6.5.12 The Public Protection Team has assessed the submitted reports and management plan and indicate that the proposed development will not have a significant detrimental impact on the amenity of the area or any residential properties.

6.6 Highways

6.6.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that proposals likely to generate significant levels of traffic should be located in accessible locations where there are opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced. This policy also indicates that development should be designed to be safe and accessible to all.

6.6.2 Objection has been received from local residents and the Parish Council regarding the increase in traffic and concerns regarding the restricted visibility from the proposed new access.

6.6.3 The proposed site is currently served from Adderley Road (the A529) which has a national speed limit of 60mph and is only 600 metres away from the main A53 bypass around Market Drayton. The existing vehicular access serves a stable and agricultural building and has restricted visibility in both directions due to the existing boundary hedgerows and the alignment of the road. The proposed development provides a new vehicular access approximately 180 metres further to the south. The national 'Transport Data Collection' has indicated that traffic along the road operates below the national limit with north bound traffic being at 45.8mph and the south bound traffic being at 43mph (this is based on a 7 day average 85th percentile operating speed). Based on the speed survey the Design Manual for Roads and Bridges indicates that the proposed access will require visibility splays of 120 metres in a southward direction and 130 metres in a northward direction. To achieve this part of the existing boundary hedgerow will need to be realigned with the provision of a grass verge.

6.6.4 The proposed entrance will provide wide splays to a maximum width of 26 metres which narrows to 10 metres at the point of the realigned hedgerow and continues to narrow for over 30 metres into the site until the driveway is provided at 3.5 metres wide. This large entrance will allow two HGV to pass one another clear of the highway should a vehicle leave and enter at the same time. The Highways Authority have raised no objection to the proposed new access and visibility splays subject to safeguarding conditions regarding the construction of the new access; proposed visibility splays; parking and turning area being laid out prior to the pig rearing unit being occupied; and any entrance gates to be set back 15 metres from the highway edge.

- 6.6.5 A detailed Transport Statement has been submitted which has provided a breakdown of the proposed vehicle movements which include piglet delivery, feed delivery, finished pig removal, fallen stock removal, straw delivery, ancillary visits and domestic use. The piglet delivery/removal and feed delivery is undertaken by HGV's, whilst fallen stock are removed by a lorry and straw delivery will be by tractor and trailer. All other movements will be by car. The proposed development trips are as follows:-

ACTIVITY	VEHICLE	FREQUENCY
Piglet Delivery	2 x HGV	Once per batch
Feed Delivery	1 x HGV	Once per week
Finished Pig Removal	2 x HGV	2 per week (Week 15-19)
Fallen Stock Removal	1 x Lorry	Once per week
Straw Delivery	1 x Tractor & Trailer	Once per batch
Ancillary Visits	1 x Car	Once per week
Domestic	1 x Car	Two per day average

- 6.6.6 The Transport Statement has calculated the vehicle movements based per batch which is approximately a 24 week period. It indicates that there would be approximately 416 movements during the 24 week period (which includes 336 domestic trips) which would on average equate to 2.47 movements per day. The traffic survey which was undertaken on the A529 indicated an average of two-way flow of 2,500 vehicles per day. The Highways Authority considers that an increase of less than 3 additional movements would have little or no discernible impact on the local highway network.
- 6.6.7 The proposed access will provide a safe entry and exit for all sizes of vehicles associated with the proposed use and the Transport Statement indicates that the development will not cause any material harm to highway safety.

6.7 Impact on Trees

- 6.7.1 Policy CS17 'Environmental Networks' of the Shropshire Core Strategy indicates that development should protect and enhance the local natural environment. Objection has been received from local residents regarding the loss of trees and the roadside hedgerow. A detailed Phase 2 Arboricultural Impact Assessment has been undertaken to assess all of the existing trees and hedgerows on site, together with providing a detailed maintenance schedule and mitigation measures. It is noted that none of the trees are protected by a Tree Preservation Order and the site is not within a Conservation Area. It has been indicated that there are three trees along the roadside frontage which require maintenance to ensure safety on the A529 and to ensure a continual corridor of habitat provided by the hedgerows. There is an over mature Oak tree towards the northern corner of the site which is in a failing state with imminent loss, although the replanting of standard oaks in the existing gaps along the roadside hedgerow will provide increased amenity value.
- 6.7.2 The proposed access will require the realignment of a 78 metre section of hedgerow to provide the necessary visibility splays for emerging vehicles. This loss is mitigated by the planting of a new section of native hedgerow (including a mix of Hawthorne

and Blackthorn) either side of the entrance, whilst any gaps along the hedgerow will be filled in. The exiting access to wards the northern corner of the site will be replaced with a native hedgerow.

6.7.3 The Trees & Woodland Amenity Protection Officer has indicated that the Arboricultural Impact Assessment, Tree Protection Plan and Method Statement for this scheme indicates that the proposed development will not result in the loss of amenity. No objection is raised subject to a safeguarding condition regarding all trees and hedgerows being retained in accordance with the Tree Protection Plan and all work highlighted to be carried out in accordance with the Method Statement.

6.8 Ecology

6.8.1 Policy CS17 'Environmental Networks' of the Shropshire Core Strategy indicates that development will identify, protect, expand and connect Shropshire's environmental assets to create a multifunctional network and natural and historic resources. This will be achieved by ensuring that all development protects and enhances the diversity, high quality and local character of the natural environment and does not adversely affect the ecological value of the assets, their immediate surroundings or their connecting corridors. This is reiterated in national planning guidance in policy 11 'Conserving and Enhancing the Natural Environment' of the National Planning Policy Framework. This indicates that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, minimising impacts on biodiversity and providing net gains where possible.

6.8.2 Local objection has been received regarding that impact on ecology and in particular Great Crested Newts. The application has been accompanied by a Phase 1 Ecological Appraisal and an Amphibian Habitats Suitability Assessment of Ponds, together with a Great Crested Newt Survey and an assessment of the Potential Impact on Great Crested Newts and Pond Appraisal.

6.8.3 Four ponds have been identified within 250 metres of the site, including the one pond on site. Although other ponds are present on the opposite side of the A529 these have been discounted as the main road would provide a barrier to newt movement. Out of the four ponds assessed only one pond scored 'Average' under the Habitat Suitability Index criteria which triggered the requirement for a Great Crested Newt Survey. The three remaining ponds all scored 'Below Average' so a full survey was not required for these. The surveyed pond is located directly to the east over 65 metres from the site boundary and is a relatively deep pond and is shaded along most of its banks and supported limited aquatic vegetation. Two night time surveys were undertaken in May 2016, although no Great Crested Newts were recorded. The pond is not considered to be the optimal Great Crested Newt habitat mainly due to the lack of egg laying material.

6.8.4 The Council is aware that a Great Crested Newt mitigation complex does exist approximately 300 metres to the east of the site and was created for the Sawmills development off Weston Way in 2013 (under application reference 12/01321/FUL) and is more favourable than that surveyed. The proposed site offers limited terrestrial habitat for Great Crested Newts and will involve the loss of short grassland with no significant loss of hedgerows on field boundaries. The Planning Ecologist has raised no objection to the development on grounds of impact on Great

Crested Newts and a European Protected Species Licence is not required. However, given the proximity of a Great Crested Newt mitigation complex it is recommended that Reasonable Avoidance Measures are implemented during the construction period and is conditioned accordingly.

- 6.8.5 The Planning Ecologist has indicated that pig units have the potential to impact upon designated sites within the wider environment via production of aerial emissions of ammonia and deposition of acid and nitrogen. Potential impacts upon and locally designated sites within 2km, nationally designated sites within 5km and European designated site within 10km would need to be assessed. A detailed report on the Modelling of the Dispersion and Deposition of Ammonia has been submitted indicating that there is one Local Wildlife Site and two candidate Local Wildlife Sites within 2km of the site. The ammonia emissions rates from the proposed piggeries has been assessed and quantified based upon figures obtained from the Inventory of Ammonia Emissions from UK Agriculture 2009 and 2012 and the Environment Agency standard ammonia emission factors. The ammonia emission rates have been used as inputs to an atmospheric dispersions model which calculates ammonia exposure levels in the surrounding area. The predicted maximum annual mean ammonia concentrations at the nearby local wildlife sites are below the relevant Environment Agency lower threshold percentage. No objection has been raised by the Planning Ecologist and no further details are required.
- 6.8.6 The Phase 1 Ecological Appraisal indicated that all trees around the site boundaries were subject to survey and assessed for their bat roost potential. A large oak tree at the exiting site entrance was the only tree assessed as having bat roost potential due to the recorded cracks and holes on the main trunk. This tree will not be lost and is located sufficiently far enough away from potential disturbance sources that risk to bats are negligible. It is considered that the impact on the local bat population is low. The Planning Ecologist has raised no concerns and has recommended a condition regarding external lighting to be agreed to minimise any disturbance to bats.
- 6.9 **Drainage**
- 6.9.1 Policy CS18 'Sustainable Water Management' of the Shropshire Core Strategy indicates that development should integrate measures of sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity and provide opportunities to enhance biodiversity.
- 6.9.2 A detailed Flood Risk Assessment and Surface Water Drainage Strategy has been submitted. The proposed site is located within Flood Zone 1 with an annual probability of flooding of 1 in 1000 years (0.1% chance) and therefore the site is classified as 'very low' for the probability of flooding. However, the Environment Agency 'Risks of Flooding from Surface Water' mapping has indicated that there is a high risk (greater than 1 in 30) of surface water flooding to two small areas close to the northern and eastern boundaries of the site with a medium risk (between 1 in 100 and 1 in 30) affecting a very small area in the centre of the site. The flood risk highlighted in the eastern area is attributed and confined to the existing pond. Surface water flooding can be difficult to predict and occurs when rainwater does not drain through the 'normal' drainage systems or soaks into the ground but lies on or flows over ground instead. The localised areas of surface water flooding are likely to be as a result of low spots and the low infiltration potential of the site geology. The proposed layout of the buildings, hard surface or access are not affected by the

surface water flooding area.

- 6.9.3 A detailed site drainage and hydrology assessment has been undertaken as part of the Surface Water Drainage Strategy and consideration for a sustainable drainage system for the development has been considered. Infiltration into the ground for the disposal of surface water is the preferred choice, although percolation tests are required to calculate the soils infiltration potential. The British Geological Survey indicates that it would be unlikely that infiltration would be appropriate at this site and this is supported by the 'Soilscapes Mapping' which indicates the soil is seasonal wet and clayey which would impede drainage. It is considered that soakaways will not be a viable means of dealing with surface water run-off and therefore the surface water should be directed to a watercourse.
- 6.9.4 The proposed clean surface water from the proposed buildings will be diverted into a grassed detention basin, whilst surface water from the hardstanding to the front of the building will pass through an oil interceptor. The detention basin is designed to accommodate peak storm events and then release the water at a controlled flow into an existing pond once the storm has passed and then into the local ditch. The proposed access driveway will be constructed to provide surface water run-off to the grass land field to either side. The Flood and Water Management Team have raised no objection to this proposed method of surface water drainage subject to safeguarding conditions.
- 6.9.5 The proposed foul drainage from the proposed pig building will drainage into a sealed underground tank which will collect dirty water from the washout at the end of each pen and any dirty water arising from the manure pad. The tank will be constructed to the relevant British Standard to prevent leakage and will be periodically emptied by vacuum tanker to an offsite location to be dealt with in an effective and sustainable manner.
- 6.10 **Other Matters**
- 6.10.1 A significant level of objection has been received from a national organisation called Viva! Who 'Campaigning for Animals, Fighting for Change' regarding the animal welfare for the pigs. The Welfare of Farmed Animals (England) Regulations 2000 (S.I. 2000 No. 1870), Regulation 3 (1), states that owners and keepers of animals shall take all reasonable steps to ensure the welfare of the animals under their care; and to ensure that the animals are not caused any unnecessary pain, suffering or injury. Animals are required to have freedom from hunger and thirst by ready access to fresh water and a diet to maintain full health and vigour; Freedom from discomfort by providing an appropriate environment including shelter and a comfortable resting area; Freedom from pain injury or disease by prevention or by rapid diagnosis and treatment; Freedom to express most normal behaviour by providing sufficient space, proper facilities and company of the animals' own kind; Freedom from fear and distress by ensuring conditions and treatment to avoid mental suffering. The applicant is required to abide by these National welfare standards. British UK farmers take pride in the welfare and quality of their livestock and a significant level of objection is raised to pig rearing which is mainly based on old style housing which was dark and poorly ventilated. Modern buildings have significant daylight, ventilation, straw bedding (not slats) that enable pigs to thrive and grow in a healthy and cared for environment. The British Quality Pigs standard of animal welfare and management of the environment inside and out is high.

- 6.10.2 Concerns have been raised from local residents that the proposed development will not provide employment and there will be limited job opportunities. However, modern farming enterprises are not as labour intensive as they once were. The proposed development will provide employment for the applicant who has grown up and is a local resident. The business will assist the local economy by providing employment during the construction of the buildings, access road, drainage and landscaping works. Whilst once operational the business will support local vets, farmers providing feed/beddings and delivery drivers. Officers consider that the proposed business will assist the local rural economy which is supported.
- 6.10.3 Concerns have been raised that the intensive pig rearing enterprise may result in risk to human health. The proposed risk to human health from the proposed pig rearing enterprise is not a material planning consideration which this application can consider. There is no adopted Government Guidance which has been issued to indicate that this type of business should not be supported in planning terms.

7.0 CONCLUSION

- 7.1 In summary, officers are of the opinion that the agricultural buildings for the pig rearing enterprise are acceptable in principle and will be in accordance with national and local planning policies controlling development in the countryside. Officers are further satisfied that proposals are of an appropriate layout, scale and design that will not adversely impact on the character and appearance of the locality; are capable of being serviced by acceptable drainage and access arrangements that will not increase flood risk or lead to unacceptable highway conditions. It is also considered that sufficient ecology and drainage information has been provided to conclude that the proposals will not adversely harm protected sites and species and ecology all subject to compliance with planning conditions. Accordingly, the proposal is considered to comply with Shropshire Core Strategy, SAMDev Plan and the NPPF.
- 7.2 In arriving at this decision the Council has used its best endeavours to work with the applicants in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework paragraph 187.

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal - written representations, a hearing or inquiry.
- The decision is challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the

decision, not its planning merits. A challenge by way of Judicial Review must be a) promptly and b) in any event not later than 6 weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 **Human Rights**

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 **Equalities**

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in planning committee members' minds under section 70(2) of the Town and Country Planning Act 1970.

9.0 **FINANCIAL IMPLICATIONS**

9.1 There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

10.0 **BACKGROUND**

10.1 **Relevant Planning Policies**

Policies material to the determination of the Application. In determining this application the Local Planning Authority gave consideration to the following policies:-

National Planning Policy Framework:

3 : Supporting a Prosperous Rural Economy

7 : Requiring Good Design

10 : Meeting the Challenge of Climate Change, Flooding and Coastal Change

11 : Conserving and Enhancing the Natural Environment

Shropshire Council Core Strategy (February 2011):

CS5 : Countryside and Green Belt

CS6 : Sustainable Design and Development Principles

CS17 : Environmental Networks

CS18 : Sustainable Water Management

Site Allocations and Management Development Plan (December 2016):

MD2 : Sustainable Design

MD7b : General Management of Development in the Countryside

MD12 : Natural Environment

10.2 Relevant Planning History

16/01822/OUT - Outline planning permission for an agricultural workers dwelling. Current Application.

15/04581/AGR - General purpose agricultural storage building to store machinery and produce. Granted 17th November 2015.

NS/03/01276/FUL - Erection of a stable block for private use and change of use of land for horticultural purposes. Granted 3rd March 2004.

11.0 ADDITIONAL INFORMATION

List of Background Papers - Planning Application reference 16/01821/FUL

Cabinet Member (Portfolio Holder) - Cllr M. Price

Local Member - Cllr Paul Wynn

Appendices

APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).
2. The development shall be carried out strictly in accordance with the approved plans and drawings
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.
3. Prior to the above ground works commencing samples and/or details of the roofing materials and the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
Reason: To ensure that the external appearance of the development is satisfactory.
4. All trees and hedges which are to be retained in accordance with the approved plan shall be protected in accordance with the submitted Tree Protection Plan and all work highlighted to be carried out in accordance with the Method Statement and BS 5837: 2012 "Trees in relation to Design, Demolition and Construction recommendations for tree protection".
Reason: To safeguard the amenities of the local area by protecting trees.
5. Before any other operations are commenced, the proposed vehicular access and visibility splays, shall be provided and constructed to base course level, to facilitate construction traffic, and then completed to the agreed specification (as shown on the approved drawing 1080/143/002.3) before the development is fully occupied and thereafter maintained. The area in advance of the sight lines shall be kept permanently clear of all obstructions.
Reason: To ensure that the construction of the development should not prejudice the free flow of traffic and conditions of safety on the highway nor cause inconvenience to other highway users.
6. Work shall be carried out strictly in accordance with the Great Crested Newt Survey conducted by Rachel Hacking Ecology (2016) attached as an appendix to this planning permission.
Reason: To ensure the protection of Great Crested Newts, a European Protected Species

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

7. No development shall take place until details of the construction of the new access as shown on drawing no. 1080/143/002.3 and details of the permanent closure of the existing access, together with details of the disposal of surface water from the site, have been submitted to, and approved by the Local Planning Authority. The agreed details

shall be fully implemented before the use hereby approved is commenced or the building(s) occupied.

Reason: To ensure a satisfactory access to the site.

8. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (which ever is the sooner).

Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.

9. The development hereby approved shall not be first brought into use until a scheme of landscaping proposals has been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. The submitted scheme shall include means of enclosure and planting plans for traditional native species, noting species, planting sizes and proposed numbers/densities where appropriate.

Reason: To mitigate visual impact and in the interests of safeguarding the character and setting of the rural locality.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

10. The development and operations shall be carried out only in accordance with the Management Plans Report prepared by Wharfe Rural Planning reference 1080/143 (dated April 2016).

Reason: For the avoidance of doubt and to ensure that the development does not result in adverse impact on the residential amenity of neighbouring occupiers.

11. Any gates provided to close the proposed access shall be set a minimum distance of 15 metres from the carriageway edge and shall be made to open inwards only.

Reason: To ensure a satisfactory form of access is provided so that a HGV can enter the site without interference, in the interests of highway safety.

12. No feed deliveries shall occur before 08:00hrs or after 18:00hrs on any day.

Reason: to protect the amenity of the area.

13. No delivery or removal of pigs to the installation shall occur before 07:00hrs or after 23:00hrs on any day.

Reason: to protect the amenity of the area.

14. Silencers with equal or better noise mitigating effect to those proposed in the noise assessment provided with this application shall be installed and operated throughout the lifetime of the operation.

Reason: To protect the amenity of the area.

15. All landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standard 4428:1989. The landscaping and planting works shall be carried out by the end of the first available planting season upon completion of the proposed development or in accordance with the timetable agreed with the Local Planning Authority. Any plants that, within a period of five years after planting, are removed, die or

become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved scheme.

16. Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet Bats and Lighting in the UK .

Reason: To minimise disturbance to bats, a European Protected Species.