

**CENTRAL PLANNING COMMITTEE  
SCHEDULE OF ADDITIONAL LETTERS**

**Date: 16 March 2017**

**NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting**

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	16/04594/EIA (Foxholes Farm)	Planning Officer

In Appendix 2 of the Committee report, condition 10 seeks to restrict the number of HGV movements taking place during the night-time, and is worded as follows:

*10. Bird removal from the site shall take place on no more than 48 days during the year and of those 48 days on only 44 may birds be removed from the site during the hours of 0200 and 0700. When transporting birds a maximum of two HGV movements per hour may occur between the hours of 0200 and 0700.*

*Reason: To protect the health and wellbeing of residents along the access route to the installation.*

Following further discussions with the Council's Public Protection Officer it is considered that it would be more appropriate for the night-time period to be defined as between 2300 and 0700 hours, not 0200 – 0700 hours. It is therefore recommended that, if permission is granted, condition 10 is worded as follows:

10. Bird removal from the site shall take place on no more than 48 days during the year and of those 48 days on only 44 may birds be removed from the site during the hours of 2300 and 0700. When transporting birds a maximum of two HGV movements per hour may occur between the hours of 2300 and 0700.

Reason: To protect the health and wellbeing of residents along the access route to the installation.

<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
5	16/04594/EIA (Foxholes Farm)	Parish Council and Public Protection Officer

Para. 4.1.1 of the Committee report refers to concerns of Great Ness and Little Ness Parish Council over the cumulative impact of chicken farms on the public health and well-being of residents of the parish. They wrote to the Council's Public Protection team on 14/11/16 making the following points:

- Concern over the speed and industrial-scale of development of chicken farms in the parish: two long established farms; two ever-expanding farms; a fifth farm in construction phase
- These five farms are within a two mile radius of each other and close to residential properties
- Concern about air pollution associated with chicken waste, including toxic gases such as ammonia which is a known threat to public health; pollutants can also impair water quality if there is any over-application onto agricultural land
- Concern over cumulative effect of five farms in close proximity to each other and many residential properties
- The parish council has no evidence there is an immediate problem, but equally has no evidence there is not a problem
- Confirmation requested as to what protections of public health and well-being are

in place; results of any checks or tests to reassure the public that they are being safeguarded from the potential threats from these farms requested

Public Protection Officer's response:

A summary of the Public Protection Officer's response dated 21/11/16 is below:

In relation to ammonia Public Health England have stated that ammonia gas is not persistent in the environment and environmental exposure is not considered a risk to health. In addition the World Health Organisation does not consider exposure from ammonia in drinking water to be of immediate health relevance. Ammonia odour is discernible at approximately 35mg/m<sup>3</sup> of air. At this level it would only become an irritant where exposure times are for 2 hours or more with most people tolerant to levels of 5 times this amount for a period of an hour. Having been around poultry installations I can clarify this by stating that this does not mean if you can smell a poultry farm for a length of time that you are exposed to these levels of ammonia as ammonia is only one component that may contribute to the odour released from a poultry installation.

The information above indicates that there is no likely health impact to nearby residents from exposure to the levels of ammonia found in or around poultry installations.

One further pollutant of concern for poultry installations is particulates known as PM10s. Defra has released a screening tool which identifies when the local authority should carry out detailed assessment on this pollutant. I can confirm that one farm in the area meet the criteria for screening (Manor Farm at Felton Butler). Having carried out the screening exercise it is not found necessary to continue to further detailed assessment as no legislative target levels of PM10s are likely to be exceeded.

In summary I can confirm that PM10s have been considered in this area with reference to the Local Air Quality Management regime and there has not been found to be any likely impact in the area.

I note that the questions that you have asked refer to cumulative impacts. I would like to provide you with assurances that due to the persistence in the environment of the pollutants mentioned above the risk of any health impact to residents is very low. To put this into perspective is likely that driving your car in an area of congested traffic would expose you to more harmful air pollutant.

Finally in relation to detrimental impacts from spreading manure and the impact on water the major impact here is the impact of nitrate levels in watercourses which can cause eutrophication and damage ecosystems. Manure management and fertilisation regimes are subject to guidance and levels set by Defra and the Environment Agency. Fertilisers must be applied in such a way that does not impact on water courses so as to have a significant detrimental impact and therefore I would not anticipate any likely issue with part of the poultry installation process even with a combined impact as all land will be subject to controls and guidance as mentioned above.

I would like to conclude by stating that all poultry installations are considered thoroughly at the planning stage by the Planning Service. Public Protection contribute to this process by considering air quality and other aspects. In addition poultry installations with more than 40,000 birds require an environmental permit issued and regulated by the Environment Agency (EA). Should any issues with odour and noise concern residents they should contact the Environment Agency to report the issue. If a complaint is in respect of flies or odour/noise from sources not on the poultry installation site the Council should be contacted.

Response from Parish Council:

The Parish Council wrote a further letter to the Public Protect team on 13/12/16:

- Requesting further details of assessments that have been carried out at Manor Farm and evidence that target levels from PM10s were not exceeded
- Requesting evidence that manure spreading is unlikely to be a problem
- Acknowledging that permits are issued for the sites of chicken farms but they are not for the farmland where storage and spreading takes place
- Requesting information on what policing takes place after installation and operation are under way?

Correspondence on this matter between the Parish Council and the Public Protection team is ongoing.

Further information from Public Protection Officer (10/3/17):

1. PM10s. Last year DEFRA produced a screening tool designed to identify any poultry installations that are likely to have a PM10 impact on health of residents in the area. The tool identifies the need to consider installations with more than 400,000 bird where there is mechanical ventilation (as there will be in this instance) and only where there are receptors within 100m. This is not the case for Foxholes and therefore it is not considered necessary to ask for PM10 assessment for this installation. In relation to Manor Farm it was found to be 40% below the threshold where further action is necessary.

2. Spreading of manure and outdoor storage. The EA do not tend to regulate this as it tends to fall outside of the boundary of the permitted site. They do however regulate odours arising on site which have the potential to be around for significantly longer than transient spreading and stockpile odour. Public Protection can take action where unreasonable actions are taken however it is not considered likely that there will be significant impacts based on the fact that poultry manure spreading is common place as is outdoor storage and we receive very few complaints about these activities where there is genuinely a problem to be resolved. It is part and parcel of a rural landscape to expect to be exposed to agricultural odours from time to time just as it is generally accepted that in urban environments you are likely to be exposed to urban odours such as food preparation on occasion.

3. Actions after installation. Public Protection can utilise nuisance legislation which can be used should complaints be received. We do not "police" the county looking for issues having less than 3 full time officers available to carry out nuisance work on commercial properties. This follows the principal of other regulators such as the HSE who adopt a policy of no intervention without information. Where complaints are raised and justified as significant enough to warrant action appropriate measures will be taken to resolve the situation.

Item No.	Application No.	Originator:
5	16/04594/EIA (Foxholes Farm)	Local resident

**This application is the next stage of a Development that was originally refused for Five Sheds (09/01778/FUL Erection of five poultry units and ancillary works including creation of new access and off-site highway improvements. REFUSE 27th May 2010) and also Dismissed (10/01833/REF Erection of five poultry units and ancillary works including creation of new access and off-site highway improvements. DISMIS 30th June 2011) at Appeal by the Planning Inspectorate, because of the impact on the roads and the landscape.**

**An application was subsequently granted (12/01419/EIA Erection of 3 poultry rearing sheds; 2 control rooms, 7 feed bins, office/store building, water tower, vehicular access, road improvement works (in Great Ness & Little Ness) earth bund and landscaping scheme GRANT 24th October 2012) under a reduced scheme for just Three Poultry Sheds.**

The Development Management Report in Section 6.5 only refers to HGV movements. It makes no reference to the considerable number of tractor and trailer movements required to "feed" the Anaerobic Digester and to remove the waste material generated. The Anaerobic Digester uses a mixture in the proportion of one tonne of poultry muck to 2.2 tonnes of maize and sugar beet which has to be transported into the site to be fed into the Anaerobic Digester. The Anaerobic Digester has a capacity of nearly 10,000 tonnes per annum which is a very large number of tractor movements.

This tractor and trailer traffic has already had a significant impact on local lanes and will increase further with the two additional poultry sheds. Para 6.2.4 gives no indication of the very wide area from which crops will be transported in from, and processed muck will be transported out to.

Road traffic and leisure use by walkers, runners, cyclists and equestrians is increasing due to the large number of houses being built in the Parishes of Baschurch and Great and Little Ness. There has been no assessment of the impact of the increasing amount of residential etc. traffic on the country lanes, or of the farm traffic generated by the poultry units and the Anaerobic Digester.

**This application should not be considered by the Planning Committee until the impact of both the additional farm traffic and the additional residential etc. traffic and leisure use has been fully assessed.**

#### **Additional Points.**

In addition to the current application, the applicant has advised the Parish Council, at the recent Parish Council meeting in March, that an application will soon be made for a grain store and drier to be located next to the Anaerobic Digester. This will be a further significant development on the site.

The plan in the Development Management Report shows only 5 poultry sheds. As far as can be seen from the nearest lane, there are six already built. The two additional sheds will make 8 in all plus the ancillary buildings. Why does the plan show only 5 sheds?

If the existing buildings have been built in the wrong place, for which retrospective permission is sought, what confidence should we have that approved plans will be followed in the future?

How can the conclusion reached in Para 7.2 be made when only HGV traffic is considered? The extra two sheds will increase the volume of tractors and trailers using the local lanes.

Para 7.3 states there is benefit for local employment. With one and a half extra people, and some occasional sub-contractors (Para 6.2.3) this is only a marginal benefit to the local community.

**I ask that this application be refused.**

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<p>In response to the comments above, it should be noted that at present the poultry manure produced by the existing six poultry buildings is taken directly to the anaerobic digestion (AD) plant at the end of each cycle. This is done via a private track that connects the poultry farm to the AD plant, and no public highways are used for this. As part of the current planning application it is proposed that all of the poultry manure produced would be fed into the AD plant, and transported via the track as at present.</p> <p>The comments relating to transport movements associated with 'crops' and 'processed muck' are not relevant to the current application which only relates to poultry rearing and not to the AD plant.</p> <p>In relation to the comments about the number of sheds, to clarify this there are six poultry sheds on the site. The most recent base maps only show five. The plans submitted with the application (and which will be displayed on the powerpoint slides at the Committee meeting) show the current situation on site.</p>		