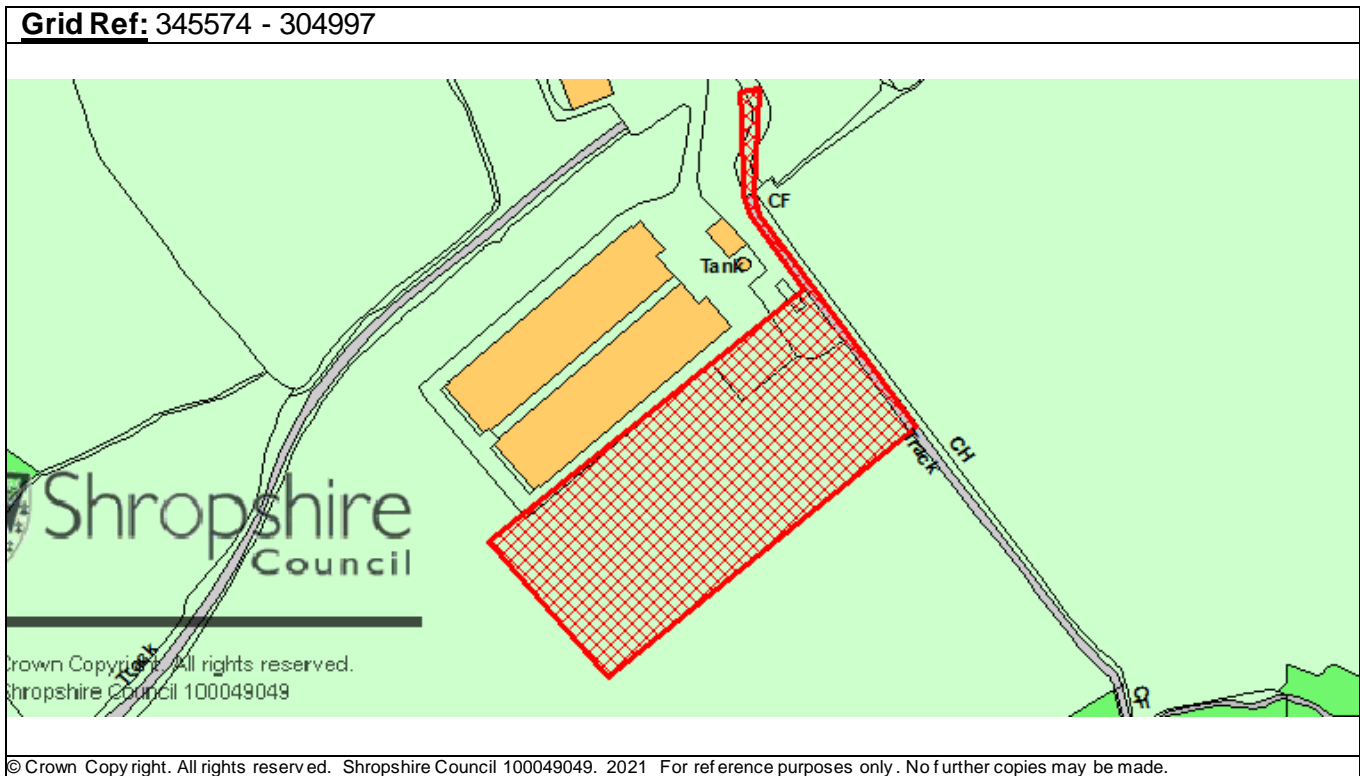


Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

Summary of Application

Application Number: 18/05747/EIA	Parish:	Longden
Proposal: Extension to existing poultry unit to include two broiler accommodation buildings, ground source heat pump plant room, feed bins and associated yard area and infrastructure		
Site Address: The Vinnals Lower Common Longden Shrewsbury Shropshire		
Applicant: The Vinnals Poultry Ltd		
Case Officer: Kelvin Hall	email	: kelvin.hall@shropshire.gov.uk



Recommendation: That delegated authority is granted to the Planning Services Manager to grant planning permission subject to the conditions as set out in Appendix 2, and any amendments considered necessary; and the completion of a deed of variation to the existing Section 106 legal agreement to require the continued adherence to a HGV routing agreement.

REPORT

1.0 THE PROPOSAL

- 1.1 Planning permission was granted in 2017 for a poultry rearing development at The Vinnals, which included two poultry sheds housing a total of 100,000 birds. The operation commenced in September of that year. The current planning application seeks permission for the expansion of this enterprise. It proposes the construction of two additional poultry rearing buildings, increasing the total number of birds at the site to 200,000. The buildings would be of a similar design and size to the existing buildings, each measuring approximately 97 metres x 24 metres with an eaves height of 2.65 metres and ridge height of 4.76 metres. They would be of portal-framed construction with box profile metal cladding in juniper green colour to match the existing buildings. There would be five feed bins. These would be situated adjacent to the proposed poultry buildings, and each would measure 6.6 metres in height with a 2.8 metres diameter.
- 1.2 The buildings would be heated using a ground source heating. The equipment for these pumps would be located in a plant building to be constructed adjacent to the poultry sheds. This would measure 9 metres x 3 metres with a ridge height of 3 metres, and would be coloured juniper green. The landscaping bund to the south-west of the existing buildings would be extended to run alongside the proposed buildings.
- 1.3 Production process: The planning application states that the production cycle is dictated by the poultry company and has therefore been based on a 'worst case scenario'. It states that standard birds would be reared over 37-39 days, usually with thinning taking place at 32 days, followed by a 10 day turn around period. There would therefore be around 7 crops per year. Preparation of the buildings prior to bird delivery would include the adding bedding to the floor, and warming the houses to around 34 degrees. Feed is provided by the processing company with additional grain grown on the farm. At the end of the rearing cycle the buildings would be cleaned out in preparation for the new delivery. Manure generated from the proposed buildings would be exported from the site and taken to an anaerobic digester facility for treatment.
- 1.4 Ventilation would be computer controlled and include six ridge fans, three plate fans, and fourteen gable end fans. These would only operate at maximum design capacity at the end of the production cycle where these fall on the hottest days. Each of the buildings would be fitted with an air scrubber in order to reduce, principally, ammonia emissions.
- 1.5 As detailed below, the proposal is Environmental Impact Assessment development and the application is accompanied by a detailed set of reports which assess the potential impacts on the environment. These include: a Drainage and Flood Risk Assessment; an Ecology Assessment; an Arboricultural Impact Assessment; an Ammonia Assessment; an assessment of landscape and visual impacts; a Highways Statement; and a Noise and an Odour Impact Assessment.

2.0 SITE LOCATION/DESCRIPTION

2.1 The application site is located to the south of the settlement of Lower Common, approximately 2km to the southeast of the village of Longden. The site covers an area of approximately 1.4 hectares to the south-east of the existing poultry unit, and forms part of an agricultural field. Other land surrounding the site is in agricultural use. To the north-west of the existing poultry sheds are farm buildings, and a farmhouse occupied by one of the directors of the poultry business. A farm track runs along the north-east boundary of the site. A public bridleway runs in a southwest – north-east orientation to the north-west of the existing poultry sheds, approximately 100 metres from the site.

2.2 The closest residential property is The Vinnals, approximately 125 metres to the north. This is occupied by one of the directors of the applicant company. The nearest properties in third-party ownership are Stapleton Grange, approximately 360 metres to the north-east; Little Vinnals Bungalow, approximately 400 metres to the north-east; and Lea Haven, approximately 410 metres to the north. There are a number of dwellings along and in proximity of the farm access track to the north. This is the route used at present by vehicles associated with the poultry unit and also by other agricultural vehicles, and would continue to be used should permission be granted for the additional chicken sheds. This access track also carries a public bridleway, which forms part of the Shropshire Way.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The proposals comprise Schedule 1 EIA development and the Council's Scheme of Delegation requires that such applications are determined by Planning Committee.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

4.1.1 **Longden Parish Council** Does not support the application. The capacity is too big for the area. Concern was expressed about the potential increase in vehicle movements and the size of the vehicles if you double the size of the operation through the narrow country lanes in the parish. Concern was also expressed about access to the site, the increase in the amount of poultry manure and its spreading and the increase in the already existing problem of the alarms going off at all hours of day and night for a considerable length of time despite assurances from the applicants when they put in their last application (comments made 7/9/19).

4.1.2 **Church Pulverbatch Parish Council** Objects. From 4th to 14th April 2020 and over the Easter Bank holiday the Parish Councillors received complaints from the residents of Pulverbatch concerning the overpowering smell of chicken manure spread across, and left lying on, fields adjacent to the village. The strength and duration of the smell was unacceptable.

On investigation we learned the manure came from the chicken unit at the Vinnals which is the subject of a planning application number 18/05747 a part of which allows for the spreading of this manure over fields adjacent to Pulverbatch. We the Parish Council have not previously been consulted on this, despite the inclusion of land for

manure in our parish.

As a direct result of the complaints we have received we write to oppose any extension of the existing unit and oppose the inclusion of the fields adjacent to the village being described as suitable for the spreading of the manure.

We consider that the nuisance endured by so many people over 10 days of fine weather was unacceptable.

4.1.3 **Environment Agency** No objections.

Comments 3/9/19 following submission of Manure Management Plan: Similar to other emissions, as part of the permit determination process, we do not require a MMP up front. However, Environmental Permit (EP) holders are required to subsequently operate under such a Plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, in cases where this is done within the applicants land ownership such as this. 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 regularly analyse the manure and the field soil to ensure that the amount of manure which will be applied does not exceed the specific crop requirements i.e. as an operational consideration. More information may be found in appendix 6 of the document titled “How to comply with your environmental permit for intensive farming.”: <https://www.gov.uk/government/publications/intensive-farming-introduction-and-chapters>

Any Plan would be required to accord with The Farming Rules for Water and the Nitrate Vulnerable Zones (NVZ) Action Programme where applicable.

In relation to subsequent control of the impacts to water from manure management, the Environment Agency is responsible for enforcing these rules which relate to The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018, which came into force on 2 April 2018.

It is an offence to break these rules and if they are breached we would take enforcement action in line with our published Enforcement and Sanctions guidance.

The above Regulations are implemented under The Farming Rules for Water. All farmers and land managers are required to follow a set of rules to minimise or prevent water pollution. The new rules cover assessing pollution risks before applying manures, storing manures, preventing erosion of soils, and managing livestock. The full information can be found at: <https://www.gov.uk/guidance/rules-for-farmers-and-land-managers-to-prevent-water-pollution>

Comments 9/1/19: No objection.

Environmental Permitting Regulations: The proposed development will lead to a total number of approximately 220,000 birds, which is above the threshold (40,000) for regulation of poultry farming under the Environmental Permitting (England and Wales) Regulations (EPR) 2016, as amended.

The Environmental Permit (EP) controls day to day general management, including operations, maintenance and pollution incidents. The EP will include the following key areas:

- Management – including general management, accident management, energy efficiency, efficient use of raw materials and waste recovery.
- Operations - including permitted activities and Best Available Techniques (BAT).
- Emissions - to water, air and land including to groundwater and diffuse emissions, odour, noise and vibration, monitoring.
- Information – records, reporting and notifications.

The Vinnals currently operates under an Environmental Permit for its intensive poultry operations and a Permit Variation has been granted in consideration of the increase in bird numbers (to allow up to 220,000 birds).

Ammonia emissions: Ammonia may be emitted from livestock and from manure, litter and slurry, and may potentially impact on local people or conservation sites i.e. vegetation/habitat (permits may be refused if critical loads to the environment are exceeded).

Ammonia screening: Our ammonia screening assessment is made in line with our current guidance available at: <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#pre-application-discussion>

With regard to ‘cumulative impact’, we only undertake a screening approach based on the potential impact of intensive poultry farms regulated by the Environment Agency. The same approach applies to cases when detailed ammonia modelling may be required to determine the risk to nature conservation sites.

There may be other poultry or livestock farms not regulated by the Environment Agency in the area which could be considered with respect to any ‘in combination assessment’ and HRA in your competent authority role for the planning application.

EP controls: The EP will control relevant point source and fugitive emissions to water, air and land; including odour, noise, dust, from the intensive poultry farming activities within the permit ‘installation boundary’.

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.

Odour and Noise: As part of the permit determination, we do not normally require the applicant to carry out odour or noise modelling. We require a ‘risk assessment’ be carried out and if there are sensitive receptors (such as residential properties or

businesses) within 400 metres of the proposed installation boundary then odour and noise management plans are required to reduce emissions from the site.

It should be noted that even where an Odour Management Plan (OMP) and Noise Management Plan (NMP) is in place to help reduce emissions from the site a Management Plan should set out the best available techniques that the operator intends to use to prevent and minimise odour and noise nuisance, illustrating where this is and is not possible. There is more information about these management plans at: <https://www.gov.uk/government/publications/intensive-farming-introduction-and-chapters>

A management plan may not necessarily completely prevent all odours, or noise, or at levels likely to cause annoyance. 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. In addition, the OMP/NMP requirement is often a reactive measure where substantiated complaints are encountered. This may lead to a new or revised OMP/NMP to be implemented and/or other measures to be in place.

Note - We do not necessarily regulate all sources of odour and noise associated with a site and only to certain levels. For example, we cannot control noise and emissions from feed lorries/vehicles.

For the avoidance of doubt, we do not directly control any issues arising from activities outside of the permit installation boundary. Your Public Protection team may advise you further on these matters. However a management plan may address some of the associated activities both outside and inside the installation boundary.

Bio-aerosols and dust: Intensive farming has the potential to generate bio-aerosols (airborne particles that contain living organisms) and dust. It can be a source of nuisance and may affect human health.

Sources of dust particles from poultry may include feed delivery, storage, wastes, ventilation fans and vehicle movements.

As part of the permit determination, we do not usually require the applicant to carry out dust or bio-aerosol emission modelling. We do require a 'risk assessment' be carried out and if there are relevant sensitive receptors within 100 metres of the installation boundary, including the farmhouse or farm worker's houses, then a dust management plans is required.

A dust management plan (DMP) will be required, similar to the odour and noise management plan process. This will secure details of control measures to manage the risks from dust and bio-aerosols. Tables 1 and 2 and checklist 1 and 2 in 'assessing dust control measures on intensive poultry installations' (available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297093/geho0411btra-e-e.pdf) explain the methods the operator should use to help minimise and manage these emissions.

Note - For any associated human health matters you are advised to consult with your Public Protection team and/or Public Health England (PHE).

Water Management: Clean Surface water can be collected for re-use, disposed of via soakaway or discharged 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.

Buildings which have roof or side ventilation extraction fans present, may deposit aerial dust on roofs or “clean” yards which is washed off during rainfall, forming lightly contaminated water. The EP will normally require the treatment of such water, via french drains, swales or wetlands, 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, in cases where this is done 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 regularly analyse the manure and the field soil to ensure that the amount of manure which will be applied does not exceed the specific crop requirements i.e. as an operational consideration. More information may be found in appendix 6 of the document titled “How to comply with your environmental permit for intensive farming.” <https://www.gov.uk/government/publications/intensive-farming-introduction-and-chapters>

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. In cases where the applicant proposes to pass the manure to a third party they are required to keep quantity records of where the by-product has been transferred to and have a contingency plan in place for alternative disposal or recycling sites in cases of an emergency.

Separate to the above EP consideration, we also regulate the application of organic manures and fertilisers to fields under the Nitrate Vulnerable Zone (NVZ) Rules where they are applicable, in line with Nitrate Pollution Prevention Regulations. Further NVZ guidance is available at: <https://www.gov.uk/guidance/nutrient-management-nitrate-vulnerable-zones>

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>

4.1.4 **Natural England** No objection. The proposed development will not have significant adverse impacts on designated sites.

International sites – The Stiperstones and the Hollies Special Area of Conservation and Midland Meres and Mosses phase 1 Ramsar site:

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

The Stiperstones and the Hollies, Bomere, Shomere and Betton Pools, and Berrington Pool Sites of Special Scientific Interest (SSSI):

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Other advice: Further general advice on the consideration of protected species and other natural environment issues is provided in NE's response.

4.1.5 **SC Ecology** Recommends conditions.

Table 1: Predicted maximum annual mean ammonia and nitrogen concentrations at the discrete receptors; proposed without and with mitigation.

Site	Process Contribution % of Critical Level WITHOUT MITIGATION	Process Contribution % of Critical Load WITHOUT MITIGATION	Process Contribution % of Critical Level WITH MITIGATION	Process Contribution % of Critical Load WITH MITIGATION
Spring Coppice AW	4.36	1.7	0.52	0.203
Hays Coppice SSSI	1.57	0.614	0.18	0.07
Earls Hill & Habberley Valley SSSI	0.54	0.282	0.061	0.019
Minsterley Meadows	0.36	0.190	0.042	0.022

SSSI				
Stiperstone and Hollies SSSI/SAC	0.09	0.048	0.010	0.005
River Severn at Montford SSSI	--	--	--	--
Bomere, Shomere and Betton Pools SSSI/Ramsar	1.77	0.922	0.204	0.106
Berrington Pool SSSI	0.45	0.466	0.051	0.053
Attingham Park SSSI	0.29	--	0.033	--
Long Mynd SSSI	0.07	0.023	0.007	0.002

Table 1 shows that the process contributions will be <1% of the critical levels and critical loads for all of the sensitive sites within the screening distance, with the imposition of mitigation (an INNO+ (Plus) (Broilers) scrubber on each of the new buildings).

No other plans or projects have been identified for assessment of cumulative/in-combination effects.

It is recommended that conditions are included on the decision notice to cover the following matters:

- No more than 100,000 birds shall be kept in the buildings at any one time
- No commencement until air scrubbing system has been installed; system to be operated at all times
- Implementation of landscaping scheme within first planting season
- Pre-commencement badger inspection to be undertaken
- Erection of bird boxes
- Lighting plan to be agreed prior to any external lighting

Informatives – see Appendix

4.1.6 **Historic England** Has advised it is not necessary to consult them.

4.1.7 **SC Conservation** No objections. It is noted that an updated Heritage Impact Assessment has been prepared by Richard K Morriss taking into account the proposed additional poultry units on this site, which is acknowledged and which is generally considered to address the relevant requirements of the revised NPPF and local policy MD13 on historic environment matters. As the application site is part of a largely rural landscape we would add that this type of development can have a significant impact on the landscape character of an area and while this is not something that our Team can advise on, obtaining the opinion of a qualified landscape professional should be considered in this case.

4.1.8 **SC Archaeology** No comments to make.

4.1.9 **SC Regulatory Services** Recommends conditions.

Comment was made in December 2018 on the noise and odour assessment. Concerning noise and the revised assessment, to take to account the revised noise assessment criteria of 2019 BS4142 and the revised scrubber location, the comments made in Dec 2018 remain the same. Looking at Table 5.1 in the recent assessment and comparing with table 5.2 in the 2018 assessment, the new scrubber location do not indicate perceptible change to noise levels at receptors. Though can it be confirmed that the cumulative noise levels of fans where 3dB is added per doubling of same noise sources have been taken into account in the modelling? The anticipated impact of noise is low, though it appears there will be times during the cycle that fans noise will be louder so to regulate temperature and will be a +4dB increase in background levels for limited periods as explained in the assessment which may be perceptible during quietest (L90) at the facades of receptors. 2018 comment in relation to noise was:

In relation to noise the noise assessment has stated that night time noise has not been considered as a result of the condition in place on a previous planning application for the site which stipulates that no HGV movements will occur to or from the site between the hours of 2300 - 0700. I would recommend this condition is mirrored on this application due to reasoning explained on past planning applications for poultry units on this site. The noise assessment concludes no significant noise impacts from the development. I am satisfied with this conclusion and would not consider there to be significant noise impacts over the distances found. Where noise may be up to 6dB above background this is at a time when background noise level is very low and it is considered more suitable to consider the absolute noise levels which are predicted to remain low. As a result I am satisfied that the proposed development is not likely to present any significant detrimental impact on the locality from noise.

I also note that in since previous comment that the Manure management plan highlight fields where manure will be anticipated to be spread. The information is also for the Env Agency but there is an expectation of the farms handling nutrient rich waste to fertilize fields to follow codes of practices of spreading as detailed in the plan to minimize odours, and that the location of field heaps for storage prior to spreading are away from residential dwellings. The odour assessment from the units has been commented on previously with this current application, as with the initial application with the comment that there will be occasions that odour will be perceptible at receptors as detailed in chapter 6 of the Odour assessment but at levels regarded as negligible under IAQM guidance levels.

Initial comments regarding odour: Having considered the odour assessment I am generally satisfied with the report and have no specific criticism. I agree with the conclusions and as such have no concerns relating to odour.

4.1.10 **SC Trees** No objection in principle to the proposed development, however the Tree Protection Plan will require updating to reference the proposed extension.

- 4.1.11 **SC Highways Development Control** No objection subject to conditions. It is considered that the proposed development is unlikely to have a significant impact, on the adjacent public highway network, over and above that, which is already experienced locally. A condition is recommended to require that the development is not brought into use until the parking, loading, unloading and turning areas have been provided.
- 4.1.12 **SC Drainage** No objection. The proposed surface water drainage in the Drainage Report and the Flood Risk Assessment is acceptable. However, diverting of the 600mm diameter culverted watercourse requires Ordinary Watercourse Consent from Shropshire Council.
- 4.1.13 **Severn Trent Water** No objection. As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.
- 4.1.14 **SC Rights of Way** No comments received.
- 4.1.15 **Fire and Rescue Service** As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications". Further advice has been provided which can be included as informatives on the decision notice.
- 4.1.16 **Cllr Roger Evans** I have now looked at the comments and also object to this application for the reasons stated in the numerous comments made. I therefore ask for this application to be determined by the planning committee if officers recommend for it be approved.
- 4.2 **Public comments**
- 4.2.1 The application has been advertised by site notice and in the local press. In addition 38 properties in the local area have been directly notified. This notification included residents who had made representations in respect of the previous application for the poultry rearing development at this site. Objections have been received from seven residents of six properties, on grounds summarised as follows (full details can be viewed on the planning register):
- Highways Statement contains inaccuracies; replacement is required
 - Passing places required along Long Lane have not been installed
 - Poultry units are visible from Long Lane
 - Not possible to accurately calculate change to traffic situation as no traffic survey undertaken for original application
 - Additional traffic due to additional manure production
 - Lorries not using correct route
 - Access lane to site is narrow and close to dwellings; has been damaged by existing levels of traffic accessing the farm
 - Restrictions should be imposed on construction works
 - Highways Statement underestimates amount of traffic
 - Additional lorry traffic through Longden; likely to double

- Local roads not suitable for this level and size of vehicles
- Passing places should be installed before application is considered; access is inadequate and not suitable for lorries
- Field entries are heavily rutted and unsuitable for cars
- Existing conditions prohibiting HGV movements between 2300 and 0700 hours should be adhered to
- No mention in application of HGVs associated with the applicant's grain business which are not covered by restrictions on poultry traffic; traffic restrictions should apply to all traffic including farm traffic
- Construction traffic estimates are not reliable
- Proposal would increase bird numbers over limit on existing planning permission which is 100,000 so should be refused
- May result in additional future expansion
- Turning circle would not avoid congestion
- Existing property along access lane has books delivered by HGV which blocks the road
- Access lane has already been damaged and will get further damage
- Chickens would require 22,000 litres of water per day; query whether there is sufficient water pressure for villagers
- Impact on wildlife from additional nitrogen
- Ammonia impact on local rural environment, not just designated sites
- Insufficient consideration given to impact on nesting birds in the local area
- Odour and fly impact from additional manure spreading
- Query why proposed buildings are same size as existing ones but are each to house 10,000 more chickens
- Impact on users of bridleway which is also designated as Shropshire Way
- Intensive farming is against animal rights
- Application underestimates amount of manure that would be produced as 220,000 birds would produce 2970 tonnes
- Query over number of birds proposed
- Application should be deferred as further information has been submitted
- Updated traffic assessment is required as two new barns are being proposed at the farm

5.0 THE MAIN ISSUES

- 5.1
 - Environmental Impact Assessment
 - Planning policy context; principle of development
 - Siting, scale and design; impact upon landscape character
 - Historic environment considerations
 - Residential and local amenity considerations
 - Traffic, access and rights of way considerations
 - Ecological considerations
 - Impact on water resources

6.0 OFFICER APPRAISAL

6.1 Environmental Impact Assessment

- 6.1.1 The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 specify that Environmental Impact Assessment (EIA) is

required for proposed development involving the intensive rearing of poultry where the number of birds is 85,000 or more. The proposed development would provide up to 100,000 bird places. It is therefore EIA development and the application is accompanied by an Environmental Statement.

6.2 Planning policy context; principle of development

6.2.1 Planning applications are required to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF sets out a presumption in favour of sustainable development. This includes three interdependent objectives: economic; social; and environmental. It states that significant weight should be placed on the need to support economic growth and productivity (para. 80). It states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, and the development and diversification of agricultural and other land-based rural businesses (para. 83).

6.2.2 Core Strategy policy CS5 provides support for appropriate development within the countryside, which maintain and enhance countryside vitality and character 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, and this is discussed in sections below. Core Strategy policy CS13 states that, in seeking to develop and diversify the Shropshire economy, emphasis will be placed on matters such as supporting rural enterprise and diversification of the economy, in particular areas of activity which include the agricultural and farm diversification sectors.

6.2.3 The Environmental Statement advises that the expansion of the poultry unit would help to ensure that the farming business remains viable for future generations by improving the profitability of the business and creating further employment. The proposal would involve significant investment in the poultry rearing sector and would be expected to result in economic and social benefits in terms of direct and indirect employment and support for the farming industry. It is considered that there is support for the proposal in principle as set out in the above policies.

6.3 Siting, scale and design; impact on landscape character

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. It states that development will be designed to a high quality using sustainable design principles. 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. SAMDev Plan policy MD2 requires that development contributes to and respects locally distinctive or valued character and existing amenity value. SAMDev Plan policy MD7b states that applications for agricultural development should be of a size/scale which is consistent with its required agricultural purpose, and where possible sited so that it is functionally and physically closely related to existing farm buildings.

- 6.3.2 Siting and alternatives: The acceptability of the use of this area for poultry rearing has already been established through the existing planning permission. The proposed extension would utilise existing infrastructure such as access and vehicle manoeuvring areas. In addition the expanded operation would be managed under the same rearing cycling as the existing one, thereby providing operational efficiencies. It is accepted that there are benefits to extending the existing development as opposed to seeking permission for a new site.
- 6.3.3 Design and sustainability; landscape and visual impacts: The proposed buildings would be heated using a ground source heating system. It is also proposed to install solar panels on the roofs of the buildings. These renewable energy sources would reduce the reliance on other, less sustainable energy options. Farmland at The Vinnals can be used to produce grain for use as poultry feed which can be stored in the existing crop storage buildings on the site before being transferred to the feed silos. The manure produced would be taken off site and used as a feedstock for an anaerobic digester facility. Sustainable drainage techniques would be used to manage surface water. It is considered that the proposed design incorporates appropriate sustainable principles in line with policy CS6.
- 6.3.4 The proposed new buildings would be positioned parallel to the existing ones and would be of an identical design, size and colour. The existing development is on a platform which is set at a lower level than surrounding land, and the proposed sheds would be constructed at a similar level. A screen bund has been constructed along the south-western side of the development, to a height of approximately 4.5 metres above the floor level of the sheds, and this has been planted in accordance with an approved landscaping scheme. This bund would be extended alongside the proposed sheds. The buildings would be largely screened from viewpoints to the north by the existing sheds. Existing woodland blocks in the vicinity would provide additional screening of the development. Given the generally low level of the main buildings, it is considered that the visibility of the proposed development in the wider landscape would be limited. Officers consider that the site is sufficiently distant from private properties to avoid adverse visual effects. The development would be visible from some public viewpoints in the local area, particularly from some sections of the public bridleway. However it is considered that the siting, design and mitigation of the development would ensure that the visual and landscape issues would not be unacceptable.
- 6.4 **Historic environment considerations**
- 6.4.1 Core Strategy policy CS17 requires that developments protect and enhance the diversity, high quality and local character of Shropshire's historic environment. SAMDev Plan policy MD13 requires that heritage assets are conserved, sympathetically enhanced and restored by ensuring that the social or economic benefits of a development can be demonstrated to clearly outweigh any adverse effects on the significance of a heritage asset, or its setting.
- 6.4.2 The application is accompanied by a Heritage Impact Assessment (HIA) which updates a previous report carried out in 2016 as part of the planning application for the existing poultry unit. There are no designated heritage assets within or adjacent to the site. The HIA states that virtually nothing survives of the historic farmstead at The

Vinnals, and none of the standing remains could be considered to be non-designated heritage assets under guidance in the NPPF. It concludes that the proposed additional units will have no impact on the character, setting or significance of any designated or non-designated heritage assets. The Council's Historic Environment team have not raised any particular concerns, and it is considered that the proposal does not raise any significant issues in respect of archaeology or heritage matters.

6.5 **Residential and local amenity considerations**

6.5.1 Policy CS6 of the Core Strategy requires that developments safeguard residential and local amenity. SAMDev Plan policy MD7b states that planning applications for agricultural development will be permitted where it can be demonstrated that there would be no unacceptable impacts on existing residential amenity.

6.5.2 The existing poultry unit is operated under an Environmental Permit issued by the Environment Agency. The Agency has confirmed that a Permit Variation has been issued to allow an increase in the total number of birds to 220,000. The Permit controls the detailed site management aspects of the operation, including emissions relating to odour, noise and dust, where these are produced within the Permit boundary. The Agency can require specific management plans to be submitted where necessary. National planning policy as set out in the NPPF is clear that the focus of planning decisions should be on whether the proposed development is an acceptable use of land rather than the control of processes or emissions where these are subject to separate pollution control regimes (para. 188).

6.5.3 Odour: An Odour Impact Assessment has been submitted as part of this application. This identifies that the main sources of odour would be point sources emitted from the building via ventilation outlets, and from handling and management of manure. It also notes that there would be a spike in odour levels when the sheds are being cleared. The Odour assessment has predicted odour levels from the whole unit, i.e. existing and proposed, at the closest residential receptors using a dispersion model. This has taken into account factors such as type and velocity of fans, and wind speed and direction data. It advises that the average odour levels at The Vinnals would be expected to be 'moderate adverse'. The occupants of this property have a financial interest in the scheme and may be expected to tolerate such elevated odours. The highest average predicted impact at all other receptors would be at Stapleton Grange, with a 'negligible' level, i.e. odour would be perceived but, under national guidance, would not be unacceptable. It is noted that the predictions within the Odour Impact Assessment are described as 'worst case' and do not take into account any mitigation that may be implemented as part of the Environmental Permit.

6.5.4 It should be noted that it is proposed that manure arising from the proposed new poultry buildings would be taken off site to be used as feedstock in an anaerobic digester facility. Therefore the current application would not result in additional manure being spread on fields in the local area and therefore not increase any odour which may be occasionally associated with that practice.

6.5.5 The concerns of Church Pulverbatch Parish Council regarding odour from chicken manure that had been spread on fields during a 10 day period in 2020 are acknowledged. As the current application proposes that manure generated from the

two additional buildings would be taken off-site to an anaerobic digester facility rather than spread on fields the current proposal would not result in additional manure being spread on fields. In this respect the Parish Council's comments are not relevant to the current application.

- 6.5.6 Noise: The planning application for the existing poultry unit proposed that bird collections would typically take place from 0200 hours onwards. Following concerns that this would cause unacceptable disturbance to residents living close to the access track, a condition was imposed on the planning permission to restrict such HGV movements to between 0700 hours and 2300 hours only. The current application proposes adherence to this restriction, and this condition can be imposed on any new permission.
- 6.5.7 A Noise Impact Assessment has been submitted. This predicts cumulative noise from both the existing sheds and the proposed additional ones, based upon three representative local receptors. The assessment takes into account noise from the proposed air scrubbers.
- 6.5.8 The report predicts that, at the majority of the time, the proposed plant would not have an adverse noise impact on any of the three receptors included in the assessment. The exception to this would be on day 35 of the bird rearing cycle when noise from the plant may have an adverse impact at one of the receptors (Lea Haven, a dwelling to the north of the site). During bird thinning and collection the assessment states that noise would not have an adverse noise impact on any of the three receptors included in the report. The Council's Public Protection Officer has advised that the proposed development is not likely to present any significant detrimental impact on the locality due to noise. It is considered that further mitigation is not required.
- 6.5.9 Dust: It is proposed that dust baffles would be provided around the ventilation fans to restrict airborne dust. Given the distance between the site and the nearest residential receptors it is not anticipated that dust from the site would result in adverse amenity.
- 6.5.10 Manure: Manure arising from the existing poultry operation is spread on local farmland as a beneficial fertiliser. This process would continue, under a Manure Management Plan which sets out where the material would be spread. In relation to the current application manure would be taken to an anaerobic digester plant to be used as feedstock for that process. No manure from the proposed two poultry buildings would be stored or spread on farmland.
- 6.5.11 In conclusion in relation to amenity matters it is considered that the planning application and accompanying Environmental Statement includes a satisfactory level of assessment to ensure that potential impacts on local amenity are understood. The proposed development would result in some impacts on the local area; these impacts include those resulting from odour generation. However it is considered that the proposed site is located a sufficient distance from dwellings to ensure that impacts on residential amenity would not be unacceptable. Odour and noise from the development would be noticed by users of the public bridleway however given the transient nature of this use it is not considered that these impacts would be adverse. Having taken account of the submitted assessments and advice from technical

consultees it is not considered that these impacts would be unacceptable. An additional level of control would be provided by the Environment Agency under the Environmental Permitting regime.

6.5.12

Water supply: The existing development uses mains water, and Officers are not aware that there have been any issues with this to date. The applicant has advised that, if permission is granted for the additional sheds, consideration will be given to obtaining a supply from groundwater via a new borehole. This would require consent from the Environment Agency. Severn Trent Water has raised no concerns in relation to water supply matters.

6.6 **Traffic, access and rights of way considerations**

6.6.1 Core Strategy policy CS6 requires that all development is designed to be safe and accessible. SAMDev Plan policy MD8 states that development should only take place where there is sufficient existing infrastructure capacity. Policy CS16 seeks to deliver sustainable tourism, and promotes connections between visitors and Shropshire's natural, cultural and historic environment. Policy CS17 seeks to protect and enhance environmental networks, including public rights of way.

6.6.2 As noted in the public representations above, the Highways Statement that was submitted with the application contained inaccuracies. A revised Statement has now been submitted to address these.

6.6.3 The existing planning permission for the poultry unit was granted subject to requirements to undertake highway improvements. In addition it was subject to a Section 106 legal agreement to control HGV traffic routing to/from the site. The agreed traffic route is for HGV to approach the site from the A49 via the villages of Exfords Green and Longden, then along Long Lane to Lower Common. The same route is required for the return journey. This would continue to be the sole route for HGVs in connection with the current proposal. The highway improvements included the construction of passing places along Long Lane and these have now been completed.

6.6.4

Since the commencement of the poultry rearing operation at The Vinnals Officers have received a number of reports from members of the public that vehicles have contravened either the night-time hours restriction or the agreed HGV route. Officers have investigated each of these reports. It should be noted that the access track to the poultry unit also serves the farm and is used by farm vehicles. There is no restriction on the route that this non-poultry related traffic can take to/from the site, or when this can occur. As part of these investigations Officers have verified that one of these incidents involved a HGV which did not adhere to the correct route from the site. In accordance with the provisions of the legal agreement, the operator was issued with a first and final warning. Any further breaches from that driver/vehicle would result in a 6 month ban from the site under the terms of the agreement. The other reported incidents have been found to have involved non-poultry vehicles.

6.6.5 The Highways Statement advises that the current poultry operation results in 64 HGV movements (i.e. 32 in; 32 out) per crop, with 20 tractor and trailer movements associated with manure removal. The proposed development would result in 124

HGV movements per crop, and 40 tractor and trailer movements. As at present, it is anticipated that during each cycle there would be four days of peak traffic activity. These correspond to the days when the birds are thinned part-way through the cycle; when the birds are collected at the end of the cycle; and when the manure is removed. HGV movements associated with bird collections would take place at a rate of 2 per hour (1 in; 1 out). During the other 44 days out of the 48-day cycle, it is expected that the increase in HGV movements would be less than 1 per day. The Highways Statement suggests that, if permission is granted, the applicant would potentially reduce the number of sheep at the farm, which would result in a reduction of HGV movements from this activity.

6.6.6 The passing places have resulted in improvements to the local highway network, and the currently agreed traffic route would continue to be used by the additional HGVs associated with the expanded broiler operation. The Council's highways consultant considers that the additional traffic can be accommodated on the highway network, and has raised no objections. Officers consider that, subject to the Section 106 being varied to ensure that the routing agreement also applies to the current application, and subject to the existing restrictions on night-time HGV traffic being re-imposed, the proposal is acceptable on highways grounds.

6.6.7 In terms of the construction phase the application suggests that this would take place over a three month period. It is likely that this would result in some disturbance in the local area, and it is considered that a traffic management plan can be required to agree ways to minimise these impacts.

6.6.8 Impact on public right of way: The farm track that forms the access route to the site is a public bridleway which is part of two long distance routes known as The Humphrey Kynaston Way and the Shropshire Way. The track is approximately 420 metres long and is single vehicle width. The first 100 metres or so of this track, from the north, is public highway; the remainder is private. As part of the previous permission for the poultry units, two passing places were constructed along the track, to provide refuges for path users in the event that they meet a vehicle. It is considered that these are also sufficient for the additional traffic that would result from the proposed development, and provide satisfactory protection for the right of way.

6.7 **Ecological consideration**

6.7.1 Core Strategy policy CS17 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. SAMDev Plan policies MD2 and MD12 require that developments enhance, incorporate or recreate natural assets. Policy MD12 states that proposals which are likely to have a significant adverse effect, directly, indirectly or cumulatively, on specified ecological assets should only be permitted if it can be clearly demonstrated that:

- a) there is no satisfactory alternative means of avoiding such impacts through re-design or by re-locating on an alternative site and;
- b) the social or economic benefits of the proposal outweigh the harm to the asset. It states that in all cases, a hierarchy of mitigation then compensation measures will be sought.

- 6.7.2 Paragraph 180 of the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. In addition, development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 6.7.3 The principal ecological issues relate to the direct impacts of the development on the ecological value of the area, and the indirect impacts due to the release of ammonia from the resultant poultry manure.
- 6.7.4 Direct impacts:
The application is supported by an ecology report which is based upon a habitat survey. The development would be constructed on grassland, arable land and disturbed land to the south-east of the existing poultry sheds. This land is ecologically poor and it is not considered that its loss would be significant. Existing hedgerow and trees in the vicinity of the site would be retained. There are a number of designated ecological sites in the wider area however, due to the distance involved, it is not considered that the proposed development would be directly affected by the development. The Council's ecologist has recommended that conditions are attached to require a landscaping plan to be submitted for approval; for prior approval to be obtained for any external lighting; and for a pre-commencement badger inspection to be undertaken.
- 6.7.5 Impacts from ammonia:
An ammonia emissions impact assessment has been submitted as part of the Environmental Statement. This has assessed impacts on local ecological sites and is based upon the proposed use of the air scrubbers. The report has predicted ground level concentrations of ammonia and nutrient nitrogen deposition in relation to relevant air quality standards and guidelines for the protection of sensitive habitats. These sensitive habitats include a Ramsar site, a Special Area of Conservation, SSSIs, ancient woodland and local wildlife sites in the area.
- 6.7.6 The assessment identifies that no ecological sites are likely to be affected by the proposed scheme. It states that the impacts on all sites from the new (scrubbed) buildings would be below 1% of the relevant Nitrogen critical level and 1% of the relevant Nitrogen critical load. It concludes that the impacts from the proposed buildings would therefore be insignificant, either alone or in combination with other schemes.
- 6.7.7 The ammonia assessment predicts that the contribution of the proposed poultry buildings (operating using the air scrubbers) to critical levels of ammonia and critical loads of nitrogen would be less than 1% at all sensitive ecological sites which are within the relevant screening distance. The Council's ecologist has confirmed that there are no other plans or projects which need to be included in these calculations as cumulative/in-combination assessments.
- 6.7.8 As the proposed development has the potential to adversely affect designated sites of

international importance for nature conservation, specifically Bomere, Shomere and Betton Pools Midland Meres and Mosses Phase 1 Ramsar site, and Stiperstones and Hollies SAC. As required by the Conservation of Habitats and Species Regulations 2017 (as amended), an 'appropriate assessment' has been carried out by the Council's ecologist and is attached to this report.

- 6.7.9 Mitigation being proposed is the use of air scrubbers and the implementation of a planting scheme. The planting would take place in four discrete areas around the site, and total 0.88 hectares. With this mitigation the Council's ecologist has advised that the background level at The Stiperstones and the Hollies SAC is between 32.6m and 55.1 kgN/ha/yr and that due to the high background level the small increment of 0.005 Kg N/ha/yr is unlikely to have a significant impact on the sites integrity. In addition the ecologist notes that the background level at Bomere, Shomere and Betton Pools Midland Meres and Mosses Phase 1 Ramsar is between 23.5 to 40.4 kgN/ha/yr and considers that due to the high background level the small increment of 0.106 Kg N/ha/yr is unlikely to have a significant impact on the sites integrity.
- 6.7.10 The assessment concludes that the proposed development would not adversely affect the integrity of the Stiperstones and Hollies SAC or Midland Meres and Mosses Phase 1 Ramsar, either alone or in-combination with other plans or projects, providing the development is carried out accordance to the details submitted. Natural England has been consulted on this HRA and no comments have been received. It is considered that the relevant tests under the above Regulations have been met and that there is no legal barrier to planning permission being granted.
- 6.7.11 In relation to all sensitive ecological sites it is considered that the process contribution based upon mitigation would not be significant and that the proposed development would not have a significant impact upon the integrity of the sites. Overall, in relation to ecological matters it is concluded that the proposal, taking into consideration the mitigation and enhancement measures put forward, aligns with Development Plan and national planning policy.
- 6.8 **Impact on water resources**
- 6.8.1 Core Strategy policy CS18 seeks to reduce flood risk and avoid adverse impact on water quality and quantity. Policy CS6 requires that development safeguards natural resources, including soil and water.
- 6.8.2 Surface water drainage: The site is located within Flood Zone 1, i.e. an area where there is a low risk of surface water flooding. The proposed surface water drainage system would incorporate sustainable drainage systems, including stone filled trenches along the sides of the buildings, to reduce runoff to greenfield rates. The Council's drainage consultant has confirmed that the proposed design, as set out in the Drainage Report and Flood Risk Assessment, is acceptable.
- 6.8.3 Contaminated water drainage: During the cleaning out of the sheds at the end of the rearing cycle, dirty water would be collected in a tank. This system would incorporate a valve to prevent dirty water coming into contact with the main system. Further control over dirty water management would be provided under the Environmental Permit.

7.0 CONCLUSION

- 7.1 Planning permission for a poultry rearing unit at The Vinnals, including two chicken sheds, was granted in 2017. The current application seeks to enlarge the enterprise through the construction of two further sheds and other ancillary development, increasing the number of birds on site from 100,000 to 200,000. The application is EIA development and as such is accompanied by a detailed set of assessments to identify the potential impacts of the development on the environment.
- 7.2 The proposal involves significant investment in the poultry rearing sector and would provide social and economic benefits in terms of direct and indirect employment, and support for the farming industry. It incorporates sustainable design principles. These include the use of ground source heating system, a sustainable drainage system, and solar panels. The development would be large in scale nevertheless the alignment and positioning of the proposed buildings adjacent to the existing ones, and matching appearance, would provide an development of an acceptable design. Landscape impacts would be satisfactorily mitigated including through the extension of the landscaped earth bund. It is considered that the proposal does not raise any significant issues in respect of archaeology or heritage matters.
- 7.3 Based upon odour modelling undertaken, odour levels at the nearest third party dwellings would be no greater than 'negligible'. The noise assessment predicts that noise from on-site activities would be likely to have an adverse impact at one receptor on one night during each rearing cycle, i.e. seven times per year, and that at all other dwellings noise would not have an adverse impact. It is not considered that this limited impact on residential amenity requires further mitigation. The existing condition which restricts night-time HGV traffic can be imposed on any new permission, to reduce disturbance to residents along the farm track. The export of the manure arising to be used as feedstock for an anaerobic digester raised no significant issues. The Environmental Permit for the operation, which has recently been varied by the Environment Agency to allow an increase in the number of birds allowed on the site to 220,000, would control the detailed site management aspects of the development, including the control of emissions to the environment.
- 7.4 The passing places along Long Lane which were required under the previous permission have been installed. It is considered that the additional traffic that would be generated by the expansion of the operation can be satisfactorily accommodated on the local highway network, subject to continued adherence to the existing HGV routing agreement.
- 7.5 The use of air scrubbers on the proposed buildings would significantly reduce the level of ammonia emitted from the process. An appropriate level of assessment has been undertaken in relation to potential ammonia impacts. Based upon this it can be concluded that impacts on all sensitive ecological sites would not be significant. In relation to designated sites of international importance, the required 'appropriate assessment' (included in Appendix 1 below) which has been carried out by the Council's ecologist concludes that the proposal would not adversely affect their integrity; this being based upon the most precautionary values. An appropriate level of ecological enhancement has been incorporated within the designs. Proposals for

dealing with surface water and contaminated water are appropriate and would ensure satisfactory protection of the water environment. It is not anticipated that the proposals raise any particular issues with respect to water supply.

7.6 Satisfactory mitigation of environmental impacts can be provided and officers conclude that the proposal complies with Development Plan policy and national policy. On this basis, it is recommended that delegated authority is granted to the Planning Services Manager to grant planning permission subject to the conditions as set out in Appendix 2, and any amendments considered necessary; and the completion of a deed of variation to the existing Section 106 legal agreement to require the continued adherence to a HGV routing agreement.

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 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

Relevant Planning Policies

Central Government Guidance:
National Planning Policy Framework

Core Strategy and Saved Policies:

- CS5 - Countryside and Greenbelt
- CS6 - Sustainable Design and Development Principles
- CS13 - Economic Development, Enterprise and Employment
- CS16 - Tourism, Culture and Leisure
- CS17 - Environmental Networks
- CS18 - Sustainable Water Management
- MD2 - Sustainable Design
- MD7B - General Management of Development in the Countryside
- MD8 - Infrastructure Provision
- MD12 - Natural Environment
- MD13 - Historic Environment

RELEVANT PLANNING HISTORY:

- 11/05747/AGR Erection of a grain store PNAGR 18th January 2012
- 12/00370/FUL Erection of extension to existing farm building to provide grain storage GRANT 19th April 2012
- SA/03/003/HRM Removal hedge on land at The Vinnals, Longden NOOBJC 29th August 2003
- 16/02752/EIA Construction of two poultry sheds and feed bins, ancillary works, access improvements, erection of biomass building and associated landscaping GRANT 13th April 2017
- 20/01095/AGR Agricultural grain and machinery storage building PNR 30th March 2020
- 20/01099/AGR Proposed agricultural building for storage NPW 13th March 2020
- 21/01456/FUL Erection of a building for storing, filling and maintaining crop sprayer GRANT 9th June 2021

11. Additional Information

View details online: <https://pa.shropshire.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

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)
Councillor Ed Potter

Local Member
Cllr Roger Evans

Appendices
APPENDIX 1 - Habitat Regulations Assessment
APPENDIX 2 - Conditions

Appendix 1 - Habitat Regulations Assessment (HRA) Screening Matrix

1.0 Introduction

The proposal described below has the potential to adversely affect a designated site of international importance for nature conservation. The likelihood and significance of these potential effects must be investigated.

This HRA is required by Regulation 61 of the Conservation of Habitats and Species Regulations 2017 (as amended), before the council, as the ‘competent authority’ under the Regulations, can grant planning permission for the project. In accordance with Government policy, the assessment is also made in relation to sites listed under the 1971 Ramsar convention.

The following consultee responses and supporting information should be read in conjunction with this HRA, which are available on the Shropshire Council Planning Portal:

<https://pa.shropshire.gov.uk/onlineapplications/search.do?action=simple>:

- SC Ecology consultation response ref: The Vinnals, Lower Common, Longden, Shrewsbury 18-05747-EIA 10.11.21 SM
- Ammonia Emissions: Impact Assessment (Isopleth, September 2021)
- Ammonia Mitigation Strategy (Berrys, n.d. including Ammonia Mitigation Planting Plan SA 29808-01 REV C

Date of completion for the HRA screening/AA: matrix:

10 November 2021

HRA completed by:

Suzanne Wykes
Specialist Practitioner (Ecology)
Shropshire Council

2.0 HRA Stage 1 – Screening

This stage of the process aims to identify the likely impacts of a project upon an international site, either alone or in combination with other plans and projects, and to consider if the impacts are likely to be significant. Following recent case law (People Over Wind v Coillte Teoranta C-323/17), any proposed mitigation measures to avoid or reduce adverse impacts are not taken into account in Stage 1. If such measures are required, then they will be considered in stage 2, Appropriate Assessment.

2.1 Summary Table 1: Details of project

Project details	The Vinnals, Lower Common, Longden Shrewsbury Shropshire SY5 8HB - Extension to existing poultry unit to include two broiler accommodation buildings, ground source heat pump plant room, feed bins and associated yard area and infrastructure 18/05747/EIA
Name and description of Natura 2000 sites	West Midlands Meres and Mosses Phase 1 Ramsar (Bomere, Shomere and Betton Pools) Bomere, Shomere & Betton Pools, as a group, are particularly important for the

	<p>variety of water chemistry, and hence flora and fauna, which they display. The site also includes a small basin mire, a more extensive area of peat around Shomere and an area of woodland. Bomere Pool is one of the most oligotrophic (infertile) meres. It has an extensive area of white and yellow water-lilies <i>Nymphaea alba</i> and <i>Nuphar lutea</i> and is particularly notable for the presence of a large population of six-stamened waterwort <i>Elatine hexandra</i>. Fringing vegetation is dominated mainly by lesser reedmace <i>Typha angustifolia</i>. Shomere Pool is a small mere with a peat substrate, and a good population of both species of water-lily. Here, and at Bomere Pool, royal fern <i>Osmunda regalis</i> occurs. Shomere Pool is surrounded by bog and alder carr communities. Betton Pool is of moderate fertility, and has good populations of aquatic macrophytes, including blunt-leaved pondweed <i>Potamogeton obtusifolius</i> and the moss <i>Fontinalis antipyretica</i>. All three pools are of particular interest for their invertebrate fauna. Betton Pool is one of the best mesotrophic meres for aquatic invertebrates, and the site as a whole is especially important for dragonflies.</p> <p>Ramsar criterion 1 The site comprises a diverse range of habitats from open water to raised bog.</p> <p>Ramsar criterion 2 Supports a number of rare species of plants associated with wetlands including five nationally scarce species together with an assemblage of rare wetland invertebrates (three endangered insects and five other British Red Data Book species of invertebrates).</p> <p>The Stiperstones and the Hollies SAC (601.46ha) represents a Nationally important area of dry heath and also hosts a significant presence of sessile oak woodlands with <i>Ilex</i> and <i>Blechnum</i>.</p> <p>Annex I Habitats that are a primary reason for selection of site:</p> <ul style="list-style-type: none"> • European dry heaths <p>Annex I Habitats present as a qualifying feature but not a primary reason for selection of site:</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p>
<p>Description of the project and potential pathways of impact</p>	<p>Extension to existing poultry unit to include two broiler accommodation buildings holding a maximum of 100,000 birds, ground source heat pump plant room, feed bins and associated yard area and infrastructure.</p> <p>The following potential effect pathways have been identified:</p> <p>Ammonia emissions: The sites are already over their critical load for nitrogen deposition. Any further increase in background levels of diffuse air pollution could have cumulative effects and exacerbate an adverse situation.</p>
<p>Is the project or plan directly connected with or necessary to the management of the site (provide details)?</p>	<p>No</p>

2.2 Current baseline

Summary from APIS (<http://www.apis.ac.uk/>) accessed October 2021):

Table 2: Baseline at designated site(s)

Designated Site:	Habitat Sensitive to Nitrogen (APIS)	Lowest Empirical Critical Load kg/N/ha/yr	Background Level Critical Load kg/N/ha/yr	Background % of sites critical load
(Bomere, Shomere and Betton Pools) (Part of Midlands Meres and Mosses Phase 1 Ramsar)	Yes	5	20.5 short vegetation 40.4 forest	410 808
Stiperstones and Hollies SAC	Yes	10	32.6 short vegetation 55.1 forest	326 551

2.3 Initial screening for likelihood of significant effects on European Sites

Likely significant effect pathways have been identified and EU sites have been screened against these to identify which sites could be adversely affected.

Table 3 – Initial screening for likelihood of significant effects

European designated site	Site vulnerability	Potential Effect Pathways
Bomere, Shomere and Betton Pools (Part of Midlands Meres and Mosses Phase 1 Ramsar)	Ammonia concentration and nitrogen deposition Critical Levels and Loads exceeded.	Ammonia emissions from proposed development affecting nutrient sensitive habitats – eutrophication.
Stiperstones and Hollies SAC	Ammonia concentration and nitrogen deposition Critical Levels and Loads exceeded	Ammonia emissions from proposed development affecting nutrient sensitive habitats - eutrophication

2.5 Summary of Stage 1 screening

There are potential pathways for a likely significant effect between the development/project and Bomere, Shomere and Betton Pools (Part of Midlands Meres and Mosses Phase 1 and Ramsar and Stiperstone and Hollies SAC) alone.

Shropshire Council has sought more detailed information/mitigation measures from the applicant in order to consider if the development will have significant effects on International Sites or have an adverse effect on the integrity of these sites.

3.0 HRA Stage 2 Appropriate Assessment

3.1 Further assessment of ammonia emission impacts

3.1.1 Predicted Impacts

A report of air quality impacts : Ammonia Emissions: Impact Assessment (Isopleth, September 2021) has been used to inform the appropriate assessment of this Habitats Regulations Assessment.

The most precautionary critical level and critical load values have been used in the summary below.

Table 4: Predicted maximum annual mean ammonia concentrations at the discrete receptors; both before and after mitigation:

Site	Process Contribution % of Critical Level WITHOUT MITIGATION	Process Contribution % of Critical Load WITHOUT MITIGATION	Proposed* Process Contribution % of Critical Level WITH MITIGATION	Proposed* Process Contribution % of Critical Load WITH MITIGATION
Bomere, Shomere and Betton Pools Midland Meres and Mosses Phase 1 Ramsar	1.77	0.922	0.204	0.106
Stiperstones and Hollies SAC	0.09	0.048	0.010	0.005

Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details):

No, no other plans or project to act in combination have been identified.

3.1.3 Counteracting (mitigation) measures

Each new building will have an INNO+ (Plus) (broiler) scrubber and in addition, to secure further (long term) ammonia reduction, an Ammonia Mitigation Planting Scheme is included as part of the proposed development.

Assessment of Adverse Effects Alone

The PC is <1% of the Critical Level and Critical Load for both designated sites.

The background level at The Stiperstones and the Hollies SAC is between 32.6m and 55.1 kgN/ha/yr. Due to the high background level the small increment of 0.005 Kg N/ha/yr is unlikely to have a significant impact on the sites integrity.

The background level at Bomere, Shomere and Betton Pools Midland Meres and Mosses Phase 1 Ramsar is between 23.5 to 40.4 kgN/ha/yr. Due to the high background level the small increment of 0.106 Kg N/ha/yr is unlikely to have a significant impact on the sites integrity.

Assessment of Adverse Effects in-combination

No other projects or plans which could act in combination have been identified.

3.4 Securing of mitigation measures

A condition is to be put on any planning condition to secure the scrubbers and an Ammonia Mitigation Planting Scheme.

4.0 Summary of HRA Screening Appropriate Assessment including counteracting measures

The appropriate assessment of the project has been carried out, including counteracting (mitigation) measures

and conditions and legal agreements have been agreed with the applicant.

Table 5 – Summary of HRA conclusions

EU Site	Effect pathway	HRA conclusion
Bomere, Shomere and Betton Pools Midland Meres and Mosses Phase 1 Ramsar	Ammonia emissions from proposed development affecting nutrient sensitive habitats –	No adverse effect on site integrity alone or in-combination.
Stiperstones and Hollies SAC	eutrophication	

5.0 Final conclusions

Following Stage 1 screening, Shropshire Council concluded that the proposed development may have a significant effect on the Midland Meres and Mosses Phase 1 Ramsar and Stiperstones and Hollies SAC through the listed pathways detailed in this HRA. Shropshire Council has carried out an Appropriate Assessment of the project, considering further information and counteracting (mitigation) measures.

The Appropriate Assessment concludes that the proposed works under planning application reference 18/05747/EIA will not adversely affect the integrity of the Stiperstones and Hollies SAC or Midland Meres and Mosses Phase 1 Ramsar, either alone or in-combination with other plans or projects, providing the development is carried out accordance to the details submitted.

Natural England should be consulted on this draft AA, and following consideration of any response received, a planning decision can then be made.

Appendix 3

Guidance on completing the HRA Screening Matrix

The Habitat Regulations Assessment process

Essentially, there are two ‘tests’ incorporated into the procedures of Regulation 63 of the Conservation of Habitats and Species Regulations 2017, one known as the ‘significance test’ and the other known as the ‘integrity test’. If, taking into account scientific data, we conclude there will be no likely significant effect on the European Site from the development, the ‘integrity test’ need not be considered. However, if significant effects cannot be counted out, then the Integrity Test must be researched. A competent authority (such as a Local Planning Authority) may legally grant a permission only if both tests can be passed.

The first test (the significance test) is addressed by Regulation 63, part 1:

63. (1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for a plan or project which –
- (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
 - (b) is not directly connected with or necessary to the management of that site,
- must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.

The second test (the integrity test) is addressed by Regulation 63, part 5:

63. (5) In light of the conclusions of the assessment, and subject to regulation 64 (consideration of overriding

public interest), the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

In this context 'likely' means "if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site", or "it may happen", not merely that it is a fanciful possibility. 'Significant' means not trivial or inconsequential but an effect that is noteworthy – Natural England guidance on The Habitat Regulation Assessment of Local Development Documents (Revised Draft 2009).

63. (6) In considering whether a project will adversely affect the integrity of the site, the authority must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which they propose that the consent, permission or other authorisation should be given.

Habitat Regulation Assessment Outcomes

A Local Planning Authority can only legally grant planning permission if it is established that the proposed plan or project will not adversely affect the integrity of the European Site.

If it is not possible to establish this beyond reasonable scientific doubt then planning permission cannot legally be granted unless it is satisfied that, there being no alternative solutions, the project must be carried out for imperative reasons of over-riding public interest, and the Secretary of State has been notified in accordance with section 64 of the Conservation of Habitats and Species Regulations 2017. The latter measure is only to be used in extreme cases and with full justification and compensation measures, which must be reported to the European Commission.

Duty of the Local Planning Authority

It is the duty of the planning case officer, the committee considering the application and the Local Planning Authority as a whole to fully engage with the Habitats Regulations Assessment process, to have regard to the response of Natural England and to determine, beyond reasonable scientific doubt, the outcome of the 'significance' test and the 'integrity' test before making a planning decision.

APPENDIX 2 - 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 shall take place, including any works of demolition, until a Construction Method Statement (Traffic Management Plan) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- a traffic management and HGV routing plan.

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

4. No development shall take place until a tree protection plan has been submitted to and approved in writing by the local planning authority. The plan shall show the proposed site layout and shall identify those trees to be retained at the site and their root protection areas; and show tree protection measures in line with the details included in the submitted Tree Report (incorporating Arboricultural Impact Assessment, Arboricultural Method Statement; and Tree Protection Plan).

Construction works within the proximity of any trees to be retained shall not take place unless tree protection measures are in place.

Reason: To provide satisfactory protection for retained trees at the site, and ensure that tree protection measures are satisfactorily identified on a plan which details the proposed development.

5. No development shall take place (including demolition, ground works and vegetation clearance) until a landscaping plan has been submitted to and approved in writing by the Local

Planning Authority. The plan shall be in general accordance with the details shown on SA 29808-01 REV C and SA 31140-02 and include:

- a) Planting plans, ammonia mitigation planting of not less than 0.88 hectares in general accordance with the details shown on SA 29808-01 REV C, creation of wildlife habitats and features and ecological enhancements, screening bund, hedgerow and ecological field margin enhancements.
- b) Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment);
- c) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate;
- d) Native species used are to be of local provenance (Shropshire or surrounding counties);
- e) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works;
- f) Implementation timetables.

All hard and soft landscape works shall be carried out in accordance with the approved plan; the works shall be carried out during the first available planting season (October to March) following commencement of poultry rearing, and shall be maintained for the lifetime of the development. Any trees or plants that, within a period of five years after planting, are removed, die or become damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure an appropriate level of mitigation against the adverse impacts that the development would have on designated sites from ammonia emission/nitrogen deposition, and to seek a biodiversity enhancement under NPPF and MD12.

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

6. No above ground works shall take place until details of the external materials and colour treatment of all plant and buildings have been submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details, and retained as such for the lifetime of the development.

Reason: To ensure a satisfactory appearance of the development.

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 lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/18 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

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

8. Within 90 days prior to the commencement of development, a badger inspection shall be undertaken by an appropriately qualified and experienced ecologist and the outcome reported in writing to the Local Planning Authority. If new evidence of badgers is recorded during the

pre-commencement survey then the ecologist shall submit a mitigation strategy for prior approval that sets out appropriate actions to be taken during the works. These measures will be implemented as approved.

Reason: To ensure the protection of badgers under the Protection of Badgers Act 1992.

9. The development hereby permitted shall not be brought into use until the areas shown on the approved plans for parking, loading, unloading and turning of vehicles has been provided properly laid out, hard surfaced and drained. The space shall be maintained thereafter free of any impediment to its designated use.

Reason: To ensure the provision of adequate vehicular facilities, to avoid congestion on adjoining roads and to protect the amenities of the area.

10. The buildings hereby permitted shall not be occupied by birds until the drainage works shown on the approved Drainage Layout Plan ref. TV-DL-300 have been completed.

Reason: To protect the water environment.

11. Prior to first occupation / use of the buildings, the makes, models and locations of bird boxes shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 6 artificial nests, of either integrated brick design or external box design, suitable for a range of bird species, 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 175 of the NPPF.

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

12. (a) Prior to the commencement of the development a scheme shall be submitted in writing for the approval of the local planning authority which sets out procedures for ensuring that, wherever practicable, bird rearing in any building hereby permitted only takes place during times when the air scrubbing unit for that building is operational. The submitted details shall identify contingency measures to be adopted to in the event that the operation of the scrubbing unit is not possible, such as plant breakdown, and set out procedures to ensure that any bird rearing that takes place without the use of air scrubbing unit is minimised. The poultry rearing operation shall be undertaken in accordance with the approved scheme.

(b) No birds shall be brought to any of the poultry rearing buildings hereby permitted unless the associated air scrubbing unit is in effective working order.

Reason: To minimise the times when the air scrubbing unit is not operational in order to minimise emissions of ammonia and odour and prevent adverse impact on sensitive ecological sites.

13. (a) No more than 100,000 birds shall be kept in the buildings hereby approved at any one time.

(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: To prevent adverse impact on designated sites and ancient woodland from ammonia emissions, consistent with MD12 and the NPPF.

14. No construction work shall take place other than between 7.30am and 6.30pm Monday to Friday, and between 8am and 1pm on Saturday. No construction work shall take place on Sundays or Bank Holidays.

Reason: To prevent unacceptable disturbance to local residents and land users.

15. No HGV movements associated with the proposed installation shall take place between the hours of 23:00 - 07:00 hours on any day.

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

16. Manure arising from the poultry building hereby permitted shall be taken off site to an anaerobic digester or other suitable disposal or management facility. Manure shall not be exported from the site unless in covered vehicles.

Reason: To minimise adverse impacts on residential amenity and avoid pollution to groundwater.

Informatives

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38.

2. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from www.planningportal.gov.uk or from the Local Planning Authority. The fee required is £116 per request, and £34 for existing residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

3. Mud on highway

The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

No drainage to discharge to highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or

effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Extraordinary maintenance

The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

4. Nesting birds informative

The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, contains eggs or chicks, or on which fledged chicks are still dependent.

It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences.

All vegetation clearance, tree removal and/or scrub removal should be carried out outside of the bird nesting season which runs from March to August inclusive.

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. No clearance works can take place with 5m of an active nest.

If during construction birds gain access to any of the buildings and begin nesting, work must cease until the young birds have fledged.

General site informative for wildlife protection

Widespread reptiles (adder, slow worm, common lizard and grass snake) are protected under the Wildlife and Countryside Act 1981 (as amended) from killing, injury and trade. Widespread amphibians (common toad, common frog, smooth newt and palmate newt) are protected from trade. The European hedgehog is a Species of Principal Importance under section 41 of the Natural Environment and Rural Communities Act 2006. Reasonable precautions should be taken during works to ensure that these species are not harmed.

The following procedures should be adopted to reduce the chance of killing or injuring small animals, including reptiles, amphibians and hedgehogs.

If piles of rubble, logs, bricks, other loose materials or other potential refuges are to be disturbed, this should be done by hand and carried out during the active season (March to October) when the weather is warm.

Areas of long and overgrown vegetation should be removed in stages. Vegetation should first be strimmed to a height of approximately 15cm and then left for 24 hours to allow any animals to move away from the area. Arisings should then be removed from the site or placed in habitat piles in suitable locations around the site. The vegetation can then be strimmed down to a height of 5cm and then cut down further or removed as required. Vegetation removal should be

done in one direction, towards remaining vegetated areas (hedgerows etc.) to avoid trapping wildlife.

The grassland should be kept short prior to and during construction to avoid creating attractive habitats for wildlife.

All building materials, rubble, bricks and soil must be stored off the ground, e.g. on pallets, in skips or in other suitable containers, to prevent their use as refuges by wildlife.

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 close-fitting 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.

Any common reptiles or amphibians discovered should be allowed to naturally disperse. Advice should be sought from an appropriately qualified and experienced ecologist if large numbers of common reptiles or amphibians are present.

If a great crested newt is discovered at any stage then all work must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) should be contacted for advice. The Local Planning Authority should also be informed.

5. Drainage advice:

Diverting of the 600mm diameter culverted watercourse requires Ordinary Watercourse Consent from Shropshire Council.

Please visit the link to our webpage which will explain when consent is required for working in a watercourse. Also on these pages are consent guidance notes and an application form.

<https://www.shropshire.gov.uk/drainage-and-flooding/development-responsibility-and-maintenance/new-development-and-watercourse-consenting/ordinary-watercourses-applying-for-consent-for-works/>

Reason: To ensure that it complies with the Land Drainage Act 1991.

6. Fire Service advice:

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" which can be found using the following link:

<http://www.shropshirefire.gov.uk/planning-applications>

Specific consideration should be given to the following:

Enclosed Agricultural Buildings over 280m²

Access for Emergency Fire Service Vehicles

It will be necessary to provide adequate access for emergency fire vehicles. There should be sufficient access for fire service vehicles to within 45 metres of every point on the projected plan area or a percentage of the perimeter, whichever is less onerous. The percentage will be determined by the total floor area of the building. This issue will be dealt with at the Building Regulations stage of the development. However, the Fire Authority advise that early consideration is given to this matter.

'THE BUILDING REGULATIONS, 2000 (2006 EDITION) FIRE SAFETY APPROVED DOCUMENT B5.' provides details of typical fire service appliance specifications.

Water Supplies for Fire fighting - Building Size

It is important to note that the current Building Regulations require an adequate water supply for firefighting. If the building has a compartment of 280m² or more in area and there is no existing fire hydrant within 100 metres, a reasonable water supply must be available. Failure to comply with this requirement may prevent the applicant from obtaining a final certificate.