



Committee and date
Central Planning Committee
1 May 2014

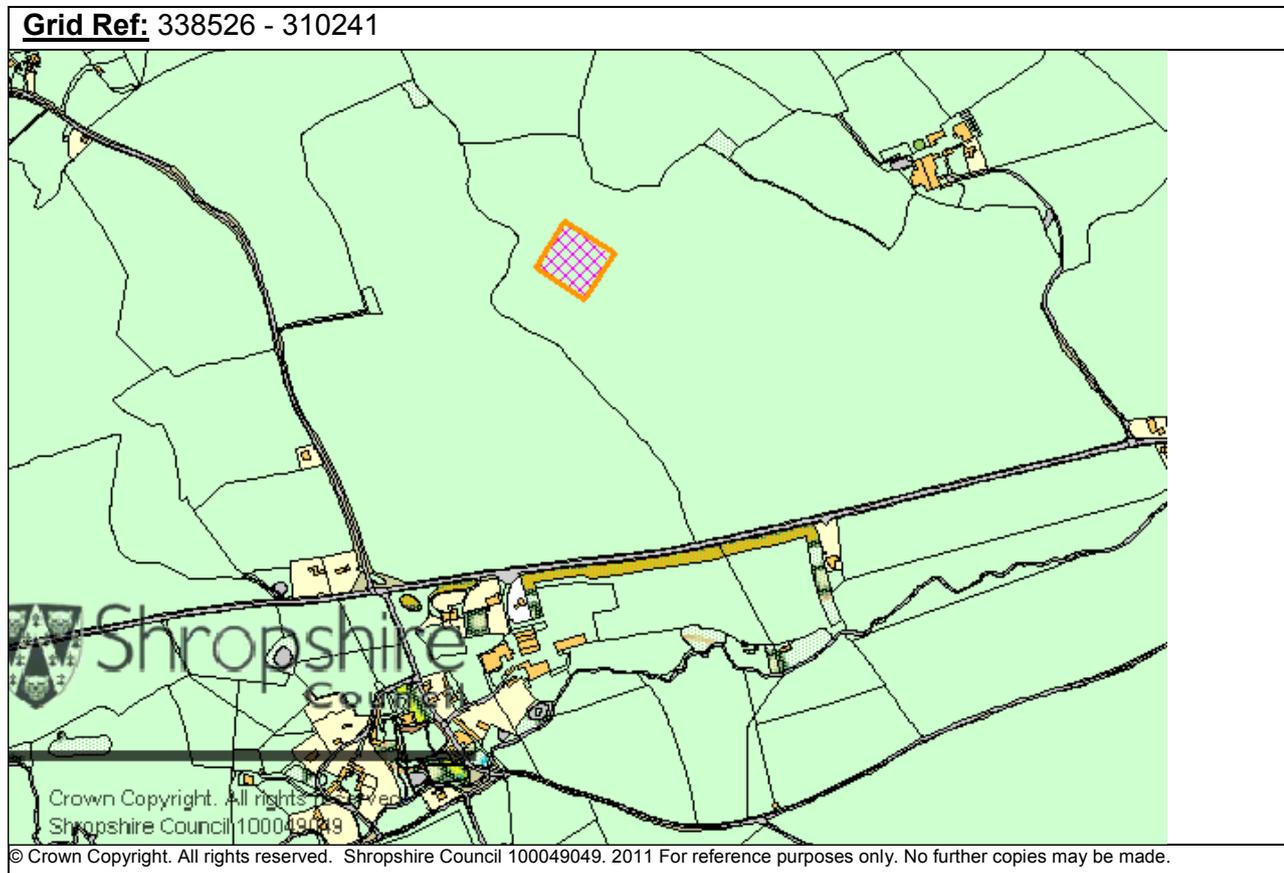
Item
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Public

Development Management Report

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Summary of Application

Application Number: 14/00328/EIA	Parish:	Westbury
Proposal: Erection of two poultry sheds; associated hard standing; feed bins; dirty water storage tank and landscaping works		
Site Address: Bank House Poultry Yockleton Shropshire		
Applicant: PF & MJ Williams & Son		
Case Officer: Kelvin Hall	email: planningdmc@shropshire.gov.uk	



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

- 1.1 The planning application seeks permission for the extension of the existing broiler poultry unit at Bank House Farm, Yockleton, which comprises two poultry sheds and associated development erected in 2013. It is proposed to expand the enterprise with the erection of two poultry sheds, each housing a maximum of 45,000 birds. Each shed, including attached store rooms, would measure 103.6 metres by 24.4 metres, with a shallow pitched roof 4.7 metres high at the apex and 2.6 metres at the eaves. The proposed sheds would be sited adjacent to the existing sheds, on agricultural land to the north-east, and oriented to match the existing sheds.
- 1.2 The buildings would be of steel frame construction with profile steel sheeting to clad the gable ends, sides and roof, and concrete block dwarf walling to 0.45 metres high. The external colour would be slate blue, to match the existing sheds.
- 1.3 Five feed bins of steel construction would be constructed. Each would be 7.5 metres high and 2.8 metres in diameter, coloured slate blue. Three of these would be positioned between the two poultry sheds, and would store feed for the birds. Two would be positioned at the outer side of each shed, and would store wood pellets for the biomass boilers which would be located within the store rooms. The concrete manoeuvring area in front of the existing sheds would be extended. The existing permitted landscaping scheme comprises the construction of a perimeter bund around the sheds and the planting of trees and shrubs. This scheme would be amended to provide for the provision of a landscaped bund around the extended site.
- 1.4 Summary of production cycle: Day old chicks are brought to the site from a UK hatchery and place into the pre-warmed poultry sheds. The bird cycle is normally 42 days, with approximately 50% of the crop being removed at day 35 and the remainder at the end of the cycle. This chick collection activity would be likely to begin at night and continue into the day with movements spread out over an 18 hour period. During the growing period feed would be delivered in 28 tonne lorries with the volume of feed needed increasing towards the end of the cycle.
- 1.5 Following the collection of the birds at the end of the cycle there is a 6 day turnaround period in which the manure is removed from the sheds and transported off site. The manure is utilised by the farming business, either spread directly onto land or stored in in-field heaps ready to be spread. This element of the process does not form part of the application submitted. The sheds are then washed and sterilised in preparation for the arrival of the next batch of chicks. The bird cycle would be aligned with that of the existing sheds. There would be an average of 7.6 batches per year.
- 1.6 Environmental Impact Assessment: The proposed development is of a type listed in Schedule 1 of the Environmental Impact Regulations and as such the planning application is accompanied by an Environmental Statement.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is located approximately 1.2km to the north west of the village of Yockleton, approximately 8km to the west of Shrewsbury, and within an area of open countryside. The application site covers an area of approximately 8000m² adjoining the existing poultry unit development. Access to the site would be gained using the existing purpose-built access track which is approximately 550 metres long and connects to the B4386 to the south-east.
- 2.2 The nearest residential properties are located in and around Stoney Stretton, approximately 400 metres to the south-west and south (including Hi Field, Barnfield, Athgarvan and Fairfield), and Park Farm, approximately 450 metres to the east.
- 2.3 A public right of way crosses the access track at a point approximately 400 metres to the south of the site, and is approximately 310 metres from the site at its nearest point.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The proposals comprise Schedule 1 EIA development so a committee decision is mandatory under the Council's Scheme of Delegation.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

- 4.1.1 **Westbury Parish Council** Supports the application, as it is an important initiative for jobs and opportunities in the rural economy, and is similar to previous schemes.
- 4.1.2 **Environment Agency** At the time of writing this report, the updated formal comments of the Environment Agency were awaited. However the Agency has confirmed that they will be raising no objections to the proposed development. The Agency previously raised an objection to the proposal on the basis that the Environmental Statement (ES) is not considered sufficiently robust at this time and that the applicant should provide further information to fully consider the likely environmental effects of the project.

Additional information has been provided by the applicant's agent in relation to odour assessment, and following on from this the Agency has confirmed that it is able to remove its previous objection.

The Agency's interim comments are set out below.

Odour: The Agency agrees with the comments and findings of the modelled results within the odour assessment report, which indicate odour during the crop cycle is unlikely to cause annoyance. Whilst the crop cycle does not appear to present a problem, the Agency had sought some clarity on clean out. In attempt to address the clean out the applicant has submitted an Odour Assessment Technical Note which has used a higher odour emission rate of 1.22ou_E/bird/s which is considered to be representative of 'end of crop cycle'. This would be considered worst case for odour emissions from the crop cycle. It is noted that this rate has been used throughout the model and is unlikely to cause annoyance, based on the predicted 98th percentile odour concentrations.

In the absence of a modelled clean out figure (odour emission rate) the information does acknowledge the odour could be four times greater than the normal operational scenario. Based on our present understanding complaints maybe therefore likely during clean out. However, it is acknowledged that clean out occurs infrequently “4 hours for 7.6 times per year”. In this instance bearing in mind the distance to the nearest sensitive receptor and the predominate wind direction, an options appraisal could inform the most suitable technical option.

The operator will be required to have an Odour Management Plan (OMP), controlled as part of the Environmental Permit (EP), to reduce odour emissions from the site. However, this still may not necessarily prevent all odours at levels likely to cause annoyance; and the OMP requirement is often a reactive measure where substantiated complaints are encountered. The OMP can reduce the likelihood of odour pollution but is unlikely to prevent odour pollution when residents are in proximity to the units and there is a reliance on air dispersion to dilute odour to an acceptable level.

The e-mail from the Consultant does suggest some control measures which could be used to reduce the likelihood of odour annoyance during these essential work periods.

Biomass Boilers: It is understood that two 199kW biomass boilers are proposed. Based on the capacity of the biomass boilers and the proximity of the site to designated sites, a quantitative assessment of air emissions will not be required in this instance.

In the context of both of our organisations role as ‘competent authority’ under the terms of the Conservation of Habitats and Species Regulations (2010), we trust that the above gives you sufficient reassurances in coming to a decision under your role as ‘competent authority’ in the planning process.

Surface Water: Further to our previous comments it is noted that the applicant has submitted additional information confirming that the proposed drainage scheme is designed to provide storage for a 1 in 100 year plus a 20% allowance for climate change. We would leave the detail of this for consideration by the LLFA.

Environmental Permit: The Agency issued an Environmental Permit (EP) for 180,000 birds on the site in 2012. The existing permit will require a variation to accommodate the two additional sheds proposed. The EP and any future variations covers the following key areas of potential harm:

- Management - including general management, accident management, energy efficiency, efficient use of raw materials, waste recovery and security;
- Operations - including permitted activities, operating techniques, closure and decommissioning;
- Emissions to water, air and land - including to groundwater and diffuse emissions, transfers off site, odour, noise and vibration, monitoring;
- Information - including records, reporting and notifications;
- Poultry production - including the use of poultry feed, housing design and operation, slurry and manure storage and spreading.

Paragraph 122 of the National Planning Policy Framework (NPPF) states “...*local planning authorities should focus on whether the development itself is an acceptable use of land, and the impact of the use, rather than the control of the processes or*

emissions themselves where these are subject to approval under pollution control regimes.” To clarify, we would not seek to ‘control’ the proposals through planning, those matters that may be controlled through the permit. But, the planning authority should seek adequate ‘assessment’ of material planning issues (odour, noise, etc.) when considering the impact of the use at the proposed location. This is to ensure, as the NPPF states, that the location/land use is appropriate and acceptable. To assist the planning decision, the “effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account”.

Ammonia Emissions: The emissions from poultry can potentially impact on nearby nature conservation sites, directly damage vegetation and can wider affect eutrophication and acidification of sensitive habitats. The Agency completed an initial ammonia screening assessment on 2 December 2013 to identify whether the applicant would be required to submit a detailed modelling assessment. The first stage of the screening assessment seeks to identify if there are any European sites (Special Areas of Conservation, Special Protection Areas and Ramsar sites) within 10km, Sites of Special Scientific Interest (SSSI) with 5km and other conservation sites within 2km. Based on the information submitted as part of the screening assessment (including a total of 200,000 bird (broiler) places), it has been concluded that detailed ammonia modelling will not be required. An appropriate assessment as part of our Habitats Regulations Assessment (HRA) will therefore not be required.

In the context of both of our organisations role as ‘competent authority’ under the terms of the Conservation of Habitats and Species Regulations (2010), we trust that the above gives you sufficient reassurances in coming to a decision under your role as ‘competent authority’ in the planning process.

Noise: Our permit guidance advises that noise should be considered where there are sensitive receptors (i.e. residential properties) located within 400m of the proposed installation. The applicant has submitted a Noise Impact Assessment. This informs a Noise Management Plan. The Report indicates that based on BS4142, all rating noise levels are considered to be ‘very low’. At these thresholds the requirements of BS4142 do not strictly apply. Historically this threshold was introduced since previous noise measuring devices were not deemed accurate enough at such low levels and to protect industry from overly onerous noise limits. However, the BS4142 methodology could still be viewed as being a reasonable approach to determine the likelihood of complaints.

The Report has considered ventilation noise, on-site (including night-time collection and Daytime delivery and servicing noise) and off-site vehicle noise. The noise assessment indicates a low probability of complaints. If actual emissions from the broiler unit are greater than those modelled your Council should recognise the potential limitations of further noise reduction using commercially available techniques.

For information: the permit will only control sources of noise from within the permit ‘installation boundary’. This would not normally include lorry movements or operational hours. Your Public Protection team should also be consulted in relation to statutory nuisance, and so that all the relevant key issues are ‘joined up’, to ensure the pollution control regimes are complimentary etc.

Manure Management (storage/spreading): Under the Environmental Permitting Regulations 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 consideration, the Agency also regulates the application of organic manures and fertilisers to fields under the Nitrate Pollution Prevention Regulations. We can confirm that Bank House Farm is not located within a NVZ. For completeness, it is likely that the applicant owns land outside of the proposed site; these areas could be located within an NVZ.

Dust / Flies: Whilst intensive poultry farms produce dust, past experience has shown that the majority of it is deposited on the farm itself. Therefore provided that the farm is operated to the BAT then we would not anticipate it causing a nuisance to residents living nearby. Based on past experience, flies are generally not considered a problem on broiler sites which operate to BAT standards. An assessment of this will be undertaken by the Agency within the EP variation application, including any necessary controls (mitigation).

Water Management: The Water Framework Directive (WFD) waterbodies in closest proximity to the proposed development site are the River Severn – confluence of the Bele Brook to the confluence of the Sundorne Brook and the Westbury Brook - source to confluence with the Rea Brook; both are classified as 'moderate' waterbodies. Any development should not cause any deterioration in water quality or hamper efforts to improve waterbody status to 'good' by 2027. 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. Yard areas and drainage channels around sheds are normally concreted.

The 'Drainage Layout' Plan submitted illustrates that clean surface water, from roofs and yard areas will drain directly to soakaways. The concrete apron fronting the units will drain via a diverter valve to a dirty water tank, including water derived from clean out. 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.

Flood Risk: The site falls within Flood Zone 1 ('low risk' from fluvial flooding). Given the low risk of fluvial flooding to the site, and the scale and nature of the proposed development, the Council's Flood and Water Management Team, as the Lead Local Flood Authority (LLFA), should lead on and approve the detailed surface water (quantity) drainage design. On the basis that the application is EIA, we have the following strategic comments to offer, in consultation with the LLFA. The increase in hard standing area could result in an increase in surface water run-off. The 'Drainage Layout' Plan submitted states that surface water will be discharged to soakaways. The capacity of such has been based on a 1 in 10 year event plus 30% for climate change, which appears to be based on BRE365. However, we advise that the application demonstrates that surface water is managed to the Greenfield runoff rates, including confirmation of attenuation to the 100 year plus climate change storm event. It is noted that the FRA makes reference to a low probability of groundwater flooding; we would leave the detail of this for consideration by the LLFA.

4.1.3 **English Heritage** No specific comments. The application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

4.1.4 **Natural England** No objections.

Statutory nature conservation sites: no objection. Based upon the information provided, the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species: Natural England has not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species, and this should be applied to this application.

Local sites: If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Biodiversity enhancements: This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with the National Planning Policy Framework and the Natural Environment and Rural Communities Act (2006).

Landscape enhancements: This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature.

- 4.1.5 **SC Public Protection** This proposal will require a permit issued and regulated by the Environment Agency. The permit will cover noise and odour associated with practices on site and therefore no comments are made on these aspects.
- 4.1.6 **SC Highways Development Control** No objections. The two proposed broiler units will be in addition to the two previously approved adjacent to the site for which a new access was formed onto the B4386. This access is to a high enough standard to accommodate the proposed increase in vehicle movements along with those already existing. The scheme will generate an increased amount of additional traffic movements on the B4386 between the site access and the A5 at Shrewsbury and a high proportion of these will be HGVs. The information presented in the application states that currently the broiler unit operation generates 658 vehicle movements and that this will rise by 518. Although the operation would double in size, there are some economies of scale in relation to deliveries and collections to/from the overall site. The majority of the additional traffic will be generated on days 35 and 42 of the chicken rearing cycle when the mature birds are harvested and this begins at night and is spread over an 18 hour period. From a highway point of view the traffic movements through the night have a lesser effect on traffic conditions as other vehicle flows are at their lowest then. It is my opinion that the B4386 has the capacity to accommodate the additional vehicle movements as it is a Class 2 road and on average throughout the year the scheme only represents approximately an additional 1.5 movements per day. There will of course be days when these are higher but there will also be days when there are none.
- 4.1.7 **SC Drainage** The proposed surface water drainage is acceptable.
- 4.1.8 **SC Ecologist** No objections, subject to the conditions and informatives as set out in Appendix 1 below. The Habitat Regulation Assessment screening matrix should be included in the report.

Bats: There are 4 trees within the surrounding hedgerows which have potential for bat roosting but these trees are to be retained according to the proposed site plans. There is potential for bats to be foraging and commuting in the wider environment according to Turnstone Ecology (2012). Conditions should be imposed requiring the provision of 2 woodcrete bat boxes and requiring the submission of a lighting plan prior to the erection of any external lighting (see Appendix 1).

Nesting Wild Birds: There is potential for nesting wild birds to be present in the vegetation on the site. A condition should be imposed requiring the provision of 2 woodcrete artificial nests (see Appendix 1).

Great Crested Newts: There are no ponds within 250m with the potential for Great Crested Newts to be present according to Turnstone Ecology (2012). No further consideration of this species is necessary.

Landscape Planting: A range of native species planting is recommended. A landscaping plan should be subject to an appropriate condition including provision for replacing any specimens that fail within the first 5 years.

Badgers: There are no badger setts within 50m of the proposed site but badgers were recorded crossing the site by Turnstone Ecology (2012).

Reptiles: The site has negligible potential for reptiles and no further surveys are considered necessary.

Manure Management: The applicant intends to spread the manure produced by the proposed poultry units on his own land in place of manure he currently buys in from third parties. There will be no net increase in the use of poultry manure as a fertiliser on the site and storage in field heaps and spreading will continue to occur much as it does currently. This practice is a standard agricultural operation and is covered by Defra best practice guidance and is not within the remit of the planning application to control.

Habitat Regulation Assessment and emissions modelling: Natural England has been formally consulted and has responded 'no objection' to this proposed development (dated 7th February 2014) and that the applicant has provided the Environment Agency pre-application report which states that no detailed modelling is required, reference EPR/RP3334CW/V002. The AST screening sheet based on a maximum of 180,000 animal places shows the outcome of the modelling carried out by Environment Agency at the pre-application stage.

A completed Habitat Regulation Assessment screening matrix is provided which must be included in the planning officer's report.

- 4.1.9 **SC Conservation** No further comments. The subject application proposes to expand the approved poultry operation on these lands by two additional poultry sheds. The subject lands are outside of any Conservation Area and while there are no designated heritage assets within the subject site itself, there are both Scheduled Monuments and statutorily listed buildings near the subject lands which this proposal could have an impact on. It is understood that a Heritage Impact Assessment was prepared in association with the previous application for the initial two poultry sheds, and an archaeological watching brief was secured as a condition of approval of that application. Our Archaeological Team in conjunction with English Heritage should be asked to clarify if they have any additional requirements in terms of this new proposal.

The proposal needs to be in accordance with policies CS6 Sustainable Design and Development and CS17 Environmental Networks, and with national policies and guidance, including the Historic Environment Planning Practice Guide published by English Heritage and the NPPF

- 4.1.10 **SC Archaeology** No comments to make with respect to archaeological matters.
- 4.1.11 **SC Rights of Way** Presuming a safe and acceptable crossing was constructed for the public footpath when the access road was created as part of the previous development, no objection is raised to the erection of these further sheds. Obviously there will be an increase in traffic both during and after the works and the safety of any path users must be assured.
- 4.1.12 **CPRE** No response received.
- 4.1.13 **Shropshire Fire Service** No comments to make.

4.2 Public comments

4.2.1 The application has been advertised by site notice and in the local press. In addition, 15 residential properties in the local area have been individually notified. Two letters of objection have been received, and two letters of support.

4.2.2 The grounds for objection are:

- Increased heavy traffic through Yockleton
- smell from the sheds and from the disposal of the waste products on neighbouring land
- existing noise and road safety issues due to speeding traffic through village
- if permitted, the proposal should include restrictions on traffic and require the developer to contribute to improved safety / speed reducing measures through the residential area of Yockleton
- development is too close to residential areas to be certain of no odour impact
- Defra advice relates to drafting of planning conditions, and states need for a coordinated approach between planners and environmental regulators at the planning application stage; local authority should expect to be provided with objective evidence that demonstrates that odour emissions will be adequately controlled to prevent any significant loss of amenity to neighbouring sensitive land users
- appears to be no detail regarding pollution control associated with this application
- high risk that it will produce odour problems and on that ground the land is not suitable for this use
- flies
- storage of manure smells awful and encourages flies

4.2.3 The reasons for support are:

- farmers are having to prepare themselves for an inevitable reduction in subsidised payments to support their livelihoods; inevitable that many farmers will have to diversify if they are to remain in business
- poultry sheds are directly contributing to the industry and in particular the production of affordable protein based food
- a growing industry in the private sector should be encouraged
- application is helping considerably to maintain a farming presence in this area which enhances the growing importance of open countryside and protected green belts
- without farmers many areas of green belt could be jeopardised and become potential urban overflows
- live on opposite side of road and confirm no nuisance caused by the existing sheds

5.0 THE MAIN ISSUES

- Planning policy context; principle of development
- Siting, scale and design; impact upon landscape character
- Residential and local amenity considerations
- Traffic, access and rights of way considerations
- Ecological considerations
- Impact on water resources

6.0 OFFICER APPRAISAL

6.1 Planning policy context; principle of development

- 6.1.1 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 all types of business and enterprise 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).
- 6.1.2 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. The Policy provides support for the appropriate expansion of an existing established business, unless relocation to a suitable site within a settlement would be more appropriate. 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).
- 6.1.3 Policy CS6 sets out sustainable design and development principles to be applied to new proposals. These relate to issues such as the safeguarding of residential and local amenity, high quality design of appropriate scale and pattern (which takes into account local context and those features which contribute to local character), accessible location, and appropriate landscaping.
- 6.1.4 Policy CS13 seeks the delivery of sustainable economic growth and prosperous communities. In rural areas it says that particular emphasis will be place 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. Policy CS16 refers to the economic importance for tourism, culture and leisure of Shropshire's landscape, cultural and historic assets.
- 6.1.5 Policy CS17 relates to environmental networks of natural and historic assets, and (among other points) emphasises that all development should protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment, and should not adversely affect the visual, ecological, geological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors.

- 6.1.6 Policy CS18 sets out design principles for the integration within new developments of measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within Shropshire, including groundwater resources, and provide opportunities to enhance biodiversity, health and recreation.
- 6.1.7 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. The application would create an additional part-time employment position as well as further working hours for casual workers. The development would also directly contribute positively to the local economy through feed contracts, building contracts, veterinary employment and labour for cleaning out sheds etc.
- 6.1.8 The poultry units would also utilise biomass boilers for heating, instead of LPG. These would be fuelled by wood pellets. The use of biomass fuel in preference to fossil fuels would contribute to a reduction in greenhouse gas emissions. The generation of energy from renewable sources such as wood pellets is supported by national planning guidance and policy, and is one of the strategic objectives of the Core Strategy (Strategic Objective 9).
- 6.1.9 In principle therefore the proposed expansion of the existing broiler chicken business can be supported. However policies also recognise that poultry units can have significant impacts, and seek to protect local amenity and environmental assets. These matters are assessed below.
- 6.2 Siting, scale and design; impact on landscape character**
- 6.2.1 The proposed additional sheds would be positioned parallel to the existing two sheds, and would match these in terms of orientation, dimensions, design and appearance. It is considered that this would be an acceptable design and layout for the expansion of the development.
- 6.2.2 The site is located within a gently undulating landscape which includes hedgerows and hedgerow trees. Existing public viewpoints in the surrounding area comprise the B4386 public highway to the south and the public right of way to the south-east, both of which are some distance from the site. In relation to the public highway, this is at a lower level than the application site. The topography of the area, and the intervening roadside hedgerow, would provide considerable screening of the proposed development from the highway. At its nearest point the public footpath is 310 metres from the proposed sheds. Whilst there are no intervening hedgerows the path is situated at a lower level than the proposed development and again this restricts the extent to which the proposed development would be visible from this direction from the path.
- 6.2.3 The application site rises gently to the north-east. As the proposed sheds would be constructed at the same level as the existing ones, some excavation would be required such that the sheds and feed silos would be partially screened from viewpoints to the north-east including the farmhouse at Park Farm to the east. From viewpoints to the south-west, including Hi Fields, views of the proposed sheds would be restricted by the existing sheds.
- 6.2.4 Additional screening would be provided by both the existing approved landscaping scheme and also the proposed additional landscaping. The approved landscaping

proposals for the existing sheds are yet to be completed but these comprise tree and shrub planting atop screening mounds around the perimeter of the development. As part of the current application it is proposed that this planting scheme is modified such that the mounds and tree/shrub planting are undertaken around the entire development.

- 6.2.5 Whilst the proposed development is relatively large, it is nevertheless considered that the proposed design and layout of the buildings and landscaping would minimise the impact upon the local landscape character. Once established it is considered that the landscaping would ensure that the proposed additional sheds and silos can be satisfactorily integrated into the local landscape and not adversely affect the overall character of this part of the countryside. The proposal is therefore in line with Core Strategy Policies CS5 and CS6.

6.3 Residential and local amenity considerations

- 6.3.1 The application site is located more than 400 metres from the nearest residential properties and it is considered that this distance would result in significant attenuation of noise and odour which may be generated by the proposed development. Nevertheless it is acceptable that the proposal has the potential to adversely affect residential amenity in view of its size and nature.
- 6.3.2 Odour management: The planning application states that the ventilation system is designed to limit odour emissions. The fan system would keep the litter as dry as possible to minimise odour and ammonia emissions. During the cleaning out process, manure would be loaded straight onto tractors and trailers which would be covered, in order to reduce odour. This would be incorporated onto farmland within 24 hours where possible to minimise odour, or stored in temporary field heaps.
- 6.3.3 Following advice from the Environment Agency the applicant's agent has provided an additional assessment regarding odour which may arise during the cleaning out of the sheds. This supplementary assessment has been based upon the cumulative effects of both the existing sheds and the proposed sheds, and also a worst-case assessment. The assessment concludes that significant odour impacts at sensitive receptors, including the nearest residential properties, are not anticipated. Further control measures would be imposed through an Odour Management Plan which would be required as part of the Environmental Permit regulated by the Environment Agency.
- 6.3.4 Noise control: A Noise Impact Assessment has been undertaken and this identifies that the existing noise climate is determined largely by farming activity and vehicles, including tractors, other agricultural vehicles and HGVs on the local roads. The Report has considered noise from ventilation fans, on-site noise (including night-time collection and Daytime delivery and servicing) and off-site vehicle noise. The noise assessment indicates a low probability of complaints.
- 6.3.5 The Environmental Permit would provide some controls over noise, however the Environment Agency points out that the Permit would only control sources of noise from within the permit 'installation boundary'. This would not normally include lorry movements or operational hours. The Public Protection Officer has raised no objections in relation to the proposal on noise impact grounds.

- 6.3.6 The Noise Impact Assessment notes that the proposed sheds would be insulated, and that the fans would be located to the rear of the sheds, pointing away from the nearest residential dwellings. It concludes that noise generated by normal operation of the development during daytime and night-time hours would result in an impact of 'no significance' at residential properties near to the site. The assessment also suggests that, at worst, there is a very low risk of complaints during the day and night.
- 6.3.7 In terms of the additional HGVs arriving and leaving the site via the B4386 during the night-time collection periods (occurring twice per rearing cycle) the Noise Impact Assessment predicts that this would result in a 1dB to 2dB increase in noise. It states that the effect of such a noise increase, if fully apparent at affected dwellings, would be considered of 'minor significance'. The EIA notes that this type of noise is, however, entirely in keeping with the existing acoustic character of the area.
- 6.3.8 The application puts forward noise mitigation measures, including:
- ensuring that engines are not left running whilst vehicles are stationary on site
 - avoiding use of tonal reversing alarms at night-time where safety permits
 - spreading collections out during the night-time period into the morning period, thereby reducing the number of movements during the quieter night-time period.
- 6.3.9 These have been incorporated into a Noise Management Plan which includes restrictions on the hours of delivery of feed and fuel. It is considered that planning conditions can require adherence to the mitigation measures proposed in this Plan. On the basis of the noise assessments submitted, the mitigation measures proposed and the comments of the Environment Agency it is not anticipated that the proposed development operating cumulatively with the existing poultry unit, would result in adverse noise impact in the local area. Further controls over noise would be imposed through the Environmental Permit.
- 6.3.10 Dust and flies: One resident has raised concern regarding the potential for the proposal to result in flies and has also stated that the storage of manure encourages flies. The manure arising as part of the proposal would be managed as part of normal agricultural practices and does not form part of the current planning application. In relation to fly nuisance the Environment Agency has advised that, based on past experience, flies are generally not considered a problem on broiler sites which operate to Best Available Technology (BAT) standards. The Agency has advised that an assessment of this will be undertaken as part of the Environmental Permitting process, including any necessary controls and mitigation.
- 6.3.11 In relation to dust emissions, the proposed buildings have been designed with dust baffles over the ventilation fans to trap dust. The EIA states that the proposed bunding around the perimeter of the site is also likely to have dust attenuation properties. Similarly the proposed landscaping on top of the mounds would filter dust emissions. The Environment Agency has advised that, whilst intensive poultry farms produce dust, past experience has shown that the majority of it is deposited on the farm itself. Therefore provided that the farm is operated to the BAT then it would not be anticipated that it would cause a nuisance to residents living nearby.

6.4 Traffic, access and rights of way considerations

6.4.1 Traffic to the site would be expected to increase by approximately 78% over current levels, rising from 658 movements per year (1.8 per day) at present to 1176 per year (3.2 per day). Of these additional movements, 378 would be HGV's and 140 would be tractor and forklift movements. Traffic levels would fluctuate, as at present, with the busiest periods being when the chicks are collected on days 35 and 42 (26 additional HGV's movements on each of those days), and on day 43 when manure is removed (20 additional tractor/trailer movements). Chick collection would be likely to begin at night and continue into the day with movements spread out over an 18 hour period. The application states that night-time movements would occur during 15 nights per year.

6.4.2 The Highways Officer has confirmed that the access that was formed as part of the existing poultry unit development is to a sufficient standard to accommodate the proposed increase in vehicle movements to the site.

6.4.3 The two objectors to the proposal raise concerns regarding the additional traffic through Yockleton that would occur. The Highways Officer notes that the majority of the additional traffic would be associated with the chick collection cycle which commences at night-time when traffic flows on the public highway are at their lowest. Traffic would enter and exit the site access directly to/from the B4386 and the Officer has confirmed that this Class 2 highway has the capacity to accommodate this additional traffic. It should also be noted that chick collection would only occur on 15 occasions per year, and that there would be many days throughout the cycle when there would be no additional traffic generated by the proposed development.

6.4.4 In terms of highway capacity and safety it is concluded that the proposal is acceptable in relation to highway capacity and safety issues. The potential noise disturbance associated with additional traffic is discussed in sections below.

6.4.5 The proposal would not result in the obstruction of the public right of way which crosses the access track.

6.5 Ecological consideration

6.5.1 An Extended Phase 1 Habitat Survey was undertaken during 2012. The report concluded that the site is not designated for its wildlife interest at an international, national or local level and no legally protected plant species were identified or are likely in the habitats encountered.

6.5.2 Ammonia is released from intensive poultry sheds through the breakdown of uric acid which arises from bird excretion. The proposal incorporates procedures to minimise the output of ammonia, including keeping litter as dry as possible and using a drinking system which minimises water spillage. Ammonia emissions from poultry can potentially impact on nearby nature conservation sites, directly damage vegetation and can wider affect eutrophication and acidification of sensitive habitats. The Environment Agency has undertaken an initial ammonia screening assessment to identify whether the applicant would be required to submit a detailed modelling assessment. Based on the information submitted as part of the screening assessment (including a total of 200,000 bird (broiler) places), it has been concluded that detailed ammonia modelling will not be required. The Agency, as a 'competent authority' under the terms of the Conservation of Habitats and Species Regulations (2010), has therefore confirmed that

an appropriate assessment as part of the Habitats Regulations Assessment (HRA) will not be required.

6.5.3 Biodiversity enhancements to the local area would be provided through the planting of trees and shrubs as part of the landscaping scheme, and the provision of bat and bird boxes at the site.

6.5.4 On the basis of the available evidence it is not anticipated that the proposed would have an adverse impact on the ecology of the area. The Habitat Regulation Assessment screening matrix is attached to this report.

6.6 **Impact on water resources**

6.6.1 The application is accompanied by a Drainage and Water Resources Report. This assesses the potential impacts of the proposed poultry installation on water resources including surface waters, groundwater and flood risk. The main risks identified relate to: pollution of groundwater and surface water from nitrates from spreading and removal of manure and dirty water; and the increase in surface water run-off from the site.

6.6.2 Foul water disposal: The main mitigation feature of the proposal would be ensuring that all operations would be carried out within a building and on hardstanding to prevent seepage of manure effluent to groundwater. Foul water arising during the washing down of the poultry houses would be directed to a dirty water tank. This tank would be fitted with a level indicator to indicate when it needs emptying. Collected drainage would be disposed of on non-intensive pasture land. Clean water from the external hardstanding area would normally be directed to the Sustainable Drainage System. However during wash down, the outfall drain would be diverted to the dirty water collection tanks.

6.6.3 Flood risk and surface water drainage: The site is located within Flood Zone 1 indicating that the risk of flooding from major sources is low. As the site area exceeds 1ha, a Flood Risk Assessment (FRA) has been submitted. This identifies that approximately 30% of the site area would be an impermeable surface (hardstanding). The FRA states that this has the potential to impact on receptors downstream of the site, and that mitigation is required to address the potential impact upon receptors downstream of the site. The Drainage and Water Resources Report notes that the area has good porosity. It is therefore proposed that clean water run-off from the site would discharge to soakaway as part of a Sustainable Drainage System (SuDS). Based upon advice from the Environment Agency the application has submitted additional information in respect of the design of soakaways, and it is considered that this is satisfactory.

6.6.4 Manure management: The chicken manure arising as part of the proposed development would be managed as part of normal agricultural operations and does not form part of the application that has been submitted. Nevertheless the application states that at present the farming business utilises approximately 2100 tonnes of manure per year, together with large quantities sewage sludge which is imported from Telford and further afield. The additional manure produced as a result of the proposed development would be utilised on the applicant's farmland, making the farm 100% self-sufficient in manure requirements. The higher nutritional value of poultry manure than sewage would result in there being no further need to import sludge. It is estimated that this would result in approximately 180 fewer traffic movements per year.

6.6.5 The Environment Agency has confirmed that the applicant would be required to submit a Manure Management Plan under the Environmental Permitting Regulations. The purpose of this Plan would be to reduce the risk of the manure leaching or washing into groundwater or surface water. This element of the process is therefore controlled under a separate regulatory regime.

7.0 CONCLUSION

7.1 The proposal to provide an additional two sheds at the existing broiler unit would represent an appropriate expansion of this existing agricultural business. The development would be acceptable in terms of design and appearance, and the proposed landscaping would minimise the impact of the proposal on the landscape character of the area. Satisfactory measures have been incorporated within the design of the development to ensure that potential adverse impacts from noise, odour and other emissions can be controlled to acceptable levels. The additional traffic that would be associated with the expansion of the operation can be satisfactorily accommodated by the existing highway network and site access without unacceptable impact upon residential amenity. In addition the design of the scheme includes features to improve the sustainability of the operation, including the use of biomass boilers, and a sustainable drainage system. The application would create an additional part-time employment position as well as further working hours for casual workers.

7.2 The Environmental Impact Assessment demonstrates that the likely environmental impacts of the proposal are not significant and are capable of being satisfactorily mitigated. Additional controls over operational matters, including site management and emissions, would be provided through the Environmental Permit regulated by the Environment Agency. Overall it is considered that the benefits of the proposal outweigh the impacts of the provision of the additional sheds on the local environment. Based upon the above it is considered that the proposal can be accepted in relation to Development Plan policies and other guidance and material planning considerations, and that planning permission can be recommended.

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 three months 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

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. Background

10.1 Relevant Planning Policies

10.1.1 Shropshire Core Strategy

- Policy CS4 (Community Hubs and Community Clusters) – in the rural area, communities will become more sustainable by policies including: focusing private and public investment in the rural area into Community Hubs and Community Clusters, and not allowing development outside these settlements unless it meets Policy CS5;
- Policy CS5 (Countryside and Green Belt) – 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/horticultural/forestry/mineral related development, although proposals for

large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts; the retention and appropriate expansion of an existing established business, unless relocation to a suitable site within a settlement would be more appropriate;

- Policy CS6 (Sustainable Design and Development Principles) – requiring designs of a high quality to respect and enhance local distinctiveness, mitigating and adapting to climate change; requiring proposals likely to generate significant levels of traffic to be located in accessible locations; ensuring that all development: protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character; contributes to the health and wellbeing of communities, including safeguarding residential and local amenity; makes the most effective use of land and safeguards natural resources;
- Policy CS7 (Communications and Transport) – seeking a sustainable pattern of development that reduces the impacts of transport
- Policy CS13 (Economic Development, Enterprise and Employment) – to develop and diversify the Shropshire economy, supporting enterprise and seeking to deliver sustainable economic growth and prosperous communities; in rural areas, supporting the development and growth of Shropshire’s key business sectors and clusters, in particular: environmental technologies; creative and cultural industries; tourism; and the land based sector, particularly food and drink production and processing; 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 agricultural and farm diversification, forestry, green tourism and leisure, food and drink processing, and promotion of local food and supply chains;
- Policy CS16 refers to the economic importance for tourism, culture and leisure of Shropshire’s landscape, cultural and historic assets;
- Policy CS17 (Environmental Networks) – to identify, protect, enhance, expand and connect Shropshire’s environmental assets, by ensuring that all development: protects and enhances the diversity, high quality and local character of Shropshire’s natural, built and historic environment, and does not adversely affect the visual, ecological, geological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors; contributes to local distinctiveness, having regard to the quality of Shropshire’s environment, including landscape, biodiversity and heritage assets; does not have a significant adverse impact on Shropshire’s environmental assets and does not create barriers or sever links between dependant sites;
- Policy CS18 (Sustainable Water Management) – development should integrate measures for sustainable water management to reduce flood risk, and avoid adverse impact on water resources

10.2 Central Government Planning Policy and Guidance:

10.2.1 National Planning Policy Framework (NPPF): Amongst other matters, the NPPF:

- promotes sustainable economic growth and prosperity (Chapter 1);
- supports a prosperous rural economy, including the development and diversification of agricultural rural businesses (Chapter 3);
- requires that developments that generate a significant amount of movement should be supported by a Transport Statement or Transport Assessment (Chapter 4);

- requires that decisions take account of whether safe and suitable access to the site can be achieved, and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development (Chapter 4);
- promotes good design as a key aspect of sustainable development (Chapter 7);
- supports the move to a low carbon future as part of the meeting of the challenges of climate change and flooding (Chapter 10);
- states that the planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes; minimizing impacts on biodiversity and providing gains where possible; preventing development from contributing to unacceptable levels of soil, air, water or noise pollution; remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land (Chapter 11);
- states that decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life; recognize that development will often create some noise (Chapter 11, para. 123);
- decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation (Chapter 11, para. 125).

10.2.2 Planning practice guidance for renewable and low carbon energy (March 2014): This provides advice on the planning issues associated with the development of renewable energy. It states that increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. For biomass proposals, the guidance states that considerations that can affect their siting include appropriate transport links

10.3 Emerging Development Plan policy:

10.3.1 Site Allocations and Development Management (SAMDev) document: Consultation is taking place (17 March – 28 April 2014) on the Pre-Submission Draft version of the SAMDev Plan, which includes draft Development Management policies and draft Settlement policies. At this stage, the site and surrounding area are not subject to any specific allocations in the SAMDev.

10.3.2 Draft Development Management policies: Relevant draft Development Management policies include:

- MD2 (Sustainable Design), requiring development to achieve local aspirations for design wherever possible; contribute to and respect locally distinctive or valued character and existing amenity value; incorporate sustainable drainage techniques; consider landscaping holistically;
- MD7b (General Management of Development in the Countryside), stating that planning applications for agricultural development will be permitted where it can be demonstrated that the development is: required in connection with a viable agricultural enterprise and is of a size/ scale and type which is consistent with its required agricultural purpose and the nature of the agricultural enterprise that it is intended to serve; well designed and located in line with CS6 and MD2 and where possible, sited so that 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;

- MD12 (Natural Environment), seeking to achieve the conservation, enhancement and restoration of Shropshire's natural assets by ensuring that the social or economic benefits of development can be demonstrated to clearly outweigh the harm to natural assets where proposals are likely to have an unavoidable significant adverse effect, directly, indirectly or cumulatively, on specified natural assets/designated areas; encouraging development which appropriately conserves, enhances, connects, restores or recreates natural assets, particularly where this improves the extent or value of those assets which are recognised as being in poor condition; supporting proposals which contribute positively to the special characteristics and local distinctiveness of an area.

10.4 Relevant Planning History: None.

12/05179/EIA Erection of two chicken sheds each housing (maximum) 45,000 birds; associated hard standing, feed bins, dirty water storage tank, access improvement and landscaping works, Permitted 7th March 2013

13/01129/DIS Discharge of Conditions 3 (Archaeological Work), 4 (Construction Method Statement) and 5 (External Materials) attached to planning ref. 12/05179/EIA. Erection of two chicken sheds each housing (maximum) 45,000 birds; associated hard standing, feed bins, dirty water storage tank, access improvement and landscaping works. Approved 18th April 2013

13/02530/FUL Erection of 2 feed silos for storage of wood pellets to fuel biomass boiler in connection with adjacent poultry units Permitted 19th August 2013

11. Additional Information

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

The application ref. 14/00328/EIA and supporting information and consultation responses.

Cabinet Member (Portfolio Holder):
Cllr M. Price

Local Member:
Cllr David Roberts (Loton)

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 following deposited plans:
 - Manure Plan
 - Drainage Layout ref. BH-DL-800
 - Proposed Buildings ref. PA 347/01
 - Location Plan
 - Surveyed Site Plan, ref. NDJ001/02
 - Site Plan (annotated) showing biomass boiler rooms.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

3. The development hereby permitted shall not be undertaken other than in accordance with the procedures as set out in the Noise Management Plan submitted as part of the Environmental Impact Assessment.

Reason: To protect local and residential amenity from adverse noise impact.

4. No development approved by this permission shall commence until there has been submitted to and approved by the local planning authority a scheme of landscaping and these works shall be carried out as approved. The submitted scheme shall include:

- Means of enclosure
- Hard surfacing materials
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting)
- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

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

5. The chicken sheds hereby permitted shall be finished in a slate blue colour to match that of the adjacent sheds.

Reason: To ensure an acceptable appearance of the buildings to protect the visual character of the area (Core Strategy Policies CS5, CS6 and CS17).

6. A total of 2 woodcrete bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species shall be erected on the site prior to first use of the building hereby permitted. All boxes must be at an appropriate height above the ground with a clear flight path and thereafter be permanently retained.

Reason: To ensure the provision of roosting opportunities for bats which are European Protected Species.

7. 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.

8. A total of 2 woodcrete artificial nests suitable for small birds such as robin, blackbird, tit species, sparrow and swallow shall be erected on the site prior to first occupation of the buildings hereby permitted.

Reason: To ensure the provision of nesting opportunities for wild birds.

Informatives

1. The Environment Agency has provided the following guidance in relation to pollution prevention matters. The construction phase in particular has the potential to cause pollution. Site operators should ensure that measures are in place so that there is no possibility of contaminated water entering and polluting surface or ground waters. No building material or rubbish must find its way into the watercourse. No rainwater contaminated with silt/soil from disturbed ground during construction should drain to the surface water sewer or watercourse without sufficient settlement. Any fuels and/or chemicals used on site should be stored on hardstanding in bunded tanks.
2. Bats: All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended).

If a bat should be discovered on site at any point during the development then work must halt and Natural England should be contacted for advice.

3. Nesting Wild Birds: The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent.

All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive

Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

4. Badgers:

Where possible trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a closefitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

On the site to which this consent applies the storage of all building materials, rubble, bricks and soil must either be on pallets or in skips or other suitable containers to prevent their use as refuges by wildlife.