

## Development Management Report

**Application Number:** 14/00784/EIA

**Parish:** Much Wenlock

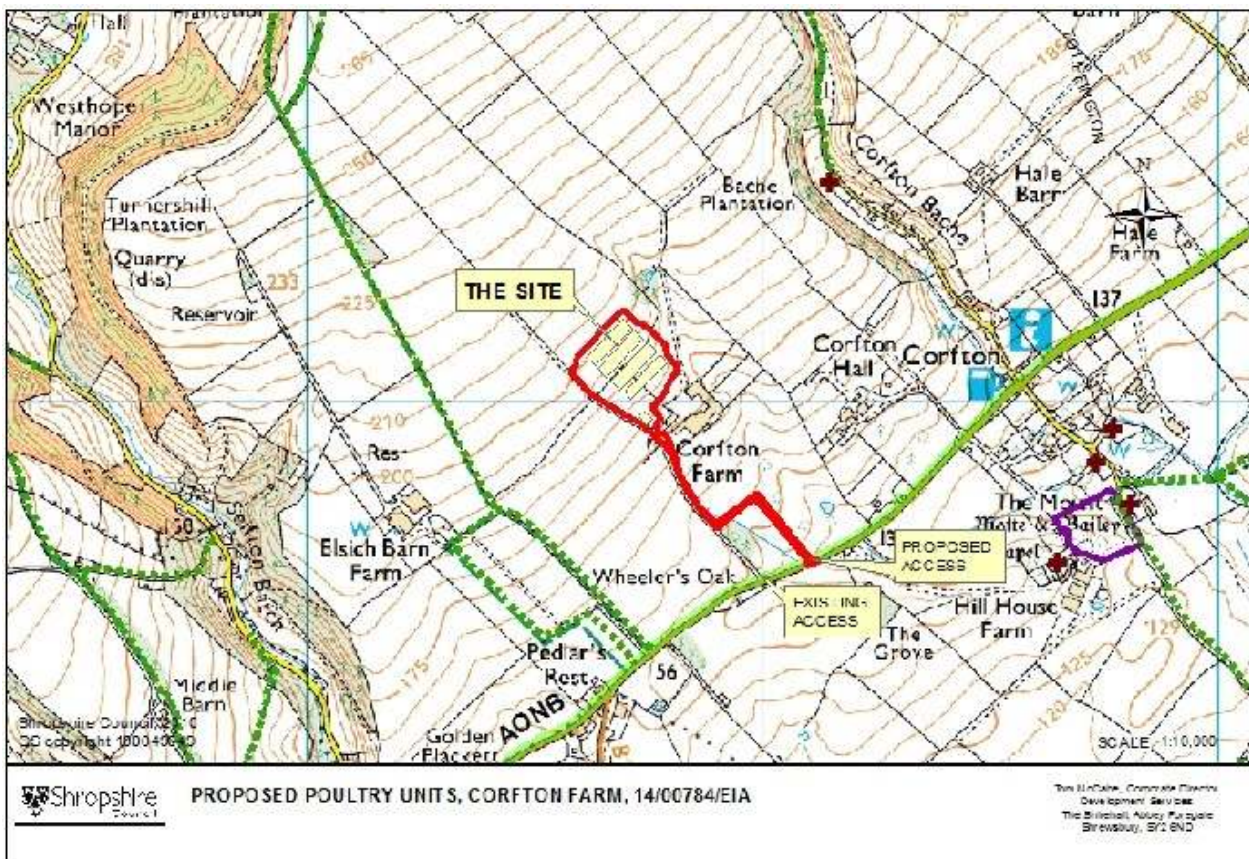
**Proposal:** Construction of four poultry sheds and feed bins, ancillary works, amendments to existing vehicular access, erection of biomass building and associated landscaping

**Site Address:** Corfton Farm, Corfton, Craven Arms, Shropshire, SY7 9DD

**Applicant:** Corfton Farms Ltd

**Case Officer:** Grahame French

**email:** [planningdmc@shropshire.gov.uk](mailto:planningdmc@shropshire.gov.uk)



**Recommendation:- Approve subject to the conditions set out in Appendix 1.**

## REPORT

### 1.0 THE PROPOSAL

- 1.1 The proposal is to build a four-shed poultry unit on land adjacent to the existing farmstead at Corfton Farm, near Craven Arms. The proposed poultry sheds would accommodate approximately 185,000 birds (combined). The chickens would be grown in 36-day crop cycles per year with a around a 10 day clean out and turn around period per crop.
- 1.2 The sheds would measure 109.73m by 24.38m and The heights of each shed would measure 2.6 metres at the eaves, and 6 metres to the ridge vents. In addition to the four poultry sheds there will be 5 feed bins located in a group between the buildings at the yard end. They will have a maximum height of 6.6 metres. It is also proposed that 4 x 199kWh biomass boilers be constructed in order to reduce the carbon footprint of the proposed development. The feed bins would rise up slightly higher between the buildings. The biomass boiler housing would be located to the south-east of the proposed poultry sheds.
- 1.3 The biomass boilers would be housed in a building to the south east of the poultry sheds. The housing will be split into two sections: one section storing the biomass and biomass hoppers, and the other side housing biomass boilers and associated flues. The buildings would be located on two level platforms excavated into the hillside above the existing farm buildings. The northern 2 buildings would be approximately 3m above the level of the southern two. The levelling of the sites will result in three of the proposed sheds being set well below the existing ground level.
- 1.4 The proposed poultry sheds are to be of standard construction, comprising portal frames with profile sheet cladding finished in a BS12B29 Juniper Green colour to facilitate integration with existing agricultural structures. The appearance of the sheds will represent an extension of the existing agricultural development and accordingly appropriate in the rural landscape. The proposed biomass boiler housing will also be finished in matching external facing materials to the poultry sheds and coloured a BS12B29 Juniper Green.
- 1.5 Excavated earth from levelling the site would be used to construct an earth bund along the north western and south western boundaries, screening the site from identified viewpoints. A hedgerow crossing the site is to be removed, the impact of which will be offset by additional native species hedgerow planting along the earth bund, which will further aid integration of the site with the surrounding landscape. The existing hedgerow along the north eastern boundary is to be retained. As such, the site will be fully enclosed.
- 1.6 Access to the site is currently gained through the farm yard which is served by a private drive adjoining the B4368 approximately 250 metres to the south east of the site. It is proposed that part of the existing access track be closed off, and a new access installed in order to improve visibility onto the highway. A passing point will

be installed where the new access track meets the existing, as shown on the accompany plans. In accordance with the relevant guidance, visibility splays will be improved. The proposals involve replacing the existing junction on the B4368 Corvedale Road (an accident blackspot) with a new access 50m east on a stretch with improved visibility & alignment. There would be 7.5 crop cycles per year and approximately 4 days of peak activity per crop cycle, including 2 days with 17 movements and 2 with 20 movements,

- 1.7 The proposed poultry farm would require an environmental permit from the Environment Agency to operate. This provides a system for regulating poultry operators based on the general principle that operators should take all appropriate preventative measures against pollution, in particular through the application of Best Available Technique (BAT) enabling improvements in environmental performance.
- 1.8 The proposed development would accommodate in excess of 85,000 broiler chickens so falls within schedule 1 of the Environmental Impact Assessment Regulations. Accordingly, the application is accompanied by an EIA.

## **2.0 SITE LOCATION / DESCRIPTION**

- 2.1 The site (3.42 hectares) currently comprises an area of grassland to the immediate northwest of the existing farm buildings at Corfton Farm approximately 6 kilometres to the north-east of Craven Arms. Access is gained off the B4368 Craven Arms to Bridgnorth road via a private drive to the immediate north of the existing farm buildings. The site is located just within the Shropshire Hills Area of Outstanding Natural Beauty (AONB). The existing structures comprise a range of mostly modern livestock and storage buildings and silos, with an additional farmhouse and farm cottage making up the main farmstead.
- 2.2 The site is located away from rural settlements to the south west and is screened by the natural topography of the intervening land and the existing farmstead. The site is currently part of a large farming enterprise of approximately 1200 acres. The farm is mainly arable used for potatoes, with some beef cattle. The nature of the cropping will dictate the use of the existing access. This will be higher when undertaking field work and planting and when harvesting.
- 2.3 The applicant owns Corfton Farm which extends to around 1200 acres (485 hectares). Of this total 350 acres is owned and the remainder is rented under tenancy agreements for growing potatoes. The main farming enterprises are arable cropping including potatoes and bull beef.

## **3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

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

## **4.0 COMMUNITY REPRESENTATIONS**

- 4.1 Diddlebury Parish Council: The Parish Council does not object to this application, but request that maximum consideration is given to reducing any adverse environmental and social impact upon the people of the parish.

- 4.2 Natural England: No objection subject to the following comments:
- i. Sites of Special Scientific Interest (SSSI): No objection – no conditions requested. This application is in close proximity to Princes Rough SSSI and Wolverton Wood and Alcaston Coppice SSSI. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which these sites have been notified. We therefore advise your authority that these SSSIs do not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.
  - ii. AONB: No Natural England Comment – Advise consultation with AONB partnership. Having reviewed the application Natural England does not wish to comment on this development proposal. The development however, relates to the Shropshire Hills AONB. We therefore advise you to seek the advice of the AONB Partnership. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the AONB designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan.
  - iii. Other advice: We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:
    - local sites (biodiversity and geodiversity)
    - local landscape character
    - local or national biodiversity priority habitats and species.Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies, which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society. A more comprehensive list of local groups can be found at Wildlife and Countryside link.
  - iv. Protected Species: We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.
  - v. Biodiversity enhancements: This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of

roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

4.3i. Environment Agency (07/05/14): Initial holding objection. We are currently still reviewing the Odour Impact Assessment as part of our consideration of the Environmental Permit (EP) and would recommend you defer your decision making until the results of this review are available (which is likely to be within the next few weeks). In the absence of this we are unable to fully comment on the potential odour impacts but would offer the following comments on other areas within our remit at this time. For completeness, we provided your Council with an Environmental Impact Assessment (EIA) Scoping Opinion on 11 November 2013 (our letter reference SV/2013/107373/01-L01) for four poultry units, housing a total of 185,000 birds (broilers).

ii. Environmental Permitting Regulations: Intensive pig and poultry sites are regulated by us under the Environmental Permitting (England and Wales) Regulations (EPR) 2010. Farms that exceed capacity thresholds >40,000 birds require an EP to operate. We can confirm that the applicant has submitted an application for an EP which is currently being decided by us (twin-tracked); application reference EA/EPR/SP3833EM/A001. Under the EPR the EP and any future variations, covers the following key areas of potential harm:

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

All of the above are permitted within the requirements of Best Available Techniques.

iii. Paragraph 122 of the National Planning Policy Framework (NPPF) states "...local planning authorities should focus on whether the development itself is an acceptable use of land, and the impact of the use, rather than the control of the processes or emissions themselves where these are subject to approval under pollution control regimes." To clarify, we would not seek to 'control' the proposals through planning, those matters that may be controlled through the permit. But, you should seek adequate 'assessment' of material planning issues (odour, noise, etc.) when considering the impact of the use at the proposed location. This is to ensure, as the NPPF states that the location/land use is appropriate and acceptable. To assist the planning decision, the "effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or

proposed development to adverse effects from pollution, should be taken into account". The EIA should of course assess the potential likely impacts and identify mitigation measures to avoid (our preference), remedy or reduce such impacts.

- iv. Ammonia Emissions: The emissions from poultry can potentially impact on nearby nature conservation sites, directly damage vegetation and can wider affect eutrophication and acidification of sensitive habitats. We completed an initial ammonia screening assessment on 14 February 2014 to identify whether the applicant would be required to submit a detailed modelling assessment. The first stage of the screening assessment seeks to identify if there are any European sites (Special Areas of Conservation, Special Protection Areas and Ramsar sites) within 10km, Sites of Special Scientific Interest (SSSI) with 5km and other conservation sites within 2km. Based on the information submitted as part of the screening assessment (including a total of 200,000 bird (broiler) places), it has been concluded that detailed ammonia modelling will not be required. We would therefore not require an appropriate assessment as part of our Habitats Regulations Assessment (HRA). In the context of both of our organisations role as 'competent authority' under the terms of the Conservation of Habitats and Species Regulations (2010), we trust that the above gives you sufficient reassurances in coming to a decision under your role as 'competent authority' in the planning process.

- v. Odour: Our guidance (Intensive farming 'How to comply' versions 1 and 2, Odour management at intensive livestock installations) states that odour must be considered where:

- there are 'sensitive receptors' located within 400m of the installation; and/or
- the installation (if existing) has a history of substantiated odour related complaints within the last three years.

Our 'regulatory interim position statement' defines a sensitive receptor for intensive poultry. This excludes the operator's house (including family), any property in the applicants ownership (tenants); and or an employee's house (directly associated agricultural workers dwelling) as a sensitive receptor. However, whilst we would not consider these receptors as part of our review of the Permit and similarly would not require assessment of, or comment on them, as part of our review of the planning application; you may wish to require assessment of these receptors as part of your planning application/EIA decision making process. Section 1.2 of the ES does confirm that Highfields is an agricultural dwelling resided in by a farm worker and Corfton Farm is occupied by the Povall Family. It is unclear within the ES whether Corfton Farm Cottage is a sensitive receptor, or excluded given the above. Upon confirmation that these three properties are not considered sensitive receptors then there should be acceptance from the applicant there may be significant odour impacts at these locations, but the likelihood of complaints is considered low. However, this has the potential to create issues in the future should the properties change ownership to third parties for example. As part of our regulatory regime, this could mean that additional odour mitigation would be required (within an Odour Management Plan) or as a worst case scenario, the revocation of the EP.

- vi. Notwithstanding the above, the applicant has included the Odour Impact Assessment (OIA) Report (dated February 2014, Ref: 402-04826-00001). This covers the three 'sensitive receptors' within 400m of the installation site boundary (including Corfton View, Corfton Hall and Coach House at approximately 350m distant based on the OIA). On the basis that the applicant has twin-tracked the EP application with the planning application, we are currently reviewing the odour assessment as part of our



consideration of the EP and we would recommend you defer your decision making until the results of this review are available (which is likely to be within the next few weeks). In the absence of this we are unable to fully comment on the potential odour impacts at this time.

- vii. Noise: Chapter 12 of the ES identifies the issue of noise. Our permit guidance (Intensive farming 'How to comply' version 2) advises that noise should be considered where there are sensitive receptors (as similar to the above) located within 400m of the proposed installation. The ES is informed by a Noise Assessment (Ref: 402.04826.00001, dated February 2014). We note that background noise data is based on a relatively short period of monitoring, which may not adequately characterise noise in the local area. We also suggest, based on experience, that the background noise levels appear low. We appreciate that the majority of the noise levels are considered below the threshold requirements of BS4142 and therefore does not strictly apply. Historically this threshold was introduced since previous noise measuring devices were not deemed accurate enough at such low levels and to protect industry from overly onerous noise limits. However, the BS4142 methodology could still be viewed as being a reasonable approach to determine the likelihood of complaints. In practice if noise levels significantly exceed the background levels then complaints are likely and further noise controls should be applied. For information: the permit will only control sources of noise from within the permit 'installation boundary'. This would not normally include lorry movements or operational hours. Your Public Protection team should also be consulted in relation to statutory nuisance, and so that all the relevant key issues are 'joined up', to ensure the pollution control regimes are complimentary etc.
- viii. Biomass Boilers: Under the Environmental Permitting (England and Wales) Regulations (EPR) 2010, we regulate Part A (1) activities and installations as defined by Schedule 1. The relevant part of Schedule 1 is: Section 1.1 Combustion Activities: burning any fuel in an appliance with a rated thermal input of 50MW or more and burning any fuel manufactured from, or comprising, waste in an appliance with a rated thermal input of 3MW or more but less than 50 MW. An Environmental Permit is required for such activities. For proposals where the thermal input is less than 3MW for the burning of waste wood then this aspect would normally (providing certain requirements are met) fall below the threshold for burning waste, under EPR. However, in this instance, due to the EP requirements for the proposed poultry units the proposed biomass boilers would be regulated under the future EP as a source of emission. Based on the information provided we note that 4no. 199kW biomass boilers are proposed. Based on the capacity of the biomass boilers and the proximity of the site to designated sites, we will not require a quantitative assessment of air emissions in this instance. In the context of both of our organisations role as 'competent authority' under the terms of the Conservation of Habitats and Species Regulations (2010), we trust that the above gives you sufficient reassurances in coming to a decision under your role as 'competent authority' in the planning process.
- ix. Manure Management (storage/spreading): Under the EPR the applicant will be required to submit a Manure Management Plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, so long as this is done so within the applicants land ownership. It is used to reduce the risk of the manure leaching or washing into groundwater or surface water. The permitted farm would be required to analyse the manure twice a year and the field soil (once every five years) to ensure that the amount of manure which will be applied does not exceed the specific

crop requirements i.e. as an operational consideration. Any Plan submitted would be required to accord with the Code of Good Agricultural Policy (COGAP) and the Nitrate Vulnerable Zones (NVZ)

Action Programme where applicable: The manure/litter is classed as a by-product of the poultry farm and is a valuable crop fertiliser on arable fields. Separate to the above EP consideration, we also regulate the application of organic manures and fertilisers to fields under the Nitrate Pollution Prevention Regulations. We can confirm that Corfton Farm (as shown on the site plan submitted) is located within a NVZ.

- x. Dust / Flies: Whilst intensive poultry farms produce dust, past experience has shown that the majority of it is deposited on the farm itself. Therefore provided that the farm is operated to the BAT then we would not anticipate it causing a nuisance to residents living nearby. We note that the ES refers to the use of dust baffles as an appropriate mitigation measure. Based on past experience, flies are generally not considered a problem on broiler sites which operate to BAT standards. An assessment of this will be undertaken by us within the EP variation application, including any necessary controls (mitigation).
- xi. Water Management: The Water Framework Directive (WFD) waterbody in closest proximity to the proposed development site is the River Corve – confluence of unnamed tributary to the confluence of the Seifton Brook (Waterbody Reference GB109054044050), which is classified as 'poor' waterbody. Any development should not cause any deterioration in water quality or hamper efforts to improve waterbody status to 'good' by 2027. Clean Surface water can be collected for re-use, disposed of via soakaway or discharged directly to controlled waters. Dirty Water e.g. derived from shed washings, is normally collected in dirty water tanks via impermeable surfaces. Any tanks proposed should comply with the Water Resources (control of pollution, silage, slurry and agricultural fuel oil) Regulations 2010 (SSAFO). Yard areas and drainage channels around sheds are normally concreted. The 'Site Layout' Plan submitted (Drawing ref. CF-DL-100, dated February 2014) illustrates that clean surface water, from roofs and yard areas will drain to an attenuation pond (discussed further below). The concrete apron fronting the units will drain via a diverter valve to a dirty water tank, including water derived from clean out. Shed roofs that have roof ventilation extraction fans present, may result in the build-up of dust which is washed off from rainfall, forming lightly contaminated water. The EP will normally require the treatment of roof water, via swales or created wetland from units with roof mounted ventilation, to minimise risk of pollution and enhance water quality.
- xii. Flood Risk: Based on our 'indicative' Flood Map for Planning (Rivers and Sea) the site falls within Flood Zone 1 ('low risk' from fluvial flooding). Given the low risk of fluvial flooding to the site, and the scale and nature of the proposed development, we would expect your Council's Flood and Water Management Team, as the Lead Local Flood Authority (LLFA), to lead on and approve the detailed surface water (quantity) drainage design. On the basis that the application is EIA, we have the following strategic comments to offer, in consultation with the LLFA. The increase in hard standing area could result in an increase in surface water run-off. The 'Site Layout' Plan submitted (Drawing ref. CF-DL-100, dated February 2014) illustrates that surface water will be discharged to an attenuation pond. The surface water drainage scheme has been based on a 1 in 100 year event plus 20% for climate change and discharge will remain at a Greenfield runoff rate of 17.2l/s, the Flood Risk and Drainage Assessment refers (dated February 2014). We note the FRA makes reference to a low probability of



groundwater flooding; we would leave the detail of this for consideration by the LLFA. For further information please refer to our LPA Process Note 'Operational Development (+1ha) within Flood Zone 1' (enclosed).

- xiii. 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. The construction phase in particular has the potential to cause pollution. Site operators should ensure that measures are in place so that there is no possibility of contaminated water entering and polluting surface or ground waters. No building material or rubbish must find its way into the watercourse. No rainwater contaminated with silt/soil from disturbed ground during construction should drain to the surface water sewer or watercourse without sufficient settlement. Any fuels and/or chemicals used on site should be stored on hardstanding in bunded tanks.
  - xiv. Summary: At this time we are unable to comment on whether the EIA is considered robust at this time to inform the prediction of likely impacts and possible mitigation measures. Once we have reviewed the odour impact assessment internally we will be able to comment further on the proposed development. In the meantime, if your Council is minded to approve the application we would request that you inform us of this with your reasons why so that we can make further comments.
- 4.4i. Environment Agency (07/05/14): Objection withdrawn. On the basis that the Applicant has twin-tracked the Environmental Permit (EP) application with the planning application, our Air Quality Modelling and Assessment Unit (AQMAU) have reviewed the Odour Impact Assessment (OIA) Report submitted (dated February 2014, Ref: 402-04826-00001) as part of our consideration of the EP. Based on the findings of our review we do not object to the proposed development and it is likely that we would be in a position to grant an EP, without prejudice, based on the information provided. We now note Section 10.2 of the Environmental Statement (ES) confirms that the three properties located on Corfton Farm (including Highfields, Corfton Farm and Corfton Farm Cottage) are within the ownership of the applicant (operator) and would therefore be excluded from being considered as a sensitive receptor (as defined within our previous response).
- ii. As previously outlined, whilst we would not consider these three receptors as part of our review of the Permit and similarly would not require assessment of, or comment on them, as part of our review of the planning application; you may wish to require assessment of these receptors as part of your planning application/EIA decision making process. There should be acceptance from the applicant there may be significant odour impacts at these locations, but the likelihood of complaints is considered low. However, this has the potential to create issues in the future should the properties change ownership to a third party for example. As part of our regulatory regime, this could mean that additional odour mitigation would be required (within an Odour Management Plan (OMP)) or as a worst case scenario, the revocation of the EP. Notwithstanding the above, the applicant has included an OIA which has assessed 27no. 'sensitive receptors' surrounding the site, including three within 400m of the installation site boundary (including Corfton View, Corfton Hall and Coach House at approximately 350m distant based on the OIA). Modelled emission rates for the crop cycle and clean out have been used to inform the OIA.

- iii. The Report has assessed the 98<sup>th</sup> percentile of hourly average odour concentrations at sensitive receptors against a moderately offensive odour benchmark value of 3OUE/m<sup>3</sup>, in accordance with our published regulatory guidance on odour (H4: Odour management). We note the highest impacts were predicted at 3no. receptors DR18, DR19 and DR20, as illustrated in the Receptor Locations Plan (AQ2) (dated January 2014); with an average odour concentration of approximately 3.1 OUE/m<sup>3</sup>. The Report concludes “the predicted impact from the facility is less than 3 OUE/m<sup>3</sup> at the majority of modelled receptor locations. Occasional odour will be perceived at a number of these locations however this will not be at a level which would be problematic.” We note that the Report goes on to say “If additional measures are taken to mitigate this odour, particularly during cleaning and removal of litter, it is possible that this would be reduced to a level below the impact criteria applied.” We note that the Report has not shown evidence to justify this statement.
- iv. As part of our review of the EP we have also carried out check modelling (model reruns). Based on the worst case time varying emissions, using maximum emission factors from Hayes et al for 185,000 birds, our checks indicate impacts at receptors could be potentially lower than those predicted in the OIA. Taking modelling uncertainties into account, whilst we do not completely agree with the absolute numerical predictions used to inform the OIA in this instance, we do agree with the Report’s conclusion that predicted impacts at the majority of receptors is likely to be less than 3OUE/m<sup>3</sup> based on 98<sup>th</sup> percentile of hourly average odour concentrations (minimum guideline standard). As you are aware, whilst relevant, the ‘H4’ guidance is more applicable for activities which emit ‘consistent’ odour emissions around a given level. By their very nature poultry units odour emissions fluctuate according to the stage within the flock cycle. In this case the impact of short period intense odour may not be illustrated using our ‘H4’ guidance (As discussed within Section 14.2 of the ES). Increasing the modelling to 99.5 or 99.8<sup>th</sup> percentile could incorporate the shorter periods of intense odour which may otherwise be screened out using the standard approach.
- v. Any further modelling would require different thresholds for acceptability. It should be noted that the EP would not normally require assessment beyond the 98<sup>th</sup> percentile of emissions, unless there is a valid reason to do so. However, the submission of the above would of course help ensure a robust EIA and provide greater reassurances to your council and any third parties. We would advise that the EIA includes appropriate control measures which could be used to reduce the likelihood of odour annoyance during the operations. These could be secured in a detailed OMP. It should be noted the operator will be required to have an OMP, controlled as part of the EP, to reduce odour emissions from the site. However, this still may not necessarily prevent all odours at levels likely to cause annoyance; and the OMP requirement is often a reactive measure where substantiated complaints are encountered. The OMP can reduce the likelihood of odour pollution but is unlikely to prevent odour pollution when residents are in proximity to the units and there is a reliance on air dispersion to dilute odour to an acceptable level.
- 4.5i. AONB Partnership: Objection. It is apparent that the tests required in national policy protecting the AONB have not been taken account of at all, and we consider the Landscape and Visual Impact Assessment is flawed, seeking at every opportunity to downplay the AONB and the impact of the proposed development. It is not the case

that being near the boundary of the AONB in any way weakens the protection of the designation, as implied in the LVIA. Neither does the existence of other modern agricultural buildings in this part of the AONB mean that the change from this development would be not significant. Such an argument would allow progressive destruction of the AONB landscape where one poor development justifies the next, and this bears no relation to national and local policy on AONBs. The reality is in fact quite the contrary, in that each development of large agricultural buildings contributes to a creeping industrialisation of the landscape, which in fact makes this part of the AONB highly sensitive to change resulting from further large buildings. The Stretton Valley, Wenlock Edge and Dales section of the AONB Management Plan 2014-19 (as recently approved by Shropshire Council) highlights this very issue: "Development pressures are the highest here of any part of the AONB... More intensive methods, alternative crops and large agricultural buildings therefore have particular potential to cause harm to the landscape quality of the area." The LVIA should classify the Landscape Value as 'high' on account of the AONB designation, and the greater than doubling of the built footprint of this farm can only be described as a 'substantial' or at least a 'moderate' magnitude of change. The impact overall is therefore without doubt 'significant', and the mitigation measures proposed, while lessening the impact, do not make it acceptable.

- ii. The National Planning Policy Framework is quite clear that general policies within the Framework supporting particular types of development activity do not over-ride the location-specific policies protecting AONBs. Indeed the very first policy paragraph within NPPF, Para 14 on the 'golden thread' of sustainable development, highlights through footnote 9 AONBs as an exception to a presumption in favour of development, as one of a few types of special area where "specific policies in this Framework indicate development should be restricted." The specific policy in Para 115 of the Framework states: 115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads. The buildings alone in this application would cover greater than a hectare and the development site covers approximately twice this area. This is therefore unequivocally a 'major development' under the definition of the Town and Country Planning (Development Management Procedure) (England) Order 2010, and so para 116 of NPPF also applies: 116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the
- need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and
- the extent to which that could be moderated (emphasis added)

This national policy therefore requires that the application must be refused unless exceptional circumstances and public interest can be proven, which they have not been. The Planning Statement supporting the application is fundamentally flawed by

not acknowledging the applicability of NPPF para 116 and addressing the tests within it.

- iii. Shropshire Council Core Strategy and SAMDev policies also indicate the great weight which should be applied to the AONB designation and indicate that this application should be refused: Explanation to Policy CS5 Countryside and Green Belt, para 4.72 (extract) “whilst this policy seeks to facilitate a wide range of beneficial rural development, the operation of this policy, in conjunction with Policy CS6 and more detailed policies in the SAMDev DPD, recognises the need to consider the scale and design of proposals, where development is most appropriately sited, environmental and other impacts. There will be a significant emphasis on achieving quality and sustainability of design, particularly locally appropriate design and use of materials. Thus, proposals which would result in isolated, sporadic, out of scale, badly designed or otherwise unacceptable development, or which may either individually or cumulatively erode the character of the countryside, will not be acceptable. Whilst these considerations will apply generally, there will be areas where development will need to pay particular regard to landscape character, biodiversity or other environmental considerations including in the Shropshire Hills Area of Outstanding Natural Beauty.”

Policy MD2 Sustainable Design, Explanation (extract) For development affecting the Shropshire Hills AONB, particular regard should be paid to the Shropshire Hills AONB Management Plan and supplementary guidance.

Policy MD7 – General Management of Development in the Countryside (explanation, para 4.66). The changing needs and effects of agricultural and other related enterprises in the countryside are a particular local issue, in particular the impacts of large scale agricultural buildings. General sustainable design criteria and development management considerations are as relevant to this type of development as other proposals in the countryside and the Plan seeks to balance the needs of the countryside as a working environment with its role as a place to live and enjoy. The policy defines the primary considerations that will be taken into account in considering agricultural development proposals which require planning consent. Additional criteria set out in other relevant policy such as MD2 Sustainable Design and MD12 Natural Environment which, for example, highlights special requirements in the Shropshire Hills AONB, which would also need to be taken into account in considering applications. It should be noted that where appropriate, planning conditions will be attached to a permission to control the quality of the development and to ensure the scheme incorporates appropriate agreed mitigation measures such as coloured external cladding, landscaping and waste management; (emphasis added) Policy MD12 Natural Environment (Explanation) 4.113 Policy MD12 sets out in detail the level of protection offered to Shropshire’s natural assets. Natural assets include: biodiversity and geological features; trees, woodlands and hedges in both rural and urban settings; the ways in which the above combine and connect to create locally distinctive and valued landscapes, including the Shropshire Hills Area of Outstanding Natural Beauty and the contribution all of the above make to visual amenity; 4.114 Such assets provide ecosystem services including; flood relief; soil retention; climate change mitigation and adaptation; carbon sequestration; interception of airborne pollutants; water filtration; amenity value; health and well-being benefits and opportunities for tourism and recreational activities. These services are essential to a thriving economy; 4.115 Internationally and nationally important sites of wildlife conservation and geological interest as well as legally protected habitats and species will be afforded the highest level of protection in line with the relevant legislation and policy. Great weight will also

be given to conserving and enhancing the natural beauty of the Shropshire Hills AONB, having regard to the AONB Management Plan. Development proposals affecting or involving the following will be assessed in accordance with the relevant legislation and national policy; European and nationally designated wildlife sites (Special Protection Areas (SPA), Special Areas of Conservation (SAC), Ramsar and Sites of Special Scientific Interest (SSSIs) and all candidate designations; Major developments in Areas of Outstanding Natural Beauty; Ancient woodland, other irreplaceable habitats and aged or veteran trees; Pollution – including noise, water, air and light pollution Further details are given in the Natural Environment SPD; (emphasis added)

- iv. The following policies of the Shropshire Hills AONB Management Plan 2014-19 also indicate that this application be refused:

Valuing the AONB in Planning and Decisions - Protection of the AONB. In line with national and local authority planning policies, the AONB has the highest standards of protection for landscape and natural beauty and the purposes of designation should be given great weight in planning decisions, also taking into account the statutory AONB Management Plan.

Encouraging a Sustainable Land Management Economy - Agricultural development. Farm enterprises need to be in harmony with the environment and not degrade this resource, which also provides an important economic asset for the future.

Design of new agricultural buildings including location, structure and materials should be of a high standard appropriate to the AONB, taking account of the published AONB agricultural buildings design guidance.

We note further with disappointment that the Council's scoping opinion for the EIA does not mention the need to consider the AONB designation within 'description of the aspects of the environment likely to be affected by the development', but only in connection with our comments as a consultee. We would observe that it is the planning authority that holds the statutory obligation to have regard to the purposes of the AONB and this should not be dependent on the AONB Partnership's comments as only a non-statutory consultee. The undervaluing of the AONB in this scoping opinion is not at all consistent with national policy in NPPF and the Council's own policies as quoted above, and unfortunately paves the way for the developers' own documentation also systematically to underplay the impact of the development on the AONB.

- 4.6 English Heritage: The development is in the setting of the Mount motte and bailey castle (UID 1012856) and would introduce an industrial element into the setting. The advice of the Local Planning Authority's archaeological adviser should be sought and complied with in regard to non-designated archaeological remains. The Authority's Conservation Officer should agree all materials, finishes and landscaping, with an aim of reducing the impact of the scale and massing of the development by use of visually recessive materials and landscape screening. We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again.

- 4.7 SC Trees: No objection. There are no tree preservation orders or conservation area tree related constraints at the site. The proposals indicate the removal of approximately 260m of existing hedgerow, this to be compensated for by establishing new native hedgerow and bund / plantation around the site boundaries. At this stage the detail is sufficient but any full application would require details of planting mixtures, planting density, after care and measures for replacement of losses. The native

species hedgerow would benefit from a mix that includes a minimum of seven native woody species in every 30m length.

- 4.8i SC Archaeology: No objection. The development proposal involves land to the north-west and south-east of Corfton Farm on which or immediately adjacent to, there are a number of non-designated heritage assets including Corfton Hall Park (HER PRN 21724), Enclosure c250m south of Corfton Farm (HER PRN 04894), Enclosure c340m south of Corfton Farm (HER PRN 04186) and Greensforge (Staffs) to Central Wales Roman Road (HER PRN 04076). Additionally there are a number of designated and non-designated heritage assets in the wider setting of the proposed development including the scheduled monument of The Mount motte and bailey castle, 120m north-east of Hill House Farm, Corfton (National Ref: 1012856). The National Planning Policy Framework (NPPF) Section 128 states: In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance. A recommendation for a Heritage Assessment, to include an Archaeological Desk Based Assessment and walkover survey, of the proposed development was given to the request for a screening opinion 13/04153/SCO. In support of this application a Heritage Impact Assessment (Mercian Heritage Series 693 January 2014) has been submitted under Environmental Impact Assessment Appendix 6 Historical Impact Assessment. The results from this are summarised in Chapter 8 of the Environmental Statement also submitted in support of the application.
- ii. In terms of setting and the impact on the significance of designated and non-designated heritage assets the assessment concludes that the proposed development will have no or minimal impact on the six listed buildings and other non-listed buildings within 1.25km of the development and minimal impact on the scheduled monument of Corfton Castle. It also concludes that there will be little significant impact on the setting or character of the AONB. Shropshire Councils conservation officer, English Heritage and the ANOB may wish to offer comment on these conclusions. In Section 6.5 the report assesses the impact of the development on Archaeology noting that there are very few significant entries in the Shropshire HER for the Corfton assessment area (defined as over 1km from the study area i.e. the development boundary Section 8.3 p52 of the Environmental Statement). Three sites are commented on, a Neolithic polished stone axe (HER PRN 02733), a rectilinear crop-mark (HER PRN 04894) and residual ridge and furrow (HER PRN 20934). A second crop-mark site Enclosure c340m south of Corfton Farm (HER PRN 04186) located within 40m of crop-mark 04894 is not mentioned in the report. An examination of the associated aerial photography (held at Shropshire Council HER) for the two enclosures has shown that 04894 extends into the field in which the proposed new access track will be located and that the track will impinge on the enclosure or be very close to it. Additionally the aerial photography seems to indicate the possible presence of other features that may be associated with the known crop-mark sites. The Heritage Assessment recommends that an appropriate archaeological watching brief (all initial soil stripping to be undertaken under archaeological supervision) should be undertaken during the necessary ground works. This would be my recommendation for the ground works associated with ground reduction in respect of the poultry sheds and ancillary works, including the attenuation pond. However, in respect of the proposed new access track, the degree of impact on and the extent of the known archaeological heritage assets remains undetermined. Consideration of relocating the access track or adopting a no-

dig construction approach may obviate the need for archaeological mitigation but this would need to be assessed in light of any proposals and the possibility of unknown archaeological remains.

- iii. In view of the above and in accordance with the National Planning Policy Framework (NPPF) Section 128, I recommend that a geophysical survey of the proposed new access track site be undertaken prior to the planning application being determined. The geophysical survey may conclude that further evaluation may be necessary to assess the extent, survival and significance of any archaeological remains. This in turn would enable an informed planning decision to be made regarding the archaeological implications of the proposed development and any appropriate archaeological action or mitigation.
- 4.9i. SC Highways: Verbal comments - no objection. The submitted Highways Statement makes reference to the relocation of the existing access to the site; Shropshire Council as Highway Authority would support the application to relocate the existing access in the interest of Highway safety and reasons outlined within the Highways Statement. The submitted Site Access Plan – Drawing No.CF-SP-101 indicates that the visibility splays at the proposed access to the site will be 2.4 metres by 175 metres (west) and 2.4 metres by 215 metres (east). These dimensions exceed the minimum visibility requires as outlined within Manual for Streets 2, however in order to maximise highway safety at this location It is recommended that they should be provided and kept clear in perpetuity. It is noted that in order to provide the above mentioned visibility splay sections of the embankment will need to be excavated. Details of the removal of any embankment/shrubbery should be submitted to the local planning authority prior to the commencement of operations. In the interest of highway safety prior to commencement of any construction works, the proposed access and associated visibility splays outlined on Drawing No. CF-SP-101. should be constructed base course level. The closure of the existing access to Corfton Farm may create driver confusion, therefore it is recommended that vehicle movements within the vicinity of the new access should be monitored and a suitable traffic sign provided notifying driver that the road layout ahead has changed. Details of any signing can be agreed with the applicant prior to the construction of the new access.
- ii. Impact on Highway Network: The submitted Highways Statement makes reference to the existing road network within the vicinity of the site. The proposed access is via an unadopted track with passing places, with direct access on to B4368, which is a Class II road. As per the submitted Highway statement suggests it is considered that the B4368 already accommodates a number of vehicle movements and that the increase in vehicle movements generated by the proposed development will not have a significant impact on the highway network. It is considered that there are no Highway grounds for refusing this application subject to conditions forming part of the permission (included in Appendix 1).
- 4.10 S.C.Ecology: No comments received.
- 4.11 S.C.Drainage: No objection. The drainage design for the poultry units is acceptable in principle. The following drainage details, plan and calculations could be conditioned if planning permission is to be granted:  
The access road comprises of a large impermeable area sloping towards the B4368, draining to two gullies which are unlikely to catch all the run-off. Confirmation is



required that the design has fulfilled the requirements of Shropshire Council's Surface Water Management: Interim Guidance for Developers paragraphs 7.10 to 7.12 where exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of any area outside of the development site.

Reason: To ensure that any such flows are managed on site. The discharge of any such flows across the adjacent land would not be permitted and would mean that the surface water drainage system is not being used.

Public representations:

4.12 The application has been advertised in accordance with relevant provisions and the nearest properties have been individually notified. Representations have been received from 2 local residents in response to this publicity:

- i. Linton: Objects on the grounds that it is an inappropriate development within the Shropshire Hills AONB. Paras 115 and 116 of the National Planning Policy Framework give guidance on development within protected landscapes such as National Parks and AONBs:

115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest.

Shropshire Council Core Strategy CS5 clarifies these exceptional circumstances by saying:- development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to agricultural/horticultural/forestry/mineral related development, although proposals for large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts. This proposal for a poultry unit fails to meet these criteria on two counts. Firstly all the raw materials for the operation conducted within the unit are supplied by road and similarly the final product and waste material removed by road. The proposal is therefore not for an agricultural development that requires the surrounding fields and adjacent farm complex for its successful operation but for a stand-alone industrial site which has no relevance to its surroundings.

Secondly the South Shropshire Hills were designated an AONB in recognition of its appealing landscape with wide vistas of varied uplands and to conserve and enhance the natural beauty of that landscape. Corfton Farm sits half way up the hills forming the north west boundary of Corvedale and is clearly visible from the other side of the dale. It is proposed that the unit be screened by planting around its perimeter so that it is hidden from nearby vantage points. However, no matter how much screening is provided, it will not be possible to hide the four long buildings, terraced into the hillside above the farm, which, when viewed across the valley, will appear incongruous in a random patchwork of fields, woods and scattered farm buildings. Such a view would not be in keeping with the recognised beauty of the area. Hence I contend that the proposal is an inappropriate development in the AONB as it is not a true agricultural enterprise dependant upon its locality and will have an adverse effect upon the environment and landscape.

- ii. Holder: We are residents living in Mill Lane, Diddlebury and are very concerned that the proposed gigantic chicken plant should be allowed to go ahead in the Corvedale. The prevailing wind from the West will bring all the noxious smell towards the villages of Corfton and Diddlebury where all the houses are situated in the area. How can the resulting chicken manure be disposed of without taking it through a residential area where a certain amount will land on the road and the smell will be even worse. We believe the plan is to transport this manure to another farm a few miles away. Therefore, we strongly oppose this application.
- iii. Kirk: Objection. The raising of poultry meat in the conditions proposed is a =n abhorrent practice which could not be condoned. A local authority which promotes environmentally friendly enterprises in rural area should encourage the production of 'slow' organic produce which is locally produced and non-intensively farmed. The Shropshire Core Strategy advises that Shropshire will have a diversified economy capitalising on the county's unique landscape and heritage assets .. without damaging their value for residents and visitors. We believe that the proposals would damage the value of Corvedale's landscape and heritage assets, would not enhance the natural and historic environment of the AONB and would be a source of disquiet amongst those opposed to factory farming... It is unclear what kind of employment benefits the proposals would provide, but we believe it will not be appropriate to the role, size and function of the local settlement, or indeed Corvedale as a whole, so no community benefit will be achieved. The proposals is totally inappropriate in its scale and nature with the character and quality of the location. It should be unthinkable that an industrial sized enterprise using intensive production methods should be sited in a sparsely populated section of an AONB (Core Strategy Strategic Objective 3). Despite being presented as a farm diversification scheme the submission fails to demonstrate any need for the proposed development and it is not in character with its present agricultural surroundings... It is clearly isolated, sporadic, out of scale and will blatantly erode the character of the countryside within the AONB. (Core Strategy Policy CS5). Charts are enclosed from MJ Sharp, assessing the environmental impact of poultry farms (Supplementary guidance for IPPC applications 2003). This identifies that intensive poultry farming is likely to have negative effects on the environment. There is absolutely no guarantee that the proposals will not have some negative effects on the environment.. we do not feel that this is a risk worth taking.
- iv. Jones: We feel that the proposal to build four chicken houses at Corfton Farm is totally inappropriate. The scale and nature of the proposal would be more appropriate to an industrial estate and not in the countryside. We are seriously concerned about the impact will have on the countryside. Our main concern is smell and we are extremely concerned about this, especially towards the end of the chickens' growth cycle and when the chicken houses are cleaned out. In this respect we note that there have been problems with similar units in North Shropshire. We are also concerned about the smell generated when the manure is spread on the land, a subject which has been somewhat glossed over in the EIA. We are also concerned about the extra traffic which will be generated. It is noted that the EIA at p61 states that the B4368 'has satisfactory width, good forward visibility and passing areas'. Any report which includes such a statement should not be taken seriously. We are not qualified to comment on the technical aspects of the report but are not at all reassured that the noise impact assessment concedes that extra noise generated is 'unlikely to be marginal' (p96 EIA) in houses to the south east.(why not simply say it will be unacceptable?)

## 5.0 THE MAIN ISSUES

- Policy context and justification for the development;
- Environmental effects of the development (odour, noise, traffic, drainage, pollution, visual impact, heritage and ecology);
- Implications with respect to AONB.

## 6.0 OFFICER APPRAISAL

### Policy context:

- 6.1 National Policy: The National Planning Policy Framework (“NPPF”) advises that the purpose of the planning system is to contribute to achieving sustainable development (para 6) and establishes a presumption in favour of sustainable development (para 14). This means “approving development proposals that accord with the development plan without delay” and supporting sustainable economic growth (para 18). There are three dimensions to sustainable development: an economic role, a social role and an environmental role (para 7). Significant weight should be placed on the need to support economic growth through the planning system (para 19). Paragraph 28 states that “planning policies should support economic growth in rural areas in order to create jobs and prosperity...”.
- 6.2 The applicant states that the proposed development performs an economic role because it involves investment and economic diversification of an existing business which will provide / sustain rural jobs for local people. It is stated that the development performs a social role because the local jobs and investment would in turn promote a strong vibrant community. It is also stated that the development performs an environmental role because it is an environmentally efficient system of farming with associated landscaping to protect the local natural and built environment and biodiversity benefits and will not give rise to any significant environmental or heritage impacts (Section 7). Specifically, the applicant states that there would be net gains in biodiversity from the landscaping proposals (para 118) and that the conclusions of the Environmental Statement are that there would be no significant adverse effects on health and quality of life when available mitigation measures are taken into account.
- 6.3 Core Strategy: Policy CS1 of the Core Strategy sets out in general terms that Shropshire will support investment and new development and that in the rural areas outside of settlements this will primarily be for “economic diversification”. Policy CS5 (Countryside and Green Belt) supports agricultural development, provided the sustainability of rural communities is improved by bringing local economic and community benefits. Proposals should however be “on appropriate sites which maintain and enhance countryside vitality and character” and have “no unacceptable adverse environmental impact”. The policy recognises that “the countryside is a ‘living-working’ environment which requires support to maintain or enhance sustainability”. Paragraph 4.74 states that: “Whilst the Core Strategy aims to provide general support for the land based sector, larger scale agricultural ...related development, including ... poultry units ... can have significant impacts and will not be appropriate in all rural locations.”
- 6.4 The applicant states that the proposals conform with CS1 and CS5 because:
- Its primary purpose is economic diversification;

- It will assist in providing balance to the rural community by encouraging local people to live and work in the community;
- It assists in achieving the aim of local food production and also food traceability and security, reducing the UK's reliance on imported food sources including poultry;
- It will provide local employment and economic benefits;
- It is stated that the Environmental Impact Assessment demonstrates that the proposals have no unacceptable impact on the environment;
- It will enhance the vitality and character of the living working countryside by sustaining the local community and bringing local economic benefits.

6.5 Policy CS6 advocates high standards of design and sustainability. The proposal incorporates sustainable design and operational considerations including:

- Sustainable drainage, water efficiency, renewable energy generation systems, and energy efficiency (appropriate insulation);
- Sustainable construction methods (modern poultry shed design).
- The proposal does not propose significant levels of traffic (there would typically be seven annual peaks in activity lasting 4 days each with quiet periods between and a new improved access is proposed);
- It is stated that the proposal does not adversely affect the natural and built environment and is appropriate in scale, density, pattern and design taking into account the local context and character (a full visual impact appraisal and supplementary information has been submitted in support of this conclusion).

6.7 Policy CS13 states that “Shropshire Council will plan positively to develop and diversify the Shropshire economy, supporting enterprise, and seeking to deliver sustainable economic growth ... In so doing, particular emphasis will be placed on ... supporting the development and growth of Shropshire's key business sectors ... particularly food and drink production ... [and] ... in the rural areas, recognising the continued importance of farming for food production”. The applicant states that the proposal accords with this Policy as it delivers economic growth within the rural economy and the food and drink industry, which is one of Shropshire's key business sectors.

6.8 It is recognised that the proposals would help to deliver economic growth, rural diversification and improved food security. To be sustainable however and therefore to benefit from the presumption in favour set out in the NPPF the proposals must also demonstrate acceptability in relation to environmental considerations and the policies which cover these matters. This includes CS7 (Transport), CS8 (local amenities), CS13 (economic development), CS17 (Environmental Networks) and CS18 (Water Resources). The proposals must also demonstrate acceptability in relation to the exceptional circumstance criteria for major development within the AONB. These issues are considered in succeeding sections:

#### Justification for the proposals and choice of site

6.9 The applicant has decided to move into broiler production to ensure that the farming business remains viable for the younger generation. The UK poultry production industry continues to grow to meet the demand for home grown produce and this committee

has considered a number of such schemes in recent years. It is stated that the bull beef enterprise would cease once the poultry units are established.

6.10 The proposed development site is currently used for agricultural production, however due to its proximity to the existing farmstead the site is suitable for expansion of the existing farm business. The site has been selected specifically as it is:

- immediately adjacent to the existing farm buildings which are the hub for management of the farm unit,
- has sufficient space to accommodate the development and can accommodate the required infrastructure (power, drainage, access);
- benefits from screening behind the existing farm buildings which the proposed landscaping measures would enhance and will therefore represent an extension of the existing built form comprising Corfton Farm, as opposed to an isolated rural development;
- is not affected by any environmental designations
- is separated from the nearest privately owned residential properties not associated with the farm unit.

These justifications can be supported in principle provided the requirements of other relevant policies and guidance are also met.

#### Environmental implications of the proposals

6.11 Transport: Policy CS7 requires sustainable patterns of communications and transport. A new access is proposed from the Corvedale Road 110m east of the existing access (which would be closed off) in order to improve visibility. Highway officers have acknowledged that this would be beneficial in highway terms given the dangerous nature of the existing access which emerges from a cutting with restricted visibility in both ways and where there has been one recent fatality. The access would be used both for the poultry unit and for other arable farming activity at the 1200 acre holding.

6.12 The Environmental Statement advises that the construction phase would last 3 months and would generate of the order of 200 HGV movements. During operation the proposals would generate 4 day peaks of activity at the end of each crop cycle - approximately every 44 days. There would be up to 13 return (in and out) movements by HGVs / tractor & trailer each day over the 4 day period, followed by much lower levels of activity of less than one per day. This assumes a worst case of all manure removal taking place by tractor and trailer. Manure would be dispersed locally on land owned by the applicant. This cyclical increase in traffic would be partly offset by the intended decommissioning of the applicant's bull beef activities.

6.13 An analysis of existing peak HGV flows on the B4368 predicts that HGV movements from the proposed development will not be likely to coincide with when the road is at its busiest and that the contribution of the site to existing levels of traffic will not be significant. Enough space would be available adjacent to the proposed poultry sheds for turning, allowing vehicle users to enter and leave the site in a forward gear. The site initially will be managed by the applicant and his family, who lives on-site. Travel distances will therefore be reduced to the absolute minimum. Highway

officers have confirmed verbally that there are no objections to the proposals and it is concluded that the proposals are capable of complying on balance with Policy CS7.

#### Noise and odour

- 6.14 Odour: Core Strategy Policy CS8 seeks to maintain and enhance existing facilities, services and amenities and to contribute to the quality of life of residents and visitors. It is generally expected that a 400 metre zone around intensive livestock development is the threshold for nuisance complaints relating to airborne emissions. The closest properties (Corfton Farm, Corfton Cottage and Highfields) are owned by the applicant. It is stated that in view of this the residents have an interest in the proposed development and nuisance complaints will not be an issue. It is understood however that Corfton Cottage is occupied on a tenancy basis by a resident who is not associated with the farm business. There is therefore a possibility that the occupant of this property may have a greater susceptibility to odour.
- 6.15 An Odour Impact Assessment advises that one privately owned receptor at Corfton Hall is on the edge of the 400m threshold. The modelling indicates that normal measures to reduce odour, such as optimised feeding regimes will be sufficient to reduce the impact to an acceptable level at all receptors with the exception of Corfton Hall where occasional odour will be perceived, primarily during the last days of a crop and during cleaning of the houses. The possible need for additional operational measures would be determined by the Environment Agency as part of the environmental permitting process. The applicant confirms however that the Odour Management Plan submitted with the EP will be particularly robust to ensure that all measures are taken to reduce odour emissions, including a specific plan to deal with odour during the clean-out phase. There is opportunity to delay clean-out if weather conditions would exacerbate the potential for odour issues. Allowing for factors such as the distance that Corfton Hall is from the proposed poultry units, the prevailing winds, built in odour control measures and proposed additional mitigation measures it is considered that any potential impact from odour would be minor.
- 6.16 The sources of odour (the doors to the proposed chicken sheds) would be further away from the dwellings than the existing farm buildings (110m for the nearest unit). The proposed poultry buildings would also provide good initial dispersion of emissions by virtue of the use high velocity ridge mounted fans. There would be 4 days per 48 day cycle during which opening of shed doors will be required for crop clearance and cleaning and there is greater potential for odour at these times. However, shed doors would be on south west elevations facing prevailing south-westerly winds which would be expected to keep any odour within the buildings and/or blow it away from the nearest properties.
- 6.17 An environmental permit application has been submitted to the Environment Agency and contains additional detailed information on odour modelling. The Environment Agency has confirmed that there are no objections on this basis and that any Permit would be subject to a detailed odour management plan with additional control measures. It is likely that the permit will require more stringent odour control measures given the presence of a private tenant at Corfton Farm Cottage and the applicant has been made aware of this. It is however considered that a degree of odour might reasonably be expected from time to time at the site as part of normal farming practices. The applicant has confirmed that an existing source of odour from the beef

farming business would be removed if the current proposals are approved. It is not considered that a refusal on odour grounds could be justified given the Environment Agency's lack of objection. It is however recommended that appropriate odour control and amenity protection conditions are imposed on any permission.

- 6.18 Noise: A noise assessment compares existing noise with that expected from the proposed poultry unit at four nearby locations: Corfton Farm, Corfton Hall, Elsich Barn and properties off the B4365 to the south-east of the proposed site. This finds that the sources and frequency of noise events will decrease and the separation distance between sensitive receptors and noise sources will increase. The report concludes that at Corfton Farm, the impact of noise from the proposed development, including air fans on the buildings, would be 'minor' during the day and potentially 'major' at night. This is before the potential mitigating effect of intervening buildings, difference in elevation and the direction of the prevailing winds is taken into account. However, the assessment states that Corfton Farm is owned by the applicant who has an interest in the proposed development so noise is not considered to be an issue at the property. There are no other locations where noise from the facility would be likely to give rise to complaints.
- 6.19 Corfton Farm Cottage (next to the farmhouse at Corfton Farm) is rented by a private tenant and is likely to encounter increased night time noise. In addition there may be the potential for increased odour at this property, particularly at the end of each crop cycle. The tenant has not written to object to the current proposals, although the possibility of future amenity issues cannot be discounted in this location. A degree of noise is to be expected in a farmyard setting and there would be some reduction in other levels of activity and associated noise due to the planned decommissioning of the beef business. Any tenant would ultimately have the option of ending their tenancy if necessary. However, the applicant occupies the adjoining property and would have a vested interest in ensuring that amenity was preserved, in order to protect their living environment. The Environment Agency would also have the potential to impose additional safeguards as part of the permitting process. Public Protection has not objected. It is concluded that the proposals are compliant on balance with relevant amenity policies including Core Strategy Policy CS8 and that refusal on grounds of odour or noise could not be justified.

#### Natural and Historic Environment:

- 6.20 Policy CS17 states that "development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources, and should not adversely affect visual, ecological ... heritage or recreational assets.
- 6.21 Ecology: An ecological report assesses the potential impacts of the proposed poultry farm on protected species and their habitats. Habitats on-site are generally of low value given the intensive use of the site for agriculture and the value of the site as habitat for protected species was found to be limited. There are no records for specially protected species in the area surrounding the site. Ponds 100m to the north and 430m to the south of the site are in spatially separate locations which would not be directly affected by the proposals. There will be no significant loss of habitat as a result of the development during the construction, operational or decommissioning phase, although the arable and grassland habitats and surrounding tree and hedges may see some minor impact. The planting of a native hedgerow and trees as part of landscaping



works would provide an intermediate positive effect. An initial ammonia screening assessment has been carried out by the Environment Agency. This concludes that detailed ammonia modelling will not be required and that an appropriate assessment will not be required as part of the Habitats Regulations Assessment linked to the Permitting process. It is concluded that the proposals would not impact adversely on ecological interests and the proposed landscaping measures are capable of delivering ecological enhancements in accordance with Policy CS17.

6.22 Visual impact: A landscape and visual impact appraisal has been undertaken in accordance with relevant methodology. This concludes that the direct effects on landscape will be limited. No important landscape features or elements will be lost as a direct consequence of the development. As the site lies close to an established agricultural development the report states that the proposed development will be compatible with the surrounding agricultural land uses. With regard to indirect effects and the perception of landscape character, the report considers that the proposed development will have minimal effect on the wooded hills and estate lands on which the development site is located and on the other character areas surrounding the site. Nor does the report consider that there would be a significant impact on the character of the AONB or the reasons why it was designated. In terms of impact on visual amenity the report considers this overall to be minor when taking into account the proposed site levels and landscaping works and that the landscape is capable of accommodating the development.

6.23 This conclusion has been challenged by the AONB Partnership who consider that the proposals would introduce a new large scale structure to the landscape which would be harmful to the AONB. In order to address this concern the applicant has provided some photomontages of the site from 4 surrounding viewpoints. It is considered that whilst the proposed poultry units would be quite large structures the photomontages support the conclusion that the proposed site would not give rise to an unacceptably adverse impact in the local landscape. This is given the low profile nature of the development, its setting, the proposed landscaping measures, the proximity to the existing buildings and the fact that the buildings would generally be viewed only from a distance:



Pedlars Rest, 500m south, Existing and Proposed





### Lawton 2.8km SE – Existing and Proposed



6.24 The applicant has forwarded this information to the AONB Partnership and has emphasised the following points:

- The proposed development is on intensively farmed arable land immediately to the rear of the existing large scale buildings.
- The site will be re-profiled which will result in the two rearing sheds to the rear of the building (including feed bins) being only 3.12 metres above the ridge height of existing agricultural buildings on the farm. The two additional units will only project 8.12 metres above the existing buildings.
- Extensive landscaping will be provided on all four sides of the proposed development site with an extended copse of trees to the north-west of the site being provided.
- The proposal includes the closure and reinstatement of the existing access track to the farm and replaced with a more natural access track more in keeping with the rural character of the area
- The buildings themselves will be low profile with a maximum ridge height of 4.8 metres. They will be finished in juniper green cladding to blend in with the landscape. The feedbins will also be coloured.
- The site is located on the edge of the AONB. The site will be totally screened from the north due to the topography of the land. The land immediately to the south is outside the AONB. Views from the valley side to the south would be very limited due to the distances involved, the re-profiling of the landscape and the location to the rear of existing buildings. It is also important to stress that the views from the valley side would be panoramic and this development would be a small part of a much wider panoramic vista.

6.25 It is concluded that the proposals would not give rise to an unacceptable visual impacts on the landscape provided they are subject to appropriate landscaping and surface treatment conditions. The photomontages suggest that the colour of juniper green proposed by the applicant for the sheds and feed bins would be appropriate in this setting. It is also considered that any residual visual effects after the proposed

landscaping is taken into account would be limited and outweighed by the benefits of the scheme to agriculture and the rural economy (Core Strategy CS5, CS17).

- 6.26 AONB: The site is located within the South Shropshire Hills AONB about 550m from its boundary and is a major development proposal. Planning policy seeks to balance the needs of the countryside as a working environment with its role as a place to live and enjoy, and the requirements of the AONB will be taken into account (e.g. Core Strategy Policy CS5). The applicant states that full consideration has been had to the siting and layout/orientation of the buildings to minimise impact within the AONB landscape, and a full raft of mitigation measures including re-profiling the site and landscaping have been set out. The Shropshire Hills AONB Management Plan mirrors national and local policy in that the landscape and natural beauty of the AONB should be protected and has been considered in the LVIA chapter of the Environmental Statement. The management plan sets out that the Shropshire Hills falls behind in many social and economic indices and development to meet economic and social goals is therefore a priority, but must be taken forward in ways which do not undermine the high quality environment of the AONB, which is itself a significant long term economic asset. The management plan does not preclude development in the AONB and recognises the importance of economic development and farming and food production in particular to the area.
- 6.27 The NPPF advises that ‘great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas’ (115). ‘Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of’:
- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
  - the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
  - any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated (116).
- 6.28 The AONB is nationally important and its key special qualities are the diversity and contrast of its landscape, its hills, farmland, woods and rivers, the important geology, wildlife and heritage they hold, plus scenic quality and views, tranquillity, culture and opportunities for enjoyment. The AONB Partnership in its Management Plan recognises that schemes which may generate economic benefits in the short term have to be balanced with the longer term sustainability of the area.
- 6.29 In terms of need it is accepted that the proposals would assist in securing the future profitability of the farming enterprise which is a well-established family business and would contribute to the long term economic vitality of the rural area. The applicant states that agriculture plays a significant role in the vibrancy of local communities across Shropshire, performing a social function as well as an economic function. The farming community is a key part of community life and cohesion in our rural villages and towns. The proposals would help to supply a significant national need for poultry

meat. Many of the main poultry processing companies such as Cargills UK have a shortage in supply and are actively seeking sites for poultry production in the Shropshire area. In terms of the cost / scope of developing the proposals elsewhere it is considered that this would not be realistic as the business needs to be based physically next to the existing farm unit with which it is linked. Whilst there is other land within the applicant's holding this is all within the AONB and there are no other sites which are as well suited to accommodate the development. In terms of detrimental effects on the environment it is considered that the information accompanying the application demonstrates that there would be no unacceptably adverse impacts when available mitigation measures are taken into account. This includes the visual information provided by the applicant's photomontages.

- 6.30 It is considered that the proposals would have significant local benefits for rural vitality, would help fulfil a national demand for poultry meat and would not give rise to any unacceptably adverse effects on the AONB. It is therefore concluded that the exceptional circumstance justifications for developing within the AONB are met.
- 6.31 Cultural Heritage: A Heritage Impact Appraisal has considered the potential impact of the proposals on heritage assets surrounding the proposed development. This concludes that there will be no significant impact on heritage or archaeological features. The only assets that could see any impact are Hill House Farm - which would only be limited, and Corfton Castle – where minimal impact is possible. The proposed development will make little significant impact on the setting or character of the AONB. There would be negligible impact on Corfton Hall and very limited impact on Cofton Hall Lodge. An archaeological watching brief can be undertaken during the necessary groundworks to ensure that there is no impact on any unidentified archaeological assets on the site. Historic Environment has not objected subject to an archaeological watching brief condition which has been recommended in Appendix 1.
- 6.32 Water resources: Policy CS18 requires sustainable water management to reduce flood risk and avoid an adverse impact on water quality. The applicant states that the proposal accords with Policy CS18 as it will not give rise to significant adverse effects on water or flooding. A Flood Risk Assessment considers the potential of the proposals to contribute to surface water flooding as a consequence of increased runoff from roofs and hardstandings. The assessment concludes however that the proposed Sustainable Urban Drainage Systems (SuDS)) will ensure any such risk is insignificant. The Council's Drainage section has not objected. Appropriate conditions and advisory notes are recommended in Appendix 1.
- 6.33 Manure management: Manure from the site would be stored in in-field stores before being applied to the land as organic fertilizer. No manure would be stored on site, even for a short period. The applicant farms sufficient land area to spread the poultry manure within its own ownership and suitable storage locations are available away from ground and surface water sources. None of the land that the applicant farms falls within an Nitrate Vulnerable Zone. It is considered that the proposals would not pose any significant risk to ground or surface water quality.
- 6.34 Biomass boiler: The poultry units would be heated by a modern biomass boiler system which would be fully compliant with relevant air emission standards. Biomass boilers produce a drier heat than traditional gas fired boilers which reduces the moisture content of poultry litter. This in turn reduces ammonia emissions and has benefits for

bird welfare. The renewable heat energy produced by biomass boilers also has benefits in terms of climate change by substituting for the greenhouse gases which would otherwise be emitted by a fossil fuel heating system.

- 6.35 Hydrology: A hydrology report advises that the site is not located over an aquifer. The proposed drainage system will be a sealed system and discharge at Greenfield rates to a new pond, with this then discharging at Greenfield rate to the existing pond to the south and the existing ditchcourse/watercourse further downstream. The surface water drainage to the site has been properly prepared and Suds techniques will be used to slow and restrict surface water from the development and site. The proposed attenuation pond has been designed to accommodate the full required attenuation for a worst case event of a 1 in 100 year storm + 20% climate change. The proposals will not result in increased flows from the site and will seek to control run-off where the existing site has no controls. A suitable means of dirty water drainage disposal from the proposed development is proposed. To ensure that no dust enters the watercourse through clean water drainage this will be diverted through French drains with collection pipes before discharge. The hydrology report demonstrates that the farm can store and manage manure and dirty water produced on farm safely and in accordance with DEFRA's guidelines. Land drainage have not objected. It is concluded that the proposals can be accepted in relation to Core Strategy Policy CS18 (drainage).
- 6.36 Material balance: The proposals would require excavation works in order to create two level development platforms. The site would be stepped into the existing gently sloping field, with excavated banks at the north-west corner side of each platform area. The excavated bank around the north and west sides of the site would be planted up with trees and shrubs. The applicant has confirmed that surplus excavated material which would need to be removed from the site would be spread thinly over a wide area on the adjoining land within the ownership of the applicant, thereby eliminating the need for such material to be disposed of at a suitably licensed inert waste facility.
- 6.37 Consideration of alternatives: The EIA Regulations 2011 require applicants to consider alternatives (Schedule 4). Alternatives were considered as part of the project. The application site was preferred however as it would allow use of the farm infrastructure and services. The preferred site is grouped with the existing buildings and is located in an area which the applicant states is the natural expansion direction of the farm. It is considered that the proposed development represents an appropriate choice having regard to other alternatives and the decision to discontinue the beef farming use.

## 7. CONCLUSION

- 7.1 The proposals represent an appropriate form of diversification for the existing farm business. They will assist in ensuring the future profitability / robustness of the business whilst continuing to contribute to the local economy and employment. They will also provide locally sourced food as part of a key industry in Shropshire, supplying a strong national demand for poultry meat. The proposals therefore comply with Core Strategy policies CS1(sustainability), CS5 (Countryside) and CS13 (economy).
- 7.2 It is considered that the EIA accompanying the application demonstrates that the environmental impacts of the proposed development are not significant and are capable of being effectively controlled and mitigated. The design of the scheme incorporates sustainable features such as biomass heating, SuDS and landscaping.

The recommended conditions would also be supplemented by detailed operational controls available under the Environment Agency's permitting regime. It is considered that the benefits of the scheme outweigh the potential impacts and that the exceptional circumstance tests for major development within the AONB are met. It is concluded that the proposals are capable being accepted in relation to relevant development plan policies and guidance.

## 8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

### Risk Management

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

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal - written representations, a hearing or inquiry.
- The decision is challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be a) promptly and b) in any event not later than three months after the grounds to make the claim first arose.

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

### 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.

### Equalities

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

## 9.0 FINANCIAL IMPLICATIONS

- 9.1 There are likely financial implications of the decision and/or imposition of conditions is 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:

#### 10.1 National Planning Policy Framework (NPPF) (DCLG – July 2011)

10.1.1 The National Planning Policy Framework (NPPF) came into effect in March 2012, replacing most former planning policy statements and guidance notes. The NPPF provides a more concise policy framework emphasizing sustainable development and planning for prosperity. Sustainable development 'is about positive growth – making economic, environmental and social progress for this and future generations'. 'Development that is sustainable should go ahead, without delay - a presumption in favour of sustainable development that is the basis for every plan, and every decision'. The framework sets out clearly what could make a proposed plan or development unsustainable.

10.1.2 Relevant areas covered by the NPPF are referred to in section 6 above and include:

- 1. Building a strong, competitive economy;
- 3. Supporting a prosperous rural economy;
- 4. Promoting sustainable transport;
- 7. Requiring good design;
- 8. Promoting healthy communities;
- 10. Meeting the challenge of climate change, flooding and coastal change;
- 11. Conserving and enhancing the natural environment;
- 12. Conserving and enhancing the historic environment;

#### 10.2 Core Strategy:

10.2.1 The Shropshire Core Strategy was adopted in February 2011 and sets out strategic objectives including amongst other matters:

- To rebalance rural communities through the delivery of local housing and employment opportunities (objective 3);
- To promote sustainable economic development and growth (objective 6);
- To support the development of sustainable tourism, rural enterprise, broadband connectivity, diversification of the rural economy, and the continued importance of farming and agriculture (objective 7);
- To support the improvement of Shropshire's transport system (objective 8);
- To promote a low carbon Shropshire (objective 9) delivering development which mitigates, and adapts to, the effects of climate change, including flood risk, by promoting more responsible transport and travel choices, more efficient use of energy and resources, the generation of energy from renewable sources, and effective and sustainable waste management.



## 10.2.2 Core Strategy policies of relevance to the current proposals include:

- i. CS6: Sustainable Design and Development Principles:  
To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and which *mitigates and adapts to climate change*. This will be achieved by: Requiring all development proposals, including changes to existing buildings, to achieve criteria set out in the sustainability checklist. This will ensure that sustainable design and construction principles are incorporated within new development, and that *resource and energy efficiency and renewable energy generation are adequately addressed* and improved where possible. The checklist will be developed as part of a Sustainable Design SPD; Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced; And ensuring that all development: Is designed to be adaptable, safe and accessible to all, *to respond to the challenge of climate change* and, in relation to housing, adapt to changing lifestyle needs over the lifetime of the development in accordance with the objectives of Policy CS11 Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, *landscape character assessments and ecological strategies where appropriate; Contributes to the health and wellbeing of communities, including safeguarding residential and local amenity* and the achievement of local standards for the provision and quality of open space, sport and recreational facilities. Is designed to a high quality, consistent with national good practice standards, including appropriate landscaping and car parking provision and taking account of site characteristics such as land stability and ground contamination; Makes the most effective use of land and safeguards natural resources including high quality agricultural land, geology, minerals, air, soil and water; Ensures that there is capacity and availability of infrastructure to serve any new development in accordance with the objectives of Policy CS8. *Proposals resulting in the loss of existing facilities, services or amenities will be resisted unless provision is made for equivalent or improved provision, or it can be clearly demonstrated that the existing facility, service or amenity is not viable over the long term.*
- ii. CS13: Economic Development, Enterprise and Employment:  
Shropshire Council, working with its partners, will plan positively to *develop and diversify the Shropshire economy, supporting enterprise, and seeking to deliver sustainable economic growth and prosperous communities*. In doing so, particular emphasis will be placed on: Promoting Shropshire as a business investment location and a place for a range of business types to start up, invest and grow, recognising the economic benefits of Shropshire's environment and quality of life as unique selling points which need to be valued, conserved and enhanced Raising the profile of Shrewsbury, developing its role as the county town, growth point and the main business, service and visitor centre for the Shropshire sub-region, in accordance with Policy CS2 Supporting the revitalisation of Shropshire's market towns, developing their role as key service centres, providing employment and a range of facilities and services accessible to their rural hinterlands, in accordance with Policy CS3 *Supporting the development and growth of Shropshire's key business sectors and clusters, in particular: environmental technologies; creative and cultural industries;*

*tourism; and the land based sector, particularly food and drink production and processing Planning and managing a responsive and flexible supply of employment land and premises comprising a range and choice of sites in appropriate locations to meet the needs of business, with investment in infrastructure to aid their development or to help revitalise them. Supporting initiatives and development related to the provision of higher/further education facilities which offer improved education and training opportunities to help raise skills levels of residents and meet the needs of employers Supporting the development of sustainable transport and ICT/broadband infrastructure, to improve accessibility/connectivity to employment, education and training opportunities, key facilities and services Encouraging home based enterprise, the development of business hubs, live-work schemes and appropriate use of residential properties for home working In rural areas, recognising the continued importance of farming for food production and supporting rural enterprise and diversification of the economy, in particular areas of economic activity associated with agricultural and farm diversification, forestry, green tourism and leisure, food and drink processing, and promotion of local food and supply chains. Development proposals must accord with Policy CS5.*

v. CS17: Environmental Networks

*Development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources. This will be achieved by ensuring that all development: Protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not adversely affect the visual, ecological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors. Further guidance will be provided in SPDs concerning the natural and built environment; Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape, biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge Does not have a significant adverse impact on Shropshire's environmental assets and does not create barriers or sever links between dependant sites; Secures financial contributions, in accordance with Policy CS8, towards the creation of new, and improvement to existing, environmental sites and corridors, the removal of barriers between sites, and provision for long term management and maintenance. Sites and corridors are identified in the LDF evidence base and will be regularly monitored and updated.*

vii. Other relevant policies:

- Policy CS5: Countryside and Green Belt;
- Policy CS7: Communications and Transport;
- Policy CS8: Facilities, services and infrastructure provision.

10.3 Saved Local Plan Policies:

10.3.1 Shropshire Structure Plan – Relevant saved policies:

- P16: Protecting air quality;

10.3.3 The Bridgnorth Local Plan The site is not affected by any specific designations in the

Plan. Previously relevant policies have now been replaced by the policies in the Core Strategy.

#### 10.4 Emerging planning policy documents and guidance

10.4.1 Site Management and Allocation of Development Document (SAMDEV) – The site falls within the Much Wenlock area of the emerging SAMDEV but is not subject to any specific allocation. The SAMDEV acknowledges that ‘Shropshire must play its part in providing energy from renewable sources. We want to encourage renewable energy developments but we also need to conserve Shropshire’s high quality environment. Current Government guidance suggests we should develop criteria to enable low carbon and renewable energy development to proceed when there are no significant adverse effects on recognised environmental assets’.

10.4.2 Draft policy directions for the SAMDEV have been published and indicate the direction of future policy change. The most relevant directions for the current proposals are:

- MD9 – Managing development in the countryside (seeks to protect heritage, landscape and biodiversity assets);
- MD14 – Protecting and enhancing Shropshire’s natural environment (seeks to ensure that biodiversity sites, habitats and species of recognised value are protected and enhanced).

It is considered that the proposals are in broad compliance with these policy directions.

#### 11. RELEVANT PLANNING HISTORY:

[View Details on Line](#)

<http://planningpa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N2LH3ETDI0G00>

11.1 The application site is located mainly on an agricultural field which has no prior planning history but part of the site occupies an existing building currently used for pig rearing.

List of Background Papers : Planning Application 14/00784/EIA and supporting documents and plans.
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Cabinet Member (Portfolio Holder): Cllr M. Price
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Local Member: Cllr Cecilia Motley (Corvedale)
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Appendices: APPENDIX 1 - Conditions
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## **APPENDIX 1**

### **Statement of Compliance with Article 31 of the Town and Country Development Management Procedure Order 2012**

The authority worked with the applicant in a positive and pro-active manner in order to seek solutions to problems arising in the processing of the planning application. This is in accordance with the advice of the Government's Chief Planning Officer to work with applicants in the context of the NPPF towards positive outcomes. Further information has been provided by the applicant on odour and noise. The submitted scheme has allowed the identified planning issues raised by the proposals to be satisfactorily addressed, subject to the recommended planning conditions.

### **Conditions**

- 1a. The development to which this planning permission relates shall be commenced within three years beginning with the date of this permission.
- b. Not less than one week's prior notice shall be provided in writing to the Local Planning Authority of the intended date for the commencement of operations under the terms of this permission. Such date shall be referred to hereinafter as the Commencement Date.

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990.

2. The development shall be carried out strictly in accordance with the application form dated 20<sup>th</sup> February 2014, the accompanying planning statement, environmental statement and supporting appendices and the approved drawings namely:

- SA13695/01 (Location Plan);
- SA13695/02 (Block Plan- with topographical levels);
- CF-SP-101 (Site Access Plan);
- CF-DL-100 (Site Layout Plan);
- CF-DO-102 (Drainage Outfall Plan);
- 02 (Access Plan);
- SA13695/05 (Site Sections).

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

- 3a. Tree, shrub, hedge and other planting and subsequent management shall be carried out in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to the Commencement Date. All planting and seeding shall be carried out in accordance with the approved landscaping plan within twelve months of completion of the construction phase.

- b. Any tree, shrub or other planted material which dies or is otherwise lost during the first 5 years post-planting shall be replaced with a tree, shrub or other plant of similar size and species.

Reason: To ensure landscaping is carried out and managed in a way that will provide the best conditions for it to reach maturity and thereby provide the intended mitigation and amenity benefits in the long term.

4. Prior to the Commencement Date a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details for the duration of the construction period.

Reason: In the interests of highway safety.

*Note: The scheme should amongst other matters confirm that measures that will be put in place so that there is no possibility of contaminated water entering and polluting surface or ground waters and no possibility of any building material or rubbish must finding its way into the watercourse.*

5. No development shall commence on site in connection with the approval until samples of materials including colour finishes for the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved materials.

Reason: To ensure the materials are appropriate in the landscape.

6. The proposed surface water drainage scheme shall be installed in accordance with the approved drainage details prior to the first occupation of any of the development hereby approved. Details of the flow control structure should be submitted for approval prior to the commencement of the works.

Reason: To ensure that the surface water drainage system is adequate and to minimize flood risk.

7. Prior to the Commencement Date a scheme confirming that the drainage details of the new access road shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any such flows are managed on site. The discharge of any such flows across the adjacent land would not be permitted and would mean that the surface water drainage system is not being used.

*Note: The scheme shall confirm that the proposed drainage provisions fulfil the requirements of Shropshire Council's Surface Water Management: Interim Guidance for Developers (paragraphs 7.10 to 7.12) where exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of any area outside of the development site.*

8a. No rainwater contaminated with silt/soil from disturbed ground during construction shall drain to the surface water sewer or watercourse unless a scheme detailing of measures to ensure settlement of silt/soil have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

b. Any fuels and/or chemicals used on Site shall be stored on hardstanding in bunded tanks.

Reason: To protect surface and ground water resources from pollution.

9a. No development shall commence on site in connection with this approval until the applicant (or agent acting on his behalf) has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

b. The scheme required by condition 7a above shall include provision for the carrying out of a geophysical survey of the proposed new access track site prior to the Commencement Date. If the results of this survey indicate that further evaluation is necessary to assess the extent, survival and significance of any archaeological remains then proposals for carrying out this additional survey work shall be submitted to and approved in writing by the Local Planning Authority prior to the Commencement Date.

Reason: To allow appropriate recording of any archaeological remains which may be present at the Site and to provide an opportunity to record any such features, including ridge and furrow earthworks which cross the line of the new access road.

10. Any existing trees or hedges on the boundaries of the Site which are not allocated for removal as part of the approved scheme shall be retained and protected from damage for the duration of the construction and subsequent operational periods.

Reason: To protect retained trees and hedges contributing to the character of the location from damage.

11. No development shall commence on site in connection with the approval until details of materials including colour finishes for the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved materials.

Reason: To ensure the materials are appropriate in the landscape.

12. No development shall take place until details of the means of access, including the layout, construction and sightlines have been submitted to and approved by the Local Planning Authority. The agreed details shall be fully implemented before the use hereby approved is commenced.

Reason: To ensure a satisfactory means of access to the highway.

13. Before any other operations are commenced, the proposed vehicular access and visibility splays, shall be provided and constructed to base course level and completed to adoptable standard as shown on the application drawings before the development is

brought into use. The area in advance of the sight lines shall be kept permanently clear of all obstructions.

Reason: To ensure that the development should not prejudice the free flow of traffic and conditions of safety on the highway nor cause inconvenience to other highway users.

14. Notwithstanding the provisions of the Town and Country General Development Order 1995 (or any order revoking or re-enacting that order with or without modification), fences or other means of enclosure at the road junction shall be set back to the sight lines shown on the approved plan and those areas shall thereafter be kept free of any obstruction at all times.

Reason: In the interest of highway safety.

Notes:

i. *This planning permission does not authorise the applicant to construct any means of access over the publicly maintained highway (footway or verge). The applicant should apply to Highways Development Control using the application form and procedure shown on the attached document:*

*<http://www.shropshire.gov.uk/hwmaint.nsf/open/BC00D601A750273C80256DD6003A5EA2>*

ii. *Any work involving the removal or disturbance of ground or structures supporting or abutting the publicly maintained highway should be carried out in accordance with details to be submitted to and approved in writing by the Highway Authority or their agent. Please contact the Coordination Manager at the appropriate Area Office: - Craven Arms - [southshropshire.highways@shropshire.gov.uk](mailto:southshropshire.highways@shropshire.gov.uk) who shall be given at least 3 months-notice of the applicant's intention to commence any works affecting the public highway. This will ensure that the applicant is provided with an appropriate licence, an approved specification for the works and a list of approved contractors, if required. <http://www.shropshire.gov.uk/hwmaint.nsf/open/D8DAF1CB579FD61380256E2A004908E5>*

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

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

16. Construction works shall not take place outside 06:30 to 19:00 hours Monday to Saturday and at no time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area.

17. Lorry movements when transporting birds during depopulation between 23:00 and 06:00 hours shall be restricted to a maximum of 4 movements and no lorries shall leave the development site between 11:00 and 2:00 hours.

Reason: To minimise disturbance to neighbouring residents.



18. The removal of poultry manure shall not take place outside the hours of 07.00 to 18.00 hours Monday to Friday, Saturday 08.00 to 13.00 hours and at no times during Sundays and bank or public holidays.

Reason - In the interests of residential amenity.

*Note: 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 each 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.*

19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. Work shall thereafter proceed strictly in accordance with the strategy agreed.

Reason: For the protection of surface and groundwater resources.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that Order with or without modification), no development shall be carried out under Class 6 Parts A and B without the prior grant of planning permission from the Local Planning Authority.

Reason: The effect of carrying out additional development of the facility under agricultural permitted development provisions has not been assessed as part of this proposal. The Local Planning Authority needs to retain full planning control over any future development of the site in order to assess whether any potential impacts associated with further development may cause harm to interests of acknowledged importance.

21. All plant and machinery on site shall be installed as per the figures within the application and maintained thereafter in accordance with the manufacturer's recommendations.

Reason: To protect neighbouring properties.

22. Prior to the bringing into use of the development the operator shall submit for the approval of the Local Planning Authority a complaint procedures scheme for dealing with noise, odour and other amenity related matters. The submitted scheme shall set out a system of response to verifiable complaints of noise received by the Local Planning Authority. This shall include:

- i. Investigation of the complaint;
- ii. Reporting the results of the investigation to the Local Planning Authority;

- iii. Implementation of any remedial actions agreed with the Authority within an agreed timescale.

Reason: To put agreed procedures in place to deal with any verified amenity related complaints which are received during site operation.

Note:

*The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent. All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive. If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.*