

Development Management Report

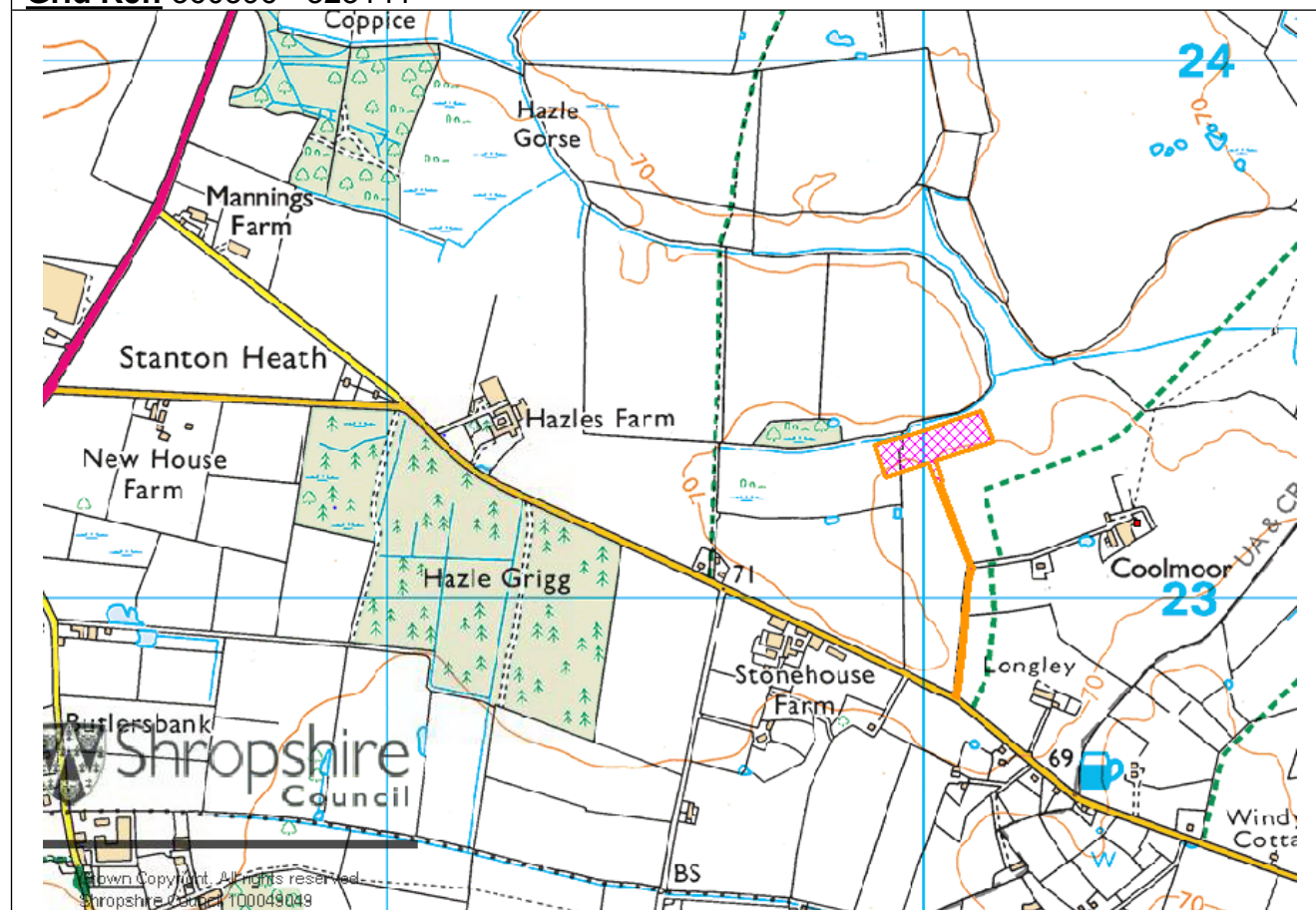
Responsible Officer: Tim Rogers

Email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

<u>Application Number:</u> 17/02987/EIA	<u>Parish:</u>	Stanton Upon Hine Heath
<u>Proposal:</u> Erection of an agricultural building for free range egg production, with associated feed bins, hardstandings and access track		
<u>Site Address:</u> Coolmoor Farm Hazles Road Shawbury SY4 4HE		
<u>Applicant:</u> Heal Eggs Ltd		
<u>Case Officer:</u> Philip Mullineux		<u>email:</u> planningdmnw@shropshire.gov.uk

Grid Ref: 360396 - 323141



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REPORT

Recommendation: Approval subject to conditions as attached to appendix one of this report and any modifications considered necessary by the Head of Planning Services.

1.0 THE PROPOSAL

- 1.1 Application proposes erection of an agricultural building for the housing of up to 64,000 free range egg producing birds, with associated feed bins, hard standings and access track on land forming part of Coolmoor Farm, Hazles Road, Shawbury
- 1.2 The application is accompanied by a set of proposed elevations and floor plans, block plan, site location plan, landscaping proposals plan, design and access statement and an Environmental Statement which includes a landscape and visual impact assessment, noise assessment, odour assessment, heritage assessment, transportation report, flood risk and drainage report and ecological appraisal. During the application processing period amended plans were received in relation to highway access, heritage impact and further information in relation to ammonia emissions and landscaping proposals.
- 1.3 The application falls into the remit of the Town and Country Planning (Environmental Impact Assessment), Regulations 2017 Schedule one development, and as such an Environmental Statement is mandatory to accompany any planning application for development on site. The threshold for schedule one development is 60,000 egg laying birds, this application proposes housing for up to 64,000 egg laying birds on site. As such the application was advertised by the Council as development accompanied by an Environmental Statement.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site forms part of a grade 3 (agricultural land classification) field, presently in arable production and is located in open countryside, relatively flat in appearance with native hedgerows and trees located to the rear of the site. The application form indicates the site area as being 2 hectares. Access to the site will be along a private driveway (off the adjacent public highway), which leads to Coolmoor Farm and a dwelling house outside the control of the applicants located on opposite side of the driveway to the application site. This dwelling appears to be one of the nearest dwellings to the application site. It is proposed to construct a stretch of new roadway across the field from this private driveway to the site where it is proposed to construct the egg laying unit.
- 2.2 The proposed poultry building will cover an area of 168 metres x 31 metres, with an eaves height of 3.5m and a ridge height of 7.59m, together with 4 no. feed bins, a hardstanding for parking and turning, and a new access track linking the development to the existing Coolmoor Farm access road. The proposed building will provide accommodation for 64,000 laying hens.

- 2.3 The building is proposed to be of timber frame construction, with the external cladding being timber weatherboard for the walls. The roof will be polyester coated profile sheeting in slate blue. The building internally will be subdivided into four bird housing sections, together with a central area for egg packing and storage. The central packing area includes an automated egg packer and an egg storage area. The egg conveyors lead from the bird areas link into the egg packer within the central area of the building.
- 2.4 The bird housing areas include a multi-tier system, which includes rows of tiered perches, which are situated over manure belts. The bird areas include automated chain feeders and non drip nipple drinkers. Nest boxes are accessible from the tiered perches. The nest boxes have sloping bases and are situated adjacent to an egg collection conveyor. Following laying, the eggs roll from the nest box onto the conveyor which delivers them to the packing area which is located in the centre of the building. The bird areas include ventilation in the form of high velocity ridge mounted ventilation fans. The ventilation fans are controlled by a computer system which maintains the optimum temperature within the building. Pop holes are situated in the north and south elevations of the building. These pop holes are automatically operated and open at 8am and close at dusk. The pop holes provide the birds with free access to the external ranging area during daylight hours. The external ranging area must extend to a minimum of 1 hectare for every 2000 birds to comply with the RSPCA Freedom Foods requirements. The ranging area for this unit is required to be a minimum of 32 hectares (79 acres).
- 2.5 The application is on behalf of Heal Eggs Ltd (the applicants), who propose an expansion of the existing free range egg production business through the development of an additional building for free range egg production at Coolmoor Farm, Hazles Road, Shawbury, for the housing of the 64,000 free range laying hens. The application site forms part of an agricultural unit on which the applicants operate an existing egg laying complex located to the south west of the site, alongside Hazles Road where up to 64,000 free range laying hens are also retained in two separate egg laying units.
- 2.6 Information in support of the application acknowledges that there are three Ancient Woodlands, one of which is also designated as a Local Wildlife Site and additionally one other local wildlife site within 2 km of Hazels Farm. There is also a Site of Special Scientific Interest (SSSI) within 5 km of Hazels Farm, namely Hodnet Heath SSSI.

3.0 **REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

- 3.1 The proposal is for schedule one development in accordance with EIA Regulations and therefore Committee consideration is mandatory in accordance with the Council's scheme of delegation.

4.0 **COMMUNITY REPRESENTATIONS**

- 4.1 **Stanton Upon Hine Heath Parish Council** OBJECT to the above application on the following grounds;

Footpaths FP14 and FP2 are very close to this building and the free range fencing area goes across these without any mention in the planning application of any

footpath diversions. It is essential that proper provision is made for these.

As regards the ponds in the area there is no substantive evidence of any assessment being undertaken of wild life in the area or accessing local knowledge of the area. The report provided is self-contradicting and appears to be at odds with local knowledge.

There is no mention of how dead chickens will be dealt with and disposed of from the site.

There is also concern over the potential for odours that may negatively impact on the local residents. In particular, poultry litter and dead birds. Odours will arise from the movement and handling of these materials both on and around the site and removal of them from site. There is no indication on the planning application of any odour management techniques.

4.2 **CONSULTEE COMMENTS**

- 4.2.1 **The Environment Agency** raises no objections indicating:
Environmental Permitting Regulations: The proposed development will accommodate up to 64,000 birds, which is above the threshold (40,000) for regulation of poultry farming under the Environmental Permitting (England and Wales) Regulations (EPR) 2010. The EP controls day to day general management, including operations, maintenance and pollution incidents. In addition, through the determination of the EP, issues such as relevant emissions and monitoring to water, air and land, as well as fugitive emissions, including odour, noise and operation will be addressed.

Based on our current position, we would not make detailed comments on these emissions as part of the current planning application process. It will be the responsibility of the applicant to undertake the relevant risk assessments and propose suitable mitigation to inform whether these emissions can be adequately managed. For example, management plans may contain details of appropriate ventilation, abatement equipment etc. Should the site operator fail to meet the conditions of a permit we will take action in-line with our published Enforcement and Sanctions guidance.

Coolmoor Farm currently operates under an Environment Permit for its intensive poultry operations and a Permit Variation will be required in consideration of the proposed increase in bird numbers on the site. As stated in the submitted Design and Access Statement the applicant has begun discussions with our Permitting team to achieve this Permit Variation.

For the avoidance of doubt we would not control any issues arising from activities outside of the permit installation boundary. Your Public Protection team may advise you further on these matters.

Flood Risk: The site is located in Flood Zone 1 (low probability) based on our indicative Flood Zone Map. Whilst development may be appropriate in Flood Zone 1 a Flood Risk Assessment (FRA) is required for 'development proposals on sites comprising one hectare or above where there is the potential to increase flood risk

elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off

Under the Flood and Water Management Act (2010) the Lead Local Flood Authority (LLFA) should be consulted on the proposals and act as the lead for surface water drainage matters in this instance.

Water Management: Clean Surface water can be collected for re-use, disposed of via soakaway or discharged directly to controlled waters. Dirty Water e.g. derived from shed washings, is normally collected in dirty water tanks via impermeable surfaces. Any tanks proposed should comply with the Water Resources (control of pollution, silage, slurry and agricultural fuel oil) Regulations 2010 (SSAFO). Yard areas and drainage channels around sheds are normally concreted.

Shed roofs that have roof ventilation extraction fans present, may result in the build up of dust which is washed off from rainfall, forming lightly contaminated water. The EP will normally require the treatment of roof water, via swales or created wetland from units with roof mounted ventilation, to minimise risk of pollution and enhance water quality. For information we have produced a Rural Sustainable Drainage System Guidance Document, which can be accessed via:
<http://publications.environment-agency.gov.uk/PDF/SCHO0612BUWH-E-E.pdf>

Manure Management (storage/spreading): Under the EPR the applicant will be required to submit a Manure Management Plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, so long as this is done so within the applicants land ownership. It is used to reduce the risk of the manure leaching or washing into groundwater or surface water. The permitted farm would be required to analyse the manure twice a year and the field soil (once every five years) to ensure that the amount of manure which will be applied does not exceed the specific crop requirements i.e. as an operational consideration. Any Plan submitted would be required to accord with the Code of Good Agricultural Policy (COGAP) and the Nitrate Vulnerable Zones (NVZ) Action Programme where applicable.

The manure/litter is classed as a by-product of the poultry farm and is a valuable crop fertiliser on arable fields.

Separate to the above EP consideration, we also regulate the application of organic manures and fertilisers to fields under the Nitrate Pollution Prevention Regulations. Pollution Prevention: Developers should incorporate pollution prevention measures to protect ground and surface water. We have produced a range of guidance notes giving advice on statutory responsibilities and good environmental practice which include Pollution Prevention Guidance Notes (PPG's) targeted at specific activities. Pollution prevention guidance can be viewed at:
<https://www.gov.uk/guidance/pollution-prevention-for-businesses>

4.2.2 **Natural England NO OBJECTION** - subject to appropriate mitigation being secured.

Natural England has no objection to this planning application with respect to the nationally protected Hodnet Heath Site of Special Scientific Interest. However we consider that without appropriate mitigation the application would have a significant

impact on ancient woodland as stated in the Ammonia Report by AS Modelling and Data dated April 2017.

Natural England has provided Standing Advice for Ancient Woodland and would advise your authority to consider that advice when assessing the impacts of the proposal. We note mitigation is proposed in the report and would recommend you have regard to the Standing Advice as to whether the mitigation is suitable. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these mitigation measures.

- 4.2.3 **Shropshire Fire and Rescue** have responded to the application indicating: As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Services Fire Safety Guidance for Commercial and Domestic Planning Applications which can be found using the following link: <http://www.shropshirefire.gov.uk/planning-applications>
- 4.2.4 **SC Regulatory Services, (Public Protection)**, raises no objections, the response indicating:
Having reviewed the information submitted can confirm that the noise and odour assessments have been considered and I am in agreement with their conclusions which in both cases state there is no likely significant impact predicted. I therefore have no objection to this development. The development will be covered by an environmental permit issued and regulated by the Environment Agency. In line with paragraph 122 of the NPPF I have no conditions to recommend as the environmental permitting regime will control emissions from the site including odour and noise.
- 4.2.5 **SC Land Drainage** raises no objections The response indicating:
The proposed drainage details, plan and calculations should be conditioned if planning permission were to be granted. The proposed surface water drainage in the FRA utilizing two infiltration basins are acceptable. However, details and plan on how the contaminated water in the yard from spillages or cleaning of building will be managed/ isolated from the main surface water system should be submitted for approval to ensure that polluted water does not enter the water table or watercourse.
- 4.2.6 **SC Archaeology Manager** raises no objections The response indicates:
The proposed building would be located within two arable fields, c.350m north-west of Coolmoor Farm. The field pattern at this location is thought to have originally been enclosed from an area of woodland and/ or heathland in the 18th or early 19th century. At present, there are no records within the Historic Environment Record that relating to the site itself. However, the Heritage Assessment submitted with the application indicates there are a range of heritage assets within a 1.5km radius of the site; including two find spots of Bronze Age tools c. 1.5km to the north-east (HER PRN 01686 & 01687); a curvilinear cropmark enclosure (HER PRN 04517) of probable prehistoric date c.1.1km to the south-west; and very slight earthwork remains and cropmarks of a possible Iron Age enclosure (HER PRN 01134) c.1.5km to the south-west. On this basis, the Assessment concludes that there is low to moderate potential for archaeological remains of prehistoric and later date to be present on the proposed development.

It is understood that the Council's Conservation Officer will comment on this application in relation to the settings of Listed Buildings. The following advice therefore relates to solely archaeological matters.

We advise that together the Heritage Assessment date June 2017 by Castlering Archaeology provides sufficient information, regarding to archaeological interest of the proposed development site, in relation to the requirements of Paragraph 128 of the NPPF and Policy MD13 of the Local Plan. In particular, we concur with its findings regarding the archaeological potential of the proposed development site.

With regard to the recommendations contained within this Assessment, and in line with Paragraph 141 of the NPPF and Policy MD13 of the Local Plan, it is advised that a programme of archaeological work be made a condition of any planning permission. This should comprise an archaeological watching brief to be maintained during all topsoil stripping.

4.2.7 SC Public Rights of Way have responded indicating:

From looking at the attached plans it appears that the Definitive line of FP 14 will run through Range 1 which Officers consider inappropriate, although the footpath is not directly affected by development we would have concerns for the health and safety of walkers walking a route through an area where birds have free access. This being the case Officers would ask that Range 1 be repositioned so avoiding the line of the footpath or the footpath diverted to run outside of the fenced boundary of the range (fees apply).

If a diversion of the footpath is favoured then it is requested that the applicant contacts the Mapping & Enforcement Team to discuss the matter further.

4.2.8 SC Highways Manager has responded to the application indicating:

No Objection – subject to the development being carried out in accordance with the approved plans and the recommended condition and informative note.

The application proposes four free range egg laying units within a single building which is designed to accommodate 64,000 hens. The development is to be served from the current Coolmoor Farm access road onto Hazles Road which connects with the A53 to the west and the A442 to the east (within the administrative area of Telford & Wrekin Council).

The proposal is also stated as being related to previously approved egg production units at Hazles Farm to the west of the current site and some economies of operation and vehicle movement can be assumed from the joint management of the egg production sites and also in terms of the feed mill which is on the A53 in close proximity to both sites. The route for articulated HGV's is stated as being to and from the A53 and north to the A50 under current contracting arrangements, although this could change in the future.

The submitted Transport Note describes the vehicle movements associated with the operation of the proposed unit and is considered to be representative of similar units, with relatively low weekly HGV movements for egg collections and greater peaks of HGV activity at times of restocking, defined as every 60 weeks. The number and frequency of vehicle movements associated with the construction

phase have not been provided.

Section 4 of the Transport Note relates to the site access onto Hazles Road and makes reference to Drawings No's 19211-01 and 19211-01-1. Both the Transport Note and drawings suggest that the existing access can be successfully negotiated by articulated HGV's, however, site observations and measurements revealed that the access width is not available to the extent shown on the drawings between the established hedge boundaries.

A further Access Improvement drawing (No. IP/HE/09) has subsequently been submitted which indicates the widening of the access on the western side and visibility splays appropriate for the current speed limit.

It would appear that this latest drawing is based upon Ordnance Survey mapping and may not take into account the width of the established hedge boundaries. In addition, the articulated HGV swept-path analysis drawings have not been updated to reflect the improved access geometry.

Whilst the principle of both the proposed development and access widening works are acceptable, it is considered that the use of the improved access geometry by articulated HGV's needs to be clearly demonstrated through the submission and approval of further swept-path analysis drawings. Any additional works to the boundary hedge to achieve the western visibility splay will need to be sufficient to safeguard the visibility splay from hedge growth between permitted periods of cutting.

A condition is therefore considered to be appropriate to require submission of the details of the widening of the access and changes to the boundary hedge.

4.2.9 **SC Conservation Manager has responded indicating:**

In considering the proposal due regard to the following local policies and guidance has been taken, when applicable: CS5 Countryside and Green Belt, CS6 Sustainable Design and Development and CS17 Environmental Networks, MD13 Historic Environment and with national policies and guidance, National Planning Policy Framework (NPPF) published March 2012 and Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

Comments made 21.08.17.

Having reviewed the additional information with regard to Heritage it is considered that this has now provided the required information which is required by MD13.

It is acknowledged that the conclusions are the same as those in the original report submitted in support of the application, but now this is demonstrated. It is considered that views to and from a site are not the only way of assessing impact but it is also to understand the setting of heritage assets and what impact there may be as a result of proposed development on the setting and whether indeed the setting contributes to the heritage assets significance.

Taking this perspective it would appear that it has been demonstrated that whilst there are views of High Hatton Hall from certain points these are not reciprocated from the Hall (albeit this evidence is based on ground floor level and not any first or

second floor rooms only) but nevertheless this would appear to be the case. Also, from this point at High Hatton Hall it seems that any views towards the application site were not planned viewed but incidental within the wider rural landscape in this location.

No objection is made from a heritage perspective.

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses – Section 66(1) of the above Act. Full consideration of local and national policies have also been given.

Suggested Conditions:

Materials – colour should be recessive within the landscape.

Landscaping which is sensitive to the wider rural landscape which is prevalent in this location. This is likely to be in the form of an enhancement of existing hedgerows and tree belts, rather than planting of the drive to the site.

SC Planning Ecology have responded indicating:

Has read the above application and the supporting documents including the following;

- Design & Access Statement prepared by Ian Pick Associates Ltd (June 2017)
- Preliminary Ecological Appraisal prepared by Craig Emms (April 2017)
- Report on the Modelling of the Dispersion and Deposition of Ammonia prepared by AS Modelling & Data Ltd (18th April 2017)
- A report of the modelling of the dispersion and deposition of Ammonia from the Existing and Proposed Free Ranged Egg Laying Chicken House prepared by AS Modelling & Data Ltd (21st August 2017).
- A Report on the modelling of the dispersion and deposition of ammonia from the existing and proposed free ranged egg laying chicken house prepared by AS Modelling & Data Ltd (29th September 2017).
- Ecological Mitigation Landscape Specification prepared by Ian Pick Associates Ltd (October 2017).
- Ecological Mitigation Plan prepared by Ian Pick Associates (October 2017).

Recommends conditions and informatives.

Natural England has no objection to this planning application with respect to the nationally protected Hodnet Heath Site of Special Scientific Interest. However they consider that without appropriate mitigation the application would have a significant impact on ancient woodland as stated in the Ammonia Report by AS Modelling and Data dated April 2017.

Detailed Modelling

AS Modelling & Data Ltd has prepared detailed modelling to assess the impact of ammonia emissions from the existing and proposed free range egg laying chicken house at Coolmoor Farm (September 29th 2017). The existing poultry unit consists of 64,000 egg laying chickens. The proposed new poultry house would house an additional 64,000 birds.

There are 3 ancient woodlands, one designated by a LWS, and additionally one other LWS within 2km of Hazel Farm. There is one SSSI within 5km, known as Hodnet Heath SSSI. Ammonia Modelling has been provided, which includes mitigation woodland planting to the north and west of the existing poultry houses as indicated on figure 5 of the AS Modelling & Data Ltd report (September 2017) and the Ecological Mitigation Plan prepared by Ian Pick Associates (October 2017).

Detailed modelling has been submitted and it has concluded, that when deposition processes and consequent plume depletion are considered, the modelling predicts that the process contribution from the existing and proposed poultry units in combination to the annual nitrogen deposition at Manning's Coppice AW would not exceed the EA's upper threshold of the critical load. All sites investigated now screen out below the Environment Agency's thresholds which are considered as having a likely significant effect.

Manning's Coppice Ancient Woodland - Predicted maximum annual mean ammonia concentrations and nitrogen deposition at the discrete receptors – detailed modelling;

Receptor Number	X(m)	Y(m)	Designation	Maximum Annual Mean Ammonia Concentration. Process Contribution as a Percentage of the Critical Level	Maximum Annual Nitrogen Deposition rate. Process Contribution as a Percentage of the Critical Load
1	359023	323702	Manning's Coppice AW	37.1	86.8
2	358888	323743	Manning's Coppice AW	15.4	35.9
3	359101	324002	Manning's Coppice AW	13.5	31.5

Based on the above detailed modelling and proposed woodland planting mitigation SC Ecology would recommend a planning condition on a decision notice to require additional woodland planting (please note SC Ecology has given a minimum 3.5 Hectare for mitigation woodland planting, as the submitted plans currently do not specify an area although this had been requested);

Ecological Report

Recommendations which have been proposed by Craig Emms (April 2017) should be adhered to in order to enhance the site for biodiversity. This includes the installation of four bird nesting boxes of mixed designs, and four bat roosting boxes of mixed designs, to be erected in the hedgerow trees and on other parts of the farm. Recommends conditions and informatives to deal with these matters.

4.3 PUBLIC COMMENTS

Nine letters of objection/comment have been received from members of the public at the time of writing this report. Key issues raised can be summarised as follows:

- Concerns about impact of the proposal on the adjoining public highway
- Concerns with regards to impacts on surrounding residential amenity as a result of an increase in vehicle movements
- Cumulative impacts in relation to surrounding intensive poultry units
- Odour and noise issues
- Reassurance required that the public footpaths that crosses the site will be unaffected by the proposed development. The route of these paths must be maintained or alternative provision made by an official approved diversion.

5.0 THE MAIN ISSUES

- Environmental Impact Assessment
- Planning policy and principle of development
- Siting, scale and design of structures and visual landscape impact
- Residential amenity
- Public highway access
- Drainage
- Ecological issues.

6.0 OFFICER APPRAISAL

6.1 Environmental Impact Assessment

6.1.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, (came into force on 16th May 2017 replacing the 2011 Regulations), specify that Environmental Impact Assessment (EIA) is mandatory for proposed development involving the intensive rearing of poultry where the number of egg laying birds is 60,000 or more. As such the current proposal is EIA development. The planning application is accompanied by an Environmental Statement, as required by the 2017 Regulations.

6.1.2 The Environmental Statement in support of the application makes reference to a sequential site selection, (alternative locations), as set out in Chapter 4 of the Environmental Statement, to which detail indicates that choice of location was largely down to the requirement in accordance with current legislation to provide adequate ranging areas for birds retained on site. Officers consider detail as set out on site selection is considered satisfactory with consideration to the farming business concerned and the location and impacts etc.

6.2 Planning policy and principle of development

6.2.1 The National Planning Policy Framework (NPPF) advises that the purpose of the planning system is to contribute to achieving sustainable development (para. 6) and establishes a presumption in favour of sustainable development (para. 14). One of its core planning principles is to proactively drive and support sustainable economic development (para. 17). Sustainable development has three dimensions – social, environment, and economic. In terms of the latter the NPPF states that significant weight should be placed on the need to support economic growth through the planning system (para. 19). The NPPF also promotes a strong and prosperous rural economy, supports the sustainable growth and expansion of business in rural areas, and promotes the development of agricultural businesses (para. 28). The NPPF states that the planning system should contribute to and enhance the natural and local environment (para. 109) and ensure that the effects (including cumulative effects) of pollution on health, the natural environment or general amenity should be taken into account (para. 120).

6.2.2 Core Strategy Policy CS5 states that development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to specified proposals including agricultural related development. It states that proposals for

large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts. Whilst the Core Strategy aims to provide general support for the land based sector, it states that larger scale agricultural related development including poultry units, can have significant impacts and will not be appropriate in all rural locations (para. 4.74). Policy CS13 seeks the delivery of sustainable economic growth and prosperous communities. In rural areas it says that particular emphasis will be placed on recognising the continued importance of farming for food production and supporting rural enterprise and diversification of the economy, in particular areas of economic activity associated with industry such as agriculture.

6.2.3 SAMDev Policy MD7b indicates 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 purposes and the nature of the agricultural enterprise, well designed and located and, where possible, sited so that it is functionally and physically closely related to existing farm buildings, with no unacceptable impacts on environmental quality and existing residential amenity.

6.2.4 The above policies indicate that there is strong national and local policy support for development of agricultural businesses which can provide employment to support the rural economy, and improve the viability of the applicant's existing farming business. In principle therefore it is considered that the provision of a new poultry unit in this location, as an extension of acceptable scale to the existing poultry enterprise, can be supported. Policies recognise that poultry units can have significant impacts, and seek to protect local amenity and environmental assets. These matters are assessed below.

6.3 **Siting, scale and design of structures and visual landscape impact.**

6.3.1 Core Strategy Policy CS6 seeks to ensure that development is appropriate in scale and design taking into account local context and character, having regard to landscape character assessments and ecological strategies where appropriate. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural environment and to ensure no adverse impacts upon visual amenity, heritage and ecological assets. Policy MD12 of the SAMDev also puts emphasis on the avoidance of harm to Shropshire's natural assets and their conservation, enhancement and restoration. It is noted that the site is not located within an area designated for landscape value.

6.3.2 The application proposes one egg laying unit measuring 168 metres x 31 metres with an eaves height of 3.5 metres and a ridge height of 7.59 metres along with four associated feed bins, turning area, attenuation pond and highway access for the housing of up to 64,000 egg laying hens on land north west of Coolmoor Farm. The building is of timber frame construction, with the external cladding being timber weatherboard for the walls. The roof is indicated as polyester coated profile sheeting in slate blue. The building is subdivided into four bird housing sections, together with a central area for egg packing and storage. The central packing area includes an automated egg packer and an egg storage area. The egg conveyors lead from the bird areas link into the egg packer within the central area of the building.

- 6.3.3 The site is relatively open arable grade 3 farm land, to which it is acknowledged that development as proposed will have a visual impact. A landscape and visual impact assessment submitted in support of the application concludes that the scale and nature of the development and its juxtaposition to other agricultural development will have a medium landscape character sensitivity and the magnitude of change is small. Therefore resulting in a significance of landscape effect of minor i.e. not significant. Consideration has been given to the majority of receptors in the local area which are considered high, (users of PROW). The visual impact of the development on the open countryside has been assessed, at worst case scenario, as major/moderate. i.e. significant, from a viewpoint close to the site boundary. The application proposes mitigation measures such as :
- Native tree and hedgerow planting to the site boundaries;
 - Management and maintenance of existing surrounding hedgerow and trees;
 - The use of materials for the external envelope of the buildings which minimise potential visual intrusion.
- 6.3.4 With suitable mitigation measures, the development will have a moderate visual impact considered not significant. It is acknowledged that there will be an increase of delivery vehicles and people travelling to the works and in particular during construction on site.
- 6.3.5 On balance Officers share the conclusions in relation to landscape and visual impact and with consideration to the economic benefits of the proposal consider the development acceptable in relation to landscape and visual impact.
- 6.3.6 Whilst it is acknowledged that intensive poultry units can have a significant impact on the landscape character as well as a visual impact, consideration also has to be given to the economic benefits.
- 6.3.7 Paragraph 129 of the NPPF indicates that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal, (including by development affecting the setting of a heritage asset), taking account of the available evidence and any necessary expertise. The proposal therefore has to be considered against Shropshire Council policies CS6 and CS17 and with national policies and guidance including PPS5 Historic Environment Planning Practice Guide and section 12 of the National Planning Policy Framework (NPPF). Special regard has to be given to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses as required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.3.8 Policies CS6 and CS17 of the Shropshire Core Strategy emphasise the need to protect and enhance Shropshire's historic assets. Policy MD13 of the SAMDev emphasising the requirement wherever possible that proposals should avoid harm or loss of significance to designated or non designated heritage assets and this includes consideration to their settings.
- 6.3.9 A heritage impact assessment has been submitted as part of the application to which Officers share the conclusion of the report in principle, in that there will be no significant impact on either designated or non designated heritage assets within or adjacent to the proposed development site. The development would not cause any

direct physical impact on known heritage assets and allowing for appropriate mitigation, the proposed development will have no permanent adverse residual effect on the cultural heritage of the application site and its environs.

- 6.3.10 The nearest heritage asset is Coolmoor Farm itself, (undesigned), of which the application site and proposed range fields are already a part of. Coolmoor Farm, together with other nearby undesignated heritage assets, sit within a rural landscape, surrounded on all sides by agricultural land and buildings associated with agriculture. The assets are agricultural in nature and the continued development of agricultural practices which require changes in the building stock is a part of their history. It is considered that due to their origins the impact of proposed development on their setting will be negligible. Any potential short-term visual impact on the agricultural landscape as a whole would be negated by the proposed mitigation strategy in respect of landscaping.
- 6.3.11 The nearest heritage asset is the Grade II* listed 18th century High Hatton Hall, to which there is no inter-visibility between the Hall complex and the site of the proposed free range egg unit, due principally to the local topography and the band of trees that line an adjacent stream. It is acknowledged that there will be view points from the nearby footpath where both the proposed development will be viewed from, as well as the setting of the grade II* listed building and its grounds, however this is considered limited and seasonal and will be further mitigated by additional native planting.
- 6.3.12 On balance whilst it is appreciated that the development is relatively large in scale, and whilst comments from members of the public with regards to industrialization of the countryside are noted, the proposal in relationship to landscape and visual impact as well as historic character impacts and settings is considered acceptable with conditions attached. The proposal has taken into consideration the landscape character topography and setting being one of large open arable fields with significant tree cover in the surrounding distances from the site, overall in accordance with Policies CS5 and CS17 of the Core Strategy, Policies MD1, MD12 and MD13 of the SAMDev and the relevant sections of the NPPF, which includes the section on Conserving and enhancing the historic environment and the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.4 **Residential amenity.**
- 6.4.1 The proposed development indicates the total number of birds on site as 64,000. As such the site will be regulated in accordance with the Environmental Permitting (EP), (England and Wales) Regulations (EPR) 2010 and as such the site requires a permit to be issued and monitored by the Environment Agency. The usual legislation in relationship to these matters as applied by the Council's Public Protection is of course still relevant.
- 6.4.2 The closest residences to the proposed poultry house are Little Coolmoor, which is 240 metres to the south-south-east and the farmhouse at Coolmoor Farm (in the control of the applicant), which is 290 metres to the south-east. There are four other dwellings within 400 metres of the site of the proposed poultry house: 1 & 2 New Cottages and Hazels View which are approximately 370 metres to the south-west and Stonehouse Farm, approximately 355 metres to the south-south-west. There

are a number of other dwellings within 1km of the site.

6.4.3 Odour emission rates from the proposed poultry house have been assessed and quantified based upon an emissions model that takes into account the likely internal odour concentrations and ventilation rates of the poultry house. The odour emission rates so obtained have then been used as inputs to an atmospheric dispersion model which calculates odour exposure levels in the surrounding area. The modelling predicts that, at all nearby residences and commercial properties, the predicted 98th percentile odour concentrations would be below the Environment Agency's benchmark for moderately offensive odours, a maximum annual 98th percentile hourly mean concentration of 3.0 ouE/m³. This is considered to be an acceptable level in relation to Environment Agency guidelines in relation to amenity issues, and as such the Council's Public Protection Manager raises no objections on this matter.

6.4.4 The applicants have also submitted, in support of their application, a noise assessment which has considered background noise in relationship to vehicle movements and extract fan noise on the chicken unit. This assessment concludes that there will be no adverse noise impacts in relationship to residential amenity issues to any dwellings outside of the applicant's control. As such the proposal is considered acceptable on noise and dust issues with a condition attached to any approval notice issued with regards to hours of deliveries of feed to the site and its transportation on site from HGV to silo can be a noisy task. Whilst it is appreciated that the noise report in support of the application confirms that noise impact will be low and below the existing ambient environmental noise levels, this condition is recommended owing to background noise in this location considered very low and transportation of feed deliveries to the site as well as their unloading can be a noisy exercise. (The nearest dwelling, Little Coolmoor, which is 240 metres to the south-east near to the entrance roadway to the site). Controls in relation to poultry deliveries is not considered necessary in relation to egg laying on site.

6.5 **Manure management, disposal and storage.**

6.5.1 The proposed buildings are based on a manure belt system, which are situated beneath the perches. The manure drops directly onto the manure belts and is removed from the building. The manure belts deposit the manure onto an agricultural elevator which is emptied into an agricultural trailer. Manure would be removed from the poultry house twice weekly and taken from the site by tractor and trailer to Espley Farm, Hopton approximately 4.5km north of the site.

6.5.2 Any trailer removing the manure is to be sheeted and the manure removed from the site. Poultry manure is considered a valuable agricultural fertiliser and there is high demand from the arable farming industry. Spreading manure provides nutrients to grow crops and also adds organic matter to the soil to improve soil structure. The storage and spreading of farmyard manure is controlled through the Nitrate Pollution Prevention Regulations 2015. These regulations dictate where manure can be stored, where it can be spread and the timing of spreading during the year. Compliance with the regulations is monitored by DEFRA under cross compliance legislation with fines in place for non-compliance.

6.5.3 The legal process for the transfer of the waste from the site will require the applicant to record the dates and quantities of manure exported and the name

address and farm holding number of the recipient farm. Once the manure reaches the recipient farm, the legal duty of compliance with the Nitrate Pollution Prevention Regulations 2015 passes to the recipient. The storage of manure in field heaps is regulated in Part 6 (para 23, sub section 3) of the Nitrate Pollution Prevention Regulations 2015 and the application of organic manure to land is controlled within Part 5 of the Nitrate Pollution Prevention Regulations 2015. The regular removal of the manure removes the potential breeding medium for flies. Essentially, using a manure belt system removes the potential for fly issues.

- 6.5.4 In accordance with the Environmental Permitting Regime, the applicant will be required to submit a Manure Management Plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, so long as this is done so within the applicants land ownership. It is used to reduce the risk of the manure leaching or washing into groundwater or surface water. The permitted farm would be required to analyse the manure twice a year and the field soil (once every five years) to ensure that the amount of manure which will be applied does not exceed the specific crop requirements i.e. as an operational consideration. Any plan submitted would be required to accord with the Code of Good Agricultural Policy (COGAP) and the Nitrate Vulnerable Zones (NVZ) Action Programme where applicable.
- 6.5.5 It is noted that neither the Environment Agency or the Council's Public Protection (Regulatory Services) Manager raises any issues of concern on these matters and this includes reference to potential fly problems. Officers consider information in support of the application on these issues to be acceptable with consideration to the required processing as discussed above.
- 6.5.6 It is recommended that a condition is attached to any approval notice if members are mindful to approve the application, in order to ensure all manure removed off the intensive poultry site is done so in sealed and covered trailers. It must also be noted that the Council's Public Protection section has statutory powers to deal with any proven amenity issues as a result of the development.
- 6.5.7 On balance the proposal is considered acceptable in relation to surrounding residential amenity issues. As such the proposal is considered to be in accordance with relevant policies of the Shropshire Core Strategy, the Council's SAMDev and the National Planning Policy Framework on issues in relation to residential amenity and public protection.
- 6.6 **Public highway and transportation issues.**
- 6.6.1 Access into and out of the site is proposed along the current Coolmoor Farm access road onto Hazles Road, which connects with the A53 to the west and the A442 to the east. The proposal will be related to an existing egg production unit at Hazels Farm situation to the west of the application site and some economies of operation and vehicle movement can be assumed from the joint management of the egg production sites and also in terms of a feed mill which is in close proximity to the sites alongside the A53. The route for articulated HGV's is stated as being to and from the A53 and north to the A50 under current contracting arrangements, although it is appreciated that this could change in the future.
- 6.6.2 As indicated earlier in this report the proposal include provision for four free range

egg laying units housing 64,000 hens operating on a 60 week period with 14 days at the end for cleaning and turnaround for the next arrival of birds. The majority of the vehicle movements generated by the proposals will be associated with egg collection and feed delivery. The following vehicle movements would be generated by the poultry building:

- Bird Feed - twice weekly by articulated lorry (four movements)
- Egg Collection - twice weekly by articulated lorry (four movements)
- Delivery of Hens - during week 1 undertaken by articulated lorries - eight Lorries, (16 movements).
- Collection of hens - during week 60 undertaken by articulated lorries - eight lorries (16 movements)
- Staff Movements - three cars per day (6 movements)
- Manure Removal - twice weekly undertaken by tractor and trailer - (four movements)

(N.B. 2 movements equates to one vehicle, one movement in, one movement out).

- 6.6.3 The eggs are contracted to L J Fairburn and Sons at Alford in Lincolnshire. The proposed routing is from the site along Hazles Road turning right onto the A53 then heading north-east to the A50 at Newcastle under Lyme. The egg lorry currently visits the applicants existing unit on the neighbouring Hazels Farm which is approximately 750 metres to the west of the proposed development. Therefore the egg lorry will travel an additional 750 metres east along Hazles Road from the Hazels Farm egg laying unit to the proposed egg laying unit at Coolmoor Farm.
- 6.6.4 All feed will be transported from the applicants feed mill at Hazeldene located on the A53, approximately 200 metres south of the Hazles Road junction. All manure from the site will be exported by tractor and trailer twice weekly to Espley Farm, Hopton approximately 4.5km north of the site. Tractors and trailers would route along Hazles Road turning right onto the A53 heading north to the farm.
- 6.6.5 The site is served from an existing access to Coolmoor Farm from Hazles Road. The existing access has been subject to a swept path tracking to demonstrate that a 16.5 metre articulated lorry can manoeuvre into and out of the site.
- 6.6.6 In conclusion on vehicle movements the development proposals will generate four HGV visits (eight movements), two tractor and trailers (4 movements) and 21 cars (42 movements) per week. Given the nature of the operations, movements are concentrated around certain activities during the cycle. There will be periods when the site will not generate any commercial vehicle movements, such as the turnaround period at the end of the flock cycle. Birds will be delivered during a one week period at the beginning of the cycle and collected during a one week period at the end of the cycle. Manure will be emptied twice a week and transported by tractor and trailer movements. At the end of the cycle, buildings will be cleaned out ready for the next delivery of birds.
- 6.6.7 Movements outside of the peak periods - Given the nature of the proposals and likely movements of the traffic generated by the proposals, the movements will be outside of the normally accepted peak hours. HGV's associated with the population and depopulation of the birds will likely be outside the peak hours when there is expected to be less traffic on the highway.

- 6.6.8 The vehicle movements associated with the operation of the proposed unit are considered to be representative of similar units, with relatively low weekly HGV movements for egg collections and greater peaks of HGV activity at times of restocking, defined as every 60 weeks. The number and frequency of vehicle movements associated with the construction phase have not been provided.
- 6.6.9 Section 4 of the transport statement relates to the site access onto Hazles Road and makes reference to Drawings No's 19211-01 and 19211-01-1. Both the Transport statement and drawings suggest that the existing access can be successfully negotiated by articulated HGV's, however, Highway Officer initial site observations and measurements revealed that the access width is not available to the extent shown on the drawings between the established hedge boundaries.
- 6.6.10 As a consequence a further access improvement drawing (No. IP/HE/09) was submitted which indicates the widening of the access on the western side and visibility splays appropriate for the current speed limit. The articulated HGV swept-path analysis drawings do not appear to have been updated to reflect the improved access geometry.
- 6.6.11 Whilst the Council's Highways Manager considers the principle of both the proposed development and access widening works as acceptable, it is considered that the use of the improved access geometry by articulated HGV's needs to be clearly demonstrated. Any additional works to the boundary hedge to achieve the western visibility splay will need to be sufficient to safeguard the visibility splay from hedge growth between permitted periods of cutting.
- 6.6.12 As such the proposal is on balance considered acceptable on public highway and transportation matters with the inclusion of a condition in relation to:
(i) The widening of the existing access and western junction radius, supported by articulated HGV swept-path analysis drawings, with the full width required to accommodate articulated HGV access provided and surfaced in a bound material for a minimum distance of 20 metres from the Hazles Road carriageway edge,
(ii) Any changes to the boundary hedgerow on the western side of the improved access necessary to provide at least 1 metre of clearance to the western visibility splay indicated on Drawing No. IP/HE/09
These access works will need to be fully implemented in accordance with the approved details prior to the commencement of any part of the construction of the free range egg production building.
- 6.6.13 Overall, with consideration to the highway junction improvements as discussed above and with consideration also to impacts on roadside vegetation and verges, and the overall planning gain of such improvements and vehicle movements as indicated by the applicants which includes consideration to HGV movements and the response from the SC Highways Manager, it is considered on balance that the proposed development is acceptable in relation to highway and transportation issues and overall in accordance with relevant local plan policies and the NPPF on highway and transportation matters.

6.7 **Drainage**

- 6.7.1 The NPPF and policy CS18 of the Shropshire Core Strategy require consideration to be given to the potential flood risk of development. It is noted that the application

site is in flood zone 1 in accordance with the EA flood risk data maps, (lowest risk). The application is accompanied by a drainage and water management assessment and its comments and conclusions are noted and have been considered as part of the consideration to this application.

6.7.2 In this case no objections have been raised by the Environment Agency or the Council's Drainage Manager, as it is noted that a sustainable drainage system can be installed on site in connection to the proposed development. Reference to this via the attachment of conditions in relationship to a surface water drainage strategy and drainage can be included on any planning permission if granted. These also make provision for contaminated water processing.

6.7.3 In view of the above it is considered that an appropriate drainage system can be installed to meet the requirements of the NPPF and policy CS18 of the Shropshire Core Strategy.

6.8 **Ecology.**

6.8.1 The NPPF and policy CS17 of the Shropshire Core Strategy require consideration to be given to the impact of the proposed development on the natural environment. This particularly relates to the impact on statutorily protected species and habitats. Therefore the application has been considered by the Council's Ecologist and Natural England.

6.8.2 The application is accompanied by an Ecological assessment and its conclusions along with further ammonia mitigation measure as put forward by the application are considered satisfactory. It is noted that Natural England consider issues in relation to ammonia levels and ancient woodland in this instance to be acceptable subject to further mitigation on this matter being subject to condition to any approval notice subsequently issued.

6.8.3 As a result of SC Planning Ecology concerns in relation to a recent High Court judgement in connection to in-combination assessments of air quality impacts and consequentially ammonia emissions, the applicants submitted in support of their application detail on impact of ammonia emissions from the existing and proposed free range egg laying chicken house connected to Coolmoor Farm (September 29th 2017). The existing poultry unit consists of 64,000 chickens. The proposed new poultry house would house an additional 64,000 birds.

6.8.4 There are 3 ancient woodlands, one designated by a Local Wildlife Site, (LWS), and additionally one other LWS within 2km of Hazel Farm. There is one Site of Special Scientific Interest, (SSSI) within 5km, known as Hodnet Heath SSSI. Ammonia Modelling has been provided, which includes mitigation woodland planting to the north and west of the existing poultry houses as indicated on figure 5 of the AS Modelling & Data Ltd report (September 2017) and the Ecological Mitigation Plan prepared by Ian Pick Associates (October 2017).

6.8.5 Detailed modelling has been submitted and it has been concluded, that when deposition processes and consequent plume depletion are considered, the modelling predicts that the process contribution from the existing and proposed poultry units, in-combination to the annual nitrogen deposition at Manning's Coppice, AW would not exceed the EA's upper threshold of the critical load. All

sites investigated now screen out below the Environment Agency's thresholds.

6.8.6 Based on the detailed modelling and proposed woodland planting mitigation SC Ecology have recommended planning conditions on a decision notice (SC Ecology has given a minimum 3.5 Hectare for mitigation woodland planting, as the submitted plans currently do not specify an area although this had been requested) as well as standard conditions in relation to bird and bat boxes and external lighting in consideration of potential bat habitat'.

6.8.7 As such SC Planning Ecologist raises no objections recommending conditions as discussed above and informatives' to be attached to any approval notice issued, and with these in place the proposed development is considered to be in accordance with Policy CS17 of the Shropshire Core Strategy, the Council's SAMDev and the NPPF on matters in relationship to ecological issues.

6.9 **Other matters.**

6.9.1 The Local Parish Council have raised objections in relation to impact on a public footpath that crosses through part of the application site. This matter will be addressed by means of an application to divert the footpath in order to avoid the footpath passing through the site's ranging area.. The applicant has confirmed that if planning permission is granted, the development will be implemented in 2 phases. The first phase will be 32000 birds, in the western section of the building, together with the central packing area and that once the footpath diversion has been approved, the eastern section of the building will be erected. (Building is designed in four sections). It is noted that the Council's Public Rights of Way Manager raises no objections requesting in the event of a diversion of the footpath that the applicant contacts the Mapping & Enforcement Team to discuss the matter further. It is considered that this matter can be addressed satisfactory by attachment of a condition to any approval notice issued in order to ensure the footpath is diverted in a satisfactory manner.

6.9.2 Issues as raised by members of the public with regards to residential amenity and public highway access issues and cumulative impacts are considered acceptable having been adequately addressed in information in support of the application and /or discussed above.

7.0 CONCLUSION

7.1 The proposal is for one large egg laying unit, four feed silos, new access road and supporting infrastructure on a greenfield site for the housing of up to 64,000 egg laying birds in total on site.

7.2 It is acknowledged that the development is significant in scale and does have a limited impact on the landscape. However it is considered that the proposed development, with consideration to the surrounding landscape character, topography and field layout, with further landscape mitigation, can be successfully integrated into the surrounding landscape. Consideration has also been given to impacts on the historic landscape which includes the setting of designated and non designated heritage assets. Therefore on balance with consideration to the location, size and scale and cumulative impacts, it is considered that there will not be an adverse impact. Also the economic benefits to the business concerned and production of local food with further landscape mitigation in the form of native

planting and the external colour of the development, is on balance is acceptable in principle.

- 7.3 Public highway access and transportation issues have also been carefully considered and with the proposed highway access improvements as offered by the applicant, the application on highway and transportation matters is considered acceptable and as such the comments as made by the Highways Manager in this instance are considered acceptable.
- 7.4 Residential amenity issues are considered acceptable and matters in relation to on site issues in relation to amenity are subject to the Environment Agency's permitting regime. It is acknowledged that the application has generated comments from members of the public and the Local Parish Council and in particular in relation to a public footpath that crosses part of the site. However this matter can be adequately addressed as discussed in the report.
- 7.5 The findings and conclusions as indicated in the information submitted in support of the application and the Environmental Statement are on balance considered acceptable.
- 7.6 As such the proposed development overall is considered acceptable and in accordance with relevant policies as set out in the Shropshire Core Strategy, the SAMDev, the National Planning Policy Framework and other relevant planning guidance and legislation which includes the provisions of the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The recommendation is therefore one of approval subject to conditions as attached as appendix one to this report.

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, i.e. written representations, hearing or inquiry.

The decision may be 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 made a) promptly and b) in any event not later than six 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 gives 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 1990.

9.0 **Financial Implications**

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

10. **Background**

Relevant Planning Policies

CS5 - Countryside and Greenbelt
CS6 - Sustainable Design and Development Principles
CS13 - Economic Development, Enterprise and Employment
CS17 - Environmental Networks
MD2 - Sustainable Design
MD7B - General Management of Development in the Countryside
MD12 - Natural Environment
MD13 – Historic Environment.
National Planning Policy Framework

Relevant planning history:

NS/04/00299/FUL Erection of single storey extension to front elevation and second storey extension to rear elevation of existing dwelling CONAPP 12th May 2004
NS/08/00279/FUL Erection of two storey extension to side of existing dwelling CONAPP 31st March 2008
NS/08/00919/FUL Erection of first floor extension CONAPP 21st July 2008
11/00658/FUL Renewal of extant Planning Permission Ref: 08/00279 for the erection of two storey extension to side of existing dwelling GRANT 7th April 2011

11/00659/FUL Renewal of extant Planning Permission Ref: 08/00919 for the erection of first floor extension GRANT 7th April 2011

11. Additional Information

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder) Cllr R. Macey
Local Member Cllr Karen Calder
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.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Planning Authority prior to the commencement of works.

Reason: The site is known to hold archaeological interest

4. A scheme of landscaping must be submitted to and approved in writing by the local planning authority, prior to any development on site. Works shall be carried out as approved. The submitted scheme shall include:

- a) Means of enclosure, including all security and other fencing
- b) Hard surfacing materials
- c) Planting plans, including wildlife habitat and features (e.g. bat and bird boxes)
- d) Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment)
- e) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate. Native species used to be of local provenance (Shropshire or surrounding counties).
- f) Details of trees and hedgerows to be retained and measures to protect these from damage and during and after construction works, along with enhancement proposals to ensure their future well being.
- g) Implementation timetables
- h) Any species lost within five years after planting will be replaced with similar species of similar variety and size.

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design.

5. No development shall take place until details have been submitted to, and approved in writing by, the Local Planning Authority showing: -

(i) The widening of the existing access and western junction radius, supported by articulated HGV swept-path analysis drawings, with the full width required to accommodate articulated HGV access provided and surfaced in a bound material for a minimum distance of 20 metres from the Hazles Road carriageway edge,

(ii) Any changes to the boundary hedgerow on the western side of the improved access necessary to provide at least 1 metre of clearance to the western visibility splay indicated on Drawing No. IP/HE/09

The access works shall be fully implemented in accordance with the approved details prior to the commencement of any part of the construction of the free range egg production building.

Reason: In the interests of Highway safety and to ensure a satisfactory means of access to the highway.

6. Prior to any development on site full details of a sustainable drainage scheme will be submitted to the Local Planning Authority and approved in writing. Detail will include how the contaminated water in the yard from spillages or cleaning of building will be managed/ isolated from the main surface water system.

Reason: To ensure that polluted water does not enter the water table or watercourse

7. Prior to any development on site full details will be submitted to the Local Planning Authority and approved in writing with regards to diversion of the public footpath that crosses part of the application site. Detail with regards to the diversion and procedures will first be discussed and approved with the Council's Mapping & Enforcement Team.

Reason: In order to ensure that an adequate public footpath is maintained and that no obstruction occurs in relation to the footpath at any time.

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

8. 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.

9. The development hereby permitted shall not be occupied until woodland planting covering a minimum area of 3.5 hectares has been completed in accordance with the Planting Matrix shown on the Ecological Mitigation Plan prepared by Ian Pick Associates Ltd (October 2017). An appropriately qualified and experienced Ecologist shall be appointed to ensure that the Ammonia Mitigation Strategy has been completed. The Ecologist shall provide brief notification to the Local Planning Authority. Only when the LPA has confirmed that the mitigation planting has been completed sufficiently, can the buildings be occupied.

Reason: To demonstrate compliance with the Ecological Mitigation Plan prepared by Ian Pick Associates (October 2017) to ensure the protection of Manning's Coppice Ancient Woodland,

to protect features of recognised nature conservation importance, in accordance with MD12, CS17 and section 118 of the NPPF.

10. Prior to first use of the building, the makes, models and locations of bird boxes shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 4 artificial nests, of either integrated brick design or external box design, suitable for small birds (32mm hole, standard design) shall be erected on the site. The boxes shall be sited at least 2m from the ground on a suitable tree or structure at a northerly or shaded east/west aspect with a clear flight path, and thereafter maintained for the lifetime of the development.

Reason: To ensure the provision of nesting opportunities for wild birds, in accordance with MD12, CS17 and section 118 of the NPPF.

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

11. Prior to first use of the buildings, the makes, models and locations of bat boxes shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 4 external woodcrete bat boxes, suitable for nursery or summer roosting for small crevice dwelling bat species, shall be erected on the site. The boxes shall be sited at an appropriate height above the ground, with a clear flight path and where they will be unaffected by artificial lighting. The boxes shall thereafter maintained for the lifetime of the development.

Reason: To ensure the provision of roosting opportunities for bats, in accordance with MD12, CS17 and section 118 of the NPPF.

12. Notwithstanding the approved plans all building development on site, (including all the feed silo's), are to be all externally in accordance with colour code BS12B29, (juniper green) or other dark blue colour agreed in writing with the Local Planning Authority prior to any development on site.

Reason: In consideration of the visual impact and to mitigate the development into the surrounding landscape.

13. (a) The number of birds kept at the intensive poultry complex as a whole within the poultry rearing building hereby approved shall not exceed 64,000 birds at any time. (In accordance with detail as set out in the information submitted in support of the application).
(b) Records of the number of birds delivered to the site during each cycle shall be made and these shall be made available to local planning authority on request.

Reason: In consideration of the amenity and biodiversity of the surrounding area.

14. All manure removed off site will be done so in sealed and contained trailers.

Reason: In consideration of surrounding amenity.

15. No feedingstuffs will be delivered to the site outside the hours of 8am - 6pm Monday - Saturday or at any times during a bank holiday.

Reason: In the interests of surrounding residential amenity.